

Electoral Area D (Oyster Bay-Buttle Lake)

Advisory Planning Commission Guide



301-990 Cedar Street, Campbell River, BC V9W 7Z8
Tel: 250-830-6700 · Fax: 250-830-6710
Toll-free: 1-877-830-2990

www.srd.ca

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INTRODUCTION

Many local governments in British Columbia use an advisory planning commission (APC) structure to assist in the process for considering planning and land use management. The role of an APC is to provide input on those land use planning matters authorized by the local government. That input is given as advice and recommendations and does not form policy or set direction for the local government. At the Strathcona Regional District (SRD), the Regional Board may, by bylaw, choose to establish an APC for one or more electoral areas. The Regional Board has adopted Bylaw No. 493 to establish an APC for Electoral Area D (Oyster Bay-Buttle Lake) and to define the types of land use matters for which advice is desired.

This guide has been developed for a number of reasons:

- to provide context for the Electoral Area D advisory planning commission within the broader scope of planning and land use management issues;
- to identify the roles and responsibilities of the Electoral Area D advisory planning commission at both the individual and collective levels;
- to provide guidance for the advisory planning commission members in carrying out their duties;
- to help advisory planning commission members and the public better understand the process for considering applications.

The guide is a living document and will change as procedures and practices change to reflect legislative or policy amendments.

LEGISLATIVE AUTHORITY

Section 461 of the *Local Government Act* of BC provides that “a board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a regional district director, representing the electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued” under Part 14 of that Act.

ESTABLISHING BYLAW

Bylaw No. 493, being Electoral Area D Advisory Planning Commission Establishing Bylaw 2023, was adopted on April 26, 2023 and provides for:

- the composition of and the manner of appointing members to the commission;
- the procedures governing the conduct of the commission; and
- the referral of matters to the advisory planning commission.

APC MEMBERSHIP

Bylaw No. 493 limits the composition of the APC to not more than 8 persons representing a cross-section of the ratepayer within Electoral Area D. Appointments to the APC are made by the Regional Board based on applications from the general public. Appointments may be made for a term not to exceed 3 years but members may be appointed to additional terms of office at the Board’s discretion. Members must make an Oath of Office before taking up their duties. Appointed members act in a volunteer capacity meaning that they are not paid for their time but may be reimbursed for reasonable expenses incurred in performing their duties. Members are expected to attend all meetings of the APC unless the absence is due to sickness, injury or with the approval of the Chair of the APC.

APC MANDATE

The mandate of the Electoral Area D APC is to provide advice and recommendations to the Regional Board on matters that have been referred to the APC including official community plan, zoning, development variance and temporary use applications. The APC is neither a political nor technical body but rather is intended as a body able to provide a local perspective on matters that may come before it.

COMMISSION CHAIR

At its first meeting each year the APC will elect a Chair who will be the spokesperson for the APC. It is the responsibility of the Chair to ensure that proper decorum is maintained at meetings and that the procedures for input by members, applicants and staff are administered effectively and fairly. The APC may also decide at that time to elect a Vice Chair who would take the place of the Chair in the event the Chair was absent or unable to attend meetings of the APC.

COMMISSION SECRETARY

The Commission secretary is the corporate officer for the Regional District or that person's designate. Typically, the duties of APC secretary will be fulfilled by a different staff member from the Regional District or the APC may wish to nominate a person from the local area who understands the role and is prepared to take on the responsibilities of the position. Those responsibilities would include taking the minutes and recording the motions at APC meetings, ensuring that applicants are notified prior to their applications being considered by the APC, maintaining the contact information for APC members, and working with the APC Chair to ensure that scheduling and location details for meetings are finalized well before meeting dates. Having a calendar of meeting dates for the year (eg. the 2nd Tuesday every month) will be helpful from a scheduling perspective.

MEETING COORDINATION

At the beginning of each year, the Commission members should determine the APC meeting dates for the rest of the year based on practicality and availability. Ideally, the Commission will decide to hold meetings on the same day of the same week of each month, for example, the second Tuesday of each month. The Commission should consult with Regional District staff who are expected to attend its meetings to ensure their availability. The APC can then rely on the Commission secretary to book the meeting dates and times with various venues within the electoral area, and to advise local media and others regarding the meeting dates, times and locations for the benefit of local community members.

APPLICATION PROCESS

To some extent the process for dealing with land use applications may vary according to the type of application being made and the complexity of the issues that must be considered for the application. In general, the process for applications referred by the Regional District will resemble the following:

Step 1 – an applicant submits an application to the Regional District seeking approval for an official community plan redesignation, a rezoning, a development variance permit or a temporary use permit. In conjunction with the submission of the application, the applicant may meet with planning staff at the Regional District to explain the application and the reasons why they are seeking approval.

Step 2 - the planning staff will conduct research related to the application and prepare a report summarizing the findings of that research. The report will make reference to any policies or regulations (bylaws) of the Regional District that may be relevant to the application.

Step 3 – the staff report will be placed on the agenda for the next available meeting of the APC. The schedule for the APC meetings will be a factor in determining how quickly the application can be reviewed by the APC. There may be other agencies and government organizations that will be asked to provide input on the application.

Step 4 – the agenda for the APC is published and the applicant is advised of the date, time and place for the APC meeting in case they wish to address the APC regarding their application. As with other Regional District bodies, meetings of the Commission are open to the public and agendas are available for public inspection.

Step 5 – the APC meeting is held and the application is reviewed. Bylaw No. 493 requires that applications be considered by the APC as soon as reasonably possible. When the meeting has been terminated, the secretary of the APC will prepare the minutes of the meeting and, when confident of their accuracy, the minutes will be published as part of the public record.

Step 6 – the APC secretary advises the Regional District of any recommendations or comments made by the APC with respect to applications considered at the meeting. Depending on when that is done, the staff report may or may not include that information.

Step 7 – the Regional Board reviews the application including any comments or recommendations from the APC.

EFFECTIVE MEETINGS

Where appropriate, the Commission will be governed by the procedures set out in the Regional Board's meeting procedures bylaw. Following are some brief guidelines that may help to ensure that meetings are effective and make the best use of time and resources of all participants.

An effective Chair commits to the position. The role of Chair can be time-consuming and challenging and it is important that the Chair understands the commitments involved when accepting the role. An effective Chair needs to make the time to understand the issues before they are discussed in a meeting. A Chair also needs to provide a meeting environment that is fair to all parties.

Commission members have an interest in the organization and its goals. The APC members should understand the process the Regional District follows in its planning and land use management functions and be interested in being a part of that process. Members should also be aware of how the organization's process relates to goals and regulations that are contained in official community plans and zoning bylaws.

An effective Chair exhibits leadership and develops collaboration in an open and fair manner. The Chair must guide fellow commission members through the variety of processes put before them. Decisions are sometimes difficult to achieve and the Chair must clearly direct how the results are to be met, but not necessarily what those results will be. The Chair should also try to bring disparate views together so that a more rounded perspective can be developed. Every member of the Commission has important views and will aid in the evaluation process. The Chair needs to recognize that all viewpoints should be considered, regardless of political allegiances or special interests.

An effective Chair motivates peers and encourages participation. The Chair should seek out and identify members who do not actively participate in meetings. Too often, more aggressive members will dominate a meeting, which can leave some participants feeling intimidated or left out of the evaluation process. Additionally, those participants may leave meetings feeling unappreciated because they have not been heard. The effective Chair needs to recognize this and balance discussion at meetings.

Members can develop connections between the organization and the community. Advisory planning commissions are an effective way to discuss planning and land use management issues at a local level with people who are immediately affected. The members can facilitate discussion and support for the APC activities by developing relations with neighborhood groups, the business community and individuals.

An effective Chair adheres to strict ethical standards: As the Chair of a public body, ethical standards must be followed so that public confidence in the role of the APC is maintained. One way to achieve this is to set out ground rules of individual conduct at meetings and establish the type of behaviour that will be allowed in order that a positive and respectful working environment can exist. By having the group endorse a code of conduct at the outset, the members will be much more

successful in addressing inappropriate behaviour. As an example, the directors on the Regional Board have adopted Bylaw No. 330 which defines a code of conduct for interactions with each other and with staff.

AGENDA PRODUCTION

Agendas are collated and published on average 10 days prior to the meeting date. The Regional District produces agendas in electronic format and an email is sent to advise members once the agenda has been published. Hardcopies of the complete agenda package can be mailed to the homes of Commission members or picked up from the Regional District office if requested. Commission members will also be able to receive meeting agendas in electronic format.

REVIEWING APPLICATIONS

Before finalizing its comments and recommendation on an application, the Commission should consider the information available to it, including any local knowledge of the land in question and its history, and provide an opportunity for the applicant to address the Commission orally or in writing. If a written submission is received from the applicant prior to publication of the agenda for the meeting at which the application is to be considered, the submission will be included on the meeting agenda. However, if a written submission is received from the applicant following publication of the meeting agenda but prior to the meeting at which the application is to be considered, it should be read aloud at the meeting by the applicant, the applicant's representative or the Commission secretary.

If a written submission is received by the Commission after it has finished considering an application must be provided to the Regional District.

PROVIDING RECOMMENDATIONS

It is important that the APC recognizes how best to fulfill its role in the planning and land use management process. The commission is most effective when its recommendations can be acted upon or considered by the Board in making a decision. For example, recommendations could do one of the following:

- support an application, with stated reasons;
- support an application subject to various conditions, with stated reasons; or
- withhold support for an application, with stated reasons.

Further, the following template can be used for recommendations:

THAT the John Doe application to rezone property at 1234 Main Street be supported for the following reasons:

- *Proposed development is environmentally sustainable; and*
- *The rezoning is in accordance with the local area plan.*

By wording resolutions in a clear and concise manner, the electoral area director and the Board can readily determine the views of the Commission and choose to incorporate those views in its decision-making process. It is also important to note that any information about an application that the Commission wishes to convey to the Regional District will ideally be contained in a recommendation. Where Commission minutes report on a discussion rather than provide recommendations, it is not always clear what the Commission's position is, which may lead to misunderstandings about the issues. And to ensure that the Commission acts in a democratic fashion, it must be clear to anyone reviewing Commission minutes that a majority of the members supported the statements. For this reason it is also important that the minutes provide an accurate view of the members who were in attendance or absent from the meeting.

PRODUCTION OF MINUTES

As stated earlier, the minutes of advisory planning commission meetings are the primary means by which commissions record their activities and submit recommendations to the Regional District to

assist in the planning and land use management decision-making process. The required content for the minutes can be found listed above or within the Board's procedure bylaw.

Minute notes, in a draft form, should be submitted to the Regional District as soon as possible after the Commission meeting. Regional District staff will transcribe the meeting notes into the minutes database and provide a copy to the Commission secretary for review before publication. Commission minutes are also utilized in preparing staff reports regarding planning and land use management applications.

OPENNESS AND TRANSPARENCY

Advisory planning commission meetings are open to the public and the agendas and minutes are available for public scrutiny following publication. The members of the APC have specific roles and responsibilities including the need to ensure that their position on land use matters is not compromised by private interests. As a public official, APC members are subject to the same rules of ethical conduct as other Regional District representatives and therefore must recuse themselves from debate and voting when that member has a direct or indirect pecuniary interest in a matter under consideration. A member must also declare a conflict if he or she has some other, non-pecuniary type of interest that places the person in a conflict position. The Province of British Columbia provides further detail about ethical conduct and conflict of interest on its website at: <https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/conduct-of-locally-elected-officials/ethical-standards/recognizing-potential-conflicts-of-interest>

It is expected that APC members will attend all meetings and be familiar with agenda items in order that they can participate in discussions about the applications. Members must also be respectful of other members and the public in their deliberations.

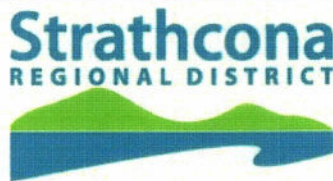
MATTERS REFERRED BY DIRECTOR

If the Commission is asked to consider a matter referred to it by the Director for Electoral Area D, the Commission must provide a copy of the request and any related records to the Regional District following consideration by the Commission.

ADDITIONAL SOURCES

There are other sources of information that are important to advisory planning commissions. These are included in the appendix to this guide as follows:

- Appendix A– Bylaw No. 493 (Electoral Area D Advisory Planning Commission Bylaw)
- Appendix B – Official Community Plan for Electoral Area D
- Appendix C – Electoral Area D Zoning Bylaw
- Appendix D – Bylaw No. 1 being the Regional Board Procedure Bylaw



BYLAW NO. 493

A BYLAW TO ESTABLISH AN ADVISORY PLANNING COMMISSION FOR ELECTORAL AREA D (OYSTER BAY-BUTTLE LAKE) OF THE REGIONAL DISTRICT

WHEREAS the Regional District may, by bylaw, establish an advisory planning commission for an electoral area or portions thereof to advise the Regional Board or a director representing that area on all matters referred to the commission by the Board or the director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw establishing an advisory planning commission must provide for the composition and manner of appointing members to the commission, the procedures governing the conduct of the commission and the referral of matters to the commission;

AND WHEREAS at least 2/3 of the members of an advisory planning commission must be residents of the electoral area for which the commission has been established;

AND WHEREAS the Regional District wishes to re-establish an advisory planning commission for Electoral Area D (Oyster Bay-Buttle Lake).

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Interpretation

1. In this bylaw, unless the context otherwise requires:

"application" means a written application from an owner of land, a landowner's authorized representative or the Regional District proposing that:

- a) a zoning designation,
- b) an official community plan designation,
- c) a development variance permit, or
- d) a temporary use permit,

applicable to the owner's land be amended, repealed, issued or otherwise considered in accordance with Part 14 of the *Local Government Act*.

"appointment" means the appointment or reappointment of a person as a member of the Advisory Planning Commission.

"Board" or **"Regional Board"** means the Board of Directors of the Strathcona Regional District.

"Commission" means the Advisory Planning Commission established by this bylaw.

"Chair" means the Chair of the Advisory Planning Commission.

“**director**” means the director representing the electors of Electoral Area D.

“**electoral area**” means Electoral Area D of the Strathcona Regional District.

Re-establishment of Advisory Planning Commission

2. There is hereby re-established an advisory planning commission to be known as the Electoral Area D Advisory Planning Commission.

Jurisdiction of Commission

3. The area of jurisdiction of the Commission re-established by this bylaw is coterminous with the boundaries of Electoral Area D.

Commission Membership

4. The Commission shall comprise not more than 8 persons appointed by resolution of the Board to represent a cross-section of the ratepayers within the electoral area.

Appointment of Members

5. (1) Before appointing persons to the Commission, the Regional District shall invite applications from the general public interested in serving as members of the Commission.

(2) Members of the Commission shall serve at the pleasure of the Board.

(3) The Board shall not appoint or dismiss a member, or otherwise change the composition of the Commission, if such action would result in less than 2/3 of the members being residents of the electoral area.

Oath of Office

6. Before taking up their duties the members of the Commission shall make an oath of office in the form prescribed by Appendix ‘A’, attached to and forming part of this bylaw.

Term of Office for Members

7. Members of the Commission may be appointed to any term not exceeding 3 years and may be appointed to additional terms of office at the Board’s discretion.

Attendance at Meetings

8. Members are expected to attend every meeting of the Commission unless the absence is due to sickness or injury, or with leave from the Commission Chair.

Election and Term of Chair

9. The members of the Commission shall elect a Chair at their first meeting each year who shall hold office for the remainder of the year.

Commission Secretary

10. The corporate officer for the Regional District, or that person’s designate, shall perform the duties of secretary to the Commission.

Commission Procedures

11. (1) Except as otherwise provided, and to the extent applicable, the Commission shall be governed by the procedures set out in the Regional Board's meeting procedures bylaw.
- (2) Despite any rule to the contrary, the Chair of the Commission may second a motion proposed to be considered by the Commission.

Matters to be Considered Expeditiously

12. The Commission shall consider such applications as may be referred to it by the Regional District and provide its recommendations as soon as reasonably possible.

No Additional Fees Required

13. The Commission shall not require that any fee, charge or other payment be required in connection with its consideration of an application.

Notice of Application

14. Following receipt of an application by the Commission, the secretary shall ensure that a notice advising of the time, date and location of the meeting at which the application is to be considered is mailed or otherwise delivered to the applicant at least 10 days prior the meeting.

Report to be Prepared

15. A report containing an analysis of the land use policies and regulations applicable to the application shall be prepared by the Regional District for each application and provided to the Commission for placement on a meeting agenda.

Process for Consideration of Applications

16. (1) Before finalizing its recommendation on an application the Commission shall consider the report under section 15 and provide an opportunity for the applicant to address the Commission orally or in writing.
- (2) If a written submission is received from the applicant prior to publication of the agenda for the meeting at which the application is to be considered, the submission shall be included on the meeting agenda.
- (3) If a written submission is received from the applicant following publication of the meeting agenda but prior to the meeting at which the application is to be considered, it shall be read aloud at the meeting by the applicant, the applicant's representative or the Commission secretary.
- (4) Written submissions received after the Commission has finished considering an application will be provided to the Regional District.

Matters Referred by Director

17. If the Commission is asked to consider a matter referred to it by the director, the Commission shall ensure that a copy of the request and any related records are provided to the Regional District following consideration by the Commission.

Previous Bylaw of no Effect

18. Upon adoption of this bylaw, Bylaw No. 2861, being Advisory Planning Commission Bylaw 2006, as adopted by the Comox-Strathcona Regional Board on January 30, 2006, shall cease to have any force or effect within Electoral Area D.

Citation

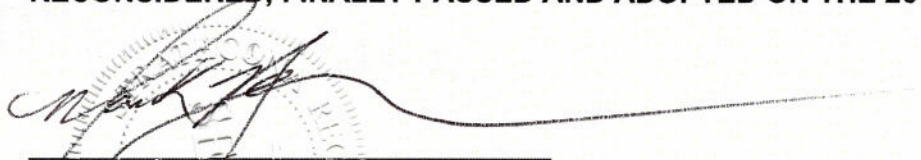
19. This bylaw may be cited for all purposes as Bylaw No. 493, being Electoral Area D Advisory Planning Commission Establishing Bylaw 2023.

READ A FIRST TIME ON THE 26TH DAY OF APRIL, 2023

READ A SECOND TIME ON THE 26TH DAY OF APRIL, 2023

READ A THIRD TIME ON THE 26TH DAY OF APRIL, 2023

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 26TH DAY OF APRIL, 2023.



Chair



Corporate Officer

APPENDIX 'A'
ELECTORAL AREA D ADVISORY PLANNING COMMISSION

OATH OF OFFICE

I, _____, do solemnly affirm that:

1. I am qualified to hold the office of commissioner for the Electoral Area D Advisory Planning Commission to which I have been appointed.
2. I am not an employee, officer or elected representative of the Strathcona Regional District or an approving officer appointed under the provisions of the *Land Title Act*.
3. I will faithfully perform the duties of my office, and will not allow any personal interest to influence my conduct in public matters.
4. I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter.

(Signature of Appointee)

Affirmed before me at _____, B.C.
this _____ day of _____, 20____.

(Corporate Officer or Commissioner)

Appendix 'B'



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

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

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

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

SRD 82	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw 20	March 26, 2012	To amend Part 306, Part 404.1 and 404 Guidelines regarding RAR
SRD 364	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw 21	November 6, 2020	Map amendment – to amend the land use designation for land described as N ½ of NE ¼ Section 29, Township 4, Comox District, Plan 552C except Plan 376RW on ‘Map 3’ of Bylaw No. 1857, being Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, is hereby amended from ‘Upland Resource (UR) to ‘Rural’ (RU) and ‘Country Residential’ (CR).
SRD 446	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw 22	July 13, 2022	To amend Part 300 by inserting Part 309 – Rural Residential Community.

This bylaw may not be current due to pending updates or revisions and SHOULD NOT BE RELIED UPON FOR LEGAL PURPOSES. Please contact the Corporate Services Manager for the Strathcona Regional District for the most current version.



Bylaw No. 1857

OYSTER BAY - BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996

Consolidated copy
for your convenience only

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

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 1857

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

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

PART A TITLE

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

PART B APPLICATION

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

PART C ENACTMENT AND REPEAL

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

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

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

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

"B. Whitehead"
Secretary

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

"D. Andrews"
Chairperson

"B. Whitehead"
Secretary

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

"B. Whitehead"
Secretary

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OYSTER BAY - BUTTLE LAKE OFFICIAL COMMUNITY PLAN

100 INTRODUCTION

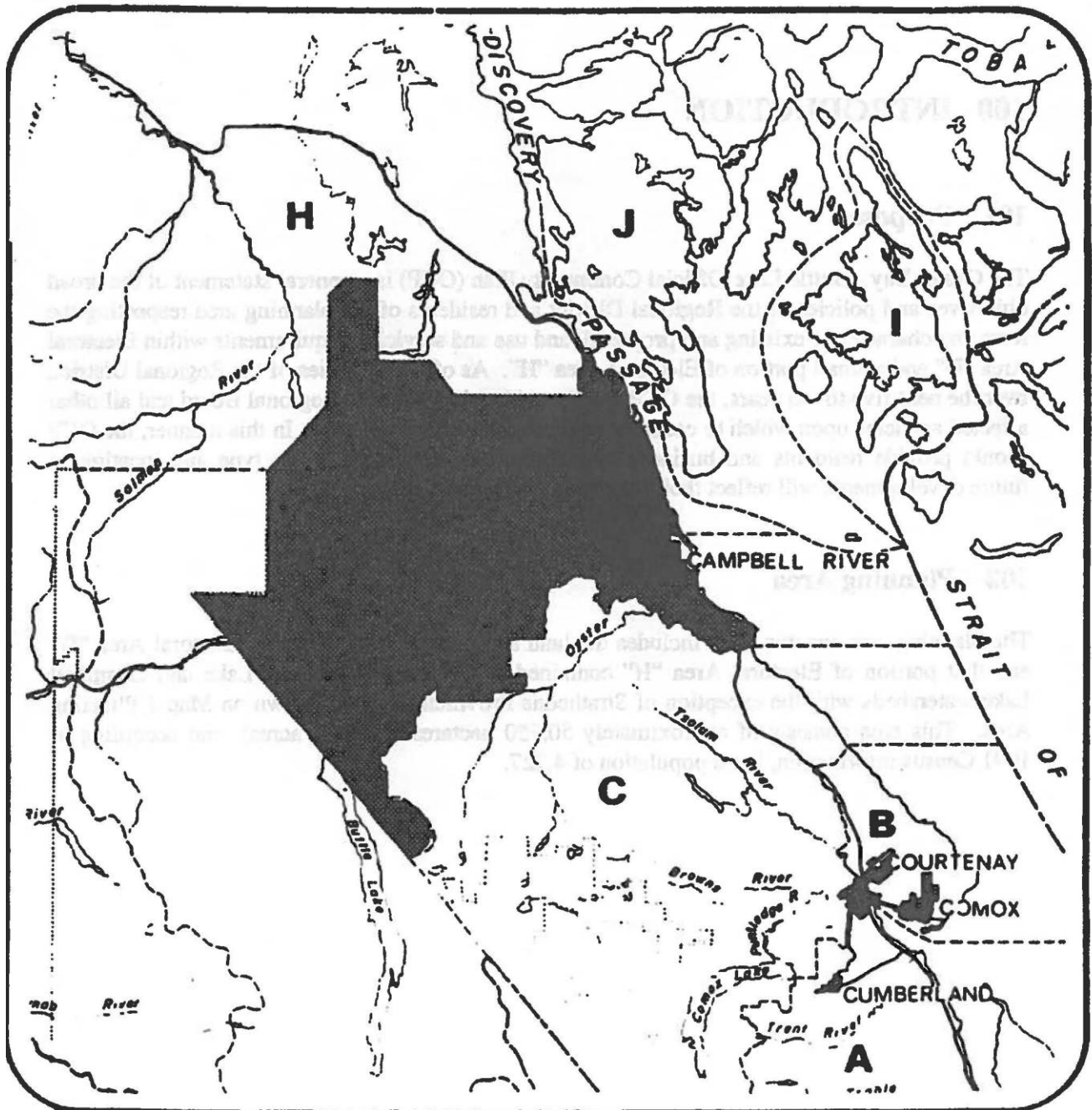
101 Purpose

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

102 Planning Area

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

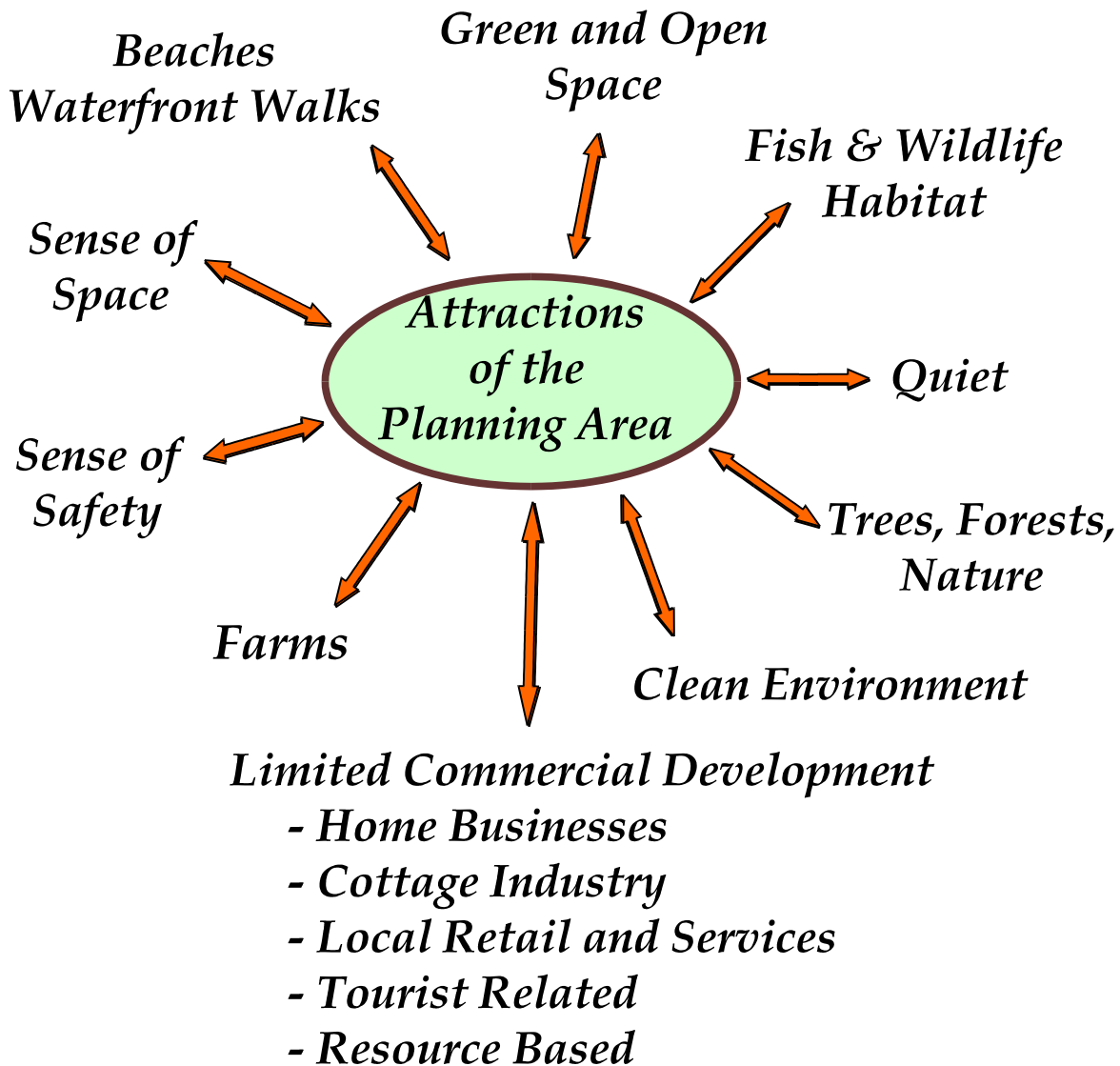
MAP 1
THE PLANNING AREA



200 COMMUNITY VALUES

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

201 Valued Characteristics of The Present Community



202 Community Vision

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

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

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

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

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

2. *Minimize land consumption for settlements*

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

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

3. *Upgrade Community Water Systems*

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

4. *Complete a Liquid Waste Management Plan*

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

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

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

6. *Establish Neighbourhood Containment Boundaries*

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

7. *Promote the Use of Rural Design Guidelines*

Rural design guidelines are development principles which encourage landowners to:

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

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

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

9. *Conserve and Protect Environmentally Sensitive Areas*

PART 300 OBJECTIVES AND POLICIES

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

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

301 AGRICULTURE

Objectives:

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

Policies:

Preserving Land

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

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

Designations and Minimum Lot Sizes

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

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

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

Dwellings

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

302 ARCHAEOLOGICAL SITES

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

Objectives:

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

Policies:

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

303 COMMERCIAL

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

Objectives:

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

Policies:

Desired Types of Commercial Development:

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

Designations and Minimum Lot Sizes:

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

Neighbourhood Commercial:

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

Tourist Commercial:

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

Siting:

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

Development Permit Areas:

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

Home Based Businesses:

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

Temporary Uses:

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

304 COMMUNITY FACILITIES

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

Objectives:

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

Policies:

New Community Facilities:

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

Schools:

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

Siting and Design Guidelines:

6. Community facilities may be located throughout the planning area, however, community facilities such as churches, community halls, and schools shall be encouraged to locate in areas designated "Neighbourhood Commercial" or at major intersections and other prominent sites to serve as focal points and landmarks of the community. Developers shall be encouraged to reserve prominent sites for community facilities.

