

BYLAW NO. 337	
Bylaw name:	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014
Participants:	Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North), Electoral Area 'C' (Puntledge – Black Creek)
Purpose:	A bylaw to establish the rural Comox Valley official community plan
Amends bylaw:	N/A
Repeals bylaw:	2042
Staff contact:	Ann MacDonald, general manager of planning and development

STATUS	
Approval history:	<p>Electoral areas services committee, August 11, 2014:</p> <p>THAT the draft Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” as amended by the resolutions approved at the August 11, 2014 electoral areas services committee meeting be forwarded to the regional board for first and second reading.</p> <p>AND FURTHER THAT the board direct that Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” be forwarded for formal referral process from August 27, September 19, 2014, in accordance with section 879 of the Local Government Act;</p> <p>AND FINALLY that a special electoral areas services committee meeting be held Monday September 29, 2014, to consider referral comments.</p> <p>Board, August 26, 2014:</p> <p>Bylaw given first and second readings and formal referral process commenced. Formal referral process to conclude September 19, 2014.</p>

	<p>Electoral areas services committee, September 29, 2014:</p> <p>THAT the board confirm that the consultation process pursuant to section 879 of the Local Government Act and the First Nation consultation procedure approved by the board on May 1, 2012 for Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” has been concluded successfully and now deemed complete;</p> <p>AND FURTHER THAT Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” be amended at second reading to incorporate the changes resulting from the formal referral period and as illustrated in the staff report dated September 26, 2014;</p> <p>AND FURTHER THAT the changes as noted at the special EASC meeting held on September 29, 2014 be incorporated into Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” as follows:</p> <ul style="list-style-type: none"> - amend section 5(9) to read "Encourage identification, protection and restoration of priority ecological area and wildlife corridors to increase resilience of the natural environment such as K'ómoks Estuary, Trent River system, coastal sand dunes and other priority ecological areas"; - add section 5(10) as follows: "Implement measures through development approval information requirements and new development permit guidelines" and renumber remainder of section accordingly; and - add the word "not" in section 40(2) as follows; "Consider new institutional uses following an assessment of the use with the goals, objectives and policies of the applicable OCPs of adjacent municipalities. Require proposals to demonstrate that the proposed use will not add pressure to local servicing and infrastructure." <p>AND FINALLY THAT Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” proceed to public hearing.</p>
<p>1st & 2nd readings:</p>	<p>August 26, 2014</p>

<p>Board approval:</p>	<p>Bylaw amended at 2nd reading on October 21, 2014 to</p> <ul style="list-style-type: none"> - incorporate the changes resulting from the formal referral period and as illustrated in the staff report dated September 26, 2014 and as approved at the September 29, 2014 electoral areas services committee - not have the bylaw apply to the lands legally described as PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15) PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 15, LNDDST 15) and PID 028-915-194 (roll no. 771 05768.145; Plan 552G, Sect 15, LNDDST 15) (the lands), thereby resulting in Bylaw No. 2042 continuing to apply to the lands.
<p>2nd reading as amended:</p>	<p>October 21, 2014</p>
<p>Public hearing:</p>	<p>November 3, 2014</p>
<p>3rd reading:</p>	
<p>Final adoption:</p>	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 337

A bylaw to establish the rural Comox Valley official community plan

WHEREAS the Comox Valley Regional District board delivers planning and land use management in Electoral Area ‘A’ (Baynes Sound, excluding Denman and Hornby Islands), Electoral Area ‘B’ (Lazo North) and Electoral Area ‘C’ (Puntledge – Black Creek) under part 26 of the Local Government Act;

AND WHEREAS the board may, by bylaw, adopt one or more official community plans as a statement of objectives and policies to guide decisions on planning and land use management under division 2 of part 26 of the Local Government Act;

AND WHEREAS the board desires to adopt an official community plan for Electoral Area ‘A’ (Baynes Sound, excluding Denman and Hornby Islands), Electoral Area ‘B’ (Lazo North) and Electoral Area ‘C’ (Puntledge – Black Creek);

AND WHEREAS the board has

- considered the plan in conjunction with its financial plan and waste management plans
- considered the consultation matters set out in section 879 of the Local Government Act and carried out such consultation under that section as the board considered appropriate
- consulted with the board of trustees of School District #71 and sought the board’s input on the matters set out in section 881(2) of the Local Government Act
- referred the plan to the Provincial Agricultural Land Commission for comment and
- held a public hearing on the proposed official community plan

AND WHEREAS each reading of this bylaw has received an affirmative vote of a majority of all directors entitled to vote on the bylaw;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Official community plan

1. (1) Pursuant to division 2 of part 26 of the Local Government Act, the official community plan forming schedule “A” to this bylaw is adopted as the rural Comox Valley official community plan for Electoral Areas “A” (Baynes Sound not including Denman and Hornby Islands), “B” (Lazo North), and “C” (Puntledge – Black Creek) of the Comox Valley Regional District.
- (2) Where matters included in this bylaw are beyond the regulatory jurisdiction of the Comox Valley Regional District board, such matters shall be interpreted as broad objectives of the board pursuant to section 878(2) of the Local Government Act.

- (3) This bylaw applies to all lands as noted in section 1(1) except in relation to those properties legally described as:
- PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15);
 - PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 15, LNDDST 15); and
 - PID 028-915-194 (roll no. 771 05768.145; Plan 552G, Sect 15, LNDDST 15)
- and as shown on map 6 of schedule "A" to this bylaw.

Repeal

2. Bylaw No. 2042 being Rural Comox Valley Official Community Plan Bylaw No. 2042, 1998 is repealed upon adoption of this bylaw except in relation to those properties legally described as:
- PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15);
 - PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 15, LNDDST 15); and
 - PID 028-915-194 (roll no. 771 05768.145; Plan 552G, Sect 15, LNDDST 15)
- and as shown on map 6 of schedule "A" to this bylaw.

Citation

This Bylaw No. 337 may be cited as the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014".

Read a first and second time this	26th	day of	August	2014.
Amended at second reading this	21st	day of	October	2014.
Read a second time as amended this	21st	day of	October	2014.
Public hearing held this	3rd	day of	November	2014.
Read a third time this		day of		2014.
Adopted this		day of		2014.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 337 being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014" as adopted by the board of the Comox Valley Regional District on the _____ day of _____ 2014.

Corporate Legislative Officer

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Part 1: Community vision and context, population, demographic and housing projections

Community vision:

1. This official community plan (OCP) is an expression of shared community values and goals. It contains a set of policies that inform community members, developers, real estate agents, approving authorities, and elected officials of the goals and objectives of rural residents of the Comox Valley, together with policy direction about what types of future development are acceptable. It, along with the Comox Valley regional growths strategy (RGS), is a principal legislative tool for guiding future growth and change in the three electoral areas of the Comox Valley regional district.

The Comox Valley regional district (CVRD) is a federation of the three municipalities of the City of Courtenay, the Town of Comox and the Village of Cumberland and the three electoral areas of Area A, Area B and Area C. Located in central Vancouver Island, British Columbia, extends its southern boundary at Cook Creek north to Oyster River, west to Strathcona Park, and east to the Lambert Channel of the Pacific Ocean, as far as Denman and Hornby Islands. This OCP addresses land use policy for all lands within the CVRD’s boundaries, except:

- Lands within the municipal boundaries of Comox, Courtenay, and Cumberland,
- Denman and Hornby Islands, which are under the land use planning jurisdiction of the Islands Trust,
- Lands within the jurisdiction of the K’ómoks First Nation.

The OCP applies primarily to lands within the electoral areas including electoral area settlement nodes, rural settlement areas, and resource lands, but it also applies to the surface of the waters along the coastline of the CVRD. There is jurisdictional overlap:

- Along the coastline, with Fisheries and Oceans Canada, the provincial Integrated Land Management Bureau, and the K’ómoks First Nation
- On the waters between Denman and Hornby Islands and Vancouver Island, supported by a protocol agreement between the Islands Trust and the CVRD; and
- On the waters of the K’ómoks Estuary. The K’ómoks Estuary management plan is currently in draft form. Following formal sign off by all affected jurisdictions, a final K’ómoks Estuary management plan seeks to harmonize the roles and responsibilities of affected parties.

The lands and waters of the OCP are shown in map 1.

2014 OCP update: context

2. OCPs are reviewed regularly to respond to changing circumstances, and in response to new issues. To remain relevant, an OCP needs to reflect and respect what is important to the community residents. In the case of the CVRD, the 2014 review and update was required primarily to align the policies within the document to those in the 2011 RGS.

This plan builds on the foundations laid by earlier planning documents. Several underlying principles have influenced its preparation. These include:

- Sustainability targets and objectives, as contained in the 2011 CVRD sustainability strategy and the RGS. This includes maximizing use of resources, staying within the limits of natural systems, restoring the damage to natural systems and building a strong, vibrant economy
- Nurturing and providing for new transportation in a socially, economically and environmentally responsible way
- Building partnerships in order to share responsibility for maintaining, preserving, and rehabilitating a high quality of life and for addressing issues collaboratively

As part of the 2014 OCP update, local area plans will be prepared for each of the three settlements nodes as identified in the RGS: Union Bay, Saratoga Miracle Beach, and Mount Washington. The Mount Washington local area plan is attached as appendix D to this OCP.

This plan has been completed in accordance with part 26 of the *Local Government Act*.

Population, demographic and housing projections

3. Population in the CVRD is projected to rise 31% from 2011 to 2031, mostly due to in-migration. The proportion of people aged 65+ (19%) is larger than for BC as a whole and projected to rise to 29.6% from 2011 to 2031. Median age is increasing rapidly as the population ages and new seniors move to the CVRD. ¹ Housing will be required to accommodate population growth. To meet the projected demand in the next 20 years a 22% increase is needed, or about 432 new dwellings units per year added to the 30,156 existing homes (table a). Projected population growth in Areas A, B and C is 0%, and it is this area that is of direct relevance for the policies included within this plan. These projections suggest there is a very limited need for increased housing in the rural areas.

Statistical Summary	Population		Proportion aged 65+		Housing
	CVRD	Areas A, B, C	CVRD	Areas A, B, C	CVRD
2011 Actual	63,538	22,163	22%	19%	31,156
2021 Projection	73,341	22,165	27%	n/a	4,300 (new)
2031 Projection	82,976	22,168	28%	n/a	4,226 (new)
Increase in 20 years	30.59%	0.02%	29.6%	n/a	22%
Increase in 20 years	19,438	5	9,557		8,526

TABLE 1) STATISTICAL SUMMARY POPULATION, DEMOGRAPHICS AND HOUSING (CENSUS, NHS)

¹ These projections, prepared independently by Reed Early (an associate with IPS Island Planning Services), reflect the general trends identified in the CVRD’s regional growth strategy, and are supported by the projections prepared by VIHA, for the Courtenay local health area (same geographic boundaries as the CVRD), which indicate that the population is projected to increase 32.2% by 2030 and the population aged 75+ by 92.8% (VIHA).

Population projections area

The plan area includes the electoral of the CVRD as well as the settlement nodes of Saratoga Miracle Beach, Union Bay, and Mount Washington, shown on figure 1 as follows.

- Area A - Baynes Sound-Denman/Hornby Islands electoral area, which includes the communities of Denman Island, Fanny Bay, Hornby Island, Royston, and Union Bay
- Area B - Lazo North electoral area including Balmoral Beach, Bates Beach, Little River, Grantham, and Sandwick
- Area C - Puntledge/Black Creek electoral area including Bevan, Black Creek, Headquarters, Merville, Puntledge, Saratoga Miracle Beach, and Williams Beach

The following statistics provide factually based projections² for updating the OCP for the CVRD.

Indian reserves, which come under different census tabulations, are excluded, as are (in some instances) Denman and Hornby Islands, which have their own planning processes outside of the CVRD.

This plan has adopted a 20 year time horizon has been used in order for projections to be consistent with the CVRD regional growth strategy and the CVRD sustainability strategies, and the plan projections are until 2031, and are based on the data available from the 2011 Census.

Population projections are imperfect. They are only projections and they cannot factor in future influences of climate, economy, and migration. They also do not anticipate any new government initiatives in land use policies, development or housing. For that reason these population projections must be considered as best estimates.³

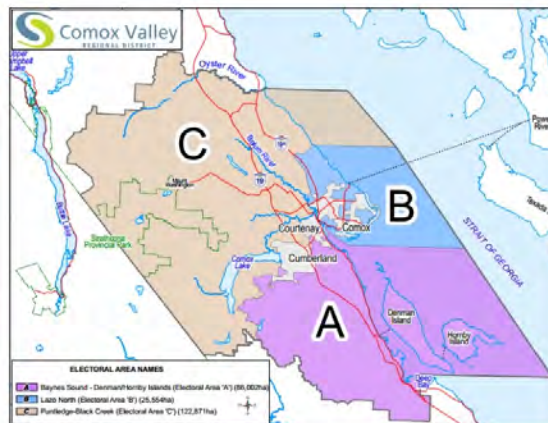


FIGURE 1 MAP OF CVRD AND AREAS

² A bibliography explaining the source of the information contained here is included as Appendix F. The projections are based on the most recent data releases from Canada Census Data Navigator, National Household Survey, Focus on Geography Series, Vancouver Island Health Authority, Census of Agriculture, P.E.O.P.L.E. 2013, and other sources.

³ Census 2006 data is not available for the CVRD, but for the Comox-Strathcona Regional District which existed pre 2008. This affects some population, demographic, housing and agriculture census tables.

POPULATION

Population in the CVRD is increasing in the three municipal areas. CVRD population rose by 4,056 (6.8%) from 2006 to 2011 due to growth in the municipalities (fig 2).

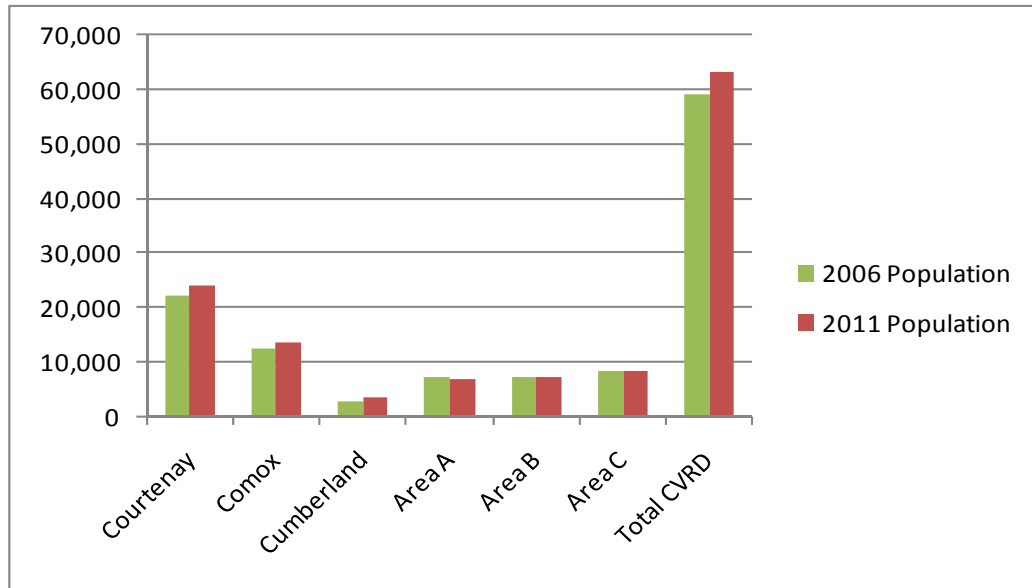


FIGURE 2 - CENSUS POPULATION 2006 AND 2011

The overall predicted population growth 2011-2031 in CVRD (30.59%) is higher than elsewhere on Vancouver Island (21.23%) and comparable to the Province of BC (31.47%) (table i). Population growth can be attributed to in-migration rather than natural increase, which is below replacement (-1% due to births minus deaths).

Projected 20 year growth is concentrated in the municipal areas of Courtenay, Comox and Cumberland (48.32%) and not in the rural areas (.02%). Areas A, B and C have collectively dropped in population from 24,800 in 1996 to 22,540 in 2011 (15 years).

Population Projections	Area A ⁴	Area B	Area C	Rural CVRD	CVRD	Municipal areas ⁵	Vancouver Island excl CRD	BC
2011 census	6,899	6,939	8,325	22,163	63,538	40,998	387,126	4,400,057
2021 projection	6,898	6,938	8,330	22,165	73,341	51,175	426,376	5,164,002
2031 projection	6,896	6,938	8,334	22,168	82,976	60,808	469,329	5,784,669
20 year increase	-0.04%	-0.02%	0.11%	0.02%	30.59%	48.32%	21.23%	31.47%

TABLE i) POPULATION PROJECTIONS (*CENSUS*)

⁴ Area A census data includes Denman and Hornby Islands

⁵ Includes Courtenay, Comox and Cumberland incorporated areas

DEMOGRAPHICS

The population of the CVRD is older than for the Province of BC, especially in rural areas. The median age for the population is rising.

Census 2011 results for CVRD (fig 3) show that unlike most population pyramids there is no large base in the lower age range, nor is it a smooth reduction as age increases. There is a bulge at age 15-20 and especially at 45-65, for both males and females. This baby boom, and its “echo”, will move up as the cohort ages. Although offset by births and deaths, it may create a roughly inverse pyramid in 20 years. In other words, it is the opposite of a conventional population pyramid, which has a large base of young people, indicating that the population will growth through births.

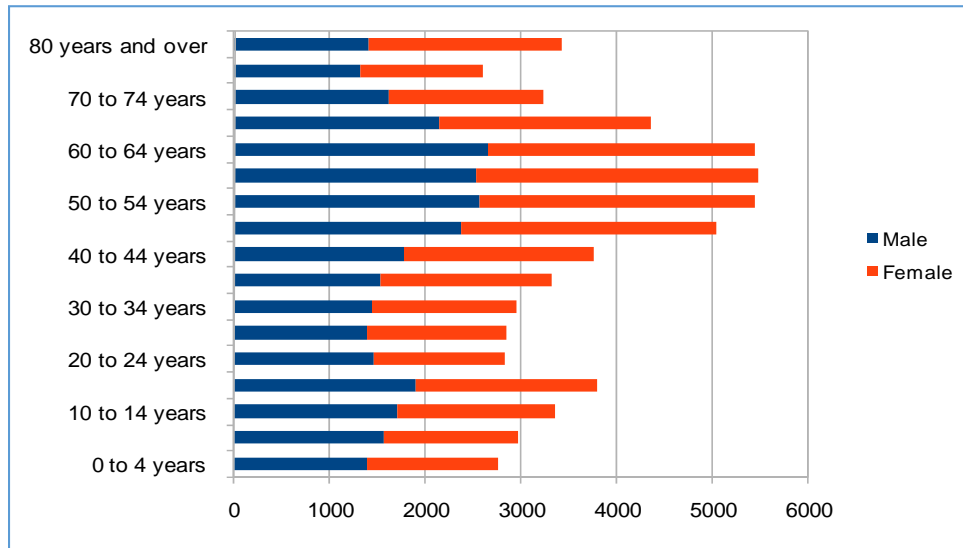


FIGURE 3 - 2011 POPULATION BY AGE AND SEX

The 2011 median age is highest in Area A (53.9) followed by Areas B and C. In every instance it went up during the five year interval (fig 4).

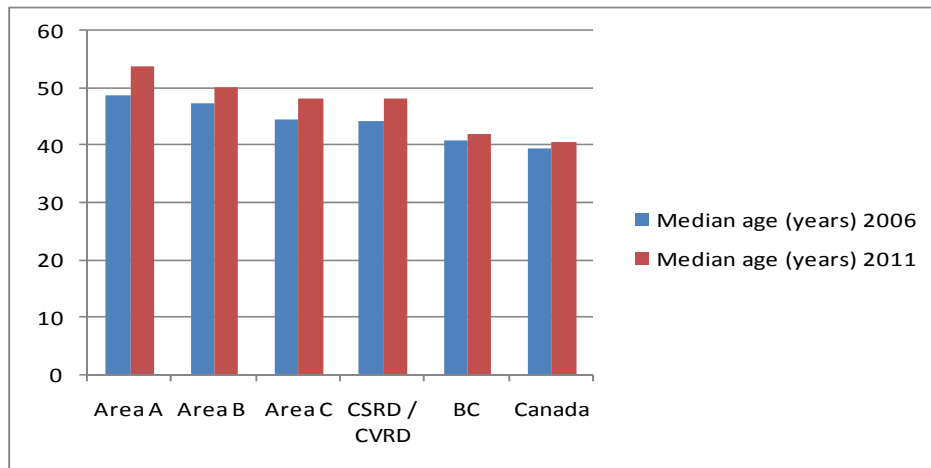


FIGURE 4 - MEDIAN AGE IS HIGH IN THE RURAL AREAS AND RISING

The median age in the CVRD rose four years between 2006 and 2011⁶. In Area A, it rose 5.2 years (table c). In other words, the population of the area is faster than the simple passage of time would indicate.

Median age		Area A	Area B	Area C	CSRD / CVRD	BC	Canada
Median age (years)	2006	48.7	47.4	44.4	44.3	40.8	39.5
	2011	53.9	50.1	48.1	48.3	41.9	40.6
Increase (years)		5.2	2.7	3.7	4	1.1	1.1

Table ii) Median Age (Focus on Geography Series, Census)

The proportion aged 65+ is projected to increase from 21% (2011) to 28% (2031). In 20 years the population of CVRD seniors (65+) is projected to rise from 13,813 to 23,370 (9,557 individuals), a 69% increase (table 4) (Census, P.E.O.P.L.E. 2013).

The senior dependency ratio is increasing rapidly (table d). The ratio of seniors (65+) per 100 people of working age (20-64) is projected to increase from 36.4 to 53.0 per 100 in 20 years. In other words, in 2011, there were approximately three working age people per senior. By 2031, it is anticipated that there will be approximately two working age people per senior.

Population Projections	CVRD Population Projections						Senior Dependency Ratio
	Youth (Age 0-19)	Worker (Age 20-64)	Senior (Age 65+)	% of Population <19	% of Population 20-64	% of Population 65+	
2011	13,035	37,998	13,813	20%	59%	21%	36.4
2021	13,667	40,198	19,476	19%	55%	27%	48.5
2031	15,530	44,076	23,370	19%	53%	28%	53.0
change	2,495	6,078	9,557	n/a	n/a	n/a	16.6
% change	25%	15%	69%	-7%	-9%	32%	46%

TABLE iii) POPULATION PROJECTIONS AND DEPENDENCY RATIOS

Increased senior dependency impacts regional income, productivity, and tax bases. Public investments in health, recreation, transportation and other services are also generally required.

HOUSING

Most CVRD residents own their single detached homes, rather than rent, at rates that are higher than elsewhere in BC. The rural areas are particularly strong on ownership. Housing in the CVRD is more affordable compared to the province as a whole, which may contribute to the high rates of home ownership. The percentage of home owners (77.7%) is higher than in BC as a whole (70%) and higher still for Areas A, B and C (table e).

Housing tenure	Area A	Area B	Area C	CVRD	BC	Canada
	%	%	%	%	%	%
Owned	85.7	87.4	85.8	77.7	70.0	69.0
Rented	14.3	12.6	14.4	22.3	29.8	30

TABLE iv) HOUSING TENURE

⁶ Median age (50th percentile) is preferred over mean (arithmetic average) as it is not influenced by outliers.

Areas A, B and C are almost exclusively single family detached home with a few semi-detached, row houses, duplexes, and apartments. Similarly, the CVRD has predominantly single detached housing stock but more apartments, semi-detached houses and row houses (table f).

In Area A, the housing ratio is extremely low, with an average of 1.72 people per dwelling. In Areas B & C, the ratio is comparable to the CVRD as a whole, with slightly more than two people per dwelling on average ([GeoDepot BC Stats](#)).

Population and dwelling counts	Area A	Area B	Area C	CVRD	Van Island/Coast	BC
Population	6,899	6,939	8,325	63,538	759,366	4,400,057
Total private dwellings	4,001	3,116	3,854	30,156	369,462	1,945,365
Housing ratio (persons/dwelling)	1.72	2.23	2.16	2.11	2.13	2.26
Private dwellings occupied by usual residents	3,223	2,912	3,373	27,885	333,360	1,764,637
Single-detached houses	2,995	2,450	3,045	19,360	193,275	842,120
Semi-detached houses	40	25	20	2,280	13,860	52,825
Row houses	15	5	0	1,395	17,660	130,365
Apartments or flats in a duplex	35	50	40	560	27,450	184,355
Apartments in a building with <5 storeys	15	50	20	3,040	60,205	361,150
Apartments in a building with 5+ storeys	0	5	5	10	10,050	143,970
Other dwellings⁷	125	335	250	1,250	10,855	46,960

TABLE v) POPULATION AND DWELLING COUNTS

Dwellings in Areas A, B, and C tend to be older than in CVRD as a whole. For instance houses built before 1981 comprise 51% of Area C but 42% regionally and 47% provincially (table g) ([NHS](#)).

Housing by Year Built	Area A	Area B	Area C	Total A B C	CVRD	BC
1960 or before	17%	15%	12%	15%	13%	16%
1961 to 1980	29%	33%	39%	34%	29%	31%
1981 to 1990	25%	22%	23%	23%	18%	17%
1991 to 2000	16%	19%	19%	18%	23%	19%
2001 to 2005	7%	5%	4%	5%	8%	8%
2006 to 2011	6%	7%	4%	6%	10%	9%

[National Household Survey data footnote100](#)

TABLE vi) HOUSING BY YEAR BUILT

The condition of dwellings (Courtenay local health area) and their state of repair tends to be good, and on par with conditions in BC. Generally, dwellings are not crowded or in need of major repair ([VIHA](#)) ([NHS](#)).

⁷ Includes other single-attached houses, as well as movable dwellings like mobile homes, float homes, and live aboard boats.

Housing tends to be more affordable in the CVRD than elsewhere in the province, particularly for home owners. Households that paid 30% or more of household total income toward shelter costs were lower in the CVRD (24.1%) than for BC (30.3%). This was considerably lower for owners compared to renters (NHS). Owner households paid less for shelter in CVRD (\$907) than in BC (\$1,228). The average monthly shelter cost for CVRD renters (\$863) was lower still, although rents in Area B were unusually high (table h) (fig 5) (NHS). Nevertheless, housing affordability remains an issue for 24% of households in the region. It is unclear whether this is more of an issue in the rural areas, or in the urban areas.

Housing Affordability	Housing tenure	Area A	Area B	Area C	CVRD	BC	Canada
Households spending 30% or more of 2010 total income on shelter costs (%)	Total	18.8	21.6	20.2	24.1	30.3	25.2
	Owner	16.1	17.0	16.7	16.9	23.8	18.5
	Renter	33.7	52.1	41.1	49.0	45.3	40.1
Average monthly shelter cost (\$)	Total	793	920	918	n/a	1,156	1,050
	Owner	818	897	939	907	1,228	1,141
	Renter	645	1,074	796	863	989	848

TABLE vii) HOUSING AFFORDABILITY

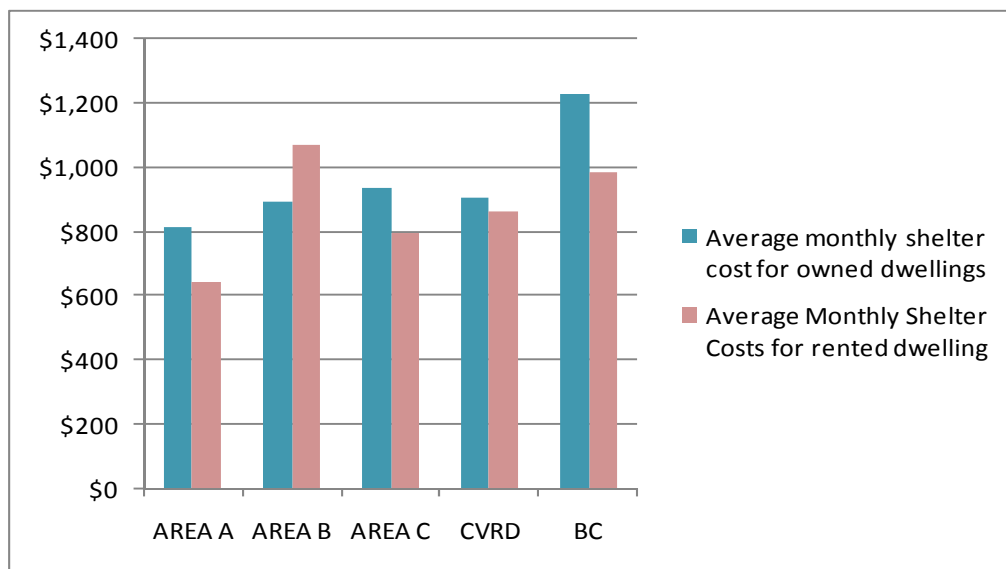


FIGURE 5 - AVERAGE MONTHLY COSTS

Based on projected CVRD population increases of 30% in 20 years more dwellings are needed in the municipal areas. At existing rates of persons per dwelling the CVRD requires 9,226 more dwellings by 2031, or about 432 per year⁸ (table i). NOTE: The figures presented for Areas A, B & C, exclude the demand for units in the settlement nodes, which the RGS classifies as designated growth areas.

⁸ Schedule ‘A’ Comox Valley Regional Growth Strategy Bylaw No. 120, 2010

Dwelling units	Existing or new	Area A	Area B	Area C	CVRD	BC
2011 Dwelling units	Existing	4,001	3,116	3,854	30,156	1,945,365
2021 Dwelling units ⁹	New	-0.8	-0.3	2.2	4,653	337,757
2031 Dwelling units	New	-1.7	-0.6	4.3	9,226	612,168
% increase 2011-2031		0.0%	0.0%	0.1%	30.6%	31.5%

TABLE viii) DWELLING UNITS PROJECTED

Population and housing is sparse throughout the rural areas except for the settlement areas. Much of Areas A and C is in agriculture or resource land (forest), while Area B has more limited agricultural and resource lands. Therefore the population density in Area B is considerably higher than Areas A or C.

Housing 2011	Area A	Area B	Area C	Areas ABC	CVRD	Van Island/ Coast	BC
Pop density per sq. km	14.0	122.3	7.7	13.7	37.4	9	4.8
Area (sq. km)	493	57	1075	1,624	1,701	84,231	922,509
Dwelling units	4,001	3,116	3,854	10,971	30,156	369,462	1,945,365
Dwelling units per sq. km	8.12	54.67	3.59	6.76	17.68	4.39	6.76

TABLE ix) POPULATION AND HOUSING DENSITY 2011

Settlement node growth projections

An anomaly exists with population projections in the settlement nodes of Saratoga Miracle Beach and Union Bay in that two master development agreements (MDA) are currently in place to support lot development that is well in excess of the population projections noted above.

In the Union Bay settlement node the Kensington Island Property MDA allows for upwards of 3,000 mixed residential and commercial lots. In the Saratoga Miracle Beach settlement node, the Saratoga Beach Estates MDA provides for 143 new residential lots. These densities are recognized as anomalies in light of current population projections as they reflect in-place agreements that predate population projections considered in this plan.

⁹ These calculations are based on population projections, divided by current number of persons per dwelling. These will vary with a different type of housing, besides single detached homes.

Part 2: Regional objectives and policies

The following regional policies apply to all decisions and land use designations within this official community plan. They are intended to augment the specific land use policies included within part 3.

Natural environment – objectives

4. (1) To identify and protect unique natural features and characteristics of the Comox Valley.
- (2) To protect and restore natural systems, physiographic areas, threatened sensitive ecosystems and environmentally sensitive areas.
- (3) To protect the quality of air, land, and water, and through stewardship, maintain the quantity of ground water and surface water.
- (4) To protect, restore and enhance coastal shorelines, streams, wetlands and the marine environment.
- (5) To consider impacts of a development application on the hydrology at a watershed scale.
- (6) To ensure all developments within drinking water supply watersheds and recharge areas are reviewed within the context of the precautionary principle.
- (7) To implement rainwater management practices and policies that preserve and restore the natural water balance during development and redevelopment in order to maintain and improve watershed health and protect downstream properties and infrastructure.
- (8) To maintain or restore the natural hydrological regime in CVRD watersheds, including natural rates of surface runoff, infiltration to shallow groundwater (interflow) and infiltration to deep groundwater with an aim, where possible, to restore the regime to its proper functioning condition.
- (9) To ensure the on-site hydrology, including surface runoff, interflow and groundwater, is maintained.
- (10) To control future development in a way that maintains and/or enhances significant groundwater recharge and prevents undesirable groundwater level decline and reduction in base flow to watercourses.
- (11) To implement practices that support resilient natural systems that can better adapt to pressures resulting from climate change.
- (12) To manage development and construction activity to prevent sediment loading to receiving watercourses, K’ómoks Estuary, the marine environment and the sea.
- (13) To foster shared responsibility among all levels of government and the community, for protecting and restoring watershed, estuary and coastline health.

Natural environment – natural systems and biodiversity corridors policies

5. (1) Promote best management practices to protect natural systems, land forms, the marine environment and habitat.

- (2) Recognize aquatic habitats and resources as environmentally sensitive sites that need to be protected and restored.
- (3) Protect aquatic ecosystems, including riparian areas with tools such as the provincial riparian areas regulation, development permit area designations and guidelines and sound rain water management policies and practices.
- (4) Maintain an inventory of environmentally sensitive sites and protect them through development permit area designations and guidelines and development approval information areas.
- (5) Work in collaboration with other partners to encourage regular updates to the Sensitive Habitat Atlas.
- (6) Use design with nature principles for new development to reduce environmental, social and economic vulnerabilities and to build community and ecological resiliency.
- (7) Encourage practices that reduce the pollution of air, soil and water and that have beneficial effects on aquatic and terrestrial ecosystems, such as the preservation and planting of trees.
- (8) Encourage development proposals that include pre and post development measures in order to protect and preserve natural features that are recognized as significant including wooded areas, watercourses, groundwater recharge areas, valley lands and existing hedgerows.
- (9) Encourage identification, protection and restoration of priority ecological areas and wildlife corridors to increase resilience of the natural environment such as K’ómoks Estuary, the Trent River system, coastal sand dunes and other priority ecological areas.
- (10) Implement measures through development approval information requirements and new development permit guidelines.
- (11) Recognize and support the efforts of local non-governmental groups in promoting watershed, estuary and coastline health.