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

Minimum Lot Size:

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

305 ENERGY

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

Objectives:

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

Policies:

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

306 ENVIRONMENTALLY SENSITIVE AREAS

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

Objectives

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

Policies:

Identification

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

Protection and Management

2. Fisheries sensitive areas identified on Map 4: Oyster Bay-Buttle Lake Sensitive Ecosystems - East shall be designated as development permit areas. (Guidelines for this designation are found in Section 404.)
3. The provincial Riparian Areas Regulation (RAR) shall be applied to all development, as defined by the RAR, within the Strathcona Regional District.
4. Where environmentally sensitive areas are identified, the landowners shall be encouraged to place these areas into a public trust or return them to a public domain through the use of legislative mechanisms such as Section 215 covenants, transfer of development rights, density bonusing, tax credit donations, return to Crown designations, and community land trusts.
5. Wherever possible, the environmentally sensitive areas shall be maintained as one contiguous parcel rather than fragmented remnants.
6. Environmental studies and monitoring completed by qualified professionals, to terms of reference set by the Regional District and appropriate agencies, and paid for by the

property owner(s) may be required prior to permitting development which may have an impact on known or suspected environmentally sensitive areas. The required studies may include hydrogeological reports, stormwater management plans, environmental impact studies, flora and fauna inventories and mitigation plans.

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

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307 FORESTED AREAS

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

FORESTED AREAS WITHIN THE FLR OR ALR

Objectives:

1. *Recognize* forestry use as a renewable and sustainable resource activity and a significant contributor to the local economy;

2. *Preserve* productive land for forestry use;
3. *Recognize* and *protect* the needs and activities of forestry operations when considering uses on adjacent lands; and
4. *Encourage* sustainable forestry practices.

Policies:

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

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

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

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

8. Forestry operations on private land shall be encouraged to comply with provincial forest practice regulations.
9. Programs and initiatives which promote sustainable stewardship of the forest resource and small scale community and private woodlot operations shall be encouraged.

OTHER FORESTED AREAS

Objectives:

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

Policies:

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

308 HAZARD LANDS

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

Objectives:

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

Policies:

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

309 HOUSING

General Housing

Objectives:

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

Policies:

Designations and Minimum Lot Sizes

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

Residential

- areas of large suburban lots with septic systems and Regional District water;
- upgrading of water system and the development of alternative sewage treatment and disposal systems to be pursued to permit limited growth;
- new lots shall have an average minimum lot size of 4000m² (1ac).
- notwithstanding the above, the average minimum lot size may be reduced to 2500 square metres (0.62 acre) where the proposed subdivision of the parent parcel creates not more than one additional lot and the subdivision is for the sole purpose of accommodating the siting of one existing, legally established dwelling on each lot.

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Country Residential

- rural properties of various sizes with septic systems and either Regional District or well water;
- upgrading of water system to be pursued to expand the local service area and to permit limited growth;
- new lots shall have an average minimum lot size of 2ha (4.9ac).
- The property legally described as Lot 2, District Lot 193, Comox Land District, Plan 18649 is hereby exempted from the average lot requirement of 2 ha (4.9acres) as stated in the Country Residential designation.
- the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan VIP54090 is hereby exempted from the average lot requirement of 2 hectares (4.9 acres) as stated in the 'Country Residential' designation.

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Rural

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

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Rural Residential Community

In addition to the General Housing objectives and policies, the following policies are also applicable respecting the Rural Residential Community land use designation:

- a. The Rural Residential Community land use designation is intended to permit the development of an equestrian and small-scale rural residential agricultural community that focuses on equestrianism and small-scale farming operations to assist with general food security.

- b. The Rural Residential Community shall maintain the rural character of the area while respecting natural and environmentally sensitive areas and encouraging an agricultural economy.
 - c. The Rural Residential Community shall be developed in such a way that it compliments existing settlement patterns and provides connectivity to neighbouring developments.
 - d. The Rural Residential Community land use designation is intended to permit a mix of rural residential parcel sizes that provide for rural residential living, equestrian facilities, small-scale agriculture and viticulture and services associated with such facilities.
 - e. Lands designated Rural Residential Community are intended to adhere to a minimum parcel size of not less than 2 hectares for residential and small-scale agriculture use and 8 hectares for equestrian and associated uses.
 - f. Lands designed Rural Residential Community shall include public trails to support local connectivity for those residents walking, cycling and horse-riding, while respecting the natural environment.
2. The average minimum lot size may be reduced by 50% for any designation where density bonusing in exchange for community amenities occurs.
3. Extensions of the areas designated "Residential" may be considered if the following conditions are met:
- a) opportunities for development in the existing "Residential" areas have been exhausted or denied;
 - b) the new areas are logical extensions of the existing settlement areas, and will be served by community water service, community sewage treatment and any needed stormwater management systems;
 - c) a strategy for the development, staging, and finance of infrastructure or community facilities for the extension is adopted;
 - d) rural and recreational characteristics are defined and protected;
 - e) the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and found to be minimal and acceptable;
 - f) within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included; and
 - g) the proposed development has a compact or clustered form with densities that utilizes efficient use of land, infrastructure, and community facilities.
4. Extensions of the areas designated "Country Residential" may be considered if the following conditions are met:
- a) opportunities for development in the existing "Country Residential" areas have been exhausted or denied;
 - b) new development areas are logical extensions of the existing settlement areas, and the long-term adequacy of on-site or community water supply and sewage treatment and stormwater management systems is demonstrated;

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

Subdivision

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

Dwellings

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

Retaining Rural Character

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

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

Cluster Housing

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

Features

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

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

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

Rental, Affordable and Special Needs Housing

Objectives:

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

Policies:

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

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

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

310 INDUSTRIAL

Objectives:

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

Policies:

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

- f) other information that the Regional Board may require to fully evaluate the application.
5. All parcels designated "Industrial" shall be designated as development permits areas. (See Section 405 for the development permit guidelines.)

311 PARKS AND RECREATION

Objectives:

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

Policies:

Acquisition

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

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

Multi-Use Trails (Linear Parkways)

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

Waterfront

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

School Grounds

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

Designation

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

312 SAND, GRAVEL, MINERAL EXTRACTION

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

Objectives:

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

Policies:

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

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

313 TRANSPORTATION

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

Objectives:

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

Policies:

Ministry of Transportation

1. The Ministry of Transportation shall be encouraged to:
 - a) consider the policies of this plan and in particular the impact of future road alignments on agriculture, forestry, the residential community and environmentally sensitive areas when planning any new road alignment;
 - b) route new arterial roads away from existing neighbourhoods and school sites;

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

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

Transit and Non-Vehicular Travel

6. The provision of linear parkways and pathways for the safe and convenient use by pedestrians, equestrians and cyclists shall be encouraged.
7. The retention of abandoned right-of-ways by the appropriate government or public agency for future public use shall be encouraged.
8. Signage advising motorists of pedestrians, horseback riders and cyclists shall be encouraged.
9. Public transport systems and programs or initiatives which promote shared ridership, or pedestrian and bicycle movement shall be encouraged.

10. The development of a shared bus stop or stops between the Comox Valley and Campbell River transit systems shall be encouraged to promote travel by transit.
11. Signs identifying public access to the shoreline shall be encouraged. Parking and walking paths are encouraged at these access points. Trails connecting the access points shall be encouraged where physically possible and practical.

314 UPLAND RESOURCES

Objectives:

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

Policies:

1. Land uses shall be limited to resource dependent activities and industries, and activities which require isolated sites such as the storage and manufacturing of explosives.
2. The allocation and use of renewable resources will only be encouraged to the extent to which they can be replenished.
3. Land and water management shall be integrated, with decisions regarding one made in full awareness of its effects on the other to anticipate and resolve conflicts.
4. In those watersheds which act as a supply area for drinking water systems land use regulations which help to maintain water quality at a level suitable for human use shall be supported and encouraged.
5. Protection of the integrity of the water environment and its aquatic ecosystems shall be encouraged.
6. Recognition of the scenic and recreational values of water will be encouraged.
7. Where conflicts arise between competing interests, equitable solutions shall be sought by government, water users and owners in a public forum.
8. The minimum lot size for subdivision shall be as follows:
 - a) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917, and 918;
 - b) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, except as modified in Clause (d);
 - c) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, except as modified in Clause (d);

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

315 UTILITIES

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

Objectives:

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

Policies:

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

316 WATER SUPPLY AND SEWAGE TREATMENT SYSTEMS

Objectives:

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

Policies:

New Lots

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

Septic Systems

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

Long-term Treatment Solutions

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

Provincial Approvals

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

Water Supply and Conservation

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

Costs

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

317 AQUATIC

CSRD
2260

Objectives:

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

Policies:

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

400 DESIGNATED DEVELOPMENT PERMIT AREAS

SRD
44

Administration, Violation and Penalty

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

Categories

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

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

CSRD
2260

3. Establishment of Upland Habitat Greenways.

CSRD
2260

401 NEIGHBOURHOOD COMMERCIAL (Categories "1 and 2")

Area: on Map 2 and 3.

Justification:

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

Guidelines:

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

1. Screening

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

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

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

2. Form and Character of Structures

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

3. Spontaneous Interaction

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

4. Pedestrians and Cyclists

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

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

5. Protection of Natural Environment

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

6. Application Requirements:

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

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

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

7. **Exemptions:**

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

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

Variation of Other Bylaws:

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

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

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

Area: on Map 2 and 3.

Justification:

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

Guidelines:

Development permits shall be issued in accordance with the following:

1. Siting

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

2. Form and Character of Structures

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

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

3. Landscaping and Performance Bonds

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

4. Construction Phase

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

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

5. Outside Storage

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

6. Screening

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

7. Lighting

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

8. Parking

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

9. Signs

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

10. Storm Water

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

Application Requirements:

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

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

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

Exemptions:

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

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

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Variation of Other Bylaws:

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

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

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403 COTTAGE INDUSTRY (Categories "1 and 2")

Area: on Map 2 and Map 3.

Justification:

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

Guidelines:

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

1. Screening

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

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

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

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

2. Form and Character of Structures

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

3. Protection of Natural Environment

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

4. Application Requirements:

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

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

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

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

5. Exemptions:

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

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

Variation of Other Bylaws:

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

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

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

Areas:

Development Permit Area No. 404.1:

Watercourse Environmentally Sensitive Areas (Watercourse ESAs)

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

Development Permit Area No. 404.2:

Foreshore Environmentally Sensitive Areas (Foreshore ESAs)

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

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

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42

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

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

CSR
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3026
SRD
42

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

Justification:

Development Permit Area No. 404.1: Watercourse ESAs

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

Development Permit Area 404.2: Foreshore ESAs

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

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

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

Guidelines:

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

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

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

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

Exemptions:

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

- a) Construction of farm buildings, excluding residential and associated structures;
- b) Construction involving a building floor area of 10m² or less;
- c) Internal alterations and renovations to a building or structure or repair or reconstruction on a 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 or hazard trees where there is an immediate threat to the safety of persons or property where an approved authorization for DFO is received.
- l) Subdivisions that are not included within the *Local Government Act* definition, (boundary adjustments and lot consolidations not involving the installation of underground services or the construction of roads, and plans dedicating highways or parks.)
- m) Replacement of the roof of a structure, its exterior finish or sign faces.
- n) Private residential trails up to a maximum of 1.5 metres in width to access the shoreline, provided no tree removal is required for the trail's construction.

Application Requirements

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

405 INDUSTRIAL (Categories "1 and 2")

Area: Sites Designated "Industrial" on Map 3

Justification:

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

Guidelines:

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

1. Screening

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

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

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

2. Form and Character of Structures

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

3. Protection of Natural Environment

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

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4. Application Requirements:

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

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

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

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

5. **Exemptions:**

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

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

Variation of Other Bylaws:

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

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

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406 UPLAND HABITAT GREENWAYS

Area:

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

Justification:

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

Goals

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

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

Guidelines:

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

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

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

Application Requirements:

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

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

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

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

Exemptions:

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

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

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Variation of Other Bylaws:

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

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

500 PLAN IMPLEMENTATION

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

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

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

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

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600 GLOSSARY OF TERMS

Contaminated Soils And Substances

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

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Development

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

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

Watercourses

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

Natural Boundary

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

Older Forest

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

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

Qualified Environmental Professional

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

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

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Riparian area

means a Streamside Protection and Enhancement Area (SPEA).

Riparian Assessment Area

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means:

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

Second Growth Forest

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

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Stream

Includes any of the following that provides fish habitat:

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

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Streamside Protection and Enhancement Area (SPEA)

means an area:

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

Top of Bank

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

b) For a floodplain area, the edge of the active floodplain

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Wetland

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

Woodland

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

Plan Maps

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

Map 2 • Land Use Designation West

Map 3 • Land Use Designation East, 2000

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

Map 5 • Park and Open Space Network

Map 6 • Road Network

Map 7 • Local Service Areas - Water

CSRD 2260

CSRD 2730



Bylaw No. 2206

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

SCHEDULE "B"

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

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2206

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

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

PART A TEXT AMENDMENT

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

PART B TITLE

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

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

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

"B. Whitehead"
Manager, Corporate Administration

**Approved by the Ministry of Environment,
Lands & Parks On The**

12th Day Of January 2000.

ADOPTED THIS

31ST DAY OF JANUARY 2000.

"D. (Dot) Andrews"
Chair

"B. Whitehead"
Manager, Corporate Administration

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

"B. Whitehead"
Manager, Corporate Administration

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Maps

Map # 1: Ecological Greenways	following page 6
Map # 2: Recreational Greenways	following page 8

Figures

Figure #1 Ecological Greenways	following page 3
Figure #2 Recreational Greenways	following page 6

SCHEDULE 'B'

Part One

BACKGROUND

What the Public Said

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

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

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

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

A Long Term View

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

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

Part Two

GREENWAYS PLAN

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

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

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

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

2.1 GREENWAY MANAGEMENT PROGRAM

Proposed Ecological Greenways

Aquatic Habitat

- Aquatic Habitat Greenways
- Working Landscape Fisheries Sensitive Areas

Upland Habitat

- Upland habitat Greenways
- Working Landscape Biodiversity Corridors

Proposed Recreational Greenways

Greenway Trails

Greenway Roads

2.1.1 Proposed Ecological Greenways

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

in fish and wildlife populations. They may be either public or in private ownership. They normally have no public access.

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

2.1.1.1 Aquatic Habitat Greenways

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

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

Aquatic Habitat Greenways:

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

Proposed Aquatic Habitat Greenway Locations

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

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

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

2.1.1.2 Working Landscape Fisheries Sensitive Areas

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

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

2.1.1.3 Upland Habitat Greenways

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

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

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

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

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

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

Proposed Upland Habitat Greenway Locations

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

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

2.1.1.4 Working Landscape Biodiversity

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

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

Proposed Working Landscape Biodiversity Corridors (voluntary)

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

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

2.1.1.5 Ecological Greenway Management Principles

No Public Access

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

Ownership Options

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

2.1.1.6 Ecological Greenways Management Tools

Implementation tools that are available to the Regional District include:

Aquatic Habitat Development Permits

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

Upland Habitat Development Permits

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

Naturescape Program Error! Bookmark not defined.

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

Greenway Volunteers

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

Stewardship Rewards

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

2.1.2 Proposed Recreational Greenways

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

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

2.1.2.1 Greenway Trails

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

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

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

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

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

2.1.2.2 Greenway Roads

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

Actual roadway cross sections will vary.

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

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

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

Proposed Recreational Greenways

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

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

Proposed Parks

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

2.1.2.3 Recreational Greenway Management Principles

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

Public Access on Public Land

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

Responsible Use

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

Good Neighbour Policy

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

Fair Landowner Treatment

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

2.1.2.4 Recreational Greenways Management Tools

Implementation tools that are available to the Regional District include:

Trail and Greenway Street Design Guidelines

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

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

Land Acquisition Guidelines

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

Capital Fund-Raising ProgramError! Bookmark not defined.

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

Operating and Maintenance PoliciesError! Bookmark not defined.

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

Greenway VolunteersError! Bookmark not defined.

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

2.2 WATERSHED MANAGEMENT PROGRAM

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

2.2.1 Watershed Management Issues

Alternating Flood and DroughtError! Bookmark not defined.

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

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

Water Quality IssuesError! Bookmark not defined.

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

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

2.2.2 Proposed Watershed Awareness Campaign

The first step in addressing these problems is public awareness.

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

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

Components of the campaign might include:

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

2.2.3 Proposed Stormwater Management Program

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

2.2.4 Proposed Water Quality Bylaw

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

2.2.5 Proposed Watershed Best Practices Manual

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

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

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

2.2.6 Proposed Working Landscapes Advocacy

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

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

2.2.7 Proposed Stewardship Rewards Program

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

Stewardship Awards

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

Tax Relief Strategies

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

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

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

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

Information Services

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

2.2.8 Proposed One Window Approvals

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

2.3 PLAN IMPLEMENTATION

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

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



BYLAW NO. 1404

Campbell River Area Zoning Bylaw, 1991

Consolidated Copy for
Convenience Purposes Only

Unless certified on the last page, this bylaw should not be relied upon for legal purposes. There may be pending updates or revisions to this bylaw. Please contact the Corporate Services Department for the Strathcona Regional District for the most current version.

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BYLAW NO. 1404
REGIONAL DISTRICT OF COMOX-STRATHCONA

STATUS

TITLE: Campbell River Area Zoning Bylaw, 1991

APPLICANT: Regional District

ELECTORAL AREA: D

FILE NO.: RZ 2CR 91

PURPOSE: To replace Bylaw No. 954, being the "Campbell River Area Zoning Bylaw, 1987", with a new bylaw to reflect the changes as a result of the amalgamation of Electoral Areas 'E' and 'F' into the District Municipality of Campbell River.

**GREATER CAMPBELL RIVER
PLANNING COMMITTEE:**

Date: November 12, 1991

Recommendation 1st and 2nd reading; proceed to public hearing.

REGIONAL BOARD:

Date: November 25, 1991

Decision: 1st and 2nd reading.

**GREATER CAMPBELL RIVER
PLANNING COMMITTEE:**

Date: January 14, 1992

Recommendation: Proceed to public hearing.

REGIONAL BOARD:

Date: January 27, 1992

Decision: Proceed to public hearing.

PUBLIC HEARING:

Date: February 12, 1992

PUBLIC HEARING COMMITTEE:

Date: February 12, 1992

Recommendation: Amend R-3, CR-3, CR-4, CR-5, RU-1 zones at 2nd reading; Adjourn Public Hearing Committee until 3:00 p.m. February 24, 1992.

PUBLIC HEARING COMMITTEE:

Date: February 24, 1992

Recommendation: "That the Regional Board consider Bylaw No. 1404 as amended at 2nd reading for 3rd reading and final adoption."

REGIONAL BOARD:

Date: March 30, 1992

Decision: Amend at 2nd reading; 3rd reading and final adoption.

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 1404

A bylaw to regulate the location and use of buildings and structures and the use and subdivision of land, including the surface of water in 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

This bylaw may be cited for all purposes as Bylaw No. 1404, being the "***Campbell River Area Zoning Bylaw, 1991***".

PART B APPLICATION

1. This bylaw shall be applicable to Electoral Area "D" (Oyster Bay-Buttle Lake) and a portion of Electoral Area "H" (Sayward-Bloedel) as identified in Schedules A-1 to A-12 attached to and forming part of this Bylaw.

RDCS
1755

2. Any forestry management activity relating to the production and harvesting of timber on any land that is classified as managed forest land pursuant to the *Assessment Act* or any land within a license area under the *Forest Act* shall not be restricted by any terms or conditions of this bylaw so long as the land continues only to be classified for that purpose.

RDCS
1755

3. Where land is classified as "Agricultural Land Reserve" pursuant to the *Agricultural Land Commission Act*, the provisions of those regulations shall take precedence over this bylaw.

4. For the purpose of this bylaw, Schedule "A" is attached to and forms an integral part of this bylaw and bears the words "Schedule "A".

5. All mining and mineral exploration activities subject to the *Mines Act* and *Mineral Tenure Act* shall not be restricted by any terms or conditions of this Bylaw. Where these activities have been proposed in an upland resource area, the activities will be subject to the policies and procedures being developed by the appropriate Provincial agency (Ministry of Employment and Investment, Mineral Resources Division for mineral exploration in community watersheds).

RDCS
1755

PART C ENACTMENT

The following bylaws are hereby repealed upon adoption of this bylaw:

Bylaw No. 954 being the "***Campbell River Area Zoning Bylaw, 1987***" and all amendments thereto.

This copy is consolidated for convenience only and includes the following amendments:

BYLAW NO.	AMENDMENT #	ADOPTION DATE	TEXT REFERENCE
RDCS 1458	1	July 27, 1992	To amend the nuisance clause found in each zone; to define "motel"; to appoint additional staff under Part 1 "Administration" and to amend the side lot line setbacks.
RDCS 1469	2	August 31, 1992	To amend Schedule A-9 to incorporate amendments to the zoning boundaries.
RDCS 1499	3	Not Adopted	
RDCS 1509	4	February 22, 1993	To amend Map A-5 to incorporate amendments to the zoning boundaries, more particularly described as Lot 10, Plan 18511, Section 19, "Township 5, Comox Land District, rezoned from Commercial Two (C-2) to Residential Two (R-2).
RDCS 1510	5	February 22, 1993	To add a definition for "shoreline protection device"; to amend the siting requirements for accessory buildings; and to increase the height limitation.
RDCS 1511	6	February 22, 1993	To create a new Country Residential Three A (CR-3A) zone and to rezone the subject property from Country Residential Four (CR-4) to Country Residential Three A (CR-3A) to permit subdivision
RDCS 1551	8	Rescinded	
RDCS 1606	9	November 29, 1993	To amend Schedule A-10 to incorporate amendments to the zoning areas.
RDCS 1537	7	January 31, 1994	To amend Section 5.1.3 regarding subdivision fees.
RDCS 1626	10	Rescinded	

RD CS 1689	12	February 27, 1995	To rezone a portion of the subject property from Rural One (RU-1) to Country Residential Four (CR-4) to permit a development of twenty (20) 2 hectare (4.984 acre) lots.
RD CS 1645	11	June 26, 1995	To add Administration Officer
RD CS 1772	18	August 26, 1995	To amend the CR-4 zone to permit the creation of a lot in return for the dedication of an additional 0.34 hectares (0.8 acres) of land to Hagel Park
RD CS 1817	19	February 26, 1996	To initiate the rezoning of the subject property from Residential One (R-1) to Residential Two (R-2) to recognize a duplex built on the property in 1981.
RD CS 1827	20	March 25, 1996	To initiate the rezoning of the subject property from Residential Three (R-3) to Residential Two (R-2) to recognize a duplex built on the property in 1979.
RD CS 1723	15	April 29, 1996	To create a Commercial Five (C-5) zone and rezone the Strathcona Park lodge properties from Community Watershed (CW) to Commercial Five (C-5)
RD CS 1744	16	Not Adopted	
RD CS 1755	17	April 29, 1996	<ol style="list-style-type: none">1. To delete the Community Watershed (CW) in the Upland Resource (UR) zone;2. To rezone the area presently zoned Community Watershed (CW) in the Campbell/Buttle Lake watershed to Upland Resource (UR).3. To rezone the area presently zoned Rural One (RU-1) in the Quinsam and Oyster River Watersheds to Upland Resources (UR).4. To rezone managed forest land in the York Road and Oyster Bay area from Rural One (RU-1) to Upland Resource (UR).
RD CS 1692	13	Not Adopted	
RD CS 1719	14	Not Adopted	

RDCS 1850	21	June 24, 1996	To amend the Rural One (RU-1) zone to allow research and teaching facilities and rural resource centres on the parcel forming UBC Research Farms.
RDCS 1859	22	October 28, 1996	To rezone a portion of the subject property from Country Residential Four (CR-4) to Commercial One (C-1)
RDCS 1908	23	August 25, 1997	To amend Bylaw 1404 to correct an apparent zoning mistake.
RDCS 1836	Floodplain Bylaw Repeals	September 29, 1997	Floodplain Bylaw which amends Section 4.5.3 "Elevations" and Section 4.5.4 Setbacks sub (a)(i), (b) and (c).
RDCS 2163	24	June 28, 1999	To add bed and breakfast regulations to the zoning bylaw.
RDCS 2171	25	July 26, 1999	To add sign regulations, to amend the height limit and setback requirements for accessory buildings and to add second kitchens to home occupations.
RDCS 2172	26	August 30, 1999	To rezone the subject property for Country Residential Four (CR-4) to Residential One (R-1) to allow greater lot coverage (25% rather than 15%)
RDCS 2321	27	Not Adopted	
RDCS 2323	28	July 30, 2001	To rezone Lot 2, Plan 18649, DL 193, Land District 15, Island Hwy. from Country Residential Four (CR-4) to Country Residential Two (CR-2)
RDCS 2423	29	May 27, 2002	To amend Section 4.6.7 (iv) & (vi) of the CR-4 zone to allow for increased accessory building floor area and total lot coverage allowance for lots less than 2,500 square metres (0.62 acre).
RDCS 2483	30	May 26, 2003	To amend the definition of "Public Utility Use".
RDCS 2503	31	Not Adopted	
RDCS 2567	32	September 29, 2003	To rezone property from Country Residential Four (C-4) to Residential One (R-1) to allow for subdivision (Lot 3, DL 90, Comox District, Plan 4944).