Natural environment – watershed management/protection policies

6. (1) Require an applicant to hire a qualified professional, where appropriate, to assess potential water quality and quantity impacts, and submit an on-site drainage report with recommendations to ensure the pre-development or natural hydrologic regime is maintained or restored by the development, prior to development approval.
- (2) Use rain water management techniques in the design and construction of new development to control quantity and quality of rain water runoff. The degree of control and techniques used will depend on the scale of development and the conditions in the downstream receiving water bodies in order to avoid adverse effects on the downstream aquatic environment and adjacent lands.
- (3) Request an enhanced level of rain water quality control for development sites draining into the marine environment and the K’ómoks Estuary, in order to protect important aquaculture areas and to maintain water quality in the Strait of Georgia.

- (4) Encourage water conservation through the adoption of low irrigation landscaping and discourage or prohibit the use of natural surface or ground water for non-agricultural irrigation or non-food producing irrigation.
- (5) Ensure the inclusion of rainwater management techniques in the design and construction of all new developments including retention of native vegetation, vegetated swales and pervious surfaces.
- (6) Consult any input from jurisdictions dependent on a given water supply, prior to approving a development within that watershed or water supply area.
- (7) Work with adjacent jurisdictions and other agencies to create opportunities for system based planning within natural ecosystems, over and above jurisdictional boundaries.
- (8) Require hydrological studies and watershed management plans to guide multi-lot development, including physiographic mapping, hydrological studies, integrated rainwater management plans, detailed mapping of sensitive ecosystems and consideration of linked ecosystem networks.
- (9) Recognize and support the efforts of partners and non-governmental groups in promoting watershed, estuary and coastline health.

Natural environment – surface water and ground water policies

7. (1) Protect watersheds and water sources by:
 - (a) Considering all development proposals using the principles of precaution, connectivity and restoration for initiatives within drinking water supply watersheds.
 - (b) Requiring appropriate professionals with expertise in the subject area, (e.g. aquatic ecologist, hydro geologist), to assess potential surface and ground water quality and quantity impact, and to recommend appropriate mitigation strategies, prior to approval of any development proposal.
- (2) Establish an aquifer protection development permit area for aquifers with community water supplies. The development permit area will include guidelines to address groundwater quantification, vulnerability and protection measures.
- (3) Encourage retrofitting of existing development and infrastructure, with an aim to preserve or restore the natural hydrologic regime of the watershed.

Sensitive ecosystems – objectives

8. (1) To participate in maintaining a mapped inventory of ecosystems and wildlife corridors considered rare and threatened or are considered as having high biodiversity values (priority ecological areas in order to protect them, including sites and ecosystems currently in the sensitive ecosystem inventory under the following categories: coastal bluffs, sparsely vegetated, terrestrial herbaceous, riparian, wetland, woodland and older forest. Other important categories in the inventory also include older second forest and seasonally flooded agricultural fields.

- (2) To reduce any further disturbance, reduction, fragmentation and loss to sensitive, rare and threatened ecosystems, as shown in map 2 in appendix A.
- (3) To improve protection of sensitive ecosystems.
- (4) To further map, update and ground-truth priority ecological areas, through collaboration with provincial and federal government agencies, CVRD municipalities, First Nation governments, private landowners and non-governmental organizations, and as part of the development process for individual properties.

Sensitive ecosystems – policies

9. Include provisions to protect and restore sensitive, threatened and rare ecosystems in the approval of any development application, per the 2014 sensitive ecosystems inventory, as amended from time to time, by way of development permit conditions, and submission of development approval information in accordance with policies included within this OCP.

Parks and greenway - objectives

10.
 - (1) To identify areas suitable for parks and greenways that meet the present and future needs of residents.
 - (2) To protect, preserve and restore where possible, sensitive ecosystems.
 - (3) To recognize the parks and greenway system as a vital part of the existing CVRD network of parks, open space, trails and recreational facilities.
 - (4) To improve and maintain public access to water bodies – lakes, streams and the foreshore.
 - (5) To ensure that access to water is provided for in all subdivisions as applicable.
 - (6) To protect private lands from public trespass by requiring clear identification of public lands where public access is encouraged.
 - (7) To provide for partnerships that help plan and implement a valley-wide parks and greenways network.
 - (8) To pursue activities that nurture community environmental stewardship, recreation, arts and culture and agriculture.

Parks and greenway - policies

11.
 - (1) Develop new parks and greenways in accordance with the Comox Valley parks and greenways strategic plan.
 - (2) In any situation where the CVRD accepts and manages land for parks and greenway purposes, by way of community amenities, public land dedications, donation of private lands or other any other process, give support and consideration to the vision, goals, objectives, policies and priorities of the rural Comox Valley parks and greenways strategic plan.
 - (3) Evaluate proposals for parkland acquisition not identified in the rural Comox Valley parks and greenways strategic plan using the criteria for park and greenway acquisition in that plan.

- (4) Accept lands intended for new trails in the rural settlement area adjacent to the marine environment, riparian, wetland, other aquatic areas or within the Comox Lake drinking water supply, and ensure management of those lands using best practices of stewardship for planning and design in sensitive areas.
- (5) Select lands obtained for parks in order to assist in achieving an interconnected trail and park system.
- (6) Keep open and map all road rights of way that provide public access to water, including lakes, streams and foreshore areas and, in collaboration with the Ministry of Transportation and Infrastructure (MoTI), in order to improve access, in areas where it does not compromise drinking water quality or sensitive ecosystems.
- (7) Work with senior government, utilities and crown corporations with respect to opportunities and appropriate agreements for trails and greenways to be developed on lands within their jurisdiction or control.
- (8) Ensure that plans for trail design, development, and management protect drinking water, environmental values and minimize the potential for land use conflicts.
- (9) During the planning and design of trails in an agricultural area, consult with the CVRD agricultural community advisory panel.
- (10) Encourage private owners of rural agricultural landscapes to voluntarily provide public access in order to support the area as an important privately owned green space, over and above any requirements that may apply through development approval.
- (11) Ensure that additional measures are taken where greenspace falls within the drinking water supply area as shown on map 3, appendix A.

Climate change - objectives

12. (1) To identify and understand risks associated with climate change and climate variability impacts including drinking water supply.
- (2) To meet energy and emission reduction targets.
- (3) To establish strategies to reduce greenhouse gas emissions from new development.
- (4) To identify the areas of high risk to climate change impacts within the CVRD.
- (5) To foster greater awareness and support public education and awareness regarding climate change impacts, mitigation and adaptation strategies.

Climate change – policies (mitigation)

13. (1) In accordance with Section 877 (3) of the *Local Government Act*, that requires an OCP to include targets for the reduction of greenhouse gas emissions as well as policies and actions of the local government to assist in achieving those targets, reduce greenhouse gas emissions in accordance with the following targets, as identified in the Comox Valley sustainability strategy (CVSS):

Greenhouse gas emission targets (using 2007 baseline data)	
Reduction target	Target year
33%	2020
50%	2030
65%	2040
80%	2080

- (2) Recognizing that the majority of greenhouse gas emissions are due to home heating and the use of fossil fuel burning automobiles, consider incentives such as density bonusing and community amenity contributions when:
- (a) developments utilize green building methods and technologies;
 - (b) car share options that reduce parking requirements, or other features that reduce the number of autos per household, are included as part of a subdivision or intentional community design;
 - (c) active modes of transportation are included within an intentional community design;
 - (d) the new development is located in a settlement node near existing services and transportation options; and
 - (e) a new comprehensive development project uses alternative technologies to reduce energy use and includes integrated strategies that work towards a net zero development.
- (3) Encourage proposals for renewable energy technologies that show compatibility with surrounding land uses and the environment by mitigating noise, vibration, visual impacts by distance separations, screening and buffering.

Climate change – policies (adaptation)

14. (1) Develop strategies to reduce the environmental, social and economic impact of sea level rise and increasing extreme storm surge events in coastal areas through development permit area designations and conditions and submission of development approval information in accordance with policies included within this OCP.
- (2) Work with stakeholders to complete an assessment of risk and susceptibility of the coastal areas to increasing sea level and extreme storm surge impacts.
- (3) Recognizing that increasing climate variability will result in more frequent and severe drought, consider the use of incentives such as density bonusing to promote water conservation design in new development, including when a developer proposes water conservation design measures such as:
- (a) composting toilets
 - (b) xeriscaping
 - (c) grey water reuse (i.e. purple pipe, irrigation)
 - (d) alternative rain water management for aquifer protection and recharge.

Natural hazard - objectives

15. (1) To identify hazard areas and their associated risks in order to develop resiliency strategies that can be implemented through the land development process.
- (2) To direct new development away from hazard areas.
- (3) To limit future development along watercourses and the sea where ongoing erosion threatens top-of-bank stability.
- (4) To ensure that new development does not create hazard areas.
- (5) To manage flooding concerns in a way that maintains or enhances fish habitat and other natural resource features.
- (6) To minimize the adverse impact of development on downstream watercourse erosion.
- (7) To create hazard resilient communities whereby people and natural systems can better withstand future stresses related to hazardous conditions.
- (8) To consider the impacts of any structural interventions on the natural processes related to a noted hazard.
- (9) To manage stream bank erosion in a way that maintains or enhances fish habitat and other natural resources.
- (10) To protect ecosystems, including tidal wetlands, by considering marine areas as systems in order to increase the area’s resiliency to coastal erosion and avoid unintended impacts.

Natural hazard - policies

16. (1) Do not permit new development in hazard areas, including mapped floodplains, steep slopes and areas of active erosion.
- (2) Permit land alteration, including tree removal, in proximity to hazard areas only when it can be demonstrated by a qualified professional that the land alteration will reduce a known hazard.
- (3) Permit structural interventions to forestall hazardous conditions only when it can be demonstrated by a qualified professional that there is an immediate threat to life or habitable structures. Incorporate best hazard management practice into such interventions to enhance the natural resilience of the hazardous feature.
- (4) Where publically owned protective infrastructure is deemed necessary by a qualified professional, require a design that is multi-functional and able to accommodate other infrastructure purposes such as improving the quality of the public realm, or enhancing natural systems.
- (5) Identify local land uses in order to assess the built environment for resiliency.
- (6) Work with land owners, government agencies and other agencies to map floodplain areas of the water bodies using up-to-date hydrological models to protect floodplains and minimize risks.
- (7) Explore facilitating managed retreat, as appropriate, of development in those areas prone to flooding and facing challenges due to sea level rise.

Economy and industry - objectives

17. (1) To encourage stewardship of the land while encouraging sustainable economic development based on the region’s natural resources.
- (2) To support people wanting to pursue a career and lifestyle in agriculture and/or aquaculture by removing barriers and supporting intact farm and aquaculture operations.
- (3) To promote and strengthen the long-term viability of renewable resource-based uses in the Comox Valley, including agriculture, aquaculture industries and forestry.
- (4) To provide young people with access to land for farming.
- (5) To encourage rural aging in place by allowing secondary dwellings, carriage houses, and cluster housing in the rural settlement areas.
- (6) To encourage economic activity that complements and supports the natural environment, culture, and rural geographic setting of the Comox Valley.
- (7) To promote a diverse economy that will offer jobs and/or business opportunities for young people wanting to stay or return to the electoral areas of the Comox Valley.
- (8) To recognize the importance of active recreational pursuits such as mountain biking, rock climbing, hiking, birding, canoeing, kayaking, diving, and other outdoor activities to the economy of the Comox Valley and pursue opportunities to map and promote significant recreational sites and important bird areas that are located in ecologically suitable areas.
- (9) To manage the interface between working landscapes and residential uses.
- (10) To ensure that mineral resource and aggregate extraction is undertaken in a manner that is consistent with the principles and objectives of sustainable development and protects the quality of life of residents in the regional district.
- (11) To ensure that mineral resource and aggregate extraction is undertaken in a manner that protects environmental features, ecosystems, surface and groundwater resources and significant wildlife habitat.
- (12) To ensure the progressive rehabilitation of pits, quarries and underground mines to an appropriate after-use, such as viable agricultural land or reforestation, that is compatible with the applicable plan designation, the surrounding environment and existing uses.
- (13) To ensure a continued supply of land that is maintained for industrial use and to encourage the retention of existing industrial uses.
- (14) To permit a wide range of employment uses including those in the agricultural/aquaculture sector, industrial sector, commercial sector, innovation sector, culture and arts sector, tourism and service sector, and public service sector, within the plan area.
- (15) To promote the remediation of contaminated sites.
- (16) To manage interfaces between agriculture/aquaculture and residential areas.

Economy and industry - policies (agriculture and aquaculture)

18. (1) Build strong alliances by fostering communication with the agriculture and aquaculture industries, the farmer`s institute and the farmer`s market.
- (2) Encourage the Comox Valley Economic Development Society to attract businesses of a scale and nature that complement and strengthen the agriculture and aquaculture industries in the rural areas.
- (3) Liaise with improvement districts, agencies and ministries to effectively address the provision of infrastructure and services that the agriculture and aquaculture industries require.
- (4) Encourage BC Assessment Authority to establish a tax regime that encourages rather than deters land owners and active farmers from adding value to the primary products grown on their land.
- (5) Encourage and facilitate where possible public education initiatives that convey the impacts of living within working agricultural and aquaculture landscapes in order to advise of possible noise, odour, dust and other activities associated with active farming operations.
- (6) Through partnerships, explore options and mechanisms that improve access to potable water, or where feasible, reclaimed water, at a reasonable price available to the agriculture and aquaculture industries.
- (7) In partnership with Fisheries and Oceans Canada, the Ministry of Agriculture, Islands Trust and the aquaculture industry, support development of provincial standards for the guidance of local government and the industry that encompass aquaculture structures, motor vehicles, noise, lighting, debris management, beach litter and toilet facilities for industry operators.
- (8) Recognize that the sustainability and productivity of the marine environment for shellfish and aquaculture protection and for active harvesting is critical to K’ómoks First Nation and other aquaculture food producers. Work with K’ómoks First Nation, senior government, the Islands Trust, non-government organizations and local residents to protect the marine environment shellfish resources and to secure the sustainable harvesting of its resources.
- (9) Support the aquaculture industry taking into consideration the carrying capacity of the marine environment, sustainability of the resource and quality of life factors of area residents. Encourage Fisheries and Oceans Canada to take into consideration the cumulative impacts of all operations when reviewing applications and leases for aquaculture projects.
- (10) Encourage Fisheries and Oceans Canada to require that any new aquaculture activity follow best management practices and adopt emergent technologies to minimize negative impacts on the water quality of the marine environment and beaches along the sound by escaped industry gear, debris, and use of motorized vehicles along shore lines, in their referral of new lease applications.

- (11) Maintain effective communication with stakeholders from agriculture and aquaculture industries in order to support local agriculture and protect lands designated ALR and suitable non-ALR lands for the purpose of agricultural production.
- (12) Strengthen the retention and expansion of agriculture and aquaculture industries and small-scale agriculture and aquaculture operations with due regard to the water quality of the marine environment.
- (13) Encourage the establishment of value-added processing structures or uses for agriculture and aquaculture industries in locations where potential land use conflicts can be mitigated, and with due regard to the water quality of the marine environment
- (14) Recognize ground water as an important resource to support agriculture and aquaculture industries and support increased water availability for agriculture and aquaculture industries by striving to keep natural systems healthy and functioning.
- (15) Promote buy local campaigns.
- (16) Encourage agriculture and aquaculture industries to adhere to agricultural and environmental best practices when using water.

Economy and industry - policies (tourism, arts and culture)

19. (1) Encourage the Comox Valley Economic Development Society to collect visitor satisfaction survey information of visitors in the Saratoga Miracle Beach area to help identify areas of future economic growth and investment.
- (2) Investigate the opportunity to provide publicly owned services in the Saratoga Beach area in order to support the existing waterfront tourist commercial properties to reach their full economic potential.
- (3) Do not support rezoning of existing tourist commercial properties in the Saratoga Beach waterfront to provide for residential uses.
- (4) In collaboration with other partners, continue to promote responsible use of the natural areas of the Comox Valley by identifying and promoting important bird areas, local culture, hiking, kayaking, and other recreational activities that rely on a healthy natural environment.
- (5) Support initiatives to promote culinary tourism within the Comox Valley.
- (6) Support initiatives that promote and encourage art and cultural industries to locate in the regional district.
- (7) Encourage tourism, art and cultural initiatives that profile and support the role and long history that the K’omoks First Nation has in the Comox Valley, with specific attention to historical sites and locations occupied by the K’omoks First Nation such as the K’omoks Estuary and sites along the Puntledge River.

Economy and industry - policies (resource uses)

20. (1) Encourage aggregate extraction and processing operators to incorporate best practices and design and carry out their operations in a manner that minimizes

- negative impact on surrounding land uses, the quality of life of residents and the natural environment of the CVRD.
- (2) Do not permit uses such as vehicle storage, offices or other workplaces, or outside storage of materials which are not accessory to the aggregate operation or which are not required for the safe and efficient operation and maintenance of the aggregate operation.
 - (3) Work with the province and other senior government agencies to ensure that mineral resource and aggregate extraction is undertaken in a manner that protects environmental features, ecosystems, surface and groundwater resources and wildlife habitat and drinking water quality and quantity.
 - (4) Encourage the province and senior government agencies with approval authority to provide for, within the terms of any license agreements, progressive rehabilitation of pits, quarries and underground mines to an appropriate after-use, such as viable agricultural land or reforestation that is compatible with the applicable plan designation, the surrounding environment and existing uses.
 - (5) Support the retention, protection and enhancement of lands with high forestry capability.
 - (6) Support the production and marketing of local wood products.
 - (7) Encourage initiatives that promote stewardship of timber resources and small scale community and private woodlot operations.
 - (8) Encourage forestry and supporting activities to incorporate best practices and design and carry out their operations in a manner that minimizes negative impact on surrounding land uses and the natural environment of the CVRD, including drinking water supply protection areas.

Economy and industry - policies (emergent industries)

21. (1) Encourage innovative industries, including developers of “green” technologies, health science research and development, food production, and others to locate within the CVRD.
- (2) Consider medical marihuana production facilities licensed pursuant to the marihuana for medical purposes regulations through a rezoning within the agriculture area and resource area designations subject to the conditions included in part 3 of this OCP.

Transportation - objectives

22. (1) Addressing the transportation needs of the Comox Valley to enhance travel options for rural residents, reduce reliance on single-car travel and support long termed land use and housing objectives by these expanded transportation options.
- (2) Increase opportunities for rural residents to walk, bicycle and use public transit.
- (3) Increase the proportion of trips made by non-vehicle modes.
- (4) Minimize the negative environmental impacts of personal transport by reducing greenhouse gas emissions.
- (5) Provide for equitable investments in transportation services and infrastructure in order to make transportation options accessible to all segments of the population including youth, seniors and persons with disabilities.

- (6) Provide for coordinated transportation infrastructure and services within the electoral areas and between adjacent jurisdictions.

Transportation - policies

23. (1) Review all new development proposals to assess the emergency access design. In general, new multi-lot residential and commercial development should have two separate and unobstructed accesses.
- (2) In partnership with MoTI, make efforts to provide secondary access to Macaulay Road through any new development or subdivision.
- (3) Encourage MoTI to address challenges at the Regent Road Bridge to accommodate two-way vehicle traffic, increase the load limit to permit buses and include a dedicated multi-use facility to accommodate walking and cycling.
- (4) Consider a network of greenway routes and separated pathways as a requirement in new subdivision design plans to provide for a street network that is compact and connected and improves facilities for pedestrians, cyclists and scooters on arterial and collector roads, per the cycling plan and the parks and greenways plan.
- (5) Encourage new subdivision design plans to incorporate a connected neighborhood and street network pattern to promote active transportation, between and within neighborhoods, per the transportation road network plan (2014) completed in support of this OCP.
- (6) Work with MoTI to establish reduced speed limits in priority locations including (a) Highway 19a at Miracle Beach and Oyster River; (b) Headquarters Road from Bridges Road to Merville Road and (c) along Coleman Road, Bates Road and Waveland Road.
- (7) Work with MoTI and neighboring municipalities of Courtenay, Cumberland and Comox to achieve network improvements including greenways, separated bikeways and off road greenway improvements to provide for active transportation options, with priority given to routes identified in the 2014 transportation road network plan.
- (8) In cooperation with MoTI, encourage installation of cycling facilities in the order of priority noted in table 13, transportation road network plan.
- (9) Seek new opportunities to support existing commercial centres and community halls as central hubs where a range of transportation services can be provided for rural residents including transit stops, park and ride facilities, ride share and bike storage.
- (10) Encourage the Province to amend the *Local Government Act* to enable the collection of development cost charges by MoTI in order to finance road and trail network improvements through subdivision.

Infrastructure - objectives

24. (1) To encourage rural residents to properly maintain their onsite sewage disposal system to:
 - (a) avoid public health concerns before they arise;
 - (b) protect drinking water resources;
 - (c) address areas where onsite sewage disposal system failure is creating environmental degradation and a public health concern;

- (d) adapt existing infrastructure and related programs to anticipated climate change impacts;
 - (e) protect drinking water sources;
 - (f) maintain a rural policy and services framework that does not conflict with the core values of rural living: independence and self-sufficiency.
- (2) To encourage the use of green infrastructure solutions.
 - (3) To minimize the impact of infrastructure, including telecommunications infrastructure, on adjacent sensitive uses such as residential and livestock operations.

Infrastructure -policies

- 25. (1) Require the analysis and approval of any new development that includes onsite private services to include climate change adaptation methods and technologies in the design, change or modification of existing infrastructure or new service.
- (2) Encourage development of any new roads, road improvements, bridges, telecommunications towers or service corridors are encouraged to design using natural topography and conservation of environmental features.
- (3) Consider developing a sewage system maintenance bylaw and program that includes providing public education on sewerage system maintenance and the development of maintenance plans for older sewage systems currently not under the sewerage system regulation.
- (4) Encourage the agency responsible for wastewater disposal to:
 - (a) evaluate areas with suspected problems;
 - (b) consider cumulative effects of ineffective individual onsite sewage disposal systems;
 - (c) ensure wastewater systems are not subject to flood inundation;
 - (d) consult affected landowners with respect to corrective measures;
 - (e) enforce legislative requirements;
 - (f) encourage safe reuse of effluent and biosolids in conjunction with agriculture and/or aquaculture operations.
- (5) Require telecommunications proponents to identify co-location opportunities prior to siting new infrastructure such as new self-support telecommunications towers.
- (6) Require a public information meeting for any new proposed self-support telecommunications towers.

Cultural heritage resource - objectives

- 26. (1) To encourage and facilitate the identification, protection and conservation of important cultural heritage resources, including archaeological resources and cultural heritage landscapes.
- (2) To manage the demolition, destruction, deterioration, and inappropriate alteration and use of cultural heritage resources in accordance with the legislative framework.
- (3) To identify cultural heritage conservation issues early in the land use planning process, and make reference to cultural heritage conservation issues throughout the planning decision-making process.

- (4) To identify cultural heritage landscapes, that contain heritage buildings, structures, rights-of-way, vegetation and open space, of architectural or historic significance, and where its arrangement represents one or more distinctive cultural processes in the historical use of land.
- (5) To encourage public education initiatives and foster public awareness of the value of cultural heritage resources and conservation principles.

Cultural heritage resource - policies

27. (1) Support community initiatives to identify and create an inventory of cultural heritage resources with First Nations’ cultural values in the Comox Valley.
- (2) Support the establishment of the historic core of Union Bay as a heritage conservation area, under section 970.1(1) of the *Local Government Act*.
- (3) Consider developing and implementing a cultural heritage conservation strategy to further the heritage objectives of the Comox Valley and provide for the implementation of conservation tools to enhance planning initiatives.
- (4) Consider bylaws or other measures, pursuant to relevant legislation, for cultural heritage resource conservation and management.
- (5) Encourage, where appropriate, the adaptive re-use of a built heritage resource in a manner that is not destructive to the character-defining elements of the resource.
- (6) Consider requiring owners of properties that overlap with or are in proximity to potential archaeological sites, to provide an archaeological impact assessment, as prepared by a professional consulting archaeologist, in order to identify and mitigate development-related impacts to archaeological sites.

Housing - objectives

28. (1) To provide for mixed housing forms and affordable housing choices in rural settings.
- (2) To preserve the existing range of affordable housing options.
- (3) To enable aging in place.
- (4) To support intentional communities in a rural setting.
- (5) To encourage the retention of existing rental housing and the construction of new rental housing.

Housing - policies

29. (1) Permit secondary dwellings, secondary suites and carriage houses in the settlement nodes, settlement expansion areas and in all rural settlement areas.
- (2) Discourage proposals for strata conversion of rental housing stock, including secondary dwellings, secondary suites and carriage houses, and consider any application to do so in context of the CVRD strata conversion policy.
- (3) Encourage the design of residential neighbourhoods to allow freedom of public access with a connected street network and by discouraging disconnected street networks and the development of gated residential communities intended to restrict public access and circulation through neighbourhoods by means of security gates, walls and similar barriers.

- (4) Support assisted housing initiatives of BC Housing and other housing providers in the CVRD and consider supporting funding applications to senior governments under various non-profit housing programs.

Part 3: Land use

30. The land use designation map 3 in appendix A identifies the location of land use designations:

- (1) Settlement nodes
- (2) Settlement expansion areas
- (3) Rural settlement areas
- (4) Park and natural areas
- (5) Agricultural areas
- (6) Resource areas
- (7) Fresh water
- (8) Coastal areas

Settlement nodes

31. (1) The three settlement nodes of Saratoga Miracle Beach, Mt. Washington and Union Bay each offer a unique character and context in the Comox Valley. These nodes are the primary growth areas in the CVRD. The nodes are intended to be mixed density communities with a range of housing types, local service commercial uses and service industries to foster complete communities.
- (2) The goals, objectives and vision for the settlement node areas are contained in local area plans. The local area plans have all the legal authority and attributes of this plan and provide a policy framework over and above the policies contained in this OCP.

Settlement nodes - objectives

32. (1) To implement the CVRD regional growth strategy by directing most growth in the electoral areas of the CVRD to the settlement nodes
- (2) To encourage residential intensification as a means of increasing the amount of available housing including rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, design context and community features of the neighbourhood.
- (3) To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible with the existing neighbourhood character.
- (4) To integrate assisted and special needs housing in the settlement nodes and provide for a supply of assisted and special needs housing.

- (5) To promote complete communities and neighbourhoods within the settlement nodes where people can live, work, play and shop.

Settlement nodes - policies

33. The following policies apply to the lands designated as “settlement node”
 - (1) Approved local area plans establish the goals and objectives for residential, commercial, park, industrial and institutional land uses including a range of residential types and densities in each node.
 - (2) Facilitate the provision of water and sewer services, where possible, in order to meet the needs of existing residents within the settlement nodes, and to protect public health and the natural environment in situations where on-site and privately owned systems are deemed to be insufficient.
 - (3) Promote community facilities within settlement nodes with programs and initiatives to promote or enhance cultural activities, social interaction and educational opportunities.
 - (4) Apply the community amenity policy included in part 4 of this OCP for development of the settlement nodes. Community amenities that support the goals and objectives of the settlement node and approved local area plans, will be considered as priority.

Settlement expansion areas

34. The settlement expansion areas have been identified as future growth areas for the adjacent urban municipalities. Development is limited in these areas to ensure the phased and timely development of lands that is consistent with the goals and objectives of the member municipalities. The areas contain a broad range of uses. Generally, significant change to the existing land use or further subdivision that increases the density, impact or intensity of use of land is not envisioned until these areas have been amalgamated with the adjacent municipality, except in those areas where public infrastructure is required to address environmental issues.

Settlement expansion areas - objectives

35. In accordance with the RGS, development in settlement expansion areas must generally maintain a rural character with on-site servicing and low densities. Development must not detract from future municipal compact growth until such time as the adjacent municipal area has obtained an approved boundary expansion. The long term objective for the upland area east of Comox Road along the K’ómoks Estuary is to enhance and restore the environmental values and public access.

Settlement expansion areas – policies (general)

36. The following policies apply to the lands designated as “settlement expansion area”.
 - (1) The minimum parcel size for new lots within a settlement expansion area is four hectares.

- (2) Any land use application for subdivision, or rezoning will be reviewed in light of the planning direction in the adjacent municipality in order to ensure that consideration is given to compatible planning and zoning requirements of that municipality.
- (3) Density bonusing or density transfer provisions are not permitted within a settlement expansion area.
- (4) Request a municipality proposing an extension into a settlement expansion area to demonstrate their efforts to intensify within existing boundaries prior to expanding into a settlement expansion area.
- (5) Request a municipality seeking a boundary extension to provide to the CVRD a comprehensive assessment of potential costs and services including but not limited to water, sewer, street lighting and road improvements upon receipt of a referral from that municipality to seek a boundary extension.
- (6) Provide this information to affected residents allowing for a reasonable amount of time for affected residents to consider the extension and to respond.
- (7) The Ministry is encouraged to refer to its municipal boundary extension process and policy guidelines, requiring municipalities to demonstrate they have obtained consent for a municipal boundary extension from a majority of residents and property owners within the extension area.
- (8) Discourage municipal boundary extensions intended to incorporate lands for green field development.

Settlement expansion areas – policies (residential)

37. (1) Existing residential uses are permitted to continue.
- (2) Consider subdivision in the form of a lot line adjustment where parcels of less than four hectares are created. where:
 - (a) The adjustment does not create an opportunity for increased density on any parcel; and
 - (b) The adjustment is proposed to accommodate servicing requirements (e.g. new well site, onsite sewage disposal field replacement) or address errors in survey or building encroachment; and,
 - (c) Where no portion of a parcel whose boundaries are being adjusted lies beyond the settlement expansion area.
- (3) New residential development must not preclude future land assembly and subdivisions that are compatible with the standard of the adjacent municipality.

Settlement expansion areas – policies (commercial)

38. (1) Existing commercial uses are permitted to continue.
- (2) Permit expansion or changes to an existing commercial development only when it can be demonstrated that the proposed use or expansion:
 - (a) is compatible with the official community plan and any applicable local area plan of the adjacent municipality;
 - (b) is compatible with land uses in the adjacent municipality other than lawful non-conforming uses, and/or does not preclude redevelopment of the site in

- a manner that is consistent with a municipal local area plan affecting adjacent lands; and
 - (c) does not trigger an expansion of adjacent public servicing that was not otherwise planned.
- (3) Permit new commercial uses through temporary use permits where it can be demonstrated that the proposed use will not result in additional pressure on local servicing and infrastructure.

Settlement expansion areas – policies (industrial)

39. (1) Existing industrial uses are permitted to continue.
- (2) Permit expansion or changes to existing industrial development only when it can be demonstrated that the proposed expansion or change:
- (a) is compatible with the official community plan and any applicable local area plan of the adjacent municipality;
 - (b) is compatible with land uses in the adjacent municipality other than lawful non-conforming uses, and/or does not preclude future redevelopment of the site in a manner that is consistent with a municipal local area plan affecting adjacent lands; and
 - (c) does not trigger an expansion of adjacent public servicing that was not otherwise planned.
- (3) Permit new industrial uses through temporary use permits where it can be demonstrated that the proposed use will not result in additional pressure on local servicing and infrastructure.

Settlement expansion areas – policies (institutional)

40. (1) Existing institutional uses are permitted.
- (2) Consider new institutional uses following an assessment of the use with the goals, objectives and policies of the applicable OCPs of adjacent municipalities. Require proposals to demonstrate that the proposed use will not add pressure to local servicing and infrastructure.

Rural settlement areas

41. The rural settlement areas encompass the greatest diversity of land use within the CVRD. The RGS managing growth policies direct that the rural settlement areas grow at a rate which is no more than 10 per cent of any new residential development in the regional district over the next 25 years. Permitted uses in the rural settlement areas include all primary uses such as commercial, industrial, residential and institutional uses.

Rural settlement area - objectives

42. (1) To promote land uses that support rural lifestyles in the electoral areas of the Comox Valley.
- (2) To provide opportunity for alternative and affordable forms of housing.

- (3) To promote the use of agriculturally viable land for agricultural purposes.
- (4) To restrict sprawl and parcel fragmentation in rural areas, per the RGS.
- (5) To protect working landscapes from encroachment by residential or other uses.
- (6) To minimize the impact of new development on existing neighbourhoods.
- (7) To direct new commercial, industrial and institutional uses requiring public servicing into the settlement nodes.