RDCS 2710	33	Rescinded	
RDCS 2725	34	December 9, 2004	To rezone property (Oyster Bay, S. Island Hwy.) from Commercial One (C-1) to Country Residential Four (C-4)
RDCS 2885	35	April 24, 2006	To amend the zoning bylaw by inserting a new residential zone entitled Residential Three A (R-3A).
RDCS 2886	36	April 24, 2006	To rezone property located at 250 McGimpsey Rd. legally described as Lot 1, District Lot 89, Comox District, Plan 3003, Except Parts in Plans 934R, 6408, 18038, 36984, VIP51940 and VIP51965, from Residential One (R-1) to Residential Three A (R-3A).
RDCS 2934	37	Rescinded	
RDCS 2940	38	October 30, 2006	To limit accessory buildings to one storey within the maximum height permitted.
CSRD 2948	39	January 29, 2007	To amend the definition of utility use and siting requirements for communication towers.
CSRD 2958	40	Rescinded	
CSRD 2967	41	April 26, 2007	To rezone the subject property from Commercial One(C-1) to Country Residential Four (CR-4) to permit residential use.
CSRD 3006	42	Rescinded	
CSRD 3045	43	October 25, 2007	To amend the Country Residential Three A (cR-3A) zone to limit lot coverage of all buildings and structures to 15%.
CSRD 3047	44	October 25, 2007	To rezone the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan ViP54090 from Country Residential Four (CR-4) to Country Residential Three A (CR-3A)
CSRD 3058	45	Not Adopted	
CSRD 3060	46	Not Adopted	

SRD 10	47	August 28, 2008	To rezone the property legally described as Lot 1, District Lot 193, Comox District, Plan 6466 Except that part in Plan 7651 from Commercial One (C-1) to Country Residential Four (CR-4).
SRD 12	48	October 2, 2008	To rezone the property legally described as Lot C, Section 34, Township 4, Comox District, Plan VIP61244 form Commercial One (C-1) to Country Residential Four (CR-4).
SRD 27	49	May 28, 2009	To rezone the property legally described as Lot 2, Section 32, Township 4, Comox District, Plan 36331, Except part in Plan VIP51932 from Rural One (RU-1) to Country Residential Four (CR-4).
SRD 33	50	Defeated at 3rd Reading	
SRD 57	51	January 28, 2010	To rezone property legally described as Lot 4, Plan VIP19325, Block 29, Comox District from Mobile Home Park (MHP) to Country Residential Four (CR-4).
SRD 84	52	April 26, 2012	To amend Part 2 Interpretation, Part 4 Land Use Regulations and Part 4.5 General Regulations.
SRD 199	53	August 28, 2014	To amend Part 4 by adding a new Country Residential Four A (CR-4A) zone and map amendment rezone from Public Assembly One (PA-1) to Country Residential Four A (CR-4A)
SRD 317	54	December 6, 2018	To amend Part 4 by adding a new Country Residential Four B (CR-4B) zone and map amendment rezone from Country Residential Four (CR-4) to Country Residential Four A (CR-4B) – Hagel
SRD 365	55	November 6, 2019	To rezone the property legally described as N ½ of NE ¼ Section 29, Township 4, Comox District, Plan 552C except Plan 376RW from Upland Resource 40 (UR-40) to Rural One (RU-1) and Country Residential Four (CR-4)
SRD 367	56	Pending	
SRD 387	57	Pending	

SRD 388	58	Pending	
SRD 400	59	September 16, 2020	To amend and/or add regulations to regulate cannabis production and retail sales.
SRD 447	60	July 13, 2022	To define Equestrian Centre and add new zone: Rural Residential Community One (RCC-1)
SRD 477	61	Feb 22, 2023	To rezone from R-3 to R3-A, amends Map 1
SRD 495	62	May 10, 2023	To amend the definition of 'livestock' and allow for the keeping of small fowl or poultry.
SRD 496	63	May 10, 2023	To amend minimum building heights for accessory buildings.

PART 1 ADMINISTRATION

1.1 Administration

1. The Director of Planning, Chief Building Inspector, Senior Planner, Planner II, Planner I, Planning Assistant, Planning Technician, Secretary, Deputy Secretary and Administration Officer are hereby appointed by the Regional Board pursuant to Section 299(1) of the *Municipal Act* to administer this bylaw.
2. Persons appointed under Subsection 1 may enter any building or premises at all reasonable times for the purpose of administering or enforcing this bylaw.

RDCS 1458, 1645

1.2 Violation

1. It shall be unlawful for any person to cause, suffer or permit any building or structure to be constructed, reconstructed, altered, moved, extended, or used, or land to be occupied or used in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw except as provided for under Sections 962, 970 and Division 5 of the *Municipal Act*.
2. It shall be unlawful for any person to prevent or obstruct any official appointed under Part 1, Subsection 1.1 from the carrying out of his duties under this bylaw.
3. Nothing in this bylaw shall exempt any person from complying with the requirements of the Building Bylaw or any other bylaws in force within the Regional District or from obtaining any license, permission, permit authority, or approval required by this or any other bylaw of the Regional District of Comox-Strathcona.
4. No occupancy of any building or structure shall occur or any change in permitted use unless the building or structure is constructed in accordance with the Building Code requirements for the intended use.

1.3 Penalty

1. Any person who violates the provisions of this bylaw is liable on summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000.00) or imprisonment for a period not exceeding thirty (30) days.
2. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.
3. Upon conviction, the Provincial Court Judge may direct that no prosecution under Subsection 2 may be made, with respect to the continuance of the violation, for such period of time as he directs.

1.4 Remedial Authority

1. The Regional District may, by bylaw, authorize:

- i) the demolition, removal or bringing up to standard specified in the bylaw of a building, structure or thing, in whole or in part, that contravened this bylaw or that the Regional District believes is in an unsafe condition;
- ii) the filling in, covering over or alteration in whole or in part of an excavation that contravened this bylaw or that the Regional District believes is in an unsafe condition.
- iii) The Regional District shall give the affected land owners thirty (30) days notice of any action contemplated under this section.

1.5 Appeal

The Board of Variance established under the Board of Variance Bylaw of the Regional District of Comox-Strathcona shall hear and determine any appeal pursuant to Section 962 of the *Municipal Act*.

1.6 Severability

If any provision of this bylaw is found invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

PART 2 INTERPRETATION

AGRICULTURAL USE

SRD
400

means a use providing for the growing, rearing or harvesting of primarily agricultural products harvested, reared or grown on that lot and may include lawful cannabis production where the lot is 2.0 hectares or greater in area or where permitted as an ALCA protected use.

ALCA PROTECTED USE

SRD
400

means a use, which may be farm use or non-farm use, defined and regulated by the *Agricultural Land Commission Act (BC)* and ALR Regulations that may not be prohibited by local government when it takes place on ALR.

ANCILLARY BUILDING

means a building for the common use of the tenants and includes recreation buildings, laundry and other service facilities.

ANIMAL KENNEL

means any structure or premises in which animals are kept, boarded, bred or trained for commercial gain.

APPLICANT

means any person applying for the Approval of a Subdivision, Board of Variance Appeal, Rezoning, Development Permit, Development Variance Permit, Building Permit, or Mobile Home Park Permit, whether as the owner of the property or as agent of the owner.

APPROVAL

means approval in writing from the authority having jurisdiction.

APPROVING OFFICER

means approving officer designated as such pursuant to the *Land Titles Act* or the *Condominium Act*.

AQUACULTURE

means the cultivation, rearing and harvesting of aquatic organisms, on land or in the water, but specifically excludes seafood processing.

AUTOMOBILE BODY SHOP

means a premise used or intended to be used for the repair/replacement of parts and painting of automobiles

AUTOMOBILE SERVICE STATION

means a premise used or intended to be used for the retail dispensing or sales of vehicular fuels and/or includes the sale and/or installation of lubricants, tires, batteries, and similar accessories and/or the washing, servicing and repair of vehicles.

AUTOMOBILE WRECKING YARD

means a place where two or more derelict vehicles are stored, kept, disassembled, and/or repaired and where parts from derelict vehicles may be salvaged, purchased, or reused subject to compliance with the *Motor Vehicle Act* and pursuant regulations.

BED AND BREAKFAST

RDCS
2163

means the use of a dwelling unit for the provision of temporary accommodation for the travelling public.

BOARDING HOUSE means a dwelling or part thereof in which furnished sleeping accommodations with or without furnished meals are provided for consideration to more than four (4) persons as permanent accommodation.

BOUNDARY means the visible higher high water mark of any lake, river, stream or other body of water where the presence and action of the water has marked upon the soil or upon the surrounding vegetation, a distinct indication of its presence, as determined by the Building Inspector.

BUILDING means a structure located on the ground, which is designated, erected or intended for the support, enclosure or protection of any use, person or property.

**BUILDING
Accessory** means a building or structure, the use of which is ancillary to that of the principal permitted use of the lands, buildings or structures located on the same parcel, but specifically excludes buildings used for residential use or agricultural buildings.

**BUILDING,
Agricultural** means a building, the use of which is primarily for the growing, rearing or harvesting of agricultural products on properties where the land is eligible for farm classification pursuant to the *Assessment Act*, and can include a building which is used for processing of agricultural products where such agricultural products are harvested, reared or grown on that farm or a building for the storage of farm machinery implements and agricultural supplies necessary for the operation of that farm. An agricultural building can also mean a structure for the sale of agricultural products grown, reared or produced on that farm where the floor area of the structure, and any display area, does not exceed 12 m² (129.17 ft²)

BULK STORAGE means the storage of chemicals, petroleum products and other materials in above-ground or below-ground containers for subsequent resale to distributors or retail dealers or outlets.

CAMPGROUND means premises occupied and maintained for temporary accommodation of travelers in licensed trailers, tents or licensed recreation vehicles. It does not include a mobile home park, cabin, hotel, or autocourt.

CANNABIS SRD
400 means the same as in the *Cannabis Act (Canada)*.

**CANNABIS
PRODUCT** SRD
400 means the same as in the Cannabis Regulations (Canada).

**CANNABIS
PRODUCTION** SRD
400 means the lawful production of cannabis as licensed under the Cannabis Regulations (Canada).

CANNABIS RETAIL

SRD
400

means the lawful retail sale of cannabis and/or cannabis products for consumption off premise and for the purposes of this bylaw, does not include lawful cannabis sale for medical purposes.

COMMERCIAL

SRD
400

means any activity in which goods or services are exchanged for monetary gain but excludes cannabis production. Commercial use may include lawful cannabis retail sales as licensed through the Liquor and Cannabis Regulation Branch pursuant to the *Cannabis Control and Licensing Act*.

COMMERCIAL GREENHOUSE

SRD
400

means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse but are sold directly from such lot at wholesale or retail. A commercial greenhouse may include cannabis production.

COMMUNITY CARE FACILITY

means a facility that is licensed or is under permit by the Provincial Government as a community care facility or like establishment that serves more than four (4) persons.

COMMUNITY SEWER SYSTEM

means a common sewer or a system of laterals, collectors, mains, trunks, and appurtenances, including treatment and disposal facilities approved by the Waste Management Branch of the Ministry of Health and Regional District.

COMMUNITY WATER SYSTEM

means a system or waterworks within the meaning of Section 21 of the *Heath Act* which is owned, operated and maintained by an Improvement District under the *Water Act* or *Municipal Act*, or by the Regional District within a Water Specified Area, or by the owner of a mobile home park or by a strata corporation. This System must be approved by the Regional District and by the authority having jurisdiction.

DERELICT VEHICLE

means any vehicle pursuant to the *Motor Vehicle Act* and amendments thereto, which is not licensed and which is not housed in a garage or carport.

DEVELOPMENT

SRD
84

means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under Part 26 of the *Local Government Act*:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;

- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.

**DWELLING,
Apartment**

means any building divided into not less than three (3) dwelling units each of which is occupied or intended to be occupied as a permanent home or residence of one family as distinct from a hotel, motel, autocourt or similar transient accommodation.

**DWELLING,
Duplex**

means any building divided into two dwelling units which are either placed one above the other; or side by side, sharing a common wall and under one roof, each unit of which is occupied or intended to be occupied as the permanent home or residence of one family and shall not include a mobile home(s).

**DWELLING,
Single Family**

means a detached building or mobile home used exclusively for residential use for one family consisting of one dwelling unit, and containing not more than one set of cooking equipment.

**DWELLING,
Townhouse or
Row House**

means a block of at least three side by side family dwelling units where each family dwelling unit is separated from each other by a party (common) wall.

DWELLING UNIT

RDCS
2171

means a self-contained unit with a separate entrance occupied as a permanent home or residence with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, eating and sanitation. A second set of kitchen and cooking facilities may be permitted where required by a provincial health agency to operate a home occupation or bed and breakfast.

EQUESTRIAN CENTRE

SRD
447

means an indoor or outdoor equestrian arena, a venue for horse shows and eventing, including a riding academy with riding lessons for adults and youth; the sale and leasing of horses or boarding of horses and teaching of horsemanship and riding principles; farrier and horse-related veterinary services and full-service tack shop.

FABRICATING

means assembling from standardized parts of a distinct object differing from the individual components. Materials must be of form and substance (as opposed to liquid and gas) with a physical as opposed to chemical mating or joining of parts.

FAMILY

means one person or two or more persons who are interrelated by bonds of marriage, legal adoption or consanguinity, or a group of not more than five (5) unrelated persons occupying a dwelling unit.

FLOOR AREA

means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions.

FORESTRY

RDCS
1755

means the science, art and practice of managing and using the natural resources that occur on an in association with forest lands. For the purposes of this bylaw, "Forestry" includes the conservation and management of sustainable forests and forest lands for the continuing use and enjoyment of their forest elements and resources guided by, but not necessarily limited to, the rules, regulations and policies of Federal and Provincial agencies.

FRONTAGE

means that length of a lot line which immediately adjoins a highway, and where two or more lot lines adjoin a highway, only one length being the shortest length of a lot line fronting a highway as illustrated in Figure 2 shall be considered as frontage. In the case of a panhandle lot, the frontage shall be the line separating the body of the lot from a panhandle as illustrated in Figure 2.

**GARDEN
NURSERY**

SRD
400

means an area used only for the display and sale of wholesale and retail nursery stock, fertilizers, insecticides, herbicides, seeds and small garden hand tools and includes lawful cannabis production.

GOLF COURSE

means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar ancillary facilities necessary for golf purposes improved with tees, greens fairways, and hazards, and which may include buildings necessary for the maintenance and administration of the golf course. This excludes indoor and outdoor recreation facilities such as, but not limited to, squash, racquetball, tennis, and swimming pools and any commercial use other than ancillary uses that are not normally associated with a golf course facility.

HABITABLE AREA

means any space or room, including a mobile home, that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater.

INDUSTRIAL USE, LIGHT

SRD
400

means a use providing for the processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing or repairing of goods, materials or things. Light industrial use may include cannabis production only where explicitly permitted in this bylaw or where it is an ALCA protected use.

RETAIL

SRD
400

means the sale of goods to the public and may include the lawful sale of cannabis as licensed through the Liquor and Cannabis Regulation Branch and pursuant to the *Cannabis Control and Licensing Act*.

RETAIL STORE

SRD
400

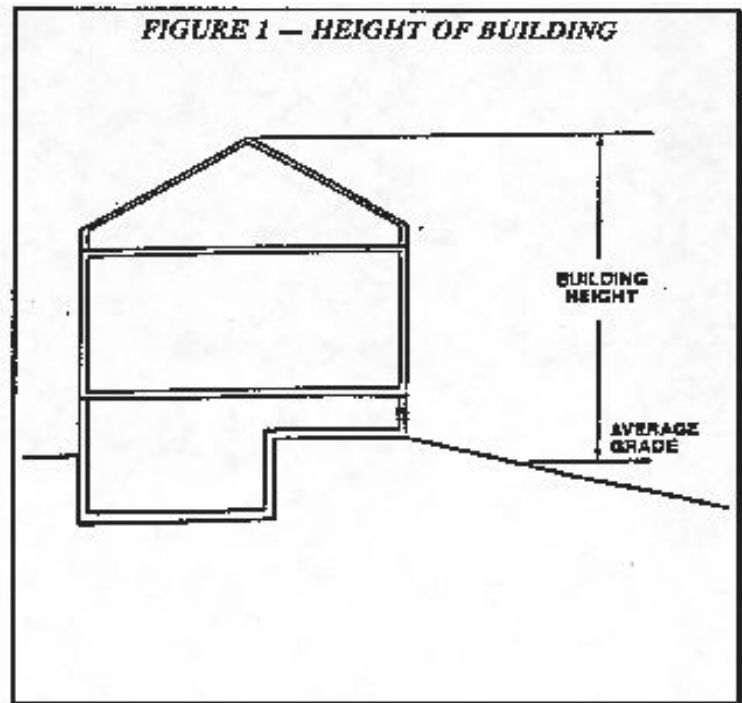
means a building, or part thereof, in which retail takes place.

**HEIGHT
OF BUILDING**

Means the vertical distance from the natural grade level to the highest part of the roof surface, as illustrated in Figure 1.

HIGHWAY

Includes a public street, lane, bridge, road, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property.



**HOME
OCCUPATION**

means any occupation for gain or support clearly incidental to the principal residential use of a property, provided that:

Part A For parcels of 4000 m² (0.99 acres) or less:

1. The following occupations only are permitted:
 - i) **Home crafts** (sewing, artificial flower arrangements, hobby crafts and related crafts).
 - ii) **Private music, dancing and related lessons** providing that the number of pupils on the premises at any one time is four (4) or less.
 - iii) **Office.**
 - iv) **Small appliance repairs** where appliances serviced have a maximum volume of eight (8) cubic feet (.23 cubic metres).

Notwithstanding the above, the use of a dwelling unit as the mailing address or registered office of a business, no part of which is actually carried out in or about the dwelling, shall be permitted.

2. **Persons employed** in a home occupation are limited to those residing on the property in the dwelling unit in which that home occupation or practice is located and one non-resident employee.
3. **The premises must not be used for manufacturing, welding or any other light industrial use**, and the home occupation carried on therein shall not produce noise, vibration, smoke, dust, odour, litter, or heat, other than normally associated with a dwelling, nor shall it create or cause a fire hazard, glare, electrical interference or traffic congestion on the street.

4. **Such home occupation shall not involve the use of mechanical equipment** save as is similar to that ordinarily employed in purely private domestic and household use or for recreational hobbies.
5. **No part of the premises shall be used as a warehouse or retail outlet.**
6. **Not more than one home occupation shall be permitted per dwelling unit**, and no home occupation shall occupy more than 20 square metres (215 square feet) or twenty five (25%) percent of the dwelling unit whichever is the lesser.
7. **The premises must give no exterior indication of the home occupation** either by stored materials, displays, floodlighting, or otherwise, or by any variation from the residential character of the dwelling unit.
8. **Materials and commodities shall not be delivered to or from the residence** in such bulk or quantity as to require regular or frequent delivery by commercial vehicle or trailer.
9. **All uses shall be conducted entirely within the dwelling unit, except for daycare use** and there shall be no external storage of materials, equipment, containers or finished products.
10. **All articles sold through a home occupation must be produced or manufactured on site** with an exception allowing for the incidental selling of goods not manufactured on site but directly related to other activity on the site.
11. **Articles manufactured off site may be sold through a home occupation provided that** all distribution of articles will be carried out off site by persons employed in the home occupation.
12. **In the case of daycare use**, 14 square metres (150.7 square feet) of usable outdoor activity space per child in care shall be provided up to a maximum care of four (4) children. Daycare of more than four (4) children is not a home occupation.
13. **Any person intending to carry out a home occupation shall obtain written approval** from the Regional District prior to commencing the home occupation on the lot.

RDCS
2171

Part B For parcels greater than 4000 m² (0.99 acres):

1. **No use shall create** any off-site parking, excessive customer or service traffic nor shall it become or create a nuisance to the surrounding area by reasons of unsightliness, odour emission, liquid effluent, dust, noise, fumes, smoke or glare.
2. **All uses shall be conducted entirely within a completely enclosed building** permitted in this bylaw, except for daycare use and there shall be no external storage of materials, equipment, containers, or finished products.
3. **All articles sold through a home occupation must be produced or manufactured on site** with an exception allowing for the incidental selling of goods not manufactured on site but directly related to other activity on the site.
4. **Articles manufactured off site may be sold through a home occupation provided that** all distribution of articles will be carried out off site by persons employed in the home occupation.

RDCS
2171

5. **The maximum floor area per lot** that can be used for home occupation use including storage, processing or sale, shall not exceed 50 square metres (538 square feet).
6. **In the case of daycare use**, 14 square metres (150.7 square feet) of usable outdoor activity space per child in care shall be provided up to a maximum care of four (4) children. Daycare of more than four (4) children is not a home occupation.
7. **Persons employed in a home occupation are limited to those residing on the property** in the dwelling unit in which that home occupation or practice is located and one non-resident employee.
8. **Any person intending to carry out a home occupation shall obtain written approval** from the Regional District prior to commencing the home occupation on the lot.

HOTEL includes motels, resorts or lodges and associated accessory uses such as pubs, lounges, restaurants, and gift shops incidental to the principal use but specifically excludes condominiums.

INSPECTOR means the Director of Planning and Development or his designate of the Regional District.

INDUSTRIAL USE, Heavy means a use providing for the wholesale, manufacturing except for wood processing, fabricating, warehousing, testing, assembling, service, repairs, distribution or maintenance of tools or materials and can include bulk storage, junkyards, meat and fish processing and automobile service stations.

INDUSTRIAL USE, Light means a use providing for the wholesaling, fabricating, warehousing, testing, service, repairs, maintenance of goods or materials and includes retail sales accessory to the principal use but specifically excludes junkyards or bulk storage.

INDUSTRIAL USE, Medium means a use providing for the fabricating, testing, service, repairs, warehousing, manufacturing, wholesaling, or maintenance of goods or materials but specifically excludes junkyards, wood processing, meat and fish processing or bulk storage.

INSTITUTIONAL USES means a non-profit or quasi public use or institution such as a church, library, public or private school or hospital.

JUNKYARD

is a place where old articles, waste or discarded material are stored or kept, whether or not for commercial purposes or as part of a trade or calling, and such materials shall include rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage, and includes Automobile Wrecking Yards.

LIVESTOCK

SRD
495

means animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or are capable of work such as horses, donkeys or mules, but specifically excludes small fowl or poultry including chickens and ducks.

LOT

means an area of land designated as a separate and distinct parcel that is shown as illustrated in Figure 2 on a legally recorded subdivision plan or description filed in the Land Titles Office but does not include a strata lot.

LOT AREA

means the area of land within the boundaries of the lot but excludes the panhandle area.

LOT COVERAGE

means the total horizontal area measured to the outside of the exterior walls of the buildings on a lot, expressed as a percentage of the lot area.

LOT LINE

means a line which marks the boundary of a lot as shown in Figure 2 and in particular:

a) **Front Lot Line**

means the lot line that divides the lot from the highway. In the case of a corner lot the shorter lot line that abuts the highway shall be deemed to be the front lot line but shall not include lines that create a site triangle. In the case of a panhandle lot, not bordering the sea, the line separating the body of the lot from a panhandle shall be considered the front lot line.

b) **Rear Lot Line**

means the lot line opposite to and most distant from the front line. Where the rear portion of the lot is bounded by two intersecting side lot lines, it shall be the point of such intersection;

c) **Side Lot Line**

means a lot line other than a front or rear lot line.

LOW IMPACT RECREATION means 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.

RDCS
1755

MANUFACTURING means mechanical or chemical transformation of materials or substances into new products, can also mean processing.

MARINA means moorage and launching facilities including the sale, rental and maintenance of boats and accessory marine equipment and moorage for seaplanes, and allows as an accessory use the sale of fuel directly to boaters or seaplanes and may include laundromat or laundering facilities and public shower facilities as accessory uses.

MOBILE HOME means a dwelling unit designed to be moved from time to time, which arrived at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connections of utilities, and some incidental assembly, and meets or exceeds Canadian Standards Associations Z-240 Standards, but specifically excludes recreational vehicle.

MOBILE HOME AREA means that part of a mobile home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, owner's residential plot, the procuring and treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plan, garbage disposal, or ancillary buildings.

MOBILE HOME PAD means that portion of a mobile home space designated, designed and prepared for the support of a mobile home. It may contain service connections.

MOBILE HOME PARK means land used or occupied by any person for the purposes of providing spaces for the accommodation of two or more mobile homes on land zoned for mobile home park use, and for imposing a charge or rental for the use of such space, and shall include mobile home strata subdivisions pursuant to the *Condominium Act*.

MOBILE HOME SPACE means an area of land for the installation of one mobile home with permissible additions and situated within a mobile home area, and can mean one strata lot pursuant to the *Condominium Act*.

MOTEL means a building on the lands used and operated commercially for gain to provide temporary transient residential accommodation to the travelling public and excludes the use or occupation of residential accommodation as a permanent, seasonal, or secondary residence.

RDCS
1458

NEIGHBOURHOOD PUB	means an establishment operating under a "D" type license issued pursuant to the <i>Liquor Control and Licensing Act</i> and amendments thereto, but shall also include a Legion, Club, or other similar society registered pursuant to the <i>Society Act</i> that operates under an "A" type license issued pursuant to the <i>Liquor Control and Licensing Act</i> and amendments thereto.
NON-CONFORMING BUILDING OR USE	means any building or use which does not conform with all the regulations of this bylaw or any amendments thereto, for the zoning district in which such building or use is located.
OFFICE	means the occupancy or use of a building for the purpose of carrying out business or professional activities, but specifically excludes retail activities and personal service use.
OWNER	means an owner, agent, lessor, or manager of a lot or any person who operates a mobile home park.
PANHANDLE	means a strip of land not less than 10 metres (32.8 feet) in width and not exceeding 20 metres (65.62 feet) in width which extends along a side of a lot and which provides access and highway frontage to a parcel, and which forms part of that parcel as illustrated in Figure 2.
PARCEL	see "LOT"
PARK	means a tract of land or water designated and used by the public for active and passive recreation.
PARKING SPACE	means an open area of land used for the parking of one vehicle but does not include streets or driveways or areas providing access to a parking space.
PERMITTED ACCESSORY USE	means a use that is ancillary to the permitted principal use of the land, building or structure located on the same parcel or on a parcel contiguous to a parcel on which the principal use is situated when both parcels are owned by the same person and both parcels have the same zoning.
PERMITTED PRINCIPLE USE	means the principle permissible purpose for which land, buildings or structures may be used, and for the purpose of this bylaw all uses not listed as permitted shall be deemed to be a prohibited use in that zone.
PRINCIPAL BUILDING	means the main building or structure on a parcel of land which reflects the primary use of that land.
PRINCIPAL USE	means the main purpose for which a lot, principal building or structure is ordinarily used.

POTABLE WATER means water which is approved for drinking purposes by the Ministry of Health.

PUBLIC ASSEMBLY USE means the use of land, buildings or structures for religious institutions, cemeteries, hospitals, community care facilities, institutional uses, government offices, daycare centres, schools, museums, community halls, auditoriums, publicly funded recreation facilities, community water or sewer service, and public works yards with related facilities.