Rural settlement areas – policies (subdivision)

- 43.
- (1) The minimum lot size in the rural settlement area is between four hectares and twenty hectares, subject to soil conditions, ground water capacity, extension of existing subdivision areas, interface fire hazards and suitability of lands for rural development.
 - (2) Use the density bonusing framework below, through site specific rezoning, to support establishment of communities with shared common social, spiritual, economic or lifestyle visions, such as agriculture, co-living arrangement or intergenerational living.
 - (3) Consider requests to rezone for lot sizes between four hectares to twenty hectares using either the density bonusing framework or through the community amenity contributions policy included in this OCP.
 - (4) Apply the following framework to proposed rezoning applications in rural settlement areas:
 - (a) 20 hectare – basic permitted lot size;
 - (b) 15 hectare lots – where up to 10% of the total area is required for public dedication of greenspace or environmental protection;
 - (c) 10 hectare lots – where up to 15% of the total area is required for public dedication of greenspace or environmental protection;
 - (d) 8 hectare lots – where up to 20% of the total area is required for public dedication of greenspace or environmental protection;
 - (e) 6 hectare lots – where up to 25% of the total area is required for public dedication of greenspace or environmental protection;
 - (f) 4 hectare lots – where up to 30% of the total area is required for public dedication of greenspace or environmental protection; and
 - (g) Where a combination of lot sizes is proposed, with an aim to create a diverse community with a range of rural lot sizes of at least four hectares, the amount of land required for public dedication of greenspace or environmental protection will be calculated based on the average lot size within the proposed subdivision. The average will be rounded down to the nearest whole number.
 - (5) Assess new lot development in the rural settlement areas proposing to rezone as follows:
 - (a) Soil conditions must be shown to have the capacity to provide long-term sustainable on-site sewage treatment including a primary and secondary

- onsite sewage disposal field location, in accordance with *Subdivision Standards* published by Island Health.
- (b) Ground water capacity must be demonstrated, by way of a water flow report provided by the applicant to show a source of potable water for each proposed lot. In the majority of cases, new rural residential development will be expected to provide potable water from a well.
 - (c) Ability to meet the *Guidelines for Canadian Drinking Water Quality* and requirements of the *Drinking Water Protection Act* for two or more connections, and the *Health Hazard Regulations* which establish the duty of landlords to provide potable water.
 - (d) The proposed development should be a natural extension of an existing subdivision where there is vehicle and pedestrian connectivity between the existing and proposed subdivision and where the applicant has provided a site plan that illustrates the proposed road and trail connections.
 - (e) The applicant must provide a report prepared by a qualified professional that demonstrates how the proposed development addresses and mitigates any risks associated with interface forest fire hazards.
 - (f) The suitability of land for rural residential development must be assessed in relation to the surrounding land uses, environmental features and the accessibility of the land.
 - (g) New development should be designed to limit and mitigate any impacts on adjacent working landscapes through buffering and site design that avoids environmentally sensitive features as designated in the sensitive ecosystem inventory.

Rural settlement areas – policies (general)

- 44.
- (1) Existing residential, commercial, industrial, and institutional uses are permitted.
 - (2) Encourage new commercial and institutional uses that reflect a scale and use that is complimentary to existing rural uses to locate in settlement nodes
 - (3) Require new uses to meet minimum lot area requirements included in the zoning bylaw.
 - (4) Regulate the location of residential, commercial, industrial and institutional uses by including permitted uses, setbacks and densities in the zoning bylaw.
 - (5) Ensure new development in the rural settlement area maintains the rural character of the surrounding area and supports a functioning working landscape. In circumstances where new proposed new development is adjacent to an active working parcel or ALR land consider a buffer to protect the integrity of the working landscape and implement through development permits and/or at the time of subdivision or bylaw amendment.
 - (6) Permit subdivision of land in the rural settlement area for a residence for a relative under Section 946 of the *Local Government Act* only if the parent lot is at least two times the minimum lot size required within the applicable zone in the zoning bylaw.

Rural settlement areas – policies (residential)

45. The rural settlement area will provide for a range of low density rural residential uses including accessory dwellings such as secondary dwelling, secondary suites and carriage houses.

Rural settlement areas – policies (commercial)

46. (1) Existing commercial uses will be classified in zoning regulations as highway, neighbourhood and tourist commercial to reflect the commercial needs in the rural settlement area.
- (2) Discourage new commercial development in the rural settlement area and direct these developments to the settlement nodes. Consider small scale commercial uses to serve the day to day needs of the neighborhood residents where it can be demonstrated that the use is compatible with the surrounding land use and is sited within proximity of the local market.
- (3) Consider temporary use permits in the rural settlement area.
- (4) Classify home based commercial activities in zoning regulations as home occupations, domestic business and domestic industry. Permit home based businesses in accordance with the zoning bylaw. Home based businesses should:
- (a) Create minimal visual impact and not alter the rural character of the property or surrounding area;
 - (h) Rely on on-site servicing with minimal impact and ensure new development is in accordance with *Subdivision Standards* published by Island Health.
 - (b) Remain incidental and secondary to the principal residential or agricultural use on the property;
 - (c) Ensure proper disposal of waste and not produce or store any toxic or hazardous material;
 - (d) Ensure that any exterior lighting complies with the CVRD’s dark sky policy.

Rural settlement areas – policies (industrial)

47. (1) Consider zoning amendments and temporary use permits for industrial uses such as heavy and light industrial, agriculture and aquaculture, and rural resource activities throughout the rural settlement area.
- (2) When rezoning is required to establish new industrial uses the following information is required:
- (a) how the proposal will maintain the rural character of its surroundings and support the function of a working rural landscape;
 - (b) compatibility of intended use with adjacent land and water uses, natural resource areas and the ability to mitigate noise, odour, lighting, air pollution, idling of vehicles through potential landscaping, buffering and screening;
 - (c) transportation links, access to the site and on-site parking arrangements, to mitigate traffic generation and air pollution through existing developed areas;
 - (d) public access to the coastal waterfront, where applicable;

- (e) the identification and protection measures of environmental sensitive features on the land;
- (f) a rainwater management and drainage plan designed by a professional engineer.

Rural settlement areas – policies (industrial - heavy and light)

48. (1) Permit existing heavy and light industrial uses included timber milling, aggregate extraction and processing, manufacturing, and other similar uses throughout the rural settlement area.
- (2) Discourage zoning amendments to reduce the light and heavy industrial land base.
- (3) Permit new heavy and light industrial uses subject to rezoning.

Rural settlement areas – policies (industrial - agriculture)

49. (1) Agricultural uses are permitted throughout the rural settlement area.
- (2) Enable agriculture industries and related uses, such as small-scale agriculture operations, farm gate sales, food processing establishments, distribution centres, farmers’ markets and agricultural research facilities.
- (3) Require designs for new agriculture subdivisions to minimize potential negative impacts between agricultural and non-agricultural land uses.
- (4) Avoid public road endings or road frontages adjacent to land designated agricultural area or agricultural land reserve in neighbouring jurisdictions except as may be necessary for access by farm vehicles.
- (5) Support limited on-site sales of aquaculture products that meet legislative requirements in order to promote economic activities.

Rural settlement areas – policies (industrial - upland aquaculture)

50. (1) Upland aquaculture uses may be permitted by rezoning throughout the rural settlement area.
- (2) Promote establishment of aquaculture industries and related uses such as small-scale aquaculture operations, food processing establishments, distribution centres, farmers’ markets and research facilities.
- (3) Encourage subdivision designs that minimize potential negative impacts between aquaculture and non-aquaculture land uses.
- (4) Consider the following when reviewing rezoning applications for upland aquaculture facilities, processing uses and structures:
- (a) compatibility of intended use with adjacent land and water uses, natural resource areas, and the ability to provide potential buffering and screening if required;
 - (b) provision of adequate water supply and liquid waste management systems;
 - (c) traffic and air pollution related to the proposed aquaculture facilities and processing structures and uses on existing developments;

- (d) the provision of adequate transportation links, site access and on-site parking;
 - (e) the surrounding neighbourhood and community needs and sensitivities in regard to excessive noise, light and air pollution, odours, and effluents of the operation;
 - (f) on-site rainwater management, so that adjacent properties are not negatively impacted; and
 - (g) landscaping requirements, screening and buffering to mitigate potential traffic noise, truck idling, and cooling mechanisms; and
 - (h) cumulative impacts on water quality resulting from aquaculture facilities and processing structures and uses, including any measures to mitigate impacts;.
- (5) Support limited on-site sales of aquaculture products that meet legislative requirements in order to promote economic activities.

Rural settlement areas – policies (industrial - resource activities)

51. (1) Existing resource activities are permitted.
- (2) Support resource activities including timber harvesting and milling, aggregate extraction and processing and mineral extraction.
- (3) Work with land owners to protect working landscapes when new resource activities are proposed and mitigate impacts with adjacent residential properties by encouraging buffering, setbacks and siting of operations.

Rural settlement areas – policies (institutional)

52. (1) Existing institutional uses are permitted to continue within the rural settlement area. Direct new institutional uses toward settlement nodes.
- (2) Consider new institutional uses within the rural settlement areas that can be supported by on-site servicing over the long term and when:
- (a) the proposed use is located in or near an existing neighbourhood or target group; or
 - (b) where there is a demonstrated need for a proposed activity; or
 - (c) there is appropriate rationale for the use in a rural settlement area, and separate from uses typically found in the settlement nodes; or
 - (d) the proposed use is intertwined with a site specific amenity or natural environmental feature.
- (3) Require a risk assessment be completed prior to a zoning amendment by an applicant proposing new residential or user group institutional uses in a rural settlement area

Parks and natural areas

53. The parks and natural areas designation includes all CVRD, provincial parks and protected natural areas. The purpose of this designation is for the long term management and protection of park, recreational and conservation resources in the CVRD.

Parks and natural areas - objectives

54. (1) To protect, preserve and restore sensitive ecosystems.
- (2) To provide access to the natural environment for recreational purposes in the communities and neighbourhood of the CVRD where access does not compromise drinking water quality or sensitive ecosystems.

Parks and natural area – policies (general)

55. The following policies apply to the lands designated as “parks and natural areas”
 - (1) Require an owner to provide cash-in-lieu where land is being subdivided and where park land must be provided pursuant to Section 941 of the *Local Government Act*, unless:
 - (a) The subject property contains land identified as priority areas of interest in the implementation strategy of the Comox Valley parks and greenways strategic plan, and/or
 - (b) The land has features which are attractive for park, trail, park access or biodiversity corridor purposes to the satisfaction of the CVRD board.
 - (2) Permit parks, recreation and open space in all land use designations and zones with consideration for environmental protection, drinking water quality, recreation values and policies and practices contained in the Comox Lake Watershed Protection Plan.

Agricultural areas

56. The agricultural area includes all lands designated as agricultural land reserve land by the agricultural land commission.

Agricultural areas - objectives

57. (1) To preserve large parcels from further subdivision.
- (2) To promote agriculture and aquaculture as an important economic sector of the Comox Valley.

Agricultural areas - policies

The following policies apply to the lands designated as “agricultural areas”

Agricultural areas – policies (general)

58. (1) Discourage subdivision of land in the ALR for residential use, other than an ALC-approved home site severance.
- (2) Require new development to support the primary function of agriculture.
- (3) Consider a site specific rezoning application to permit medical marihuana production licensed pursuant to the marihuana for medical purposes regulations within the agriculture area designation subject to the following conditions:

- (a) mitigation of potential noise, odour, glare and emissions relative to adjacent land uses through strategies, including, but not limited to: buffering, screening, building setbacks and building ventilation;
 - (b) size and configuration of the building(s) and lot;
 - (c) mitigation of potential impacts to agricultural capability of the lot, including, but not limited to: building footprint, soil classification, building location and building clustering;
 - (d) provision of security measures in accordance with federal government requirements, while respecting integration with the proposed siting and surrounding community;
 - (e) provision of adequate rainwater management to ensure that post-development peak flows do not exceed predevelopment peak flows;
 - (f) provision of adequate water supply and waste management systems;
 - (g) mitigation of potential traffic generation impacts;
 - (h) provision of adequate highway access and parking;
 - (i) provision for the disposal of all waste cannabis material in accordance with federal government requirements;
 - (j) mitigation of potential negative impacts on environmentally sensitive areas and/or features and the productive potential of adjacent resource lands; and
 - (k) consideration of whether siting for the component parts or medical marihuana production activities should be collectively or separately, in one location or on multiple sites, including the form and character, use, community integration and environmental implications.
- (4) Encourage farm owner and operators to mitigate the effects of impervious surfaces which result in increased run-off that could generate rainwater management and agricultural liquid waste management issues for adjacent land owners.
 - (5) Assess development proposals for ground and surface water protection and ensure protection of water is achieved by maximizing pervious surfaces on the property.
 - (6) Avoid considering multiple dwellings on a property as a justification for subdivision.
 - (7) Require new development to demonstrate that sustainable on-site services will be in accordance with agricultural, environmental and industry best practices including potable water, onsite sewage disposal, drainage and potential irrigation water.
 - (8) Discourage subdivision of land in agricultural areas to preserve contiguous areas of agricultural land.
 - (9) Encourage consolidation of smaller parcels of agricultural land into larger, more viable agricultural lots.
 - (10) Discourage reduction of and/or area of a viable farm operation.
 - (11) Avoid severance of agricultural area by new transportation or utility corridors, or new recreational trails and encourage such facilities to be re-routed away from the agricultural area.

- (12) Require an applicant proposing to subdivide land in the agricultural area to demonstrate how the proposal will benefit the agriculture and aquaculture industries.
- (13) Protect farming integrity and function of land designated agricultural area.
- (14) Support the establishment of farm gate sales and limited on-site sales in accordance with ALC regulations and the Comox Valley zoning bylaw.
- (15) Permit food processing structures and uses supporting aquaculture industries on lands designated agricultural area when the requirements of the agricultural land reserve use, subdivision and procedure regulation are met.

Agricultural areas – policies (residential)

59. (1) Do not support subdivision for the purpose of residential development other than ALC home site severances.
- (2) Limit the area of construction and landscaping for a dwelling involving the placement of fill or removal of soil to 0.2 hectares in accordance with ALC policy.
- (3) Limit the amount of fill or soil removed for the construction of a driveway to 320 metres cubed/16.0 hectares where it can be demonstrated that the driveway cannot be accommodated within the 0.2 hectares building area, per ALC policy.
- (4) Minimize the residential impact on arable farm land by dwelling units and related residential infrastructure.
- (5) Encourage owners of land designated agricultural area to locate and group buildings, structures, dwellings and related infrastructure, including driveways in ways that preserve contiguous tracts of land. Siting consideration should include the following:
 - (a) siting of all buildings and structures in a way that would not negatively affect the long term agricultural potential of the subject property or the adjacent properties;
 - (b) avoiding fragmenting and alienating productive and/or arable land;
 - (c) avoiding placing buildings on the most arable soils on a property or where such buildings could negatively impact sensitive environmental features on the subject land;
 - (d) minimizing nuisance factors such as noise or lights by filtering and screening these factors to be less noticeable;
 - (e) grouping all development together, so that the remaining open land can easily be accessed by large farming equipment;
 - (f) avoiding long driveways and the siting of buildings deep into the property;
 - (g) improving compatibility between dwelling units and farming operations, where possible, place residential uses adjacent to roads;
 - (h) limiting the size of development by keeping the footprint of dwelling units small so that greater separation between dwelling units can be achieved; and
 - (i) orienting dwelling units and structures to optimize solar heating and light.
- (6) Encourage the applicant to limit the footprint of the additional dwelling(s) in order to limit negative impacts of residential use on land designated agricultural area.

Agricultural areas – policies (commercial)

60. (1) Encouraged establishment of food processing structures and uses in the agricultural area that support agriculture industries when meeting the requirements of the agricultural land reserve use, subdivision and procedure regulation resource areas.
- (2) The resource area is designated on map 3. The intent of the resource areas is to support primary resource uses in the CVRD. These uses include forestry and industrial uses such as resource extraction. The resource areas are contained within significant watersheds for the CVRD and as such these areas require long-term protection to ensure a healthy and adequate water supply for the entire Comox Valley. In addition, the resource areas act as the primary wildlife areas and contain significant wildlife habitat and corridors. The resource areas designation applies to the lands found predominantly west of the Inland Island Highway 19. These lands largely comprise privately managed working forests.

Resource area - objectives

61. (1) To encourage responsible practices with respect to soil and water conservation and vegetation removal.
- (2) To regulate the processing of extracted materials.
- (3) To maintain the long-term viability of renewable resource industries.
- (4) To protect resource areas from encroachment by residential and other sensitive uses.
- (5) To protect the water quality and quantity of the main CVRD drinking water supply catchment (Comox Lake Watershed).

Resource areas policies

The following policies apply to the lands designated as “resource areas”

Resource areas policies (general)

62. (1) Require a minimum 400 hectare parcel size for subdivision to retain large contiguous working landscapes and areas.
- (2) Consider medical marihuana production licensed pursuant to the marihuana for medical purposes regulations through a site specific rezoning within the resource areas designation subject to consideration of the following:
- (a) mitigation of potential noise, odour, glare and emissions relative to adjacent land uses through strategies, including, but not limited to: buffering, screening, building setbacks and building ventilation;
 - (b) size and configuration of the proposed building(s) and lot;
 - (c) mitigation of potential negative impacts on environmentally sensitive areas including the security, quality and quantity of drinking water;
 - (d) provision of adequate rainwater management to ensure that post-development peak flows do not exceed predevelopment peak flows;
 - (e) provision of adequate water supply and waste management systems;
 - (f) mitigation of potential traffic generation impacts;

- (g) provision of adequate highway access and parking,
 - (h) mitigation of potential negative impacts on environmentally sensitive areas and/or features; and;
- (3) Consider temporary use permits on lands designated resource area where the use will not compromise the drinking water quality or quantity;
 - (4) Permit recreational trails and support infrastructure in areas that do not negatively impact the quality and quantity of the CVRD water supply, and where consistent with the Comox Lake Watershed protection plan. Commercial structures are not permitted.
 - (5) Protect watersheds and water sources by providing appropriate buffering from surrounding uses including resource extraction, development, recreation and forestry activity and by:
 - (a) Requiring appropriate professionals to assess potential impacts prior to issuing a development approval.
 - (b) Creation of an aquifer protection development permit area that addresses groundwater vulnerability and protection measures.
 - (c) Working with all jurisdictions and agencies responsible for the provision and safety of water in the region on a plan to protect drinking water for the Comox Valley.
 - (d) Requiring or conducting consultation with other jurisdictions dependent on the affected water supply prior to approving a development permit within that water supply area or watershed.
 - (e) Working with landowners, local governments, regulators and recreation groups to establish codes of conduct and bylaws for areas around primary watershed and water source features.
 - (f) Considering the effects that any proposed trails, roads, cutblocks and other corridors adjacent to the Comox Lake Watershed may have on the ability to maintain access restrictions, as required, in order to protect drinking water.
 - (g) Considering the policies and practices contained in the Comox Lake Watershed protection plan.

Resource areas policies (residential)

- 63. (1) Require appropriate buffers and transition areas between resource areas and adjacent residential uses on non-resource lands to minimize land use conflicts. Require landscaping or screening for development of new residential uses adjacent to resource area lands on the residential parcel.
- (2) Prohibit residential uses in resource areas except where necessary to permit owner/operator premises ancillary to the resource use.

Resource areas policies (resource and industrial)

- 64. (1) Permit removal and deposit of known deposits of sand, gravel and rock as shown on map 3 excluding areas identified as environmentally sensitive areas.

- (2) Require rezoning of a property to an industrial category to permit processing of aggregates or minerals or require issuance of a temporary use permit.
- (3) Consider adopting a soil removal and deposit bylaw under that prohibits deposits of materials that pose an environmental or health risk.

Fresh water

65. The fresh water designation includes all watercourse and lakes within the CVRD. Fresh water areas in the CVRD are used for potable water supply, recreation and environmental protection purposes. The intent of the fresh water designation is to encourage greater protection of the water resources in the CVRD for ecological function, current and future water supply requirements and long term recreation where recreation is appropriate and not incompatible with ecological and water supply needs. The fresh water areas of the CVRD represent critical wildlife habitat and corridors.

Fresh water - objectives

66. (1) To protect, restore and enhance fresh water ecosystems for future generations
- (2) To protect and maintain drinking water quality and quantity within CVRD watercourses.
- (3) To ensure a safe and sustainable drinking water supply for the CVRD.
- (4) To ensure that land use does not alter sediment supply to or transport within the freshwater environment.
- (5) To recognize the importance of waterways as wildlife corridors.
- (6) To encourage appreciation of the fresh water environment, by providing for public access to, and enjoyment of, waterways in ways that avoid negative impacts to natural systems and processes.

Fresh water - policies

67. (1) Prohibit hardening of the shoreline through the use of rip rap, concrete embankments and revetment walls, and other similar structural interventions that permanently alter the ecological function, disturb natural vegetation, and/or destroy fish habitat, including forage and spawning areas. Such development is prohibited unless site specific board approval is obtained in the form of a rezoning.
- (2) Prohibit subdivision of fresh water parcels by zoning regulations to avoid fragmented ownership.
- (3) Work with the province for all new development in order to facilitate the beds of privately owned waterways being returned to the crown.
- (4) Implement protection, restoration and enhancement of fresh water designated lands using development permit area designations and guidelines, development approval information requirements, community amenity contribution, and zoning bylaw provisions.

Coastal areas

68. Coastal areas are those lands that run parallel to the full waterfront of the CVRD, generally extending from the present natural boundary to the 30 metre bathymetric contour as illustrated on map 3. Activities are typically environmental protection, aquaculture, marine industry and recreation. This plan seeks to protect such uses while discouraging activities both on the water and the abutting upland areas that could compromise the environmental integrity of the aquatic environment.

Coastal area - objectives

69. (1) To minimize any negative impacts of settlement on the coastal areas.
- (2) To steward these areas for their environmental and economic benefits.
- (3) To encourage appreciation of the marine environment, by providing for public access to, and enjoyment of, the shoreline and foreshore in ways that avoid negative impacts to natural systems and processes.
- (4) To ensure that coastal shoreline development does not alter sediment supply to the coastal environment or sediment transport within the coastal environment.
- (5) To reduce lighting impacts on species and ecosystems within the coastal area.

Coastal areas - policies

70. The following policies apply to the lands designated as “coastal areas”
- (1) Permit industrial marine and aquaculture uses in the coastal area designation, except for areas within the K’ómoks Estuary where they are prohibited.
- (2) Notwithstanding above sub-section (1) sustainability and productivity of the K’ómoks Estuary is recognized as being critical for harvesting of aquaculture to K’ómoks First Nation, and it is recognized that the KFN may choose to proceed with aquaculture activities within the estuary at any time.
- (3) Protect coastal areas per the provisions stated in the natural environment sections of this OCP.
- (4) Respect the Islands Trust area of jurisdiction that includes the ocean area to the high-water mark of the eastern coast of Vancouver Island from Mud Bay to Comox Point and ensure development within the buffer extending from the high water mark to the 30 metre bathymetric contour considers the Islands Trust policy statement.
- (5) Support dock-side sales and limited on-site sales of aquaculture products that meet legislative requirements to promote economic activities.
- (6) Work with aquaculture industry stakeholders and small-scale aquaculture operations to support water flow into fish-bearing river systems of the Comox Valley.
- (6) Apply environmental best practices to all uses within the coastal designation
- (7) Recognize and support the need of the aquaculture industry to effectively grow seed to replenish existing oyster beds and support in principle the use of power supplies from wharfs for the growing of seed for the aquaculture industry, providing legislative requirements are met.

- (8) Prohibit the hardening of the coastal shoreline through the use of rip rap, concrete embankments and revetment walls and other similar structural interventions that interrupt natural sediment transfer, disturb natural vegetation, redirect wave energy to adjacent properties and/or destroy fish habitat, including forage and spawning areas, unless provided for by a site specific rezoning.
- (9) Require preparation of a shore access plan by a qualified environmental professional for development proposals that include shore access, and require rezoning or a development permit process to protect against sensitive environmental features and processes being disturbed.
- (10) Regulate by the development permit process to reduce light trespass (i.e. light that crosses property lines including the present natural boundary) and light glare (i.e. excessive illumination applied to a single area) within the coastal area to avoid disruption of natural activity patterns of coastal and marine species.
- (11) Assess proposed land uses or development within the K’ómoks Estuary in accordance with a completed and finalized K’ómoks Estuary management plan that has been endorsed by all affected jurisdictions.

Part 4: Administration of the OCP

General

71. (1) Lists or examples of permitted uses, as provided in part 3 of this plan, are intended to indicate the possible range and type of permitted uses within the applicable designation and are not intended to preclude the adoption of zoning regulations permitting uses that are similar in nature, scale and impact to those uses listed.
- (2) In cases where there is a conflict between general policies of the plan and site specific policies, the site specific policies prevail.

Community amenity contributions

72. (1) Consider voluntary contribution of a community amenity with an application for an amendment to the OCP or zoning bylaw when that amenity offsets the impact of the increased density on the recipient community and/or broader community in accordance with sound planning practice. Negotiate a community amenity contribution if and when:
 - (a) the board is satisfied that the proposal demonstrates sound planning practice;
 - (b) the community amenities offered directly assist in mitigating impacts associated with the increased density; and
 - (c) the amenities clearly benefit the community affected by the increased density and/or the broader community.
- (2) An amenity may include in kind or monetary contribution toward:

- (a) Provision of public areas such as parkland or trails, in addition to any lands or monies contributed pursuant to the provision of park land requirements of the *Local Government Act*, with due consideration to the priorities and objectives noted in the parks and greenway plan;
 - (b) Affordable housing;
 - (c) Protection or restoration of natural features including those identified on the sensitive ecosystem inventory;
 - (d) Conservation of cultural heritage resources;
 - (e) Provision of green technology and sustainable building design, including green roofs;
 - (f) Protection or enhancement of significant views;
 - (g) Other local improvements identified in secondary plans, capital budgets, strategic plans, or other implementing plans or studies.
- (3) Voluntary amenity contributions may only be considered by the board where the proposed increase in density is consistent with the OCP and zoning bylaw and is compatible with adjacent existing or proposed land uses.
- (a) Any offer of community amenity will be publicly disclosed prior to or during the statutory public hearing pertaining to the proposed OCP or zoning bylaw amendment.
 - (b) A registered agreement between the land owner and the CVRD board pertaining to the voluntary contribution of a community amenity may be required.

Community partnerships

73. (1) Work together as partners with other jurisdictions and agencies to achieve and administer decision making that is reflective of natural systems and transcends political boundaries and that delivers public services in a sustainable and efficient manner.
- (2) Work with adjacent jurisdictions and other agencies to create opportunities for planning within natural boundaries, over and above those established by the jurisdictions, to better incorporate connectivity of natural systems in public policy decisions.
- (3) Work with adjacent jurisdictions and agencies to create opportunities for planning outside of political boundaries as established by jurisdictions, to better incorporate social, economic interests in public investments such as infrastructure, sewage and water systems, transit and other related policy decisions.
- (4) Seek opportunities to develop drinking water protection plans for the Comox Valley, in partnership with other jurisdictions and agencies responsible for the provision and safety of drinking water.

- (5) Build alliances by fostering regional district communication with K’ómoks First Nation, the BC Shellfish Growers Association and other stakeholders from the aquaculture industry, and the Islands Trust.
- (6) Seek opportunities to work with education institutions and other levels of government to map coastal areas that are considered at risk due to sea level rise.
- (7) Improve public awareness of the importance of the aquaculture industry, particularly among people living in close proximity to or within areas designated agricultural area and rural area and the foreshore of the marine environment by: supporting policies that protect land designated agricultural area, the working landscapes of the rural area, and the water quality of the marine environment for current and future food production through partnerships.
- (8) Encourage Fisheries and Oceans Canada to monitor aquaculture operations and general practices to ensure compliance with regulations intended to protect the marine environment and to develop best practices and control the negative activities resulting from the aquaculture industry.
- (9) Encourage senior government agencies to require applicants to maintain unimpeded public access to the foreshore when issuing aquaculture leases.
- (10) Encourage senior government agencies and crown corporations to retain abandoned rights-of-way for future public recreational use.
- (11) Develop an area plan, in partnership with other stakeholders and government agencies that can assist in balancing the interests of the residential users and the aquaculture industry interests in the Baynes Sound area.
- (12) Develop an inventory of and encourage MoTI to transfer all unconstructed road rights-of-way that were created as public dedication through subdivision for public trails.
- (13) Encourage MoTI to continue to forward all road closure applications to the CVRD for review and comment.
- (14) Recover lost beach accesses, railway grades and road rights of way and continue to work with provincial government agencies to re-secure forgone opportunities for public access and maintain improvements.
- (15) Foster relationships with non-profit groups, educators, and volunteers to promote conservation, recreation, food security and community gardens in parks.
- (16) Support opportunities for advancing arts and culture in parks.
- (17) Encourage senior government agencies and other local governments to continue to work in partnership to expand commercial airport operations and related aviation ventures to benefit the economic viability of the Comox Valley.
- (18) Continue to work in partnership with provincial agencies and the agriculture and aquaculture industries to create a transportation network of land, rail, sea and air that supports food production and distribution of Comox Valley products.

- (19) Support water reclamation and reuse for local food production and agriculture and aquaculture industries and the use of best management practices to reduce water consumption.
- (20) Through partnerships, support initiatives for water collection, storage, distribution and re-use to meet:
 - (a) the domestic needs for potable water;
 - (b) the irrigation and livestock watering needs of agricultural industry; and
 - (c) the product rinsing, preparing and processing needs of agriculture and aquaculture industries.
- (21) Through partnerships, work with the stakeholders of agriculture and aquaculture industries to:
 - (a) increase non-potable irrigation water to lands designated agricultural area; and to
 - (b) find measures to support year-round water flow in the fish-bearing river systems of the Comox Valley.
- (22) Liaise with improvement districts, agencies and ministries to effectively address the provision of infrastructure and services that the agriculture and aquaculture industries require.
- (23) Encourage and facilitate public education initiatives that convey the impacts of living within working agricultural and aquaculture landscapes in order to advise of possible noise, odour, dust and other activities associated with active farming operations.
- (24) Support development of provincial standards for the guidance of local government and the industry that encompass aquaculture structures, motor vehicles, noise, lighting, debris management, beach litter and toilet facilities, in partnership with Fisheries and Oceans Canada, the Ministry of Agriculture, Islands Trust and the aquaculture industry.
- (25) Work with K’ómoks First Nation, senior government, the Islands Trust, non-government organizations and local residents to protect the marine environment shellfish resources and to secure the sustainable harvesting of its resources, recognizing that the sustainability and productivity of the marine environment for shellfish and aquaculture protection and for active harvesting is critical to K’ómoks First Nation and other aquaculture food producers.
- (26) Encourage Fisheries and Oceans Canada to take into consideration the cumulative impacts of all operations when reviewing applications and leases for aquaculture projects.
- (27) Encourage Fisheries and Oceans Canada to require that any new aquaculture activity follow best practices and adopt emergent technologies to minimize negative impacts on the water quality of the marine environment and beaches along the sound by escaped industry gear, debris use of motorized vehicles along shore lines, and unsightly visual impacts of operations in their referral of new lease applications.

- (28) Support increased water availability for agriculture and aquaculture industries by striving to keep natural systems healthy and functioning.
- (29) Work cooperatively with land owners, citizens, non-governmental organizations, local government and senior government agencies with respect to:
 - (a) protection of environmentally sensitive areas;
 - (b) retention of greenbelts;
 - (c) provision of land for parks and greenways;
 - (d) provision of trails within road rights-of-way.

Subdivision considerations

- 74. (1) The CVRD may refuse to accept any land proposed for dedication under Section 941 of the *Local Government Act* as parkland if the land is considered unsuitable for public use and has no or limited recreational and/or conservation value as considered in the goals, objectives or priorities included in the Comox Valley parks and greenway strategic plan.
- (2) Ensure provision has been made for sufficient access points and suitable road infrastructure location and standards, with a compact and connected road network, to ensure that new road alignments protect the rural character of an area, provide for active transportation options, and support industry needs, with consultation with adjacent agriculture and aquaculture operations where necessary.
- (3) In considering a non-farm use application for an additional farm dwelling in the agricultural area, the regional district requires the applicant to demonstrate the how the development supports the primary uses.

Development approval information areas

- 75. Pursuant to the establishment of a development approval information area bylaw, the area covered by this OCP is designated as a development approval information area under the authority of Section 920.01 of the *Local Government Act*. Development approval information will be required for:
 - (a) Zoning bylaw amendments;
 - (b) Temporary use permits, and;
 - (c) Development permits.

Development permit areas

- 76. Development permit areas are established in accordance with the *Local Government Act*, section 919.1.

Development permit areas (general exemptions)

- 77. A development permit is not required where the following conditions apply:
 - (a) Construction of buildings on land assessed as a farm under the *Assessment Act*;
 - (b) Construction involving a building floor area of 10 metres squared or less is exempt from the industrial and commercial form and character development permit requirements. Buildings of this nature within an eagle or great blue heron nest area

are permitted without a development permit if it can be shown by a registered professional biologist with a specialization in ornithology that no eagle or heron activity is present as of April 30th of any given year.

- (c) Internal alterations and renovations to a building or structure;
- (d) Construction of, addition to, or alteration of a fence, provided that within eagle nest tree or blue heron nest area development permit areas, the exemption applies only if a registered professional biologist with a specialization in ornithology has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.
- (e) Growing, rearing, producing and harvesting of agricultural products in accordance with normal farm practice as defined in the *Farm Practices Protection Act*;
- (f) Stream habitat enhancement work and environmental compensation work directed to occur by senior government agencies;
- (g) In-stream work as defined by Section 9 of the *Water Act* and Section 42(1) of the *Water Regulation*;
- (h) The planting of trees, shrubs, or groundcovers for the purpose of enhancing habitat values and/or soil stability within a development permit area, provided the planting is carried out in accordance with ‘*Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*’ published by the B.C. Ministry of Environment, as amended or replaced from time to time.
- (i) The removal of hazardous trees as authorized by a qualified arborist or arbor culturist, registered professional forester or senior level of government. Removal of hazardous trees within eagle nest tree or blue heron nest area development permit areas is exempt only if a registered professional biologist with a specialization in ornithology has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.
- (j) Emergency works to prevent, control, or reduce erosion or immediate threats to life and property including:
 - i. Emergency flood or protection works recommended by a professional engineer;
 - ii. Clearing of an obstruction from bridge, culvert, or drainage flow;
 - iii. Repairs to bridges and safety fences; and
 - iv. Repair or replacement of public utilities or infrastructure
- (k) Trail construction or maintenance where trail construction and area of intrusion does not exceed 2.5 metres in width, the trail surface is pervious and where there is limited excavation or removal of native soil. Trail construction or maintenance within eagle nest tree or blue heron nest area development permit areas, is exempt if a registered professional biologist with a specialization in ornithology has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.
- (l) The removal of invasive plants or noxious weeds within a development permit area including, but not limited to, species of weeds identified in schedule A of the regional district weed control bylaw No. 2347, provided such works are conducted in accordance with a vegetation management plan and measures are taken to avoid sediment or debris being discharged into a watercourse or onto the foreshore and the area is replanted immediately in accordance with “h.” above. Removal of invasive plants or noxious weeds within eagle nest tree or blue heron nest area development permit areas, is exempt only if a registered professional biologist with a specialization

- in ornithology has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.
- (m) Minor building alterations such as, but not limited to, roofing material replacement, replacement of cladding, window or door replacement or façade changes to the exterior of an existing principal building or accessory building for the purposes of maintenance and repair under any development permit area that requires a bio-physical assessment, provided that the alterations do not result in siting closer to the environmentally sensitive feature than the existing principal building or accessory building, or further impacting the feature.
 - (n) Minor alterations to the exterior of an existing principal building or accessory building for the purposes of maintenance and repair within an eagle nest tree or blue heron nest area development permit area that do not result in siting closer to a nest tree/site provided that a registered professional biologist with a specialization in ornithology has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.