QUALIFIED ENVIRONMENTAL PROFESSIONAL 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.

SRD
84

RECREATION FACILITIES means a facility used and equipped for the conduct of sports, leisure and entertainment activities which may include instructional courses, equipment rentals, showers and storage.

RCS
1723

REGIONAL DISTRICT means the Regional District of Comox-Strathcona.

RESEARCH AND TEACHING FACILITY means the use of buildings or land for conducting scientific research directly related to natural resource uses such as agriculture, aquaculture or forestry, which may include instruction or teaching directly related to this research.

RDCS
1850

RESIDENTIAL USE means the permanent occupancy and use of a dwelling unit by a family.

RESTAURANT means an eating establishment providing for the sale of prepared foods and beverages to be consumed on the premises, but specifically excludes neighbourhood pubs.

RETAIL means the sale of goods to the general public and the maintenance and repair of such goods that are sold.

RIDING ACADEMY means an establishment where horses are boarded and cared for and where instruction in riding, jumping and showing is offered and the general public may, for a fee, hire horses for riding and includes horse related events or shows where no paid admission to view the event is required.

RIPARIAN AREA means a Streamside Protection and Enhancement Area (SPEA).

SRD
84

**RIPARIAN ASSESSMENT
AREA**

SRD
84

means:

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

ROADWAY

means an allowance within a mobile home park part or all of which is made suitable for normal vehicular use so vehicles can gain access to abutting spaces.

**RURAL RESOURCE
CENTRE**

RDCS
1850

means the use of buildings and land for conducting scientific research and teaching directly related to natural resource uses such as agriculture, aquaculture or forestry, and may include as accessory uses accommodation for up to 25 guests, administrative officers, meeting facilities for up to 80, and food and beverage services for community events, conferences, tours and student research and teaching.

SCREENING

means a continuous fence, wall, compact evergreen hedge, or other densely planted vegetation, of sufficient height, supplemented with landscape planting that would visually shield or obscure one abutting structure, building or lot from another, broken only by access drives and walks.

**SEAFOOD
PROCESSING**

means the storage, drying, cooking, packing or preparation, of any aquatic organism.

**SERVICE
ESTABLISHMENT**

means an establishment whereby professional or personal services are provided and the sale of goods, wares, merchandise, articles or things accessory to the provision of such services and includes health, legal, engineering and other professional services, and without restricting the generality of this definition, also includes barber shop, beauty salon, shoe repair shop, dry cleaning shop, launderette, photographic studios and other miscellaneous services.

SETBACK

means the required minimum horizontal distance measured from the respective lot line or natural boundary to any building or structure or part thereof as illustrated in Figure 2 except that: greater requirements may apply under sections of the British Columbia Building Code regulating building separations by use, size, height, type of construction, accessibility, and percentage of openings, to assure adequate fire safety provisions.

SIGN

RDCS
2171

means any object, device, display, structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images.

**SIGN
Community Event**

means a sign advertising an event being held by a not for profit organization.

**SIGN
Fascia**

means a sign which does not project more than 15 centimetres (6 inches) from the building or structure to which it is attached.

**SIGN
Public Service**

means a government sign, or sign directing attention to a community service club or similar organization.

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**SIGN
Real Estate**

means a sign indicating the parcel or structure where the sign is located is for lease, rent or sale.

**SIGN
Third Party**

means a sign which directs attention to a business, product, service or entertainment which is conducted, sold or offered at a location other than the parcel on which the sign is located.

**SHORELINE PROTECTION
DEVICE**

RDCS
1510

means breakwaters, seawalls, bulkheads, riprap, deposition of materials such as stone and concrete rubble, bluff stabilization projects, and similar measures employed to protect property from the sea and watercourses which can be sited up to a property line.

SITE AREA

means the same as lot area where only one lot is involved and means the total horizontal area within the lot lines of all the lots to be covered by a use. In the case of a strata lot, site area shall mean the area of the parent lot prior to the creation of strata lots.

SITE TRIANGLE

means the area formed by the intersection of the tangents to the lot lines that form the corner of a lot at the intersection of two highways and the curve or straight line cut that joins the lot lines as illustrated in Figure 2.

SILVICULTURE

means all activities related to the development and care of forests, including the removal of harvestable timber stocks, but does not include the processing of wood or wood products.

STRATA LOT

means a strata lot as defined by the *Condominium Act* and amendments thereto, of the Province of British Columbia.

STREAM

SRD
84

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).

**STREAMSIDE PROTECTION
AND ENHANCEMENT AREA
(SPEA)**

SRD
84

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.

STRUCTURE

means anything that is constructed or erected, and includes swimming pool, mobile home space, camping space and major improvements accessory to the principal use of land, but specifically excludes landscaping, paving improvements, signs and fences under 2.0 metres (6.56 feet) in height.

SUBDIVISION

means any change in existing size, shape, number or arrangement of a parcel registered in the Land Title Office so as to require that a new Certificate of Indefeasible Title be issued.

TENANT

means a person or persons who occupy a mobile home within a mobile home space or mobile home strata lot.

**UTILITY SERVICE
BUILDING**

means a building or structure providing for public utility facilities for water, sewer, electrical, telephone and similar services, established by a municipality, Regional District, by another government body or by a company regulated by statute.

UTILITY USE

RDGS
2483
CSRSD
2948

means the use of land for the establishment of utility facilities and associated appurtenances for the provision of water, sewer, electrical, natural gas, communication, fire protection and transportation; where such use is established by a local, provincial or federal government, an improvement district, a Crown corporation or by a company regulated by a government commission. This definition of "utility use" specifically excludes reservoirs, dams, sewage treatment plants, sewage lagoons, water treatment plants, power generating plants, including grid connected wind turbines (wind farms), power distribution stations.

WATERCOURSE

means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres (1.97 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two (2) square kilometres (0.77 square miles) or more upstream of the point of consideration, or as required by a designated official of the Ministry of Environment of the Province of British Columbia.

WETLAND

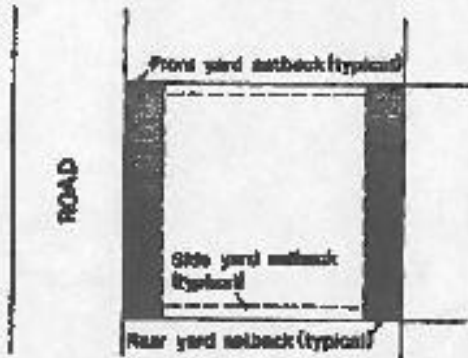
SRD
84

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.

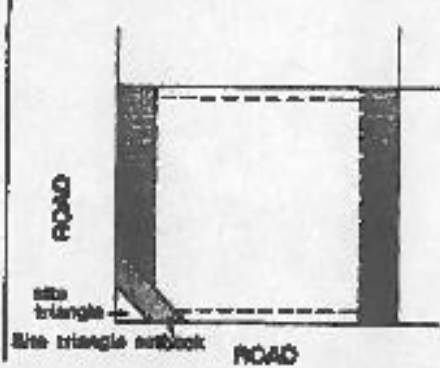
- WHOLESALE** means establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies and includes the maintenance and repair of such goods that are sold.
- YARD, Front** means the distance from the front lot line to a line drawn parallel to the front lot line equal to the minimum required building setback from the front lot line as illustrated in Figure 2.
- YARD, Rear** means the distance from the rear lot line to a line drawn parallel to the rear lot line equal to the minimum required building setback from the rear lot line as illustrated in Figure 2.
- YARD, Side** means the distance from the side lot line to a line drawn parallel to the side lot line equal to the minimum required building setback from the side lot line as illustrated in Figure 2.

FIGURE 3 • SETBACKS

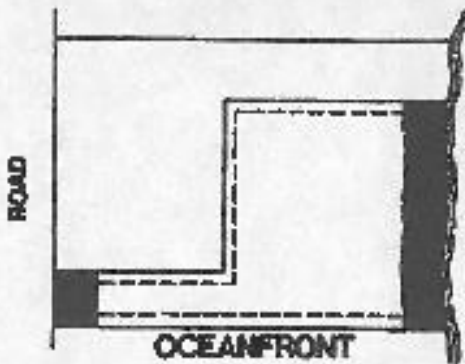
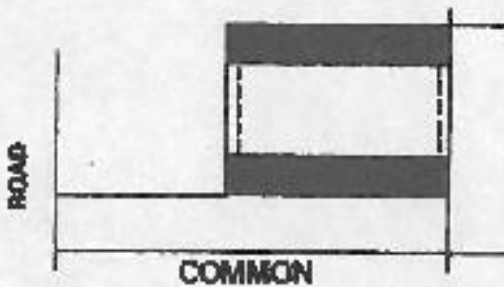
COMMON RECTANGULAR LOT



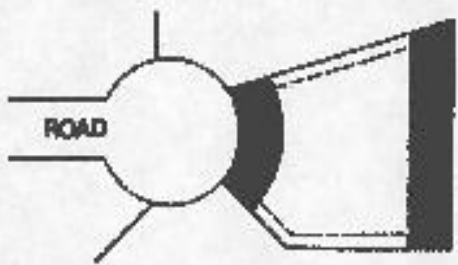
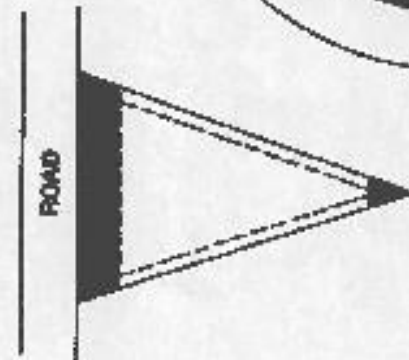
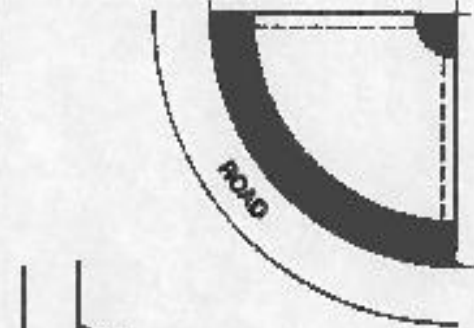
CORNER LOT



PANHANDLE LOTS



OTHER DESIGNS



PART 3 AMENDMENT AND PERMITS

This bylaw can be amended and permits issued pursuant to Bylaw No. 1244, and amendments thereto, being the Bylaw Amendment, Permit Procedure and Fee Bylaw, 1990" of the Regional District of Comox-Strathcona.

PART 4 LAND USE REGULATIONS

4.1 Zone Designations

For the purpose of this bylaw, the areas described in Part B, "Application", of this bylaw are hereby divided into zones designated and described by the following classifications and their short title equivalents.

	<u>ZONE</u>	<u>SHORT TITLE</u>	<u>MINIMUM LOT SIZE</u>
RDCS 2885	R-1	Residential One	2500 m ²
	R-2	Residential Two	2500 m ²
	R-3	Residential Three	2500 m ²
	R-3A	Residential Three A	2500 m ²
RDCS 1511	CR-1	Country Residential One	4000 m ²
	CR-2	Country Residential Two	4000 m ²
	CR-3	Country Residential Three	1 ha
	CR-3A	Country Residential Three A	1 ha
	CR-4	Country Residential Four	2 ha
	CR-4A	Country Residential Four A	2 ha
SRD 199	CR-4A	Country Residential Four A	2 ha
SRD 317	CR-4B	Country Residential Four B	2 ha
	CR-5	Country Residential Five	8 ha
SRD 447	RU-1	Rural One	8 ha
	RRC-1	Rural Residential Community One	2ha
	RR-1	Rural Recreation One	20 ha
	RM	Residential Multiple	1 ha
	MHP	Mobile Home Park	2 ha
RDCS 1723	C-1	Commercial One	4000 m ²
	C-2	Commercial Two	1 ha
	C-3	Commercial Three	1 ha
	C-4	Commercial Four	1 ha
	C-5	Commercial Five	4.0 ha
RDCS 1755	PA-1	Public Assembly One	None
	UR	Upland Resource	40.0 and 400.0 ha

4.2 Extent

- 1) The extent of each zone is shown on Schedules inclusive which are attached to and form part of this bylaw.
- 2) When the zone boundary is designated as following a road allowance or creek, the centre line of such road allowance or creek shall be the zone boundary.

- 3) Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning maps referred to in Subsection 1.
- 4) Where a parcel is divided by a zone boundary, the areas created by such division shall be deemed to be separate lot areas for the purpose of determining the requirements of this bylaw.

4.3 General Provisions

- 1) No land, surface of water, building, or structure in any zone shall be used for any purpose other than that specified for the zoning in which it is located as identified in the schedules attached in this part and in the applicable zone as specified in this bylaw.
- 2) Off-street parking shall be provided in accordance with Schedule '2A' of this part.
- 3) Minimum lot size requirements are stipulated for each zone. The general subdivision regulations of Part 5 of this bylaw shall be adhered to.
- 4) In all upland zones, the keeping of up to four small fowl or poultry, including chickens and ducks, but specifically excluding roosters shall be permitted.

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4.4 Non-Conforming Uses

- 1) A lawful use of land, buildings or structures existing at the time of enactment of this bylaw, although the use does not conform to this bylaw, may continue as a non-conforming use, but if the non-conforming use is discontinued for a continuous period of six (6) months, any subsequent use of the land, building or structure becomes subject to the bylaw. Seasonal uses or agricultural uses shall not be discontinued as a result of normal seasonal or agricultural practices including:
 - a) seasonal, market or production cycles;
 - b) the control of disease or pests; **or**
 - c) the repair, replacement, or instruction of equipment to meet standards for the health or safety of people or animals.
- 2) A building or structure that is lawfully under construction at the time of the enactment of this bylaw, shall, for the purpose of this bylaw, be deemed to be a building or structure existing at that time, and to be then in use for its intended purpose as determined from the Building Permit authorizing its construction.
- 3) When a non-conforming use of part of a building or structure may continue then the whole of that building or structure may be used for that non-conforming use. Non-conforming use of land may not be continued on a scale or to an extent or degree greater than that at the time of adoption of this bylaw.

- 4) A structural alteration or addition, except one that is required by an enactment or permitted by a Board of Variance shall not be made in or to a building or structure while the non-conforming use is continued in all or any part of it.
- 5) Where a building or a structure, the use of which does not conform to the provisions of this bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the Inspector, it shall not be repaired or reconstructed except for a conforming use in accordance with this bylaw.
- 6) Where the siting, size or dimensions of a building or structure or off-street parking or loading spaces or the number of off-street parking or loading spaces do not meet the requirements of this bylaw, they may be repaired, extended or altered, but only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of this bylaw beyond the contravention that existed at the time that the repair, extension or alteration was commenced.
- 7) A change of owners, tenants or occupants of any land, or of a building or structure, does not, by reason only of the change, affect the use of the land or building or structure.
- 8) No parcel or area of land shall be alienated, and no use shall be initiated, and no building or structure shall be sited in a manner which thereby renders non-conforming any existing use or building or structure on that parcel.
- 9) **Where the use and density of buildings and structures conform to this bylaw but,**
 - (a) the siting, size or dimensions of:
 - (i) a building or structure;
 - (ii) off-street parking or loading spaces; or
 - (b) the number of off-street parking or loading spaces

do not meet the requirements of this bylaw that is adopted after they were constructed or provided, they may be maintained, extended or altered, but only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw beyond the contravention that existed at the time that the repair, extension or alteration was commenced.

4.5 General Regulations

1) **Accessory Buildings and Structures**

- (a) Buildings and structures accessory to the permitted use of a parcel are permitted in each zone unless otherwise specified, provided that:
 - i) the principal use is being performed on the parcel; or,
 - ii) a building for the purpose of the principal use has been constructed on the parcel; or,

- iii) a building for the purpose of the principal use is in the process of being constructed on the parcel.
- (b) The maximum height of all accessory buildings is 7.0 metres (23.0 ft.), unless otherwise specified in this bylaw.
- (c) Notwithstanding the above, an accessory building may be situated on a parcel where no principal residential building exists provided the building is no greater than 50 square metres (538.2 square feet) and is used only for the storage of goods and materials owned by the owner of the same parcel.
- (d) **Accessory Building Setback Table:**

REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5 metres (14.8 ft.) or less	Between 4.5 and 7.0 metres (14.8 – 23.0 ft.)
Front Lot Line	7.5 metres (24.6 ft.)	7.5 metres (24.6 ft.)
Side Lot Line	1.0 metre (3.3 ft.)	1.0 metre (3.3 ft.)
Rear Lot Line	1.0 metre (3.3 ft.)	2.0 metres (6.6 ft.)

2) Height of Buildings and Structures

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- a) The maximum height of all buildings and structures shall not exceed 10.0 metres (32.8 feet), except for public utility use and commercial or industrial zoned uses which shall not exceed 15.0 metres (49.21 feet).
- b) The maximum height of all fences shall not exceed 2.0 metres (6.6 feet) except where provided for in other parts of this bylaw.
- c) The following shall not be subject to the height requirements of this bylaw unless otherwise specified: church spires, flagpoles, water tanks, monuments, transmission towers, and farm buildings including silos.

3) Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997

4) Riparian Area Regulation (RAR) Requirements

In accordance with the provincial RAR, where development, as defined by RAR, is proposed to take place within 30.0 metres of a stream connected to fish habitat, an assessment report, prepared by a qualified environmental professional (QEP) in accordance with the Riparian Areas Regulation (RAR) is required. The QEP report must be prepared by the QEP who has carried out the assessment and that:

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- a) certifies that the qualified environmental professional is qualified to carry out the assessment,
- b) certifies that the assessment methods have been followed, and
- c) provides the professional opinion of the qualified environmental professional that:
 - i) If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
 - ii) if the streamside protection and enhancement areas identified in the report are protected from the development, and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

5) **Setbacks**

a) **Stream Setbacks**

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1. Where the siting of buildings and structures is proposed adjacent to streams and where the Riparian Areas Regulation (RAR) applies, the siting of buildings and structures adjacent to streams shall be determined by the Qualified Environmental Professional's Riparian Area Assessment Report that is filed with and acknowledged by MOE. However, notwithstanding the QEP's assessment report, this bylaw further requires that no building or structure shall be sited closer than 7.5 metres of a stream.
2. Where RAR is not applicable and where the definition of stream pursuant to RAR does not apply, no building or structure shall be sited within 7.5 metres of a water feature.
3. Notwithstanding the above, the regional district floodplain management bylaw also specifies floodplain setback requirements that may further regulate siting of buildings and structures adjacent to streams.

b) **Watercourse Setbacks**

- i) ***Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997***
- ii) No houseboat, float camp or other building, structure or vessel used or intended to be used for temporary or permanent residence shall be located on any lake or stream.
- iii) No building used to accommodate domesticated or display animals other than household pets shall be sited less than 75.0 metres (246.06 feet) from the boundary of any lake or stream.

c) *Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997*

d) *Repealed by Bylaw No. 1836 Floodplain Management Bylaw, 1997*

e) **Site Triangles Setbacks**

- i) No person, being the owner, occupier or lessee of any land at the intersection of any highway and any other highway shall place or permit to be placed or grow any tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.6 metres (1.97 feet) within the site triangle above an elevation such that an eye 0.9 metres (2.95 feet) above the surface of one highway cannot see an object 0.9 metres (2.95 feet) above the surface of the other highway.
- ii) All buildings and structures shall be set back a minimum of 4.5 metres (15.76 feet) from the site triangle.

f) **Road Setbacks**

i) *Island Highway and Gold River Highway (#28)*

No part of any building or structure shall be located within a minimum of 22.5 metres (73.82 feet) of the centre line of the road right-of-way. An exception to this setback requirement will be in Electoral Area 'D' on the ocean side or eastern side only of the Island Highway in the area north of Section 26, Township 4, Comox District, in which case a minimum setback of 19.5 metres (63.98 feet) from the centre line of the road right-of-way is required.

An additional 7.5 metres (24.6 feet) setback for frontage road purposes will be required where specified by the Ministry of Transportation and Highways unless otherwise required by this Ministry. The road right-of-way requirement for this highway is 30 metres (98.43 feet).

ii) *Other Major Roads*

These roads include:

Ocean Grove Road	York Road
McGimpsey Road	Iron River Road

No part of any building or structure shall be located within a minimum of 20 metres (65.62 feet) of the centre line of the road right-of-way. The right-of-way for these roads is 25 metres (82.02 feet).

iii) *Local Roads*

- 1) No part of any building or structure shall be located within 7.5 metres (24.6 feet) of a local public road right-of-way that abuts a front or rear lot line.
- 2) **Where a side lot line abuts a public road right-of-way, the minimum yard setback shall be as follows:**
 - i) Where the width of the lot is 31 metres (101.71 feet) or less at the front yard setback, measured along the front yard setback line, the minimum side yard abutting the road shall be 4.5 metres (14.76 feet).
 - ii) Where the width of the lot is greater than 31 metres (101.71 feet) at the required front yard setback, measured along the front yard setback line, the minimum side yard abutting the road shall be the same as the front yard setback.

Notwithstanding the requirement of this section, where the siting requirements of each applicable zone require a larger setback than is provided for in this section, the provisions of that zone shall prevail.

6) **Siting Exceptions**

- a) Where chimneys, cornices, leaders, gutters, pilasters, sills, bay windows or ornamental features project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metres (1.97 feet) provided that such reduction shall apply only to the projecting feature and except for a zero lot line in which case no feature shall project over the lot line.
- b) Where eaves project beyond the face of a building, the minimum distance to an abutting front, rear and side lot line as permitted elsewhere in this bylaw may be reduced by not more than 50% of such distance up to a maximum of one metre, provided that such reduction shall apply only to the projecting feature.
- c) Freestanding lighting poles, warning devices, signs, utility poles, wires, and flagpoles may be sited on any portion of a lot.

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7) **Storage**

a) **Parking of Commercial and/or Industrial Vehicles**

Unless specified elsewhere in this bylaw, the parking of commercial and/or industrial vehicles on a property is limited to one licenced vehicle with one trailer and one piece of equipment.

- b) In all zones no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard.

8) **Temporary Occupation of Additional Dwelling**

- a) In all zones which permit single family dwellings, whenever an owner receives a building permit to construct a single family dwelling on a parcel which already has the maximum permitted number of single family dwellings and the owner makes application to the Regional District for permission to occupy an existing single family dwelling during the construction of a new single family dwelling, it shall be lawful to have an extra single family dwelling on the parcel simultaneously notwithstanding any other provision of this bylaw, provided that the owner:
- i) **first enters into a registerable covenant in a form acceptable to the Regional District:**
 - 1) covenanting to demolish or remove the existing single family dwelling, or where permitted elsewhere in this bylaw, to convert it to a non-residential accessory building forthwith upon the approved occupancy, or two years from the date of the issuance of the building permit of the new single family dwelling, or at the request of the Regional District, whichever event is earlier; and
 - 2) authorizing the Regional District to cause the demolition, removal or conversion if for any reason the owner neglects or refuses to do so within 30 days of being requested to do so and undertaking to indemnify the Regional District for all costs incurred in so doing; and
 - ii) **provides a negotiable security** in the form of a certified cheque, cash, irrevocable letter of credit, or similar security to the Regional District in the amount of \$1,500.00 to ensure that the existing single family dwelling is removed upon occupancy of the new single family dwelling and the site is maintained in a safe and sanitary condition when the building permit expires.
- b) The provisions of subsection (a) shall apply to lands within the Agricultural Land Reserve only to the extent that the policies and regulations of the B.C. Land Commission will allow.

9) ***Residential Use***

A second dwelling, where permitted by this bylaw, does not carry with it the privileges of ownership in fee simple and permission for a second dwelling is not to be construed in any way as a justification for future subdivision.

10) ***Bed and Breakfast***

Where a bed and breakfast is permitted the following requirements shall apply:

- a) The maximum number of bedrooms that may be used for bed and breakfast accommodation per lot shall be as follows unless otherwise specified in a particular zone designation:
- i) No more than 2 bedrooms for parcels zoned Residential or Country Residential;

- ii) No more than 3 bedrooms for parcels zoned Rural or Commercial.
- iii) No more than 3 bedrooms for parcels located in the Agricultural Land Reserve unless otherwise approved by the Provincial Agricultural Land Commission.

The bedrooms used must be located in a dwelling unit. Use of an accessory building to provide bed and breakfast accommodation is not permitted.

- b) At least one automobile parking space shall be provided on the same lot of each room available for accommodation, in addition to the parking requirements for the residence.
- c) Meals may be provided to customers of a bed and breakfast operation only. No cooking facilities beyond the one set permitted per dwelling unit shall be permitted unless specifically required by a provincial health agency.
- d) Persons employed as part of a bed and breakfast are limited to those residing in the dwelling unit in which the bed and breakfast is located and 2 non-resident employees.
- e) No external indication shall exist that any building is utilized for any purpose other than normally associated with a residential building except for a single sign not exceeding 1.5 square metres (16.0 square feet) in total area and located on the parcel where the bed and breakfast is operated. The posting of a Tourism BC accreditation sign in addition to the above noted sign shall be considered a permitted use.
- f) Any person intending to operate a bed and breakfast shall obtain prior written approval from the Regional District and Community Health Services Society, where required.

11) Sign Regulations

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- a) Permitted Locations
 - i) Signs advertising a business, product or service, including home occupations and bed and breakfast operations shall be permitted only on the parcel where the advertised business, product or service is operated or offered.
- b) Maximum Permitted Sizes
 - i) The total area of all signs on a parcel shall not exceed the following maximum permitted sizes, with the exception of fascia signs in Sign Districts “B” and “C”:

SIGN DISTRICTS	HOME OCCUPATION BED & BREAKFAST SIGNS m ² (ft ²)	OTHER SIGNS (i.e. retail stores) m ² (ft ²)
“A”	1.5 (16)	3 (32)
“B”	1.5 (16)	6 (64)

“C”	3 (32)	7.4 (80)
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SIGN DISTRICTS	ZONING
A (Residential)	CR-1, CR-1A, CR-2, CR-3, CR-3A, CR-4, CR-5, MHP, R-1, R-2, R-3, RM
B (Commercial)	C-1, C-2, C-3, C-4, C-5, PA-1, RR-1
C (Highway or Large Acreage)	RU-1, UR, Any parcel abutting the Island Highway, Inland Island Highway and Jubilee Parkway

- ii) In Sign Districts “B” and “C”, fascia signs are allowed in addition to the maximum area permitted under subsection (i) above. The maximum size of any one fascia sign in Sign Districts “B” and “C” shall not exceed 25% of the wall area upon which it is attached.
- c) Measurement of Sign Area
 - i) The area of a sign shall be determined from the outside edges of the sign.
 - ii) The area of a sign composed of only letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words or symbols.
- d) Maintenance and Removal
 - i) All signs shall be maintained so that at all times they are structurally sound and free from all hazards caused or resulting from decay or failure of structural members, fixtures, or lighting. All sign area, background, copy, lighting and embellishment shall be maintained in a readable, clean and painted condition.
 - ii) The Regional District may require a sign to be removed where
 1. The business has ceased operations;
 2. The sign does not comply with this bylaw.
 - iii) All signs must satisfy the requirements of the *Regional District of Comox-Strathcona Building Bylaw No. 1915* and the section 214 of the *Motor Vehicle Act*.
- e) Prohibited Signs
 - i) Third party signs of any type are not permitted on any parcel or structure.
 - ii) Roof-top, flashing, oscillating or animated signs are not permitted on any building, structure or site.
- f) Exempt Signs

- i) Bus shelter, community event, public service and real estate signs are exempt from the above requirements.

4.6 Regulations for Each Zone

(For detailed regulations respecting each zone, see Sections 4.6.1 to 4.6.22 in the following pages.)



4.6.1

**RESIDENTIAL ONE
(R—1)**

i) PERMITTED PRINCIPAL USE

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to one single family dwelling per lot provided the width of the dwelling at its narrowest width exceeds 6 metres (19.69 feet).

c) No single-wide mobile home including Z-240 certified homes as a whole or as a part of a building is permitted.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 1.75 metres (5.74 feet) of an accessory building.

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b) [Repealed].

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-1

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4.6.2

**RESIDENTIAL TWO
(R—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

- 1) On any lot size: One single family dwelling or one duplex.
- 2) Duplexes on the ocean side or eastern side of the Island Highway in Electoral Area "D" in the area north of Section 34, Township 4, Comox District are limited to a total combined floor area of 225.0 square metres (2422 square feet) excluding any garages, unenclosed decks or balconies and a maximum height limitation of 5 metres (16.4 feet) measured from the average natural grade of the building area.

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 3.5 metres (11.48 feet) of an **accessory building**.

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b) [Repealed].

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-2

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4.6.3

**RESIDENTIAL THREE
(R—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

On any lot size:	One single family dwelling.
On any lot over 4000 m ² (0.99 acres):	One duplex.

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iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 3.5 metres (11.48 feet) of an accessory building.

RDCS
1458

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b) [Repealed].

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

SRD
84

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-3

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2885

4.6.3.A

RESIDENTIAL THREE A (R—3A)

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings.
- 4) Bed and Breakfast.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

On any lot size:	One single family dwelling.
On any lot over 4000 m ² (0.99 acres):	One duplex.
On any lot ≥1.0 ha (2.47 acres):	Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

- a) Except where otherwise specified in this bylaw, no building or structure shall be located within:
- 1) 7.5 metres (24.6 feet) of that portion of a front lot line that abuts a public road right-of-way;
 - 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
 - 3) 7.5 metres (24.6 feet) of a rear lot line.
 - 4) 3.5 metres (11.48 feet) of an accessory building.
- b) [Repealed]
- c) Other specifications include:
- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
 - 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
 - 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
 - 4) For any exceptions to siting, refer to Section 4.5.6(a).
 - 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) Minimum lot area: 2500 square metres (0.62 acres).
Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.
- b) Minimum lot frontage: 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-3A



4.6.4

**COUNTRY RESIDENTIAL ONE
(CR—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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2163

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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1458

b) Residential use is limited to one single family dwelling per lot provided the width of the dwelling at its narrowest width exceeds six metres (19.69 feet).

c) No single-wide mobile home including Z-240 certified homes or equivalent as a whole or as a part of a building is permitted.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 7.5 metres (24.6 feet) of a **rear lot line**;
- 4) 3.5 metres (11.48 feet) of an accessory building.

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b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-1

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4.6.5

**COUNTRY RESIDENTIAL TWO
(CR—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

RDCS
2163

iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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b) Residential use is limited to:

On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

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1458

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 7.5 metres (24.6 feet) of a **rear lot line**;
- 4) 3.5 metres (11.48 feet) of an **accessory building**.

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b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-2

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4.6.6

**COUNTRY RESIDENTIAL THREE
(CR—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

RDCS
2163

iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

RDCS
1458

b) Residential use is limited to:

- i) On any lot size: One single family dwelling.
- ii) A second dwelling not exceeding 50 square metres in floor area is permitted on any lot 1 ha (2.47 ac) or larger

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2152.8 square feet).

v) **SITING OF STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

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1458

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) 3.5 metres (11.48 feet) of an accessory building.

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b) [Repealed].

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-3

4.6.6A

**COUNTRY RESIDENTIAL THREE
(CR—3A)**

RDCS
1511

i) **PERMITTED PRINCIPAL USES**

a) **On any lot:**

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) **On any lot over 4000 m² (0.99 acres):**

- 1) Agricultural use.

ii) **PERMITTED ACCESSORY USES**

a) **On any lot:**

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) **CONDITIONS OF USE**

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) **Residential use is limited to:**

- i) On any lot size: One single family dwelling.

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2163

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2,152.8 square feet).

v) **SITING OF STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) 3.5 metres (11.48 feet) of an accessory building.

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496

b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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84

vi) **LOT COVERAGE**

The maximum lot cover of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-3A

4.6.7

**COUNTRY RESIDENTIAL FOUR
(CR—4)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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2163

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

RDCS
1458

b) Residential use is limited to:

On any lot size: One single family dwelling.
On any lot over one hectare (2.47 acres): Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2,152.85 square feet), whichever is greater.

RDCS
2423

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw no building or structure shall be located within:**

- RDCS
1458
- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
 - 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
 - 3) 3.5 metres (11.48 feet) of an **accessory building**; and
 - 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

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496

b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.

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2423

b) On any lot greater than 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2 hectares (4.94 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

- c) Notwithstanding the provisions of 4.6.7(vii)(a), one parcel can be created from the Remainder of Lot A, Plan VIP61244, Section 34, Township 4, Comox District, in the size of 0.540 hectares (1.3 acres) in return for the dedication of an additional 0.34 hectares (0.8 acres) of land to "Hagel Park".

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End • CR-4

4.6.7A

**COUNTRY RESIDENTIAL FOUR A
(CR—4A)**

SRD
199

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2,152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a front lot line or rear lot line;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an accessory building;

b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

- a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.
- b) On any lot greater than 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

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496

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2 hectares (4.94 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

viii) **BONUS DENSITY**

- a) Despite Section 4.6.7A (vii)(a) above, a minimum lot area of 1 hectare (2.47 acres) is permitted, for property described as Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District Plan VIP61244, subject to the conditions set out in Section 4.6.7A (ix) below.

viii) **CONDITIONS FOR BONUS DENSITY**

Bonus density, as described in Section 4.6.7A (viii) above, is permitted at the expense of the land owner in return for the Land Title Office registration of the following community amenities:

- a) A statutory right-of-way agreement with Strathcona Regional District, on the title of Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District, Plan VIP61244 and associated right-of-way plan (covering approximately 900m²) that would allow the right-of-way to be used as a public trail: starting 5 metres wide at the northern point of the Hagel Greenway, continuing parallel to and alongside the southern boundary of the subject land and Neigel Crescent and 3 metres wide along the whole west boundary parallel to the undeveloped Darnell Road, to connect the Hagel Greenway with Henry Road.
- b) A lot in the name of Strathcona Regional District, for public 'Utility Use' (approximately but no larger than 500 m²), bounded by Craig Road, located to the middle and further south of the eastern boundary of Lot D, Section 3, Township 1 and Section 34, Township 4, Comox District, Plan VIP61244.

End • CR-4A

4.6.7B

**COUNTRY RESIDENTIAL FOUR B
(CR—4B)**

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317

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) Residential use is limited to:

On any lot size: One single family dwelling.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2,152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a front lot line or rear lot line;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an accessory building;

b) **Minimum setback requirements for accessory buildings shall be as follows:**

REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5m (14.8 ft) or less	4.5 – 6.0m (14.89-19.7 ft)
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

- a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.
- b) On any lot greater than 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2 hectares (4.94 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

viii) **BONUS DENSITY**

- a) Despite Section 4.6.7A (vii)(a) above, a minimum lot area of 1 hectare (2.47 acres) is permitted, for property described as Lot 1 of Section 3, Township 1 and Section 34, Township 4, Comox District Plan VIP67490 except Part in Plan VIP67491, subject to the conditions set out in Section 4.6.7B (ix) below.

viii) **CONDITIONS FOR BONUS DENSITY**

Bonus density, as described in Section 4.6.7B (viii) above, is permitted at the expense of the land owner in return for the Land Title Office registration of the following community amenities:

- a) A 0.6-hectare Park dedication in the name of the Strathcona Regional District, to be situated adjacent to Stonefly Creek Park;
- b) A 0.75-hectare covenanted area to protect an existing wetland along the north boundary of Proposed Lot 4;
- c) A 0.4-hectare covenanted area to provide a wildlife corridor along the north boundaries of Proposed Lots 1 and 3.

End • CR-4B

4.6.8

**COUNTRY RESIDENTIAL FIVE
(CR—5)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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2163

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) CONDITIONS OF USE

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

RDCS
1458

b) Residential use is limited to:

- | | |
|---|------------------------------|
| On any lot size: | One single family dwelling. |
| On any lot over 1 hectare (2.47 acres): | Two single family dwellings. |

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2152.8 square feet).

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);
- 3) 3.5 metres (11.48 feet) of an accessory building; and
- 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

b) [Repealed]

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 10% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 8 hectares (19.77 acres)

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-5

4.6.9

**RURAL ONE
(RU—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Residential use;
- 2) Agricultural uses;
- 3) Veterinary clinics;
- 4) Riding academy;
- 5) Public utility use;
- 6) Silviculture;
- 8) Park; and
- 9) On any of the following parcels:

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- i) Plan 378R, Section 19, Township 5, Comox Land District, Southwest ¼ Plan 552D, PID 008-986-711;
 - ii) Lots 1 and 2, Plan 7930, District Lot 223, Comox Land District, PID 005-624-037 & PID 005-624-053;
 - iii) Lot 3, Plan 7930, District Lot 223, Comox Land District, PID 005-624-061;
 - iv) Lot A, Plan 10923, District Lot 178, Comox Land District and District Lot 141, PID 005-161-304;
 - v) Re-amended Lot 2 (DD64235N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-788;
 - vi) District Lot 151, Comox Land District, PID 009-532-595;
 - vii) District Lot 141, Comox Land District, Except Plan 2334 & 5407, PID 009-529-721;
 - viii) Lot A, Plan 2334, District Lot 141, Comox Land District, Except Plan 5065, PID 006-448-691; and
 - ix) Amended Lot 1 (DD61547N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-745.
- 10) Research and teaching facility; and
- 11) Rural resource centre to a maximum floor area of 240 square metres (2,583 square feet).

b) **On any lot 4 hectares (9.88 acres) or larger:**

- 1) Animal kennels;
- 2) Garden nurseries.

c) **On any lot 10 hectares (24.7 acres) or larger:**

- 1) Gravel, mineral or peat extractions, gravel crushing and screening, but no manufacturing or sales of concrete products;
- 2) Sawmills and shakemills provided the use is limited to a site not exceeding 1000 square metres;

ii) **PERMITTED ACCESSORY USES**

a) **On any lot:**

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

iii) **CONDITIONS OF USE**

a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) **All permitted uses listed in Section i(c)** shall be subject to the following conditions:

- 1) Minimum yard clearance along all property lines of 30 metres (98.4 feet).
- 2) Minimum yard clearance of 60 metres (196.9 feet) from any lot line abutting a property zoned Residential or Country Residential.
- 3) No parking, loading or storage areas shall be located in any required yards.
- 4) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation.

c) **Residential use** is limited to:

On any lot: One single family dwelling.
On any lot over 8 hectares (19.77 acres): Two single family dwellings.

d) Rural resource centres shall be subject to the following conditions:

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- 1) A minimum setback of 15.0 metres (49.5 feet) along all lot lines;
- 2) A minimum setback of 30.0 metres (98.4 feet) from any lot line abutting a parcel zoned Residential or Country Residential.
- 3) No loading or storage areas shall be located in any required yard.
- 4) Screening shall be provided of no less than 1.5 metres (4.9 feet) in height for a rural resource centre abutting a parcel zoned Residential or Country Residential.
- 5) A Single sign not exceeding 1.0 square meter (11 square feet).

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 300 square metres (3,229.28 square feet) or 5% of the lot area, whichever is less.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line or rear lot line**;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) Minimum separation between single family dwellings - 15 metres (49.21 feet) on the same lot.

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b) No accessory building shall be located in any required yard and be located a minimum of 3.5 metres (11.48 feet) from any other building or structure.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, shall not exceed 15%.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 8 hectares (19.77 acres)

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • RU-1

4.6.9A

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**RURAL RESIDENTIAL COMMUNITY ONE
(RCC—1)**

i) PERMITTED PRINCIPAL USES

- a) On any lot:
 - 1) Residential use;
 - 2) Agricultural uses;
 - 3) Public utility use;
 - 5) Low impact recreation; and
 - 6) Park.

- b) On any lot 8 hectares (19.76 acres) or larger:
 - 1) Equestrian Centre and associated uses and public events.

ii) PERMITTED ACCESSORY USES

- a) On any lot:
 - 1) Equestrian supplies and services;
 - 2) Tack and farm gate sales;
 - 3) Accessory buildings;
 - 4) Home Occupations; and
 - 5) Bed and Breakfast.

- b) On any lot 8 hectares (19.76 acres) or larger:
 - 1) Small bandsaw sawmills provided the use is limited to sites not exceeding 1000 square metres.

iii) CONDITIONS OF USE

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural or equestrian uses.

- b) Dog kennels, dog rearing or grooming operations or swine operations shall not be permitted.

- c) **Residential use** is limited to:
 - On any lot: One single family dwelling.
 - On any lot over 4.0 hectares (9.87 acres): Two single family dwellings.

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 1900 square metres (20,000 square feet) or 10% of the lot area, whichever is less.

v) SITING OF BUILDINGS AND STRUCTURES

- a) Except where otherwise specified in this bylaw, no building or structure shall be located within:
 - 1) 7.5 metres (24.6 feet) of that portion of a front lot line or rear lot line;
 - 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way and
 - 3) Minimum separation between single family dwellings - 15 metres (49.21 feet) on the same lot.
- b) No accessory building shall be located in any required yard and be located a minimum of 3.5 metres (11.48 feet) from any other building or structure.
- c) Other specifications include:
 - 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
 - 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e) and (f).
 - 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(1-3).
 - 4) For any exceptions to siting, refer to Section 4.5.6(a).

vi) LOT COVERAGE

The maximum lot coverage of all buildings and structures, shall not exceed 20% of the lot area.

vii) SUBDIVISION REQUIREMENTS

- a) **Minimum lot area:** 2 hectares (4.94 acres)
- b) **Minimum lot frontage:** 10% of the perimeter of the lot

END - RRC-1

4.6.10

**RURAL RECREATION ONE
(RR—1)**

i) PERMITTED PRINCIPAL USES

- a) On any lot:
- 1) Golf courses;
 - 2) Residential use;
 - 3) Agricultural use;
 - 4) Park.

"GOLF COURSE" means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar ancillary facilities necessary for golf purposes improved with tees, greens, fairways, and hazards, and which may include buildings necessary for the maintenance and administration of the golf course. This excludes indoor and outdoor recreation facilities such as, but not limited to, squash, racquetball, tennis, and swimming pools and any commercial use other than ancillary uses that are not normally associated with a golf course facility.

ii) PERMITTED ACCESSORY USES

- a) **On any lot:**
- 1) Accessory buildings.

iii) CONDITIONS OF USE

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.
- b) No parking, loading or storage areas shall be located in any required yards.
- c) Buildings and structures shall be screened and buffered from adjacent properties through maintenance of natural vegetation.

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d) **Residential use is limited to:**

On any lot: One single family dwelling.

iv) **SITING OF BUILDINGS AND STRUCTURES**

a) **No building, structure, parking, loading or storage area, or driving ranges or the center point of a green tee shall be located within:**

1) 30 metres (98.4 feet) of any property line unless a larger requirement is specified elsewhere in this bylaw.

c) **Other specifications include:**

1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).

2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).

4) For any exceptions to siting, refer to Section 4.5.6(a).

5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

v) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, parking and loading areas, excluding greenhouses for agricultural uses, shall not exceed 5%.

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area:** The minimum lot area in the Rural Recreation One (RR-1) zone shall be 20 hectares (49.4 acres).

Existing lots that do not conform to the lot size requirements of this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • RR-1

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4.6.11

**RESIDENTIAL MULTIPLE ZONES
(RM)**

In all Residential Multiple zones (RM), subsections (i) to (v) inclusive shall apply.

Special provisions for each Residential Multiple zone are included in subsection (vi).

i) PERMITTED PRINCIPAL USES

- a) On any lot:
 - 1) Residential use;
 - 2) Public utility use;
 - 3) Park use;
 - 4) Boarding houses.

ii) PERMITTED ACCESSORY USES

- | | |
|--------------|---|
| RDCS
2163 | <ul style="list-style-type: none">1) Accessory buildings; and2) Bed and Breakfast. |
|--------------|---|

iii) CONDITIONS OF USE

- | | |
|--------------|---|
| RDCS
1458 | <ul style="list-style-type: none">a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.b) Parking areas shall be located at least 6 metres (19.69 feet) away from habitable rooms at or below grade.c) Residential use is limited to apartment dwellings, duplexes, townhouses, or single family dwellings with a maximum density of 15 dwellings per hectare (2.48 acres). |
|--------------|---|

iv) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front, side, and rear** lot line.
- 4) 3.5 metres (11.48 feet) of an **accessory building**.
- 5) Minimum separation between buildings and structures: 3.5 metres (11.48 feet) on the same lot.

b) **No accessory building shall be located in any required front or side yard and shall be:**

- 1) A minimum of 1 metre (3.28 feet) from the side and rear property lines when the accessory building is located completely within the rear yard and less than 3 metres (9.8 feet) in height.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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iv) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures, driveways and parking areas, shall not exceed 35% .

v) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage :** 10% of the perimeter of the lot.

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone.

vi) **SPECIAL PROVISIONS**

- a) Zone: ***Residential Multiple One (RM-1);***

Location:

- Part of Lot 6, District Lot 85, Comox District, Plan 4885
- Island Highway - Schedule 'A9'.

- 1) Notwithstanding any provisions of this bylaw, residential use in any RM-1 zone is restricted to one apartment building limited to a maximum of five dwelling units.

- b) Zone: ***Residential Multiple Two (RM-2)***

Location:

- Lot 3, Section 35, Township 4, Comox District, Plan 5034,
- Schedule 'A-9'.

- 1) Notwithstanding any provisions of this bylaw, residential use in any RM-2 zone is restricted to five (5) dwelling units.

End • RM

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4.6.12

**MOBILE HOME PARK
(MHP)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Mobile homes;
- 2) Public utility use;
- 3) Park.

ii) CONDITIONS OF USE

Development of Mobile Home Parks must comply with the requirements of Schedule '1A' — *"Residential Mobile Home Park Regulations and Standards"*.

iii) SITING OF STRUCTURES

a) Except where otherwise specified in this bylaw, no building or structure shall be located within:

- 1) 7.5 metres (24.6 feet) of a front lot line, side lot line, or rear lot line;

b) Other specifications include:

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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iv) **LOT COVERAGE**

The maximum lot coverage of all buildings, structures, and parking spaces shall not exceed 35% of the lot area.

v) **DENSITY**

The maximum density for a mobile home park shall be 15 mobile home units per hectare (2.47 acres).

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area**

- 1) The minimum lot area permitted shall be 2 hectares (4.94 acres) with the exception that when a parcel is proposed for strata title subdivision pursuant to the, minimum lot sizes will be in accordance with the mobile home space requirements of Schedule '1A', subject to the parent lot before strata subdivision having a minimum lot size of 2 hectares (4.94 acres).
- 2) Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone.

b) **Minimum Lot Frontage**

- 1) Each lot shall have a minimum frontage of 10% of the perimeter of the lot except that strata lots shall have a minimum frontage in accordance with the width requirements for mobile home spaces in Schedule '1A'. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

4.6.13

**COMMERCIAL ONE
(C—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Neighbourhood pubs;
- 2) Offices;
- 3) Restaurants;
- 4) Service establishments;
- 5) Retail, wholesale establishments;
- 6) Public utility use;
- 7) Enclosed recreational facilities;
- 8) Park.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Outdoor storage;
- 2) Accessory buildings;
- 3) Retail sales of vehicular fuels;
- 4) Residential use limited to one single family dwelling; and
- 5) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) No parking loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.
- b) All outdoor storage or supply yards shall be separated from an adjoining lot zoned for residential use or mobile home park whether a highway intervenes or not, by a landscaped screening to a width of the required yard setback or uniformly painted solid fence or wall of not less than 2 metres in height to be located at the required yard setback.
- c) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
- d) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection (b).

- e) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
- f) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line;
- 2) 7.5 metres (24.6 feet) of a rear lot line;
- 3) 7.5 metres (24.6 feet) of a side lot line except where the abutting property to the side yard is zoned Commercial or Industrial, in which case 3.5 metres (11.48 feet) are required.

b) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum permitted coverage of all buildings and structures shall not exceed 35% of the site area.

vi) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-1

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4.6.14

**COMMERCIAL TWO
(C—2)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Campgrounds;
- 2) Hotels;
- 3) Restaurants;
- 4) Marinas sales/service;
- 5) Agricultural use;
- 6) Public utility use;
- 7) A licensed establishment pursuant to the *Liquor Control and Licensing Act* and amendments thereto;
- 8) Park.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Accessory buildings;
- 2) Offices;
- 3) Residential use limited to one dwelling unit; and
- 4) Bed and Breakfast.

iii) CONDITIONS OF USE

a) All permitted uses listed in Section i(a)(i), "Campgrounds", shall be subject to the following conditions:

- 1) Every camping space shall have a minimum area of not less than 110 m² (1184.07 ft²).
- 2) No camping space shall be located within 3.0 metres (9.84 feet) of an internal access road.
- 3) One washroom for each sex shall be provided for every 20 camping spaces in accordance with Ministry of Health requirements.

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- 4) A minimum of one container for every two camping spaces shall be provided for purposes of garbage disposal. Each container must be durable, insect-tight, water-tight, and rodent proof.
 - 5) No camping space shall be continuously occupied for a period of more than 30 days.
 - 6) All recreational vehicle units in a campground must be licenced to travel on a public road in B.C. and no additions or skirting around a unit are permitted.
 - 7) The maximum density for campground use shall be 30 units per hectare.
- b) No parking loading or storage areas shall be located within 7.5 metres (24.6 feet) to any property line.
 - c) All outdoor storage or supply yards shall be separated from an adjoining lot zoned for residential use or mobile home park whether a highway intervenes or not, by a landscaped screening to a width of the required yard setback or uniformly painted solid fence or wall of not less than 2 metres in height to be located at the required yard setback.
 - d) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
 - e) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection (c).
 - f) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
 - g) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) **SITING OF BUILDINGS AND STRUCTURES**

- a) **Except where otherwise specified in this bylaw no use, building or structure shall be located within:**
 - 1) 7.5 metres (24.6 feet) of that portion of a **front lot line**, a **side lot line** or a **rear lot line**.
 - 2) When a property abuts the sea or lake or where the area is a foreshore lease, no yard minimum applies to the area abutting or within a water area, except for buildings used for habitation or storage of goods damageable by floodwaters.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum permitted coverage of all uses, buildings, and structures shall not exceed 35% of the site area.

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area**

- 1) The minimum lot area permitted shall be 1 hectare (2.47 acres).
- 2) No minimum lot area shall apply to foreshore leases within this zone.
- 3) Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-2

4.6.15

**COMMERCIAL THREE
(C—3)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Light industrial use where the use is contained entirely within an enclosed building;
- 2) Public utility use;
- 3) Park use;
- 4) Automobile body shop;
- 5) Automobile service station;
- 6) Warehousing.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Offices;
- 2) Restaurant and/or retail sales accessory to an automobile service station;
- 3) Residential use limited to one dwelling unit; and
- 4) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) No parking loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.
- b) All required yard setbacks shall be landscaped in the form of lawns, shrubs, plants, trees and/or flowers except where parking use is permitted and such landscaping shall provide screening of not less than 2 metres in height in the side and rear yards. Any screening less than 2 metres in height shall necessitate uniformly painted solid fencing or a wall to be located at the required setback.
- c) Drawings submitted for a building permit shall include landscaping and screening plans clearly showing the number, extent and type of plant material proposed.
- d) No signs other than wall-mounted signs are permitted which cannot exceed 7.5 square metres in size.
- e) No sign shall exceed 2.5 metres in height.

- f) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance with subsection b).
- g) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.
- h) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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iv) **SITING OF STRUCTURES**

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line;
- 2) 7.5 metres (24.6 feet) of a rear lot line;
- 3) 7.5 metres (24.6 feet) of a side lot line except where the abutting property to the side yard is zoned Commercial or Industrial, in which case 3.5 metres (11.48 feet) are required.

b) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The lot coverage of all buildings and structures shall not exceed 35% .

vi) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-3

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4.6.16

**COMMERCIAL FOUR
(C—4)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Light industrial use and/or retail use where the use is contained entirely within an enclosed building.

ii) PERMITTED ACCESSORY USES

a) On any lot:

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- 1) Offices; and
- 2) Bed and Breakfast.

iii) CONDITIONS OF USE

- a) The maximum floor area for a retail use including accessory retail use, offices for retail use, storage areas for retail products produced off the property and any retail display area, cannot exceed 25% of the total floor area within a building permitted under this by law.

- b) No parking, loading or storage areas shall be located within 3.5 metres (11.48 feet) to any property line.

- c) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference.

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- d) No signs other than wall-mounted signs are permitted which cannot exceed 7.5 square metres in size.

- e) No sign shall exceed 2.5 metres in height.

- f) All required yards shall be landscaped in the form of lawns, shrubs, plants, trees and/or flowers except where parking use is permitted and such landscaping shall not be less than 2 metres in height in the side and rear yards. Any screening less than 2 metres in height in the side and rear yards shall necessitate uniformly painted solid fencing or a wall to be located at the required setback.

- g) Drawings submitted for a building permit shall include landscaping and screening plans, clearly showing the number extent and type of plant material proposed.

- h) Any use of a lot which does not necessitate building permits within this zone other than maintenance of a lot in its natural state shall require landscaping or screening in accordance subsection (f).
- i) All landscaping required herein shall be completed no later than twelve (12) months from the date of issue of a building permit or initiation of a land use activity, whichever occurs first.

iv) **SITING OF STRUCTURES**

a) **Except where otherwise specified by bylaw, no structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of a front lot line, side lot line and rear lot line.

c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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v) **LOT COVERAGE**

The lot coverage of all uses, buildings and structures shall not exceed 35% .

vi) **SUBDIVISION REQUIREMENTS**

a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-4

4.6.16A

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**COMMERCIAL FIVE
(C—5)**

i) PERMITTED PRINCIPAL USES

- a) On any lot or portion of any lot zoned C-5 only the following principal uses are permitted:
- 1) Agricultural use;
 - 2) Campgrounds;
 - 3) Hotels;
 - 4) Low impact recreation;
 - 5) Park use;
 - 6) Private and public utility use;
 - 7) Recreation Facilities;
 - 8) Service Establishments; and
 - 9) Wharves or floats.

ii) PERMITTED ACCESSORY USES

- a) On any lot or portion of any lot zoned C-5 only the following accessory uses are permitted:
- 1) Accessory buildings related to residential use;
 - 2) Offices;
 - 3) Residential use for staff and owners only;
 - 4) Retail; and
 - 5) Bed and Breakfast.