Variation of other bylaws

78. The requirements of other applicable bylaws may be varied by way of a development permit, as follows:
- (a) Setbacks from lot lines and public road rights-of-way may be reduced by up to 30 per cent of the required setback;
 - (b) Height limits may be extended by up to 10 per cent of the maximum permitted height; and
 - (c) As outlined in the guidelines for each development permit area.

Multiple development permit areas

79. Where land is in more than one development permit area, all of the applicable development permit area requirements must be met unless otherwise exempted elsewhere in this bylaw.

Development permit guidelines

Aquatic and riparian habitat development permit area

80. *Justification*

The aquatic and riparian habitat protection development permit area is designated pursuant to Section 919.1 (1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity; and Section 919.1 (1)(b) for the protection of development from hazardous conditions.

The objectives of this development permit area are to protect the natural environment, ecosystems and biological diversity and to protect development from hazardous natural conditions. More specifically, the objectives are to:

1. To work toward objective 2b of the RGS objectives of precaution, connectivity and restoration;
2. To preserve, protect, restore or enhance both terrestrial and aquatic natural features or areas associated with streams, watercourses and riparian areas;

3. To protect development from hazardous conditions associated with watercourses and riparian areas;
4. To implement the requirements of the *riparian areas regulation* for the protection of fish habitat; and
5. To protect non-fish habitat attributes and promote the establishment of wildlife corridors.

Area

This development permit area is indicated as a watercourse, wetland or riparian area on the sensitive habitat atlas as amended from time to time. For certainty, the areas indicated on the sensitive habitat atlas are intended to include:

- (1) all lands within 30 metres measured from the present natural boundary of a watercourse, or top of slope where a steep slope is located immediately adjacent to the watercourse, on both sides of the watercourse, including the area of the watercourse.
- (2) all lands within 30 metres measured from the present natural boundary of the sea, or top of slope where a steep slope is located immediately adjacent to the sea.

For assistance in identifying lands within aquatic habitat development permit area, the CVRD will provide mapped data to but for greatest certainty the development permit area applies to all lands described above, whether depicted in this mapped data or not, and will be measured on the ground.

Exemptions

Fisheries and Oceans Canada and Ministry of Environment have confirmed that Robinson Lake is a manmade lake that is privately stocked with fish through a permit from the Ministry of Environment. All fish in the lake are only for the benefit of private residents of the lake and are not considered as a public resource. Accordingly, areas located within 30 metres of Robinson Lake, legally described as lot 27, sections 21 and 22, township 4, Comox District, plan 26336, Except that part in plan 26755, is exempted from: aquatic environmentally sensitive development permit area requirements, as shown on the aquatic and riparian habitat protection development permit area map .

Guidelines

Development permits should be issued in accordance with the following:

Bio-physical assessments

- a. A bio-physical assessment is required. The assessment must be prepared by a qualified professional biologist with the assistance of professionals with expertise in assessing bio-physical hazards. The assessment must include:
 - i. a site plan;
 - ii. written summary of proposed development works;
 - iii. a review of development alternatives that have been considered;

- iv. inventories of the existing environmentally sensitive features and natural features including rare and threatened plant communities, endangered species and identified critical habitats;
 - v. assessments of the environmental impact of the proposed development;
 - vi. all proposed protective measures;
 - vii. measures to preserve, protect, restore or enhance identified environmentally sensitive areas impacted by the development;
 - viii. measures to control drainage or erosion, and to protect banks; and
 - ix. recommendations for mitigation, restoration and protection of habitat during and after construction.
- b. The bio-physical assessment must:
- i. Be prepared in accordance with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* published by the B.C. Ministry of Environment, as amended or replaced from time to time;
 - ii. Provide description and maps of the parcel delineating the proposed development in relation to the development permit area, the vegetation buffer area, and any identified wildlife corridors and habitats including the watercourse;
 - iii. Propose measures to restore and mitigate impacts;
 - iv. As part of section (iv) provide a landscaping/planting plan with recommended species; and,
 - v. Integrate, where possible, the other information requirements, such as site drainage plans, as outlined in the development permit area guidelines.
 - vi. Where a fish bearing stream is present, include a riparian area assessment prepared in accordance with the assessment methods prescribed by the riparian area regulations.

Site design

- a. The proposed project design should consider protection of the natural systems as a priority and should demonstrate that reasonable efforts have been made to establish a development envelope in a clustered area away from any watercourse.
- b. No buildings, structures or retaining walls should be constructed within 30 metres of the present natural boundary of the sea, stream or watercourse unless mitigative measures are proposed that will result in the same or greater protection of a 30 metre buffer.

Vegetation buffers

- a. A landscape plan is required where disturbance or alteration of the native vegetation within the development permit area is proposed. The plan must include a re-vegetation and restoration strategy and an estimate of the full cost of materials and labour for the works
- b. Maintain a natural vegetation buffer between sensitive features and adjacent development preserving well established native vegetation, tree cover and large woody debris as found in natural vegetation buffers to support channel and

- biological diversity, provide shade, mitigate rain water runoff effects, provide for wildlife corridors and to protect stream stability by minimizing erosion.
- c. The vegetation buffer should be void of invasive plant and noxious weed species. Removal of invasive plant and noxious weed species as identified in schedule A of the CVRD weed control bylaw no. 2347 may be required.
 - d. Where development activities, including soil disturbance, are proposed in close proximity to a designated vegetation buffer, temporary silt fencing should be installed to protect the area prior to any construction activities. The temporary silt fencing should remain in place until external works are completed and materials and equipment are moved offsite.
 - e. Rain water treatment ponds and rain water engineered wetlands should not be located within the vegetation buffer.
 - f. Large woody debris should not be removed from the vegetation buffer unless a qualified person determines that it poses a hazard to buildings or structures in the event of flood. Debris associated with the removal of trees and tree limbs from the vegetation buffer should remain in the vegetation buffer.
 - g. Buildings, structures and impervious surfaces must have adequate setbacks from established trees within a vegetation buffer to maintain an undisturbed soil vegetation buffer around them. Generally, a tree’s drip line (extent of branches) corresponds with the root system area.
 - h. Where proposed development activities involve temporary soil stockpiling within the development permit area, soil must be covered with a waterproof material to prevent any sediment from entering the vegetation buffer.
 - i. On properties where vegetation separating the sensitive habitat, corridor or riparian feature from proposed development has been removed, an applicant may be required to restore native vegetation in the vegetation buffer area. A restoration plan must be provided as part of the bio-physical assessment or riparian area assessment.
 - j. Selection of plant species used in restoration should be based on site conditions and minimal reliance on maintenance. To ensure diversity, a minimum of three native species of trees and three native species of shrubs should be selected.
 - k. For the purpose of subdivision design, proposed lot configuration should consider the protection of aquatic, riparian ecosystems and wildlife corridors. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the development permit area.

Site drainage and erosion control

- a. As part of the bio-physical assessment, applicants must provide a site drainage plan prepared by a professional engineer in good standing with the Association of Professional Engineers and Geoscientists of B.C.
- b. Proposed development should minimize impervious surface coverage by utilizing site design techniques based on the principles of low impact development. Each proposal should consider the following principles:
 - i. Where development features such as driveways, parking areas and pathways are proposed to be located within the development permit area, such surfaces

- should be limited to narrow widths necessary to service development and be constructed with pervious or semi-pervious materials such as natural stone, packed gravel or unsealed paving stones.
- ii. Alteration of the contours of the land should be avoided to minimize the deposit of fill and/or the removal of soil.
 - iii. The total impervious surface area within the development permit area should not exceed 10 per cent of that portion of the lot situated within the development permit area. Proposals exceeding the 10 per cent maximum should incorporate permanent design features for ground infiltration or retention of run-off from impervious surfaces based on the principles of low impact development. When low impact development principles are incorporated, the remaining impervious surfaces should not exceed the 10 per cent coverage maximum.

Watercourse dedication

- a. Natural watercourses covered by this development permit area are required to be dedicated to the crown, in accordance with section 920 (7) (c) of the *Local Government Act*.

Additional guidelines

- a. The setback for a sewerage system should be at least 30 metres from the present natural boundary or top of bank of the sea, watercourse or stream. Proposals to reduce this setback should demonstrate a reasonable effort to comply with the setback guideline and should be certified by a registered qualified professional with recognised specialization in hydrology. Setback reduction proposals should address the assurance of environmental performance standards equal to or exceeding those that would be provided by the 30 metre setback.
- b. Where a proposed development is affected by multiple development permit areas, the biological assessment report should be coordinated with other applicable assessments, such as a geotechnical evaluation.
- c. The sequencing and timing of development activities should be carried out to minimize negative impacts on riparian and aquatic ecosystems.
- d. Swimming pools, hot tubs and spas shall be designed so as to discharge to an approved wastewater treatment system.
- e. A post development report is required from the qualified environmental professional and/or registered professional biologist providing an assessment of all constructed works. The report must assess if the works are in compliance with the applicable development permit conditions.

Eagle nest development permit area

81. *Justification*

Bald eagles require coastal locations for nesting, those same areas where people prefer to live and spend time. Consequently, nesting habitat is rapidly being lost as land is cleared for

development. Nesting habitat must be protected if breeding populations are to be maintained.

Area

The bald eagle nest tree development permit area is indicated as the on he sensitive habitat atlas as amended from time to time as a bald eagle nest tree or as identified by a registered professional biologist with a specialization in ornithology.

Exemptions

- a. Land clearing including the removal, trimming or alteration of any vegetation other than the nest tree; demolition activities; site grading; onsite sewage disposal system installations and well drilling within eagle nest tree development permit area is permitted without an environmentally sensitive areas development permit application, provided that:
 - i. a registered professional biologist with a specialization in ornithology has confirmed that no bald eagle activity is present as of April 30th of any given year;
 - ii. a registered professional biologist with a specialization in ornithology has confirmed that the land clearing will not impact the future viability of the bald eagle nest tree and or nest site;
 - iii. land alteration within the bald eagle nest assessment area occurs after April 30th and concludes before September 2nd of a given year; and
 - iv. land clearing does not constitute a violation of any federal or provincial statutes and regulations governing the management of bald eagles, their nests or eggs.
- b. An addition to, or alteration of, an existing principal building or accessory building within the development permit area is permitted without an environmentally sensitive areas development permit application provided that:
 - i. a registered professional biologist with a specialization in ornithology has confirmed that no bald eagle activity is present as of April 30th of any given year;
 - ii. the setback of the addition or alteration is equal to or greater than the existing principal or accessory building setback from the nest tree and/or nest site;
 - iii. the addition or alteration does not exceed 15 per cent of the total floor area of the existing principal or accessory building; and
 - iv. land alteration within the bald eagle nest assessment area occurs after April 30th of a given year and is limited to that necessary for the addition to or alteration of the principal or accessory building.
- c. Construction of trails and related infrastructure including, but not limited to, boardwalks, benches, tables, signs, information kiosks and viewing platforms within the development permit area, is permitted without an environmentally sensitive areas development permit application, provided that:
 - i. a registered professional biologist with a specialization in ornithology has confirmed that no bald eagle activity is present as of April 30th of any given year;

- ii. a registered professional biologist with a specialization in ornithology has confirmed that the trail construction and associated infrastructure will not impact the future viability of the bald eagle nest tree nest site;
 - iii. no trees, which are greater than five metres in height and 10 centimetres in diameter at the breast height, are to be removed. Limbing, pruning and crown reduction or height reduction is permitted, if recommended within a report completed by a qualified tree expert;
 - iv. construction of trails, infrastructure and land alteration within the bald eagle nest assessment area occurs after April 30th and concludes before September 2nd of a given year; and
 - v. the location, design and maintenance of the trail does not constitute a violation of any federal or provincial statutes and regulations governing the management of bald eagles, their nests or eggs.
- d. Where a report is obtained from a registered professional biologist with a specialization in ornithology that a bald eagle nest tree site no longer exists, the following activities within the development permit area are permitted without an environmentally sensitive areas development permit application:
- i. subdivision of land;
 - ii. land clearing including the removal, trimming or alteration of any vegetation, other than to the nest tree; demolition activities; site grading; onsite sewage disposal system installations and well drilling; or
 - iii. construction of, addition to or alteration of buildings and/or structures.

In accordance with provincial regulations, the CVRD shall maintain an ‘active’ status on recorded nest trees within the Comox Valley Sensitive Habitat Atlas for up to five breeding seasons even after the loss of a nest.

Guidelines

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

Assessment Area

The bald eagle nest tree assessment area is as follows:

- i. 200 metre assessment area of a bald eagle nest tree if the nest tree is located on a lot that is equal to or greater than five hectares in area;
- ii. 100 metre assessment area of a bald eagle nest tree if the nest tree is located on a lot that is one hectare or greater but less than five hectares in area; or
- iii. 60 metre assessment area of a bald eagle nest tree if the nest tree is located on a lot that is less than one hectare in area.

Bio-physical Assessment, reporting and submission requirements

- (a) A bio-physical assessment is required. The assessment report must be prepared by a qualified environmental professional. The assessment must include:
- i. a site plan;
 - ii. written summary of proposed development works;
 - iii. a review of development alternatives that have been considered;
 - iv. inventories of the existing environmentally sensitive feature(s);

- v. assessments of the environmental impact of the proposed development;
 - vi. identify all proposed protective measures;
 - vii. identify measures to preserve, protect, restore or enhance identified ESA impacted by the development;
 - viii. identify measures to control drainage or erosion, and to protect banks; and
 - ix. recommendations for the for mitigation, restoration and protection of habitat during and after construction.
- (b) The assessment completed by the ornithologist must identify the breeding season, review the proposed activity within the development permit area and provide recommendations on how to manage and mitigate impacts of the proposed activity within the assessment area during breeding season if permitted under the *Wildlife Act* and after active breeding season to protect the long term integrity of the nesting habitat. The assessment must follow the guidelines for raptor conservation developed by Province of British Columbia as amended from time to time.
- (c) Within the development permit area, the applicants shall include a report complete with a site plan furnished at their expense and prepared by a registered professional biologist with a specialization in ornithology. This report shall include an evaluation and recommendations with regard to the following:
- i. the bald eagle nest site environmental values to be protected;
 - ii. breeding status of the tree/nest site;
 - iii. an evaluation on the condition of the bald eagle nest assessment area and/or great blue heron site assessment area located on a property;
 - iv. recommended mitigative measures; and
 - v. assessment of any habitat to be protected or restored.
- (d) A landscape plan is required where disturbance or alteration of the native vegetation within the development permit area is proposed. The plan shall provide a re-vegetation and restoration strategy and a quote for the full cost of materials and labour for the works to the satisfaction of the CVRD officers.
- (e) A post development report is required from the qualified environmental professional and/or registered professional biologist providing an assessment of all constructed works. The report shall assess if the works are in compliance with the development permit conditions as approved by the CVRD.

Setbacks for Georgia Strait

No site alteration or structures are permitted within 15 metres of the natural boundary of Georgia Strait.

Discharge

Discharge from swimming pools, hot tubs and spas shall be to an approved treatment system.

Blue heron nest development permit area

82. *Justification*

The coastal locations the bald eagle and great blue heron require for nesting are the same areas that people prefer and consequently, nesting habitat is rapidly being lost as land is

cleared for development. If breeding populations are to be maintained nesting habitat must be protected.

Area

The great blue heron nest tree development permit area is indicated as the on the sensitive habitat atlas, as amended from time to time, as a great blue heron nest tree or as identified by a registered professional biologist with a specialization in ornithology.