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iii) CONDITIONS OF USE

- a) "Campgrounds", shall be subject to the following conditions:
- 1) Every camping space shall have a minimum area of not less than 110 square metres (1,184.07 square feet).
 - 2) No camping space shall be continuously occupied for a period of more than sixty (60) days.
 - 3) All recreational vehicle units in a campground must be licensed to travel on a public road in British Columbia for the current year and no additions or skirting around a unit are permitted.

- 4) The maximum density for campground use shall be 30 units per hectare (12.0 units per acre).
- b) No use including parking, loading, storage or supply yards shall be located a minimum of 3.5 metres (11.48 feet) of a side lot line if the adjacent or abutting parcel is zoned Residential, Country Residential, Rural or Upland Resource. The required yard setback shall be landscaped or feature a landscaped berm or uniformly painted solid fence or wall of not less than 2 metres (6.6 feet) in height and located at the required yard setback to maintain the privacy of the adjacent parcels(s).
- c) All landscaping required herein shall be completed not later than twelve (12) months from the date a land use activity is initiated.
- d) No signs shall exceed 8 square metres (86.11 square feet) in size.
- e) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

iv) **DENSITY**

Hotel use shall be limited to facilities capable of accommodating no more than 450 tourists and 120 staff within the entire area zoned Commercial Five (C-5).

v) **SITING OF STRUCTURES**

- a) **Except where otherwise specified by bylaw no use, building or structure shall be located within:**
 - 1) 4.5 metres (14.76 feet) of a front lot line;
 - 2) 7.5 metres (24.6 feet) of a rear lot line; and
 - 3) When a property abuts the sea or lake, or where the area is foreshore lease, no setback applies to the area abutting or within the water area, except for buildings used for storage of goods damageable by floodwaters, habitation or other sewage generating uses. For these exceptions, the following setbacks shall apply as required in Section 4.5.4(a)(i) Watercourse Setbacks and 4.5.4(b) Sea Setbacks:
 - a) 15 metres (49.2 feet) from the natural boundary of the sea or any source of water supply; and
 - b) 7.5 metres (24.6 feet) from the natural boundary of any lake.
- b) **Other specifications include:**
 - 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).

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- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

vi) **LOT COVERAGE**

The maximum permitted coverage of all buildings and structures shall not exceed 35% of the site area.

vii) **SUBDIVISION REQUIREMENTS**

a) **Minimum Lot Area:**

- 1) 4.0 hectares (9.88 acres);
- 2) No minimum lot area shall apply to foreshore leases within this zone.
- 3) Existing lots below the minimum lot area for this zone may be used for the permitted uses within this zone.

b) **Minimum Lot Frontage**

Each lot shall have a minimum frontage of 10% of the perimeter of the lot. Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • C-5

4.6.17

**PUBLIC ASSEMBLY ONE
(PA—1)**

i) PERMITTED PRINCIPAL USES

a) On any lot:

- 1) Public assembly use;
- 2) Public utility use;
- 3) Agricultural use;
- 4) Park use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Residential use limited to one dwelling unit.

iii) SITING OF BUILDINGS AND STRUCTURES

a) Except where otherwise specified in this bylaw, no building or structure shall be located within:

- 1) 15 metres (49.2 feet) of that portion of a front lot line, side lot line and rear lot line.
- 2) 3.5 metres (11.48 feet) of an accessory building on the same lot.

b) Other specifications include:

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).

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- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

iv) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

v) **SUBDIVISION REQUIREMENTS**

No minimum lot area or frontage requirement shall apply in this zone.

End • PA-1

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**UPLAND RESOURCE
(UR)**

i) PERMITTED PRINCIPAL USE

- 1) One single family dwelling;
- 2) Forestry;
- 3) Agricultural Use;
- 4) Low Impact Recreation;
- 5) Fish hatcheries and enhancement facilities;
- 6) Public Utility Use;
- 7) Park Use;
- 8) Explosives sales, storage, manufacturing and distribution pursuant to the *Explosives Act*; and
- 9) Firearm ranges

ii) PERMITTED ACCESSORY USES

- 1) Accessory structures and buildings; and
- 2) Wood processing in conjunction with forestry and agricultural use.

iii) PERMITTED DENSITY

- 1) One (1) single family dwelling is permitted on a lot.
- 2) On any lot or portion of any lot included in the Agricultural Land Reserve residential use shall be as permitted by the BC Agricultural Land Commission.

iv) SITING OF STRUCTURES

- a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 4.5 metres (14.76 feet) of a front lot line;
- 2) 1.75 metres (5.74 feet) of a side lot line; and
- 3) 7.5 metres (24.6 feet) of a rear lot line.

- b) Other specifications as required in Section 4.5 "GENERAL REGULATIONS":
Where siting is proposed adjacent to a stream refer to Section 4.5.5 "Stream Setbacks".

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v) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area to a maximum of 1,000 square metres (10,764.26 square feet).

vi) **SUBDIVISION REQUIREMENTS**

- a) The minimum lot size for subdivision shall be as follows:
- i) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917 and 918;
 - ii) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
 - iii) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
 - iv) Notwithstanding the above, where a parcel is subject to both the 40.0 and 400.0 hectare minimum lot size, the minimum lot size which applies to the greatest portion of the parcel shall be the minimum lot size for subdivision. Where a parcel is divided into portions of equal area by a line one kilometer west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said right-of-ways boundary, the minimum lot size in respect of the entire parcel shall be 40 hectares.
- b) The minimum road frontage of lots created by subdivision shall be 100 metres (328.1 feet).

PART 5 SUBDIVISION REGULATIONS

5.1 Administration

1) Authority — Approving Officer

- i) No land within the area described in Part B, "*Application*", of this bylaw shall be subdivided unless and until the subdivision has first received the approval of the Approving Officer.
- ii) The approval procedure and all other subdivision requirements shall be those as enforced by the Ministry of Transportation and Highways unless otherwise stated in this bylaw.

2) Application for Subdivision Approval

- i) To obtain approval for subdivision, an applicant shall apply to the Ministry of Transportation and Highways, Courtenay, B.C.
- ii) The Ministry of Transportation and Highways shall forward one copy of the proposed subdivision together with all supporting documentation to the Regional District.
- iii) The Regional District shall advise the Ministry of Transportation and Highways, in writing, as to any requirements for the subdivision.
- iv) Where an application for a subdivision has been submitted to the Ministry of Transportation and Highways in a form satisfactory to the Approving Officer and the Regional District adopts a bylaw that would otherwise be applicable to that subdivision, then the bylaw has no effect with respect to the subdivision for a period of 12 months after the bylaw is adopted unless the applicant agrees in writing that it should have effect.

3) Fee for Application

In addition to any fees required pursuant to Section 83 of the *Land Title Act*, an application fee as prescribed in the "By-Law Amendment, Permit Procedure and Fee By-Law, 1990, being By-Law No. 1244, shall be paid to the Regional District for each subdivision application prior to final approval by the Approving Officer.

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5.2 General Provisions

1) Suitability

- i) **The Approving Officer, at the request of the Regional District, may refuse the subdivision or strata subdivision of any parcel of land:**
- a) unless all the requirements of this bylaw and any other applicable regulations under the Health Act, and those of improvement districts and other relevant agencies, have been observed;
 - b) should the subdivision make any existing use on that parcel non-conforming in respect to any other bylaw of the Regional District;
 - c) if the anticipated development of the subdivision would injuriously affect the established amenities of adjoining or reasonably adjacent properties;
 - d) if the land is subject, or could reasonably be expected to be subject, to flooding, erosion, land slip, or avalanche;
 - e) if the anticipated development of the subdivision would adversely affect the natural environment to an unacceptable level;
 - f) if the cost to the Province of British Columbia or the cost to the Regional District of providing public utilities or other works or services would be excessive;
 - g) if it is not suited to the use for which it is intended;
 - h) if it is not suited to the configuration of the land being subdivided;
 - i) if it makes impractical the future subdivision of the land within the proposed subdivision, or of any adjacent land;
 - j) if it is against the public interest;
 - k) if the anticipated development of the subdivision would provide additional storm water runoff sufficient to overload an existing downstream drainage facility and/or provide sufficient additional runoff to inhibit the fish bearing capabilities of downstream locations.
- ii) In considering the application for subdivision, the Regional District may hear objections from any interested persons in order to determine if the subdivision would be against the public interest or would to an unreasonable extent injuriously affect the established amenities of adjoining or adjacent properties.

2) Information Required

- i) **At the request of the Regional District, the Approving Officer shall require:**
 - a) the submission of a sketch plan showing that the parcels into which the land is proposed to be subdivided can conveniently be subdivided into further small parcels;
 - b) the submission of plans, including the appropriate contour plans, and data on the measures necessary to remedy wet conditions, surface water discharges, or liability to flood;
 - c) the submission of engineering and planning studies bearing the seal of a Professional Engineer and/or Planner;
 - d) that the owner of land being subdivided state in writing the intended use of any parcel being created or of any remainder of the parent parcel;
 - e) that the owner of land being subdivided submit a sketch plan outlining the plan of subdivision of any remainder of the parent parcel.
- ii) **Each application for subdivision referred to the Regional District shall be accompanied by a sketch plan or plans drawn to a suitable scale, clearly showing:**
 - a) the scale of each plan and the direction of north thereon; and,
 - b) the arrangement of all parcels (including remainders), roads, easements and rights-of-way to be created; and,
 - c) approximate dimensions of all parcels (including remainders), roads, easements and rights-of-way to be created, including: the length of all property boundary lines and arcs, the width of all roads, easements and rights-of-way, and the area of all parcels (including remainders); and,
 - d) all watercourses or water frontage within or adjacent to the land to be subdivided; and,
 - e) all steep banks or slopes within or adjacent to the land to be subdivided; and,
 - f) all existing buildings, identified and approximately located, existing within the land to be subdivided; and,
 - g) any existing property lines or roads to be extinguished; and,
 - h) the relationship of the proposed subdivision to adjacent roads, and the connections of proposed new roads thereto.

- iii) The Regional District shall not process any application for subdivision until all information required in Subsection ii) has been submitted.
- iv) The Regional District may require that notice in writing of the proposed subdivision be served on any owner or other person whose land or interest therein might, in the opinion of the Regional District, be detrimentally affected by the proposed subdivision.

5.3 Parcels

1) Area and Frontage Requirements

- i) For the purposes of this bylaw, the minimum area and frontage requirements for each zone as expressed in Part 4 of this bylaw shall be considered the minimum area and frontage requirements for purposes of subdivision of land.
- iii) The creation of a panhandle lot is prohibited.

2) Lot Size Exceptions

- i) **No minimum lot size shall apply:**
 - a) where the lot is intended for a non-sewage generating use such as unattended utility or navigational structures, public assembly and public utility uses, parks or where a restrictive covenant is registered satisfactory to the Approving Officer which prohibits the construction of buildings and structures and/or the use of a parcel;
 - b) **where lot lines are relocated or removed to facilitate an existing development or improve a subdivision pattern provided:**
 - 1) no additional lots are created;
 - 2) all parts of all lots are contiguous;
 - 3) the change is minor in nature.
 - c) where a Crown foreshore lease is granted;
- ii) No subdivision shall be permitted which creates new severed parcels except where approved by both the Regional District and the Approving Officer.

3) Strata Subdivision

- i) No minimum lot size shall apply where a parcel is proposed for a strata title subdivision plan under the *Condominium Act* and the number of proposed lots is equal to or less than the density

permitted by the minimum lot size requirement of the applicable district as established by other provisions of this bylaw.

- ii) Where a strata plan is not bare-land strata plan, the Approving Officer shall be the Regional Board of the Regional District, or its appointed representative.

4) *Municipal Act*

No subdivision shall be permitted pursuant to Section 996 of the *Municipal Act*, on lands not within the Agricultural Land Reserve, unless the parent parcel is at least two times the minimum lot area required within each zoning category as specified in Part 4 of this bylaw. In no instance shall any lot created under this section be less than one (1) hectare (2.47 acres) unless a smaller area, in no case less than 2500 square metres (26910.6 square feet) is approved by the Medical Health Officer.

5.4 Servicing Standards

1) *Highways*

i) Approval Required Before Construction:

No works respecting highway development shall commence until a plan of subdivision has received approval from the Approving Officer.

ii) Design Requirements:

- a) The requirements for highways, lanes, turn-arounds, intersections, and walkways shall be those enforced by the Ministry of Transportation and Highways.
- b) **The Approving Officer may require at the request of the Regional District, that the subdivision**
 - 1) have necessary and reasonable access
 - i) to all new parcels; **and**,
 - ii) through the land subdivided to land lying beyond **or** around the subdivided land;
 - 2) where the land subdivided borders
 - i) on a body of water, the bed of which is owned by the Crown; **or**,
 - ii) on the boundary of a strip of land established as the boundary of a water reservoir, and the strip of land and reservoir are owned by the Crown; **or**,

- iii) on a strip of Crown land 20 m (65.62 ft) or less in width contiguous to a natural boundary as defined in the *Land Act*;

access shall be given by highways 20 m (65.62 ft) wide to the body of water and to the strips at distances not greater than 200 m (656.17 ft) between centre lines, or, in unorganized territory where the parcels into which the land is subdivided all exceed 0.5 ha (1.24 ac) at distances not greater than 400 m (1,312.34 ft) between centre lines;

3) **where**

- i) the land subdivided borders on a body of water, the bed of which is owned by a person other than the Crown;

and,

- ii) in the case of a lake or pond, where the surface of the body of water at mean annual high water is at least 1.5 ha (3.71 ac), and the mean depth at mean annual high water is at least 0.6 m (1.97 ft); **or,**
- iii) in the case of a river, creek or watercourses where the average width at mean annual high water is at least 0.6 m (1.97 ft);

access shall be given by highways 20 m (65.62 ft) wide to the body of water and to the strips at distances not greater than 200 m (656.17 ft) between centre lines, or, in unorganized territory where the parcels into which the land is subdivided all exceed 0.6 ha (1.24 ac) at distances not greater than 400 m (1,312.34 ft) between centre lines; but subparagraph (ii) does not apply to a reservoir or pond where the bed is owned by a public body other than the Crown and used for the purpose of domestic or industrial water supply;

- 4) suitable lanes shall be provided in continuation of existing lanes and in every case where lanes are considered necessary by the Approving Officer;
- 5) in any proposed subdivision, a highway which is cul-de-sac shall have a terminal area for a turn-around, the size of which shall be determined by the Approving Officer having regard to the local snow, terrain, and soil conditions, provided that any such area shall be large enough to contain a circle with a radius of 15 metres (49.21 feet);
- 6) **Intersections** — the number of highway intersections within a subdivision shall be kept to a minimum, and where practical
 - i) Y-shaped intersections shall be avoided;

- ii) T-shaped intersections shall be used when the intersecting highway is to carry a small amount of local traffic;
 - iii) intersections with more than four legs shall be avoided;
 - iv) intersections shall not be located in or near sharp curves or near the crest of any rise or hill;
- 7) **Intersection Offset** — wherever practical, no intersection shall be less than 40 metres (131.23 feet) from any other intersection or likely future intersection. Measurement shall be made along the centre line of the intersected highway.
- 8) **Intersection Angle** — unless extremely difficult terrain or the pattern of existing subdivision precludes it, a minimum of 15 metres (49.2 feet) of an intersecting leg shall be as close to right angles as practical with the intersected highway. This distance shall be measured at the boundary of the intersecting leg on the side of the contained angle.
- 9) **Walkways** — the minimum width of any walkway in any subdivision shall be 3 metres (9.84 feet).
- iii) The Approving Officer may, in such circumstances as may be defined by Provincial regulation, grant relief in whole or in part from a compliance with the provisions of Subsection (ii)(b)(1).
- iv) The Minister of Transportation and Highways may, on application supported by an affidavit, grant relief from the strict compliance with Subsections (ii)(b)(2) and (ii)(b)(3).

2) **Works and Services**

- i) **Where the proposed subdivision is situated within a specified area, the Regional District, as a condition of subdivision, shall require the applicant or owners of the proposed subdivision:**
- a) to submit his plan of subdivision to the Regional District for approval respecting a waterworks system and/or sewer system;
 - b) to retain at his expense, a Professional Engineer who will design the required services, prepare specifications covering installation of the work, carry out all necessary surveys in connection with design and installation of services and upon completion of the design and specifications, shall submit drawings to the Regional District Engineer. All aspects of this work shall be carried out in accordance with good engineering practices, and to the water supply standards and/or sewer standards, as set by the Regional District. No work shall commence until all plans and specifications are approved by the Regional District Engineer, and a

Certificate of Approval has been received from the Ministry of Health pursuant to Section 21 of the *Health Act*;

- c) to install at his own expense and at no cost to the Regional District, upon approval of the Regional District Engineer and under the supervision of the applicant's consulting Engineer, all watermains, fire hydrants, meters, and other fittings and appurtenances deemed necessary by the Regional District to provide an adequate supply of water for domestic and commercial use and fire protection for the future growth or expansion of said subdivision and shall pay for all engineering costs, the said water mains, hydrants, meters, fittings and appurtenances shall become the property of the Regional District;
 - d) to comply with the requirements of the water specified area in regard to payment of development cost charges as set out by separate bylaw.
- ii) The subdivision plan will not be given final approval until the design of works and services has been approved and the works and services installed and tested.
 - iii) Where the proposed subdivision is already serviced by a waterline, no approval is required from the Regional District Engineer prior to final approval.

3) Public Open Space

- i) The owner of land being subdivided shall provide, without compensation, land subject to the requirements of the *Municipal Act* for purposes of providing sufficient open space for community parks.
- ii) The amount of land that may be required under Subsection (i) shall not exceed 5% of the land area proposed for subdivision.

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**RESIDENTIAL MOBILE HOME PARK
REGULATIONS and STANDARDS**

Mobile home parks shall be established or extended in accordance with the following regulations and standards:

1.0 GENERAL REQUIREMENTS

- 1.1 No person shall establish or construct a mobile home park until a mobile home park permit has been issued by the Regional District.
- 1.2 The issuance of a mobile home park permit shall not relieve any person from obtaining the necessary building permits and other necessary approvals for construction of buildings and structures.
- 1.3 All provisions of this schedule shall apply to mobile home parks established after the date of adoption of this bylaw, and to any addition of mobile home pads or alteration or addition of services to existing mobile home parks.

**2.0 MOBILE HOME PARK
APPLICATION • FEE • APPROVAL • PERMIT**

2.1 Application

All applications for approval of plans and specifications for the establishment of mobile home parks shall be submitted in writing using Schedule '1-A' attached to and forming part of this schedule.

2.2 Fees

- a) Each initial application for a mobile home park permit submitted shall be accompanied by an application fee of Fifty dollars (\$50.00) for the first mobile home space and Twenty-five dollars (\$25.00) for each additional mobile home space shown in the mobile home park plan;
- b) Each application for renewal of a mobile home park permit shall be accompanied by an application fee of Fifty dollars (\$50.00) for each mobile home space shown in the mobile home park plan;

- c) The charge for permits for the construction of buildings, mobile homes or structures in the mobile home park shall be the same as specified in the Regional District of Comox-Strathcona Building Bylaw;
- d) No application for a mobile home park permit shall be accepted for processing unless it includes all documents, information and fees required.

2.3 Approvals

- a) The Director of Planning shall examine each complete application for a mobile home park permit and shall notify the applicant in writing within sixty (60) days either that the permit will be issued or that it is refused. Reasons shall be supplied if the permit is refused.
- b) **The Director of Planning may:**
 - 1) require the applicant to provide additional relevant information including but not limited to topographic and soil conditions data;
 - 2) conduct inspections and tests in the vicinity of the site of the proposed mobile home park.
- c) A mobile home park permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan approved and permit issued;
- d) If, after the issuance of any mobile home park permit, the construction authorized thereunder is not commenced within six (6) months from the date thereof, for any cause other than weather conditions, strikes, or lock-outs, and if the work be not carried on continuously and in a bonafide manner, such permit shall be void, and the work shall not be again commenced until a new mobile home park permit shall have been issued and fee paid.

2.4 Mobile Home Park Occupancy

- a) No parcel of land or portion thereof may be occupied as a mobile home park by tenants or owners until all requirements of the mobile home park permit have been completed and a building permit has been issued for each mobile home or structure within the mobile home park.
- b) Where a mobile home park permit indicates a phased program of construction, the Regional District may authorize occupancy of each phase of development by issuing applicable building permits provided all conditions of the mobile home park permit have been completed for that phase. The Regional District may require as a condition of the issue of a mobile home park permit that the holder provide a Performance Bond or other security in the amount and form prescribed in the mobile home park permit to ensure that the development of additional phases is carried out in accordance with the terms and conditions set out in the permit. Any interest earned on the bond or other security shall accrue to the holder of the permit.

- c) A mobile home tenant shall obtain a building permit before locating a mobile home within a mobile home space and before commencement of construction of additions, including separate buildings or structures on a mobile home space.
- d) A mobile home park owner shall not permit occupancy of a mobile home space until all the requirements of Subsection (c) have been completed by the mobile home park tenant.

3.0 STANDARDS

3.1 Mobile Home Space / Lot

- a) **The minimum area of each mobile home space shall be not less than:**
 - 1) 325 square metres (3498.39 square feet) for spaces intended for a single wide mobile home, but in no case shall the width of the space be less than 12 metres (39.37 feet);
 - 2) 460 square metres (4951.56 square feet) for spaces intended for double wide mobile homes, but in no case shall the width of the space be less than 14.5 metres (47.57 feet).
- b) Each mobile home space shall be clearly marked off by permanent flush stakes, markers or other suitable means.
- c) **All mobile home spaces shall:**
 - 1) be drained properly;
 - 2) be clearly numbered;
 - 3) have a clearly discernible mobile home pad constructed to the standards as specified by an Engineer where required by the Building Inspector.

3.2 Mobile Home Standards, Provisions and Installation Requirements

- a) All mobile homes shall meet or exceed the Canadian Standards Association Standard Z-240 or A-277, as the case may be.
- b) All connections to services shall be in accordance with the B.C. Building Code and the B.C. Plumbing Code.
- c) **In mobile homes located in a mobile home park:**
 - 1) the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel;
 - 2) the storage and disposal of inflammable liquids and oils;

- 3) the installation, maintenance, carriage, and use of compressed gas systems;

shall be in accordance with the regulations of the *Fire Services Act* or the *Gas Act*, as the case may be.

- d) No mobile home shall be located elsewhere in a mobile home park than in a mobile home area on a mobile home pad that has been approved by the Building Inspector.
- e) No more than one mobile home shall be located in a mobile home space.
- f) Notwithstanding Subsection (d), no more than one unoccupied mobile home for every ten mobile home spaces in a park may be located in a designated storage area.

3.3 Setbacks

- a) No mobile home shall be located within 6 metres (19.69 feet) of another mobile home, or 1.5 metres of an ancillary building.
- b) No part of any mobile home or any addition shall be located:
 - 1) within 2 metres (6.56 feet) of any internal access road right-of-way or common parking area;
 - 2) within 1.5 metres (4.92 feet) of any boundary of the mobile home space.
- c) No building or structure shall exceed 4.5 metres (14.8 feet) in height.

3.4 Skirting

- a) Skirtings shall be installed within sixty (60) days of installation of a mobile home on a mobile home pad, and shall have one easily removable access panel of a minimum width of 1.2 metres (3.94 feet) for inspecting or servicing the service connections to the mobile home. Such an access panel shall be located close to the point at which such services are located under the mobile home.
- b) Skirtings shall be factory prefabricated or of equivalent quality and shall be painted or pre-finished so that the design and construction should complement the main structure.
- c) Spaces shall be ventilated, as required pursuant to the B.C. Building Code.

3.5 Permissible Additions

- a) **Only the following additions to mobile homes are permitted:**
- 1) carports or garages;
 - 2) shelters against sun or rain (ramadas);
 - 3) vestibules;
 - 4) rooms (cabanos) added to a mobile home.
- b) All attached or accessory structures such as porches, sun rooms, additions, and storage facilities shall comply with the requirements of the B.C. Building Code.
- c) All attached or accessory structures shall require a Building Permit.

3.6 Parking (Off-Roadway)

- a) One level easily accessible car parking space shall be provided near each mobile home. In addition, for every two (2) mobile homes located adjacent to a collector or distributor road, one additional parking space shall be provided and for every one mobile home located adjacent to minor roadways, one additional parking space shall be provided.
- b) Parking spaces shall be graded for proper drainage and be paved or have a compacted gravel surface.
- c) Each parking space shall be a minimum of 2.5 metres (8.2 feet) wide by 6 metres (19.69 feet) long.

3.7 Owner's Residential Plot

- a) An owner's residential plot shall be permitted within a mobile home park if the area of the plot is not less than 325 square metres (3,498.39 square feet) when the residence is a mobile home unit, and 560 square metres (16,027.99 square feet) when the residence is a conventional dwelling unit.
- b) An owner's residence plot shall include sufficient area to provide one off-street parking space for owner's use and minimum of two parking spaces for visitors and customers.

3.8 Tenant's Storage

- a) **One storage facility (shed) may be constructed on each mobile home space, provided that:**
- 1) it is a maximum of 9 square metres (96.88 square feet) in floor area;
 - 2) it does not exceed 2.5 metres (8.20 feet) in height.

- b) No tenant storage facility shall be located within 1.5 metres (4.92 feet) of another building, mobile home or structure, or within 2 metres (6.56 feet) of any internal access road, right-of-way, or common parking area.

3.9 Service Buildings and Storage Areas

- a) At least one open communal storage site having a surface area of a minimum average of 27 square metres (290.64 square feet) for each mobile home site will be located within each mobile home park. The communal storage site shall be located in a section of the park where it will not create a nuisance as to site, sound, or smell, be adequately landscaped, provide adequate security, and not be located in any buffer or recreation area. Not more than fifty per cent (50%) of the communal storage site may be developed with structures or buildings.
- b) **Each mobile home park shall be equipped with a park office or other suitable facility including a designated mobile home within the park for:**
 - 1) the reporting of problems of tenants concerning park facilities or other areas within the park administration responsibility;
 - 2) the pick-up of mail for each mobile unit where individual postal delivery to each mobile home lot is not available.

A copy of the plan required in Schedule 1 and a copy of this bylaw shall be made available at the park office for the reference of the residents.

3.10 Recreation Areas

- a) Not less than five per cent (5%) of the gross site area of the mobile home park shall be devoted to tenant's recreational uses, and shall be provided in a convenient and accessible location. For the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual area.
- b) The recreation areas shall not include yard areas, parking areas, ancillary buildings, mobile home spaces, driveways and storage areas.
- c) In mobile home parks where more than 1000 square metres (0.25 acres) of recreation space is required, two or more recreational areas may be provided.
- d) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of a grass or asphaltic surface and shall be properly landscaped.
- e) Swimming pools, if provided, shall comply with local building regulations and shall be separated from the remainder of the mobile home park by a fence not less than 1.5 metres (4.92 feet) in height.

3.11 Access, Roadways and Walkways

a) Access

A second access from a public highway separated by at least 60 metres (196.85 feet) from the first access, shall be provided to each mobile home park containing 50 or more mobile home spaces, up to a maximum of three accesses, subject to approval of the Ministry of Transportation and Highways.

b) Roadways and Walkways

- 1) All mobile home spaces, owner's residential plot, storage areas and service buildings as well as other facilities where access is required shall have access by internal street systems.
- 2) **Minimum roadway width requirements shall be as follows:**
 - 1) Collector or distributor roads shall have a minimum paved (surfaced) width of 6.5 metres (21.33 feet) and a right-of-way of 12 metres (39.37 feet).
 - 2) *Minor Roadways:*
 - a) Cul-de-sacs and two-way minor roads shall have a minimum paved (surfaced) width of 4.9 metres (16.08 feet) and a right-of-way of 9 metres (29.53 feet);
 - b) One-way minor roads shall have a minimum paved (surfaced) width of 4.3 metres (14.11 feet) and a right-of-way of 9 metres (29.53 feet);
 - c) One-way minor roads shall not exceed 150 metres in length (492.13 feet);
 - d) Cul-de-sacs shall not exceed 100 metres (328.08 feet) in length;
 - e) Parking shall not be permitted on minor roadways except in dust-free or paved (surfaced) parking bays.
 - 3) Dead-end roads and cul-de-sacs shall have a turning circle right-of-way at the dead-end with a radius of at least 12 metres (39.37 feet).
 - 4) Roads shall be adapted to the topography, and shall have suitable gradient for safety of traffic.
 - 5) Walkways shall provide safe, convenient, all season pedestrian access. They shall be of adequate width for intended use and shall be durable and convenient to maintain.

- 6) Individual walks shall provide access to each mobile home stand from a street or parking space connected to the street.
- 7) Common walks shall be located in areas where pedestrian traffic is concentrated; e.g., the park entrance, park office, and other important facilities. Common walkways should preferably be through interior areas removed from the vicinity of streets.
- 8) Width, alignment and gradient of walkways shall be appropriate for safety, convenience, and appearance, and shall be suitable for use both by pedestrians and for the circulation of small wheeled vehicles such as baby carriages and service carts.
- 9) Width of walkways shall generally be at least 0.75 metres (2.46 feet) for common walkways.

3.12 Drainage

- a) Paved gutters, drainlines or other necessary surface drainage structures shall be constructed in accordance with accepted engineering practice where erosion due to a high run-off velocity can occur. Where run-off quantities exceed natural drainage limitations, catch basins and storm sewers shall be constructed in accordance with accepted engineering practice to limit the increase in rate of water run-off to the hydraulic capacity of the natural drainage system.
- b) Paved gutters shall be of brick, concrete, or other durable material of adequate depth and width for the intended use and installed in such a manner that they will provide permanent drainage with reasonable maintenance.
- c) Land development shall be designed to minimize any disruption of the natural drainage pattern.

3.13 Water Supply

The owner of a mobile home park shall supply the Regional District of Comox- Strathcona with proof of adequate water quantity and quality, as specified by Regional District water standards and by the Ministry of Health requirements.

- a) Waterworks systems shall be designed, fabricated and installed in accordance with good engineering practice and to the water supply standards as set by the Regional District.
- b) **Potable water shall be distributed to:**
 - 1) each mobile home space;
 - 2) stand pipes or hydrants, if required.

- c) Water shall not be distributed to any terminal from which the water would not be intercepted by an approved sewage fixture, excepting hose bibs, stand pipes and hydrants.
- d) Each water distribution branch line serving a mobile home space shall have a minimum diameter of 19 millimetres (0.741 inches).
- e) The design and installation of the waterworks system shall be approved by the Regional District Engineer.

3.14 Sewage Systems

The owner of a mobile home park shall provide for the disposal of all waste water and of all body wastes that are generated within the mobile home park by providing a sewage system connected to all plumbing fixtures and sewage laterals in the mobile home park.

- a) This sewage system shall be designed, fabricated and installed in accordance with good engineering practice and to the sewer standards as set by the Regional District. The design and installation of a private sewage system shall be subject to the approval of the Regional District Engineer and the Public Health Inspector or the Waste Management Branch where their jurisdiction prevails.
- b) In each mobile home space a lateral sewer terminus shall be gas tight, protected from mechanical damage and protected from storm water infiltration.
- c) For the purpose of determining pipe sizes, each mobile home space shall be considered as having a hydraulic load according to requirements of the B.C. Plumbing Code.

3.15 Sewage Disposal

The owner of a mobile home park shall provide for the disposal of all sewage and water from a sewer system by causing the sewer system to discharge into a public or into a private sewage disposal system. The design and installation of a private sewage disposal system shall conform to the requirements of the *Health Act* or the *Waste Management Act*, as the case may be, and shall be approved by the Regional District Engineer.

3.16 Garbage Disposal

- a) The owner of a mobile home park shall dispose or arrange for disposal of garbage or refuse.
- b) **If the owner of a mobile home park establishes one or more depots within the park for the collection of garbage and refuse, he shall:**
 - 1) provide fly-tight metal containers in ample number;

- 2) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies;
 - 3) screen the depot with shrubs, trees or fencing from adjacent mobile home spaces.
- c) If garbage is to be disposed of on the site, the methods and locations shall be in accordance with the *Pollution Control Act*.

3.17 Fire Hydrants

Fire hydrants meeting the requirements of the Regional District shall be installed and connected to the internal water supply of a mobile home park such that no mobile home space is beyond 120 metres (393.7 feet) from a fire hydrant, as measured along the internal and/or external roadway system.

3.18 Street Lighting

- a) **Street lighting may be installed and maintained to adequately illuminate the travelled portion of the roadway at the following locations:**
- 1) the intersection of access roads and public highways;
 - 2) all internal intersections;
 - 3) the turning circle of cul-de-sacs;
 - 4) any point at which an internal roadway changes direction 30 degrees or more.
- b) Street illumination shall be provided from one half hour after sunset to one half hour before sunrise, if installed.

3.19 Buffer Areas

- a) **Every mobile home park shall have immediately within all its boundaries, a buffer area equal to the distance specified by the siting requirements of Section 4.6.17(iii) of this bylaw within which:**
- 1) no recreation, amenity or service areas may be located, except for waterfront recreation or amenity areas;
 - 2) no mobile home space or an owner's residential plot may be located;
 - 3) no building or structure may be erected or placed, except a sign, fence or walk, which may only be placed within 7.5 metres (24.6 feet) of any highway;
 - 4) no garbage disposal area and no part of any private sewage disposal system, other than such parts of such systems as may be underground, shall be located;

- 5) except where danger is involved, no plant material may be removed nor may any substance of which land is composed be deposited or removed, except as a part of a recognizable beautification scheme.
- 6) no vehicle parking shall be located
- b) The only roads permitted in the buffer area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the mobile home park. No road shall traverse the buffer area and give direct access from any public highways to any mobile home space.
- c) Where a mobile home park adjoins property which is zoned Residential, the buffer area immediately adjacent to such property shall be provided with screening that is adequate to maintain the privacy of the adjacent properties.

RESIDENTIAL MOBILE HOME PARK PERMIT APPLICATION

- 1.
- | | |
|---|--|
| <p>_____</p> <p>Property Owner's Name</p> | <p>_____</p> <p>Authorized Agent</p> |
| <p>_____</p> <p>Mailing Address of Property Owner</p> | <p>_____</p> <p>Mailing Address of Agent</p> |
| <p>_____</p> <p>City/Town/Village</p> | <p>_____</p> <p>City/Town/Village</p> |
| <p>_____</p> <p>Postal Code</p> | <p>_____</p> <p>Postal Code</p> |
| <p>_____</p> <p>Telephone Number</p> | <p>_____</p> <p>Telephone Number</p> |

If more than one owner, please list on separate sheet.

2. Full legal description of property:

3. Intended use of property:

4. Location of property (i.e., road name or commonly used name of area):

5. Complete where applicable:

ARCHITECT, ENGINEER OR DESIGNER:

Name: _____

Mailing Address: _____

Telephone Number: _____

ENGINEER (Water, Sewer, Garbage):

Name: _____

Mailing Address: _____

Telephone Number: _____

SURVEYOR:

Name: _____

Mailing Address: _____

Telephone Number: _____

6. Class of Work:

NEW PARK

ADDITION TO PARK

ALTERATION TO EXISTING PARK

7. Description of Development:

Area of Property: _____ hectares _____ acres.

8. Fees:

Application Fee: \$ _____

Renewal Fee: \$ _____

9. The applicant must provide the following as part of this application:

**TWO COMPLETE AND LEGIBLE SETS OF PLANS
TO A SUITABLE LARGE SCALE
(Minimum acceptable scale 1:500), with:**

- a) the area dimensions and legal description of the parcel of land;
- b) the front, rear and side yard areas;
- c) the number, location, dimensions and designation of all mobile home areas, mobile home spaces, and mobile home pads, the location and dimensions of all roadways, the owner's residential plot (if any), and, if included, any amenity or recreation areas;
- d) the dimensions and location of all service buildings, mobile homes, the owner's residence, and other structures;
- e) the internal layouts of all service buildings, other structures and the owner's residence;
- f) the location and details of all on-site garbage and refuse disposal areas;
- g) a north arrow and notation of the scales used;
- h) a general landscaping plan for the site;
- i) all water courses or water frontage within or adjacent to the land concerned;
- j) all steep banks or slopes within or adjacent to the land concerned;
- k) the relationship of the proposed mobile home park to adjacent roads;
- l) the elevation and grade of all floors of all buildings, mobile homes, and all mobile home pads and the elevation and grade of all roadways that are on site;
- m) two complete layouts for sanitary and storm drainage systems showing sewer elevations, manholes, cleanouts, connections, water supply, and fire fighting facilities.

10. The applicant shall retain a Professional Engineer to design services and specifications for water and sewer services, as required.

11. The applicant shall obtain all the necessary approvals from outside agencies as part of this application.

(Office Use Only)

SPECIAL APPROVALS:

	<i>Approved</i>	<i>Not Approved</i>
Public Health Inspector		
Sewage Disposal	_____	_____
Waste Water Disposal	_____	_____
Public Health Engineering		
Ministry of Environment		
Community Water Supply	_____	_____
Highways		
Road Access	_____	_____
Local Improvement District:		
_____	_____	_____
Fire Inspector	_____	_____
Regional Director Engineer	_____	_____
Board of Variance	_____	_____
Planning Department	_____	_____

Conditions of Permit:

Date Application Received: _____
Approved For Issuance By: _____
Date Approved: _____

**RESIDENTIAL MOBILE HOME PARK
PERMIT**

Property Owner's Name:

Mailing Address:

Agent's Name:

Mailing Address:

Legal Description:

Conditions of Permit:

Approved by: _____

Date: _____

Fee: _____

OFF STREET PARKING REQUIREMENTS

1) **GENERAL REQUIREMENTS**

- 1.1 For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided.
- 1.2 Buildings conforming as to use but non-conforming as to required off-street parking spaces may be occupied, but shall not be extended unless the required off-street parking is provided for the entire building.
- 1.3 When off-street automobile parking is required in accordance with the schedule listed in this section, a plan of the proposed provision suitably drawn to scale showing the off-street parking spaces and access driveways shall be filed with the Building Department prior to issuance of a building permit.

2) **PARKING SPACE SIZE AND LOCATION**

- 2.1 All off-street parking spaces shall have a clear length of not less than six metres (19.69 feet), a clear width of not less than 2.8 metres (9.19 feet), a clear height of not less than 2.1 metres (6.89 feet).
- 2.2 All parking areas shall be provided with adequate driveways to facilitate vehicular movement to and from all parking spaces.
- 2.3 No parking space in a parking area shall gain access directly from a street.
- 2.4 No parking shall be permitted within 3.5 metres (11.48 feet) of any property line.
- 2.5 No parking space shall be located closer than 16.5 metres (54.13 feet) to the centre line of the road right-of-way of the Island Highway. If the road right-of-way is not known, a minimum of 16.5 metres (54.13 feet) from the centre line of the road shall be required.

3) **REQUIRED NUMBER OF OFF-STREET PARKING SPACES**

3.1 The minimum number of off-street parking spaces shall be provided in accordance with the following table:

<u>Building Class or Type</u>	<u>Required Number Of Spaces</u>
1) Auto sales and/or repair facilities	<ul style="list-style-type: none">• 1 per 70 m² (753.5 ft²) of sales floor area• + 1 per service bay• + 1 per 2 employees
2) Animal hospital/kennels	<ul style="list-style-type: none">• m1 per 2 employees• + 1 per vet
3) Auction (indoor)	<ul style="list-style-type: none">• 1 per 10 m² (107.64 ft²) auction floor
4) Bank	<ul style="list-style-type: none">• 1 per 20 m² (215.28 ft²) gross floor area
5) Beach, swimming	<ul style="list-style-type: none">• per 9 m² (96.88 ft²) developed beach above high water mark
6) Bowling alley	<ul style="list-style-type: none">• m3 per alley
7) Boat sales and repair	<ul style="list-style-type: none">• 1 per 2 employees• + 1 per 100 m² (1076.43 ft²) of display area (covered and outside)
8) Building materials supply	<ul style="list-style-type: none">• 1 per 2 employees• + 1 per 200 m² (2152.85 ft²) of covered sales and storage
9) Campground/overnight trailers	<ul style="list-style-type: none">• 1 per space plus 2
10) Cafe, dining room, pub, etc.	<ul style="list-style-type: none">• 1 per 3 seats
11) Cafe, drive-in	<ul style="list-style-type: none">• Nil, but requires some approach storage
12) Cafe, take-out only	<ul style="list-style-type: none">• 15

13)	Church, funeral parlour	• Rural - 1 per 5 seats
14)	Clubs, lodges	• 1 per 5 seats
15)	Contractor's yard	• 1 per 2 employees
16)	Cultural facility (art gallery, etc.)	• 1 per 40 m ² (430.57 ft ²) of gross floor area
17)	Gas station, tire repair	• 1 per 2 employees on duty • + 2 per service bay
18)	Grocery store, corner	• 1 per 15 m ² (161.46 ft ²) of gross floor area of retail portion of building, or 4, whichever is greater
19)	Golf course (18 tees)	• 150 spaces
	Golf course (9 tees)	• 75 spaces
20)	Golf driving range	• 1 per tee • + 1 per 2 employees
21)	Hospital	• 1 per 2 employees • + 1 per 5 beds
22)	Hotel	• 1 per 2 rooms • + 1 per 3 seats--cafe, bar, etc.
223)	Laundry / Dry cleaning	• 1 per 2 employees (counted as total of 2 shifts)
24)	Laundromat	• 1 per 3 washing machines
25)	Motel (room only)	• 1.1 x number of units
26)	Motel (rooms plus cafe)	a) number seats in the cafe less the number of units. 1.1 x number units + 1 per 3 seats cafe b) number seats in the cafe equal or greater than the number of units . 9 x number units + 1 per 3 seats in the cafe
27)	Machinery sales	• 1 per 2 employees • + 1 per 100 m ² (1076.43 ft ²) of sales floor area
28)	Manufacturing/Industrial	• 1 per 2 employees (counted as total of 2 shifts)

- | | | |
|-----|------------------------------------|---|
| 29) | Marina | <ul style="list-style-type: none"> • 1 per 2 boat spaces • + 1 per 2 employees |
| 30) | Nurseries/greenhouses | <ul style="list-style-type: none"> • 1 per 15 m² (161.46 ft²) of gross floor area of retail sales building |
| 31) | Offices, single tenant | <ul style="list-style-type: none"> • 1 stall per 35 m² (376.25 ft²) of gross floor area |
| 32) | Offices, multi-tenant | <ul style="list-style-type: none"> • 1 per 30 m² (322.93 ft²) gross floor area |
| 33) | Pool, swimming | <ul style="list-style-type: none"> • 1 per 4 m² (43.06 ft²) of pool water surface |
| 34) | Post Office | <ul style="list-style-type: none"> • 1 per 2 employees counted as total of two shifts |
| 35) | Residential, single | <ul style="list-style-type: none"> • 2 per family dwelling unit & duplex |
| 36) | Residential, multi-family | <ul style="list-style-type: none"> • 1.5 per dwelling unit • + 1 per 100 m² (1076.43 ft²) floor area of building exceeding 60 m² (645.86 ft²) x no. of dwelling units |
| 37) | Retail and personal establishments | <ul style="list-style-type: none"> • 1 per 15 m² (161.46 ft²) of gross floor area |
| 38) | Recreation centre | <ul style="list-style-type: none"> • 1 per 10 m² (107.64 ft²) of ice area • + 1 per 4 m² (43.06 ft²) of pool surface • + 1 per player capacity other sports |
| 39) | School, elementary | <ul style="list-style-type: none"> • 1 per employee |
| 40) | School, secondary | <ul style="list-style-type: none"> • 1 per employee • + 1 per 10 students |
| 41) | Shopping centre, (Neighbourhood 1) | <ul style="list-style-type: none"> • 6.5 per 100 m² (1076.43 ft²) of gross leasable area |
| | Shopping centre, (Community 2) | <ul style="list-style-type: none"> • 5.5 per 100 m² (1076.43 ft²) gross leasable area |
| 43) | Tourist attraction | <ul style="list-style-type: none"> • 1 per 4 persons capacity |
| 44) | Vegetable/produce stand | <ul style="list-style-type: none"> • 4 per sales clerk |
| 45) | Warehouse | <ul style="list-style-type: none"> • 1 per 2 employees as total of 2 shifts |

1 SHOPPING CENTRE, NEIGHBOURHOOD — size of between 3000 m² G.L.A. and 7500 m² G.L.A. with a dominant store. The site area is generally of between 15000 m² and 40000 m².

2 SHOPPING CENTRE, COMMUNITY — size of between 5500 m² G.L.A. to 17,000 m² G.L.A. dominant store. The site area is generally between 40,000 m² and 120,000 m².

Appendix 'D'



BYLAW NO. 1 – REGIONAL BOARD PROCEDURE BYLAW 2011 (CONSOLIDATED)

The following is a consolidated version of Bylaw No. 1, being Regional Board Procedure Bylaw 2011 and includes the following:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
SRD 1	Regional Board Procedure Bylaw 2011	November 24, 2011	To establish procedural rules for meetings of the Regional Board and its committees.
SRD 168	Regional Board Procedure Bylaw 2011, Amendment No. 1	March 13, 2013	To add a definition and rules for associate members.
SRD 195	Regional Board Procedure Bylaw 2011, Amendment No. 2	April 9, 2014	To amend the order of proceedings by adding a management report and amending application of other provisions.
SRD 258	Regional Board Procedure Bylaw 2011, Amendment No. 3	August 25, 2016	To allow for electronic participation at meetings.
SRD 329	Regional Board Procedure Bylaw 2011, Amendment No. 4	November 7, 2018	To amend the order of proceedings to be used at meetings.
SRD 347	Regional Board Procedure Bylaw 2011, Amendment No. 5	April 10, 2019	To amend the order of proceedings to be used at meetings.
SRD 368	Regional Board Procedure Bylaw 2011, Amendment No. 6	October 9, 2019	To incorporate standards for minute production.
SRD 392	Regional Board Procedure Bylaw 2011, Amendment No. 7	May 13, 2020	To amend certain provisions.
SRD 416	Regional Board Procedure Bylaw 2011, Amendment No. 8	November 4, 2020	To establish agenda access restrictions.
SRD 444	Regional Board Procedure Bylaw 2011, Amendment No. 9	September 8, 2021	To amend procedures applicable to meetings of the regional Board and its Committees (electronic participation).
SRD 468	Regional Board Procedure Bylaw 2011, Amendment No. 10	July 13, 2022	To add first nation territorial acknowledgements and revise rules for reconsideration of motions.

This bylaw may not be current due to pending updates or revisions and SHOULD NOT BE RELIED UPON FOR LEGAL PURPOSES. Please contact the Corporate Services Manager for the Strathcona Regional District for the most current version.



BYLAW NO. 1

A BYLAW TO ESTABLISH PROCEDURES TO GOVERN THE PROCEEDINGS OF THE REGIONAL BOARD AND ITS COMMITTEES

WHEREAS the Regional District must, by bylaw enacted pursuant to the *Local Government Act*, establish the general procedures to be followed at meetings of the Regional Board and Board committees including the procedures for passing bylaws and resolutions, and for providing advance public notice of such meetings:

AND WHEREAS the former Comox Strathcona Regional District adopted Bylaw No. 2991, being Regional District Procedure Bylaw 2007, which bylaw continues to apply to the Strathcona Regional District until amended or repealed;

AND WHEREAS the Regional Board wishes to replace the aforesaid Bylaw No. 2991;

AND WHEREAS the Regional District desires its proceedings to be guided by principles of efficiency, accountability and procedural fairness;

AND WHEREAS advance notice regarding this bylaw has been provided to each director in accordance with Section 794 of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

PART 1: INTERPRETATION

Definitions

1. In this Bylaw, unless the context otherwise requires:

“absolute majority” means a majority of all of the votes available on the entire Board or committee, as the case may be;

“adjournment” means the temporary suspension of proceedings until a later day;

“appointment” means the selection of a person to fill a position on the Board, a committee or another agency;

“assembly” means a duly called meeting of the Regional Board or a committee, whether or not a quorum is present;

“associate member” means a person, other than a director, appointed by a treaty first nation to participate in Regional District affairs in a non-voting capacity;

“Board” or **“Regional Board”** means the Board of Directors of the Regional District in session;

“Chair” means the elected Chair of the Board or, as the context requires, the person presiding at a meeting;

“closed meeting” includes a meeting that is closed to the public for only part of its duration;

“committee” means the Committee of the Whole, a standing committee, a select committee or a subcommittee;

“consensus” means the presumed approval of the assembly by the Chair;

“director” includes an alternate director;

“election” means the appointment of a person by ballot process;

“electronic format” means in written form but stored on a computer readable medium;

SRD 258

“electronic participant” means a member who is participating electronically in a meeting and who is not physically present at the meeting place;

“electronic participation” means participation in a meeting via telephone, computer or other device that permits the public and other members to hear, or see and hear, the electronic participant.

“emergency” has the meaning set out in the *Emergency Program Act*;

SRD 468

“inaugural meeting” means, with respect to the Board, the first meeting held after November 1 in each year and, with respect to a committee, the first meeting held each calendar year;

“meeting agenda” means an itemized list of matters that are proposed to be considered at a meeting;

SRD 168

“member” means a director who has been elected or appointed to the Regional Board, an associate member, or a person appointed to a committee;

“motion” means a proposal put forward by a member for consideration of the Board that the Regional District undertake an action, make a recommendation or express an opinion;

“mover” means the member who has made a motion;

“negative motion” means a motion proposing that the assembly not undertake an action, make a recommendation or express an opinion;

“notice of meeting” means a notice informing the public of one or more upcoming meetings of the Regional Board, a committee, a commission or other agency for which the Regional District is responsible.

“notice of motion” means a written notice provided by a director advising that they intend to bring a substantive matter before the Board at the next regular meeting;

“out of order” means that consideration of a matter may not proceed due to conflict with this bylaw;

“public consideration” means a process whereby the general public is invited to provide information or make a submission directly to the Regional Board, and includes a public hearing under the *Local Government Act*;

SRD 392

“public notice posting place” means the notice board in the main floor public reception area of the Regional District corporate office.

“recess” means the temporary suspension of proceedings until a later time on the same day;

“Regional District” means the Strathcona Regional District;

“Regional District boardroom” means the boardroom located at the Regional District corporate office;

“**Regional District website**” means the Regional District's electronic database which is accessible by the general public through the internet;

“**regular meeting**” means a meeting of the Board, other than an inaugural meeting, which has been included on the annual schedule of meetings;

“**resolution**” means a motion which has been passed by a vote of the Board;

“**schedule of meetings**” means the regular meeting schedule adopted at each inaugural meeting;

SRD 168

“**seating arrangements**” means the assignment of work stations to be used by members during meetings;

“**seconder**” means the member who has seconded a motion;

“**special meeting**” means a meeting that is not a regular or inaugural meeting;

“**termination**” means the completion of a meeting following the conclusion of its business.

PART 2: INAUGURAL MEETINGS

Proceedings Generally

2. (1) At an inaugural meeting the regular business of the Regional Board shall be preceded by an election for Chair and an election for Vice Chair.
- (2) In the year of a general local election, and in other years as required, there shall be a ceremonial making of oaths of office by directors preceding the business of the Board.

Election of Chair and Vice Chair

3. Immediately after being called to order the Board shall proceed with the election of a Chair and Vice Chair.

Presiding Official

4. (1) The corporate officer shall administer the election process and shall preside until the elections have been completed.
- (2) The Chair shall preside immediately following the declaration of election results for the position of Vice Chair.

Nominations for Chair

5. The selection of candidates for the position of Chair will be determined by nominations from directors in attendance. Nominations from the floor shall be called and a list of candidates compiled. The call for nominations shall be made 3 times only. In order to be confirmed as a candidate, a nominee must state their acceptance of the nomination. Candidates may withdraw from an election at any time prior to voting.

Restriction on Nominations

6. Nominations will not be accepted for;

SRD 168,
258, 392, 444

- (a) *[Deleted]*
- (b) a director who has not made an oath of office

- (c) a director for whom a successor has been elected or appointed but has yet to take office, or
- (d) an alternate director or associate member.

Confirmation of Candidates

7. When no further nominations are forthcoming the corporate officer will close the nomination process. Before proceeding with voting, the corporate officer will confirm the list of candidates for the election by reading it aloud. Each candidate will be provided an opportunity to speak for not more than 3 minutes in favour of their candidacy, in the order of their nomination. If a candidate chooses not to speak to their candidacy the nominator of that candidate will be offered the same opportunity. No other debate shall be in order.

Declaration of Election

8. (1) If there is only one candidate that director shall be declared elected by acclamation.
- (2) If there are 2 or more candidates an election by secret ballot will be declared. In order to be elected a candidate must receive an absolute majority of votes.

Voting Procedure

9. (1) If an election is required, each director in attendance will be provided with a physical or electronic ballot which may be used to cast their vote.
- (2) The distribution and collection of ballots, the counting of the votes and the subsequent destruction of ballots shall be the responsibility of the corporate officer or such other person as may be designated by the corporate officer.

SRD 258, 444

Declaration of Election Results

10. Immediately after reviewing the voting results the corporate officer shall declare the name of the candidate who has been elected. The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring disclosure is passed.

No Candidate Elected

11. (1) If the voting results confirm that no candidate has received a sufficient number of votes to be elected, the candidate receiving the fewest votes will be removed from the list of candidates and second voting process will be conducted. In the case of a tie between two or more candidates receiving the fewest votes, all candidates shall be eligible to proceed to the next ballot. The voting process will be repeated until a candidate receives a sufficient number of votes to be elected or a declaration under section 12(2) is made.
- (2) As an exception to subsection (1) if there are only 2 candidates in an election for which no winner can be declared, both of them shall be eligible to proceed to the next round of voting.

Subsequent Ballots

12. (1) If none of the candidates has been declared elected after the third ballot the meeting shall be recessed for 5 minutes, following which a final ballot will be held.
- (2) Following the fourth ballot the corporate officer shall either declare that:

- (a) one of the candidates has been elected because they have received the required minimum number of votes, or
- (b) an election by lot draw will be made in accordance with Section 13 (*Tie Votes and Deadlocks*).

Tie Votes and Deadlocks

13. At any stage in the election process after the second ballot the corporate officer may declare that a deadlock exists and that it will be resolved by drawing lots, utilizing the procedure outlined in Section 151 of the *Local Government Act*.

SRD 392

Destruction of Ballots

14. Following the declaration of election results the ballots used in the election shall be destroyed.

Election Procedure for Vice Chair

15. The election for the position of Vice Chair shall be subject to the same rules as, and commence immediately following, the election of the Chair.

Schedule of Meetings

16. Prior to the adjournment or termination of an inaugural meeting the Board shall adopt a schedule of meetings for the following calendar year. The schedule will identify the time, date and place for all regular meetings and the next inaugural meeting. The schedule may be amended from time to time by resolution of the Board.

PART 3: MEETING NOTICE AND AGENDAS

Notice of Meeting

17. (1) A notice of meeting shall be posted at the public notice posting place at least 72 hours prior to the start of each meeting. The notice shall include the date, time and place for each meeting to which it applies. A notice under this section may be combined with other notices provided that the applicable requirements for each notice are met.
- (2) As an exception to subsection (1) the minimum period of notice for a special meeting called to deal with an emergency shall be 1 hour.

Meeting Agendas

18. (1) At least 72 hours prior to the start time for each meeting, the corporate officer shall ensure that an agenda for the meeting is;
- (a) provided to each member, and
 - (b) published on the Regional District website.
- (2) The Chief Administrative Officer may submit a report to accompany any agenda item together with recommendations for disposition by the Regional Board provided that no such report shall purport to express the views of any member on the matter.
- (3) Reports by members may be prepared in prescribed format or as determined by each director.

SRD 168

Agenda Access Restricted

- 18A. (1) In this section the term ‘member’ includes an alternate director or person appointed as the member’s alternate.
- (2) Where litigation has been initiated or is pending
 - (a) by a member of the Board against the Regional District
 - (b) by a member of the Board against a person who is covered by the Regional Board’s indemnification bylaw, or
 - (c) by the Regional District against a member of the Board

SRD 416

access by that member to any items of business on a meeting agenda in relation to the subject of the litigation shall be restricted to the extent that disclosure could harm the interests of the Regional District.

PART 4: MEETINGS

Meeting Location

- 19. All meetings shall be held in the Regional District boardroom unless other arrangements have been approved by the Board. The Chair shall determine the seating arrangements for members.

SRD 168

Electronic Participation by Members

19A. *[Deleted]*

SRD 258, 444

Chair May Disconnect Electronic Participant

SRD 258

The Chair may order that an electronic participant be disconnected if there is significant noise, interference or other disturbance that is disruptive to the proceedings, or if the quality of the connection does not permit the public or other members to hear, or see and hear, the member who is participating electronically.

Meeting Chambers Open to Public

- 20. The main doors to the meeting chambers shall remain open during meetings except when necessary to reduce the level of noise or when the Board is in closed session.

Presiding Official

- 21. (1) Provided that a quorum is present, the Chair shall call the meeting to order at the scheduled time.
- (1A) If the Chair is absent at the start of the meeting the Vice Chair will preside. If the Vice Chair is also absent, or if the position of Vice Chair is vacant, an election for an Acting Chair will be held. The Acting Chair shall preside until the arrival of the Chair or Vice Chair, or until the meeting is concluded, whichever first occurs. While presiding, an Acting Chair has all the authority and is subject to the same rules as the Chair. For clarity, an alternate director is permitted to fill the position of Acting Chair but may not fill the position of Chair or Vice Chair on an ex-officio basis.
- (2) In the event that there is no presiding official at any time during the meeting, the proceedings will be suspended until such time as the Chair, Vice Chair or other official authorized by this bylaw is able to preside.

SRD 444

SRD 168,
258, 444

- (3) If the position of Chair or Vice Chair has become vacant as a result of resignation, disqualification or death an election to fill the vacancy shall be the first order of business, whether or not scheduled on the agenda.

Order of Proceedings

22. (1) At a regular meeting the proceedings of the Board shall, subject to section 24 (*Order of Business May be Varied*), be conducted in the following sequence:

SRD 168, 258

(a) confirmation of quorum and electronic participants

(b) call to order

SRD 468

(b1) first nations territorial acknowledgement

(c) adoption of public agenda

(d) petitions and delegations

(e) adoption of previous meeting minutes

(f) business arising from the minutes

(g) public considerations

SRD 329

(g.1) notices of motion

(h) Chair's report

(h.1) consent calendar

(i) committee Chair reports

SRD 347

(i.1) extraterritorial services

SRD 168

(j) staff reports

(k) bylaws

(l) correspondence

SRD 195

(m) members' reports

(m.1) management report

(n) new business

(o) addendum items

(p) closed session

(q) termination

(2) The consideration of items under paragraph (1)(o) shall be subject to a prior resolution authorizing such consideration.

Adoption of Agenda

23. (1) Before proceeding with its regular business the Board shall, by resolution, approve the items of business to be considered at the meeting.

SRD 329

(2) The Board may, by unanimous consent, designate items for inclusion on a consent calendar provided that those items:

(a) are scheduled for receipt only, and

(b) are items for which all directors are entitled to cast votes on an unweighted basis.

Order of Business May be Varied

24. With the exception of those items for which a scheduled starting time has been provided by advance public notice, the Board may pass a resolution to adjust the order and schedule of proceedings while in session.

Lack of Quorum

- SRD 168
25. If a quorum is not present within 30 minutes following the scheduled starting time of a meeting the names of the members who are physically present or participating electronically shall be recorded and the assembly dissolved.

Recording Devices

- SRD 258
26. With the exception of audio or video devices necessary for conducting the Board's business, such devices may only be used or operated during meetings in the locations approved for that purpose, or as permitted on a specific basis by the Chair.

Meeting May Recess or Adjourn

- SRD 258, 444
27. Except when a vote is pending, the Chair may call a recess at any time during a meeting and may stipulate that the meeting will reconvene after a specific period of recess, at a specific time, or at the call of the Chair. A meeting which has been adjourned may be reconvened on another day without written notice if the details of reconvention were stipulated at the time of adjournment. When reconvened the Chair will confirm that a quorum exists before advising the Board of the next item of business.

Termination

28. Meetings may be terminated at any time by resolution of the Board, or in the absence of a resolution, by consensus where the Chair is satisfied that all business has been concluded.

PART 5: RULES OF CONDUCT & DEBATE**Chair is Impartial**

- SRD 329
29. On behalf of the Board, the Chair is responsible for preserving order at meetings and for ensuring that questions are decided with the benefit of fair debate and in accordance with procedural and other rules. On matters of procedure the Chair shall remain impartial.

Meeting Decorum

30. (1) No person shall use profanity in the meeting chambers or speak disrespectfully while the Board is in session.
- (2) Directors shall be referred to as "*Director* (surname)" or "*the director for* (area represented)". Staff shall be referred to by title or as "*Mr./Mrs./Ms.* (surname)".

Recognition by Chair

31. No person may address the assembly without first being recognized by the Chair. Recognition shall be confirmed when the Chair acknowledges the name or title of the person. Every director or other person addressing the assembly shall speak to the Chair. The Chair shall be addressed as "*Mr. Chairman*" or "*Madame Chairman*" depending on gender.

Acceptance of Motion

32. All matters to be debated shall be in the form of a motion which has been duly moved, seconded and accepted by the Chair. Before a motion may be put for debate the Chair

shall state the names of the directors who have moved and seconded the motion. The Chair may not move, second or otherwise sponsor a motion except a motion made pursuant to section 36(2).

Order of Debate

33. The order of debate on a motion will be determined by the Chair and those members waiting to speak shall be placed into a queue. Members wishing to participate in the debate may do so by raising their hand. The mover and seconder of a motion, or of an amending motion, shall be entitled to speak ahead of other members.

SRD 168

Limit on Debate

34. Debate shall be confined to the subject matter of the motion under consideration and no member may speak more than once to a single motion without the approval of the Chair. For the purpose of this provision, an amending motion shall be considered a separate motion.

Right of Participation

35. Every member has the right to participate in debate on a motion notwithstanding that the member may not be entitled to vote on the motion. When a member is speaking in debate they shall not be interrupted except on a point of order.

SRD 168

Conflict of Interest

- 35A. If a member who is participating electronically believes that they have a conflict of interest with respect to a matter being considered by the assembly, they shall advise the assembly and leave the meeting for the duration of consideration of that matter.

SRD 258,
444**Chair May Not Debate While Presiding**

36. (1) The Chair may not participate in the debate on a motion while presiding, but may:
- (a) recommend procedural actions to enhance the efficiency of proceedings
 - (b) note procedural implications of a motion being considered
 - (c) provide guidance to the assembly by clarifying the intent of a motion
 - (d) summarize the debate of the assembly prior to the vote being called, and
 - (e) advise the assembly whether the Chair will be voting for or against the motion.
- (2) In order to participate in debate on a motion the Chair must first allow the Vice Chair or another director to temporarily preside over the meeting. While participating in debate the Chair may not move or second a motion other than a motion to amend the motion currently under debate. At the conclusion of debate the Chair shall preside over the meeting for the purpose of administering the voting process.

Conclusion of Debate

37. When debate on a motion has concluded the Chair shall immediately put the matter to a vote.

SRD 329

PART 6: MOTIONS & PROCEDURAL RULES**Motion in Writing**

38. Wherever practical motions shall be clear, concise and in writing. It shall be acceptable for a director to refer to a staff recommendation or other written recommendation which has been provided to the Board as the basis for a motion, in which case a verbatim restating of the motion by the mover shall not be required.

Restrictions on Motions

39. (1) Any director may move a motion unless the director would not be entitled to vote on the motion. Any director may second a motion.
- (2) No motion, except a procedural motion, may be introduced while another motion is pending before the Board.
- (3) The Chair may refuse to accept for debate any motion considered frivolous, rhetorical, argumentative or disrespectful, or which proposes that an illegal action be taken.

Effective Time

40. Subject to the *Interpretation Act* motions shall come into effect upon adoption unless a later date or time is specified in the resolution.

Amending Current Motions

41. (1) Any director may move an amendment to a motion then under consideration which, upon being duly seconded and accepted for debate, shall be immediately put to the assembly. An amendment may propose adding, removing or substituting text of the motion under consideration but may not propose a change which would frustrate the intent of the original motion.
- (2) An amending motion may itself be amended any number of times before being voted on, but no director may move more than one amendment to an amending motion.
- (3) The Chair shall put the original motion and its amendments in the following order for voting:
- (a) firstly, any amendments to an amending motion
 - (b) secondly, the amending motion as amended, and
 - (c) finally, the original motion as amended by the amending motion.
- (4) An amending motion shall be provided in writing if so requested by the Chair.

Amending Past Motions

42. An amendment to a resolution previously adopted by the Board shall be subject to the same procedural rules as amendments to current motions except that, if the amendment is approved, there shall be no vote on the resolution as amended.

Reconsideration of a Motion

43. (1) In addition to the authority of the Chair to return a matter for reconsideration pursuant to section 219 of the *Local Government Act* a director may, unless

otherwise prohibited, propose that a motion which has been previously decided be reconsidered in accordance with the following:

- (a) the motion to reconsider must be made at the same meeting at which the subject motion was decided or at the next meeting and, once accepted for debate, the reconsideration motion must be decided before the consideration of other business
 - (b) the director making the motion to reconsider must have voted with the majority on the original motion
 - (c) there has been no action initiated which is binding on the Regional District as a result of the original motion, and
 - (d) the matter cannot be dealt with by other parliamentary means.
- (2) No motion to reconsider a previous motion shall be in order if the previous motion has already been reconsidered.
- (3) Immediately following the adoption of a motion to reconsider a previous motion, the Chair shall place the previous motion before the assembly for debate and, notwithstanding section 33 (*Order of Debate*), the mover and seconder of the reconsideration motion shall have priority in the speakers queue.
- (4) A motion to reconsider shall require the affirmative vote of 2/3 of all the directors entitled to vote on the motion for its passage.
- (5) A motion to reconsider a previous motion may not be combined with any other proposition.

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Withdrawal of Motions

44. Subject to the concurrence of the seconder, and at the Board's discretion, the mover of a motion may withdraw the motion at any time prior to the vote being taken. A motion which has been withdrawn may be re-introduced at the same meeting only by a different director.

Negative Motions

45. Negative motions shall not be permitted for readings or final passage of a bylaw, or with respect to any matter for which the result of such a motion could be inconclusive.

Tabling Motions

46. Subject to other procedural rules, a motion to table a matter while it is under debate shall always be in order. The effect of such a resolution, unless otherwise specified, shall be to put aside the matter until later in the meeting. Once accepted by the Chair the motion to table shall be debatable but the subject matter of the motion being considered for tabling shall not be debatable.

Motions to Postpone, Refer or Defer

47. Motions to postpone, defer, refer or commit a matter shall be subject to the same procedural rules as tabling motions.

Calling for the Question

48. Provided that each member then present has been provided an opportunity to debate a motion, any member may call for a vote on the motion. The process for calling for a vote shall be as follows:

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- (a) a motion to call the question is made.
- (b) the Chair calls for a seconder.
- (c) if seconded, the motion to call the question is immediately put to a vote.
- (d) if the motion passes by a 2/3 majority, a vote on the previous question is immediately put to the members without further debate.

Motions to Adjourn or Terminate

49. A motion to adjourn or terminate the proceedings shall always be in order provided that no other motion is pending.

Notice of Motion

50. Any director may serve a notice of motion on the Board during the new business portion of a meeting or, with leave from the Chair, at any other time during consideration of a related matter. A copy of the motion so noted shall be given to the corporate officer for inclusion on the next regular meeting agenda.

Motion Introduced Under New Business

51. At the request of any director the Chair may rule that consideration of any motion introduced as new business be postponed until the next meeting.

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Unprovided Cases

52. In all unprovided cases Robert's Rules of Order, Newly Revised shall prevail.

PART 7: VOTING**Decision by Voting**

53. Except as otherwise provided, all decisions of the Board shall be made by voting on a motion. The Chair is responsible for the administration of the voting process including the determination of directors who are eligible to vote and the counting of votes.

Clarification of Motion

54. Prior to the calling of the vote, any director may request that the motion be read aloud. The vote on a motion will be taken when the Chair is satisfied that its intent is clear to directors. If a motion contains distinct propositions any director may request, or the Chair may require, that a separate vote be held for each proposition.

Voting Procedure

55. (1) Voting will be done by a show of hands, by electronic voting system or, if those methods are inconclusive, by polling the directors individually. No voting by ballot or other secret method will be permitted except for elections.
- (2) For clarity, appointments may be made by election, resolution, or a combination of those methods. Elections shall be administered in accordance with the procedure set out in Part 2: Inaugural Meetings.
- (3) No director may cast a vote in absentia.

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Abstention from Voting

56. *[deleted]*

Voting Rules

57. During the voting process, directors who are physically present shall remain seated until the tally of votes has been completed and the results announced. Unless speaking to a point of order there shall be no debate during the voting process.

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Voting Results

58. The Chair shall announce the results of the vote on every motion by declaring that it has been carried or defeated, and by stating the names of the directors who voted against the motion.

Voting by Chair

59. The Chair shall vote while presiding. The Chair's vote on a motion shall be counted and included in the voting result whether declared orally or shown by hand.

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PART 7A – MEETING MINUTES**Directors in Attendance to be Recorded**

59A. The minutes shall record all directors who were present for a meeting or part of a meeting and, if applicable, any votes for which those directors were not present.

Motions to be Recorded

59B. The minutes for any meeting shall include all motions that were put to a vote and whether the motion was carried or defeated.

Questions to be Arranged Sequentially

59C. Resolutions and motions shall be recorded in the minutes in chronological order using an alphanumeric system that includes the meeting type and year that the resolution or motion was introduced for consideration.

Mover and Seconder to be Recorded

59D. The mover and seconder of each motion and resolution shall be recorded in the minutes by surname.

Minutes to Include Written Records

59E. Any written reports or other records that were made available with respect to a decision of the Board shall be attached to the minutes of that meeting.

Division on a Question

- 59F. The minutes will record the names of those directors who voted in opposition to any question put before the assembly.

PART 8: CLOSED MEETINGS**Closing Meeting to the Public**

60. The Board may close a meeting to the public upon adoption of a resolution pursuant to Section 92 of the *Community Charter*, following which the doors to the meeting chamber shall be closed to the general public.

Attendance by Directors

61. A director may only be excluded from a closed meeting pursuant to Section 133 of the *Community Charter*.

Attendance by Others

62. The Chair is authorized to determine the officers, employees and others permitted to be present during a closed meeting or a part of a closed meeting, and shall advise the Board verbally or in writing at the appropriate time. The Chair's determination under this provision is subject to a contrary decision by the Board.

Electronic Privacy

- 62A. If a member is participating electronically in a closed session the member must confirm that there are no other persons present at their physical location such that the confidentiality of the meeting could be compromised.

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Procedure in Closed Meeting

63. While in a closed meeting the procedures set out in this bylaw shall, to the extent possible, be followed by the Board in the conduct of its business.

Release of Information

64. While in a closed meeting the Board may authorize the release of information considered or decisions made in the closed meeting or in a previous closed meeting upon adoption of a resolution "*THAT the matter of _____ be released to the public*".

Meeting Re-opened to the Public

65. The Board may re-open the meeting to the public upon adoption of a resolution "*That the Board rise from its closed session*".

PART 9: BYLAWS**Terms Defined**

66. In this Part the following definitions will apply:
"amendment bylaw" means a bylaw which amends, or proposes to amend, another bylaw.

“**bylaw**” includes an amendment bylaw.

“**enacting clause**” means the clause which cites the authority for enactment of a bylaw and which is contained in the preamble to the bylaw.

“**first reading**” means the act of accepting a proposed bylaw for further consideration.

“**long title**” means the title which explains the purpose of the bylaw and which is located immediately following the bylaw number.

“**short title**” means the bylaw name authorized in the citation.

Format & Standards

67. All bylaws shall be presented in written form and shall include a unique identification number, long title (intended object), enacting clause, operative provisions and short title (citation). Bylaws which have been provided to each director in advance of the meeting need not be read aloud. Bylaws shall comply with such corporate standards as may be approved from time to time.

Introduction and First Reading

68. (1) No bylaw shall be introduced to the Board except in accordance with a corporate policy or a Board directive, or to comply with a statutory requirement.
- (2) Every bylaw shall be introduced by its long title and presented for first reading upon the motion “*THAT Bylaw No. _____, being a bylaw to (intended object) be now introduced and read a first time*”. The motion for first reading shall be decided without amendment or debate. If the motion for first reading fails to pass the bylaw is defeated and may not be considered further.

Second Reading

69. (1) Following first reading it shall be in order for the Board to amend the bylaw prior to consideration of second reading.
- (2) The bylaw may then be read a second time upon the motion “*THAT Bylaw No. _____ be given second reading*” or “*THAT Bylaw No. _____ be given second reading, as amended*”. If the motion for second reading fails to pass the bylaw is defeated and may not be considered further.

Public Consideration of Bylaw

70. Following second reading a motion to hold a public consideration on the bylaw shall be in order.

Third Reading

71. Following the public consideration or, if no public consideration is to be held, immediately after second reading the Board may consider amendments to the bylaw. The bylaw may then be read a third time upon the motion “*THAT Bylaw No. _____ be given third reading*” or “*THAT Bylaw No. _____ be given third reading, as amended*”. If the motion for third reading fails to pass the bylaw is defeated and may not be considered further.

Bylaw Approval

72. Following third reading of a bylaw it shall be submitted to any person or agency from which approval or consent is required or to the electors for assent, or to both, prior to reconsideration by the Board. No amendments to a bylaw shall be permitted following third reading.

Final Passage and Adoption

73. Following the receipt of all required assents, consents and approvals, a bylaw may be adopted upon the motion "*THAT Bylaw No. _____, being (short title) be now reconsidered, finally passed and adopted*". If the motion for adoption fails to pass the bylaw is defeated and may not be considered further.

Bylaw Rules

74. (1) A motion to read, amend or adopt a bylaw may not be combined with any other motion with the exception that second reading and third reading of a bylaw may be given concurrently upon the motion "*THAT the rules be suspended and Bylaw No. _____ be given second and third readings*".
- (2) Deleted
- (3) With the exception of a motion for third reading, no motion to read or adopt a bylaw may be rescinded. If third reading is rescinded, a further motion to rescind the rescinding motion shall be out of order.
- (4) An amendment bylaw may not be amended after its adoption.

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PART 10: PUBLIC CONSIDERATIONS**Term Defined**

75. In this Part "**proponent**" means the person requesting that the Board approve a resolution, reconsider a decision or, as the context requires, the owner of property which is the subject of the public consideration.

Presiding Official

76. The Chair shall preside over all public considerations except where the Board has delegated the authority for the holding of a public consideration to another director or group of directors.

Precedence Over Other Business

77. Public considerations shall be conducted according to a pre-determined schedule and shall take precedence over all other regular business. The Chair may close, recess or adjourn another proceeding in order to give effect to this provision.

Public Consideration Process

78. (1) At the appointed time the Chair shall declare the public consideration to be open and the following procedure shall apply, if applicable;
- (a) verbal report by staff
 - (b) presentation by proponent

- (c) questions of proponent by directors
- (d) submissions and presentations from the public
- (2) Written submissions received prior to the opening of the public consideration will be made available for viewing at the public consideration and will be incorporated into the official record of the proceedings. Written submissions presented at the public consideration may be read aloud by the presenter or by staff.
- (3) When there is more than one member of the public who wishes to make a presentation the Chair shall determine the order in which they will speak. Each person will be required to identify themselves and state the nature of their interest in the public consideration before making a presentation.
- (4) With leave from the Chair, directors may ask questions of any person making a presentation or submission.

Close of Public Consideration

79. The Chair shall close the public consideration when satisfied that all persons having an interest in the subject matter of the proceeding have been provided an opportunity to submit information or make a presentation. Any motion to close or recess the public consideration, to make a decision on the subject matter of the public consideration, or to otherwise limit the Chair's authority while presiding over a public consideration shall be out of order.

Process Following Public Consideration

80. Following the closing of the public consideration the normal rules of debate shall apply.

PART 11: DELEGATIONS AND PRESENTATIONS**Delegation Requests**

81. In order to be placed on a meeting agenda, requests from persons and organizations wishing to make a presentation to the Regional Board must be made in writing and received by the corporate officer prior to publication of the agenda for the meeting at which the delegation wishes to appear. The purpose or subject matter of the presentation must be clearly described.

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- 81A. Requests by directors or alternate directors to appear as a delegation will not be considered.

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Committee Review

82. Delegations will be scheduled to appear at a meeting of the appropriate committee or, if there is no appropriate committee, at a meeting of the Regional Board.

Late Requests

83. Delegation requests which are received after publication of the meeting agenda will be tentatively scheduled but no presentation will be permitted unless authorized by resolution of the Board or committee.

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Proceedings Must Not Be Compromised

84. Delegations which would compromise the integrity of a public hearing or which would preclude fair and reasonable consideration of any matter by the Board shall not be permitted.

Time Limit for Presentations

85. Delegations shall be limited to 10 minutes unless an extension is granted by resolution of the Board.

Directors May Question Delegates

86. The provisions of section 78(4) apply following presentation by a delegation and the Chair will determine the length of time allowed for questions by members.

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PART 12: COMMITTEES**Terms Defined**

87. In this Part “**terms of reference**” means a written description of a committee’s purpose and objectives.

Quorum

88. The quorum for any committee shall be a majority of the members of that committee.

Establishment of Standing Committees

89. The establishment of a standing committee and the appointment of its members shall be effective when the Chair has so advised the Board in writing.

Terms of Reference

90. No standing committee appointed by the Chair or select committee appointed by the Regional Board may take up business until the Terms of Reference for that committee have been approved by the Regional Board.

Preliminary Matters

91. As an exception to section 91 (*Terms of Reference*) a committee may meet to elect a Committee Chair from among its members or to make recommendations on its Terms of Reference.

Voting at Committee Meetings

92. All acts authorized or required to be done by a committee and all other questions that may come before the committee, including adjournment, shall be done and decided by a majority of the committee members present at a meeting and entitled to vote. No committee member may have more than one vote on any matter before the committee.

Committee Reports

93. Committee Chairs shall be responsible for reporting the recommendations and other findings of their committee to the Regional Board. Wherever practical such reports shall be in writing.

Decisions Not Binding

94. No recommendation or decision of a committee, except the election of a Committee Chair, shall be binding until it has been accepted and approved by the Regional Board.

Application of Other Provisions

95. All provisions of this bylaw shall, with necessary changes, apply to committees, committee members and committee meetings except:

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- (a) Paragraphs (1)(i) and (1)(m.1) of section 22
- (a.1) Part 14 (Joint Meetings and Other Proceedings)
- (b) the time limit under section 25 (*Lack of Quorum*) shall be 15 minutes; and
- (c) in the case of a committee comprising less than 4 members, the Committee Chair may accept a motion that has not been seconded.

PART 13: COMMITTEE OF THE WHOLE**Establishment**

96. A committee is hereby established to be known as the Committee of the Whole. The Committee shall comprise all of the members on the Board.

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Quorum

97. The quorum for the Committee shall be the same as that established for the Board.

Purpose and Mandate

98. The Committee of the Whole is authorized to informally consider the merits, principles and implications of a proposed action or other matter prior to consideration by the Board. The Committee may consider and advise the Board on any matter referred to it by the Board but may not exercise any of the Board's authority unless such authority has been delegated by bylaw.

Convening Meetings

99. Whether scheduled or not, the Board may convene the Committee of the Whole at any time upon adoption of a resolution "*THAT the Board proceed into Committee of the Whole*", at which time the Committee shall be deemed to be called to order.

Status of Board Meeting

100. While in Committee of the Whole the Board proceedings shall be considered suspended until such time as the Committee meeting is terminated. No motion to recess, adjourn or otherwise govern the proceedings of the Board shall be in order while the Committee is in session.

Rise and Report

101. The Committee of the Whole may terminate its proceedings at any time upon adoption of a resolution *“THAT the Committee rise and report to the Board”*.

PART 14: JOINT MEETINGS AND OTHER PROCEEDINGS**Term Defined**

102. In this Part **“joint meeting”** means an informal meeting at which a quorum of Board directors meets with another group to consider matters of mutual interest.

Joint Meetings

103. The Chair may preside over a duly called joint meeting but the making of decisions by voting shall be out of order. Following the joint meeting the Chair may introduce an item of business for consideration by the Board and the normal rules of procedure shall apply.

Electronic Participation at Special Meetings

104. The holding of a special Board meeting is hereby authorized in accordance with *B.C. Reg 271/2005 (Regional District’s Electronic Meetings Regulation)* where:

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- (a) it is impractical to hold the meeting in the usual manner,
- (b) the Chair believes that there is some urgency involved and that the public interest will be served by holding such a meeting,
- (c) the only matters that will be considered at the meeting are those items of business which have been included on the agenda distributed in advance of the meeting, and
- (d) there is sufficient time for the corporate officer to make the necessary arrangements to hold the meeting.
- (e) *[Deleted]*

Electronic Participation at Regular Meetings

- 104A. Provided at least one member is physically in attendance, members may choose to attend meetings in person or by electronic means but may not attend part of a meeting in person and another part of the same meeting by electronic means.

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Electronic Participation Subject to System Capacity

- 104B. Electronic participation in a regular or special meeting is subject to limitations imposed by technology and the Chair is authorized to determine which members will be permitted to participate electronically in the event demand exceeds system capacity.

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PART 15: REPEAL AND TRANSITION**Effective Date**

105. This bylaw shall come into effect on the day after its adoption.

Repeal

106. Bylaw No. 2991, being Regional District Procedure Bylaw 2007 is repealed.

Citation

107. This bylaw may be cited for all purposes as Bylaw No. 1, being Regional Board Procedure Bylaw 2011.

-End-