Exemptions

- (a) Land clearing including the removal, trimming or alteration of any vegetation other than to the nest tree; demolition activities; site grading; onsite sewage disposal system installations and well drilling within the development permit area, is permitted without an environmentally sensitive areas development permit application, provided that:
 - i. a registered professional biologist with a specialization in ornithology has confirmed that no great blue heron activity is present as of April 30th of any given year;
 - ii. a registered professional biologist with a specialization in ornithology confirms that the land clearing will not impact the future viability of the great blue heron nest site;
 - iii. land alteration within the great blue heron nest assessment area occurs after April 30th and concludes before September 2nd of a given year; and
 - iv. land clearing does not constitute a violation of any federal or provincial statutes and regulations governing the management of great blue herons, their nests or eggs.
- (b) An addition to, or alteration of, an existing principal building or accessory building within the development permit area, is permitted without an environmentally sensitive areas development permit application, provided that:
 - i. a registered professional biologist with a specialization in ornithology has confirmed that no great blue heron activity is present as of April 30th of any given year;
 - ii. the setback of the addition or alteration is equal to or greater than the existing principal or accessory building setback from the nest tree and/or nest site;
 - iii. the addition or alteration does not exceed 15 per cent of the total floor area of the existing principal or accessory building; and
 - iv. land alteration within the great blue heron nest assessment area occurs after April 30th of a given year and is limited to that necessary for the addition to or alteration of the principal or accessory building.
- (c) Construction of trails and related infrastructure including, but not limited to, boardwalks, benches, tables, signs, information kiosks and viewing platforms within

the development permit area, is permitted without an environmentally sensitive areas development permit application, provided that:

- i. a registered professional biologist with a specialization in ornithology has confirmed that no great blue heron activity is present as of April 30th of any given year;
 - ii. a registered professional biologist with a specialization in ornithology has confirmed that the trail construction and associated infrastructure will not impact the future viability of the great blue heron nest site;
 - iii. no trees, which are greater than five metres in height and 10 centimetres in diameter at the breast height, are to be removed. Limbing, pruning and crown reduction or height reduction is permitted, if recommended within a report completed by a qualified tree expert.
 - iv. construction of trails, infrastructure and land alteration within the great blue heron nest assessment area occurs after April 30th and concludes before September 2nd of a given year; and
 - v. the location, design and maintenance of the trail does not constitute a violation of any federal or provincial statutes and regulations governing the management of great blue herons, their nests or eggs.
- (d) Where a report is obtained from a registered professional biologist with a specialization in ornithology that a great blue heron nest site no longer exists, the following activities within the development permit area, are permitted without an environmentally sensitive areas development permit application:
- i. subdivision of land;
 - ii. land clearing including the removal, trimming or alteration of any vegetation, other than to the nest tree; demolition activities; site grading; onsite sewage disposal system installations and well drilling; or
 - iii. construction of, addition to or alteration of buildings and/or structures.

In accordance with provincial regulations, the CVRD shall maintain an ‘active’ status on recorded nest trees within the Comox Valley sensitive habitat atlas for up to five breeding seasons even after the loss of a nest.

Guidelines

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

Assessment Area

The great blue heron nest site assessment area is as follows:

- i. 300 metre assessment area of a great blue heron nest site if the nest site is located on a lot that is equal to or greater than five hectares in area;

- ii. 200 metres assessment area of a great blue heron nest site if the nest site is located on a lot that is one hectare or greater but less than five hectares in area; or
- iii. 60 metre assessment area of a great blue heron nest site if the nest site is located on a lot that is less than one hectare in area.

Bio-physical Assessment, reporting and submission requirements

- (a) A bio-physical assessment is required. The assessment report must be prepared by a qualified environmental professional. The assessment must include:
 - i. a site plan;
 - ii. written summary of proposed development works;
 - iii. a review of development alternatives that have been considered;
 - iv. inventories of the existing environmentally sensitive feature(s);
 - v. assessments of the environmental impact of the proposed development;
 - vi. identify all proposed protective measures;
 - vii. identify measures to preserve, protect, restore or enhance identified ESA impacted by the development;
 - viii. identify measures to control drainage or erosion, and to protect banks;
 - ix. recommendations for the mitigation, restoration and protection of habitat during and after construction.
- (b) The assessment completed by the ornithologist must identify the breeding season, review the proposed activity within the development permit area and provide recommendations on how to manage and mitigate impacts of the proposed activity within the assessment area during breeding season if permitted under the *Wildlife Act* and after active breeding season to protect the long term integrity of the nesting habitat.
- (c) Within the great blue heron nest site development permit area, the applicants shall include a report complete with a site plan furnished at their expense and prepared by a registered professional biologist with a specialization in ornithology. This report shall include an evaluation and recommendations with regard to the following:
 - i. the great blue heron nest site environmental values to be protected;
 - ii. breeding status of the tree/nest site;
 - iii. an evaluation on the condition of the great blue heron site assessment area located on a property;
 - iv. recommended mitigative measures; and
 - v. assessment of any habitat to be protected or restored.
- (d) A post development report is required from the qualified environmental professional and/or registered professional biologist providing an assessment of all constructed works. The report shall assess if the works are in compliance with the development permit conditions as approved by the CVRD.

- (e) A landscape plan is required where disturbance or alteration of the native vegetation within the development permit area is proposed. The plan shall provide a re-vegetation and restoration strategy and a quote for the full cost of materials and labour for the works to the satisfaction of the CVRD officers.

Setbacks for Georgia Strait

No site alteration or structures are permitted within 15 metres of the natural boundary of Georgia Strait.

Discharge

Discharge from swimming pools, hot tubs and spas shall be to an approved treatment system excluding an onsite sewage system.

Shoreline protection devices

83. *Justification*

Shoreline protection devices can threaten the ecological and physical integrity of the shoreline. These areas have high ecological and aesthetic values and may contain unstable slopes subject to erosion and land slip. Due to their physical and biological characteristics and situation, these devices need to be carefully managed in order to avoid potential negative impacts to the shoreline.

These development permit guidelines will promote sound shoreline protection device design to protect the natural environmental values and prevent erosion and destabilization of the shoreline. Shoreline stabilization should be limited to that necessary to prevent damage to existing, newly constructed or established uses on adjacent upland properties.

Exemption

When seeking approval to install, replace or repair a shoreline protection device in a shoreline protection device development permit area, an applicant is not required to apply for a separate aquatic environmentally sensitive development permit.

Area

The shoreline protection devices development permit area applies to all those lands adjacent to the any watercourse, river or lake including the Strait of Georgia. Any application for the installation of new shoreline protection devices or repair of shoreline protection devices falls within shoreline protection device development permit area.

Guidelines

The board delegates to the CVRD officers the issuance of development permits. Where an applicant has proposed the installation, replacement or repair of a shoreline protection device under these guidelines the design of the device should follow the soft shore and greenshore approach to foreshore development. Prior to issuance of a Shoreline Protection Device Development Permit a shoreline protection device must be a permitted use under the zoning bylaw.

The board delegates to the CVRD officers through the delegation bylaw, the power to issue development permits. Where an applicant has proposed a shoreline protection device under

these guidelines that follows the soft shore and greenshore approach to foreshore development, the permit will be processed through the delegation granted under the delegation bylaw.

Where an applicant is proposing the use or replacement of hard shore protection measures the development permit will be reviewed by the board. Development permits shall be issued in accordance with the following guidelines. Where it is anticipated that shoreline protection devices may cause erosion or other physical damage to adjacent or other properties, the development permit may not be issued.

General conditions

- (a) Shoreline protection devices shall be located within the property line on the upland side of the natural boundary of the Strait of Georgia as depicted on a recent British Columbia land surveyor’s certificate;
- (b) The installation of new, or the repair of an existing, shoreline protection devices outside of the property line shall require federal and provincial government approval;
- (c) Where a shoreline protection device is proposed on or adjacent to a steep slope a geotechnical report must be provided as per the steep slope development permit area requirements
- (d) New flat faced cast-in-place concrete walls and lock block walls shall not be permitted;
- (e) New revetment walls (rip rap) shall not be permitted

Design considerations

Any shoreline protection device construction or maintenance works shall be in accordance with the following design guidelines:

- (a) All new shoreline protection devices shall apply the “softest” measures possible (such as biotechnical slope stabilization) that will still provide satisfactory protection;
- (b) Integrate greenshore approaches where possible

Information requirements

Development permits issues under the shoreline protection device development permit area will be subject to the condition and recommendations based on the required professional reports and studies. The following information is require:

- (a) A recent survey completed by a British Columbia land surveyor is required. The survey shall include:
 - i. the location of the present natural boundary;
 - ii. the location of any existing shoreline structures; and
 - iii. elevations showing the top of bank and toe of the bank.
- (b) Applicant shall submit a report and detailed design of the shoreline protection device prepared by and sealed by an engineer, qualified to carry out shoreline protection device designs. The information shall include an assessment and recommendations with regard to the following:

- i. Necessity of the proposed shoreline protection device;
 - ii. Evaluation of potential negative impacts to the natural environment and to adjacent properties, and recommendations to mitigate any potential negative impacts;
 - iii. Description of the construction details, materials and methods to be used; and
 - iv. Inspection details of the proposed works to be conducted by an engineer qualified to carry out shoreline protection device design.
- (c) A bio-physical assessment is required. The assessment report must be prepared by a qualified environmental professional. The assessment must include:
- i. a site plan;
 - ii. written summary of proposed development works;
 - iii. a review of development alternatives that have been considered;
 - iv. inventories of the existing environmentally sensitive feature(s);
 - v. assessments of the environmental impact of the proposed development;
 - vi. identify all proposed protective measures;
 - vii. identify measures to preserve, protect, restore or enhance identified ESA impacted by the development;
 - viii. identify measures to control drainage or erosion, and to protect banks.; and,
 - ix. recommendations for the for mitigation, restoration and protection of habitat during and after construction.
- (d) A landscape plan is required where disturbance or alteration of the native vegetation within the development permit area is proposed. The plan shall provide a re-vegetation and restoration strategy and a quote for the full cost of materials and labour for the works to the satisfaction of the CVRD officers.
- (e) Shoreline protection devices within the vicinity of known and/or potential archaeological sites, will require an archaeological assessment prior to the installation. The provincial archaeology branch is responsible for maintaining and distributing archaeological information and deciding if site alteration permits need to be issued to allow installation to take place within known and/or potential sites.
- (f) A post development report is required from the qualified environmental professional and/or registered professional biologist confirming that the shoreline protection device and associated restoration measures has been constructed in compliance with the engineer’s report and bio-physical assessment

Construction and phasing

- (a) All machinery and vehicles involved in the installation of new shoreline protection devices or repair of an existing shoreline protection device shall be located entirely on the upland portion of a property. If machinery must access the construction site via the foreshore to install proposed works, the engineer shall provide the following information:

- i. Confirmation of how access is going to be achieved and any required permissions (for example, if through an adjacent property, permission from the property owner; if through a beach access, permission from the provincial government; if machinery is traversing the foreshore; permission from the federal government); and
 - ii. Confirmation that the machinery will not adversely impact the beach environment.
- (b) Confirmation that the regional district will be informed of the timing of the proposed works and advised of the name of selected contractor(s) who will do the work in compliance with the engineer’s report. The timing of works shall consider fisheries and wildlife sensitive periods (such as late summer bird migration and pacific herring spawn). The development permit may specify a permitted “window” as recommended within the engineer’s report or by another level of government.

Steep slopes development permit area (Hazardous Conditions)

84. *Justification*

Pursuant to Section 919.1(1)(b) “protection of development from hazardous conditions” of the *Local Government Act*, the topography of the area, as well as slope gradation and thin soil cover, renders areas with steep slopes highly susceptible to erosion and high windthrow hazard. The topography of steep slopes constrains designs and contains sensitive features. Careful control of development on these slopes is needed to reduce the risk to life and property, to protect the natural environmental values, to prevent erosion and destabilization of slopes, and to protect the visual quality of the slopes.

The development permit guidelines will promote sound site design and techniques to eliminate or avoid hazards to public safety and natural resources

Areas

Areas with average slopes greater than or equal to 30 per cent for a vertical distance of three metres or more, slopes designated as hazard lands by a professional engineer with experience in geotechnical engineering, and areas within 7.5 metres from the top of bank and 7.5 metres from the toe of bank of the aforementioned slopes.

Where there is a steep slope identified or a slope designated as hazard lands by a professional engineer with experience in geotechnical engineering, the areas within 7.5 metres from the top of bank and 7.5 metres from the toe of bank shall remain free of development or disturbance including vegetation removal, buildings, structures, onsite sewage disposal tanks, drainage fields as well as irrigation and water systems.

Guidelines

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

Professional engineer report

A geotechnical report certified by a professional engineer with experience in geotechnical engineering is required. The report should assess the proposed activities impacts on the

stability of the slope. No development shall occur where the report indicates that a hazardous condition may result. The report shall contain the following:

- (a) Slope stability conditions prior to development, identification of any areas subject to erosion, sloughing, flooding, landslide, landslip, rock fall, wind throw, excessive run-off, siltation and if applicable, be detrimental to the fishery resource;
- (b) Design guidelines to avoid rainwater runoff that could destabilize the slope;
- (c) Information on soil types, depths and conditions;
- (d) Anticipated removal or addition of soil, sand or gravel;
- (e) Erosion control and mitigation measures during and after construction;
- (f) Plans outlining the siting of all buildings and other structures, utilities, services, driveways, parking and all other impervious surfaces;
- (g) Plans and analyses of watercourse channelling and drainage systems;
- (h) Measures to safeguard adjacent properties and structures from hazards arising from the siting, the preparation of the site and the construction of the proposed development; and
- (i) Recommendations for vegetation protection, enhancement or retention where applicable. Recommendations contained in the report shall form conditions of the development permit.

Siting and design

- (a) Buildings, structures and paved surfaces should be located:
 - i. Away from areas subject to erosion, sloughing, flooding, or landslip;
 - ii. At such a distance from a watercourse so as to prevent erosion, sloughing, flooding, landslip, excessive run-off or siltation, and to protect lands and fishery resource;
 - iii. To preserve natural vegetation on steep slopes; and
 - iv. To retain natural terrain and topography of the site and to minimize cutting into slopes.
- (b) All buildings and structures should give consideration to the hillside visual impacts. Materials, colours and textures should reflect the natural setting and landscape of the hillside.
- (c) Trees and vegetation on ridgelines should be retained as much as possible, so that the ridgeline is seen predominately as a continuous line of natural terrain or vegetation.
- (d) Other than shoreline protection devices, no buildings, structures, driveways, paving, irrigation and water systems, swimming pools, hot tubs, spas and retaining walls shall be permitted within 15 metres of the natural boundary of Georgia Strait. A British Columbia land surveyor’s certificate shall be a condition of the development permit for shoreline protection devices

Driveways and parking

- (a) Driveways should provide safe and functional access to individual properties throughout the year. Driveways should follow the topography as much as possible.
- (b) Driveways should avoid disruption of significant or unique stands of vegetation and environmentally sensitive areas. Driveways should not be situated adjacent to cliff faces, talus slopes or rock outcrops. This is to avoid disturbance of rock debris, to maintain trees with cavities and snags, and to protect pockets of shallow soils.
- (c) For higher density uses, such as multifamily residential, commercial or industrial uses, put parking under buildings where possible to take advantage of elevation changes and to minimize the size of impervious surfaces.

Parks and open spaces

Parks may be applicable to subdivision applications subject to section 941 “provision of parkland” of the *Local Government Act* and to multifamily residential, commercial or industrial developments.

- (a) Avoid extensive slope grading to accommodate parks and open spaces. Trails should be of manageable grade.
- (b) Establish pocket parks that direct the public to unique view opportunities or provide respite on trails where natural terrain permits.

Subdivision design

- (a) Each single family parcel created by subdivision must have a buildable site or pad area that suits the proposed building size for that zone.
- (b) Where permitted, development density should be directed to the less sensitive and flatter sections of the site, thereby creating clusters of development that would avoid hazardous or environmentally sensitive areas. The subdivision design should retain as much of the natural topographic character of the site.

Earthworks, grading and slope disturbances

- (a) Minimize slope alterations and retain the natural terrain and topography of the site. Grading or alteration of key topographic features such as knolls, ridgelines, bedrock outcrops, cliffs, ravines, gullies, overhangs, watercourses and wetlands should be avoided. Escarpments should not be compromised and deep scars or large areas of highly visible sub-soil and parent material should not be created.
- (b) Round out slope transitions and blend transitions among adjacent lots or areas. Contours and gradients should resemble the naturally occurring terrain.
- (c) On individual lots, land clearing should be limited to what is required for the building footprints and services. Consider phase land clearing to minimize the area exposed to dust, mud, soil loss and erosion. Phasing may be service related (i.e., clear initially only enough to install service lines) or spatially related (i.e., clear only one portion of the parcel at a time, complete development and re-vegetate to control

- erosion before starting the next portion). Landscaping and seeding should immediately follow construction to help minimize erosion caused by run-off.
- (d) Creation of large flat terraces on hillside sites in order to expand developable area or to develop housing or other uses characteristic of flat or gently-sloped sites is not supported. The development of smaller terraces for building pads, lawn areas, patios, stepped retaining walls is preferred.
 - (e) Where the volume of cut exceeds the volume of fill material for a proposed development, the excess should not be disposed on site in the form of unnecessary filling, berming or side-casting. Dispose only excess topsoil onsite to increase the depth of topsoil; dispose other excess material at appropriate off-site locations.

Erosion protection and retaining walls

- (a) Development should be designed to minimize erosion, to manage storm water runoff, to minimize impervious surfaces, to manage for debris flow or landslide and to minimize detrimental impacts.
- (b) Erosion control measures should be implemented during and after construction. Soil conservation measures such as silt fencing, matting and trapping should be used during construction.
- (c) Use retaining walls where they can reduce disturbing the slope to provide useable construction sites. The design of retaining walls should reflect the natural character of the site.
- (d) The sequence and timing of any construction or land alteration shall be coordinated to minimize the potential erosion. Landscaping and seeding shall be required immediately following construction to help minimize erosion caused by run-off

Natural environment and landscaping

- (a) Existing vegetation on hillsides is important to the maintenance of slope stability, drainage and erosion prevention. The maximum amount of vegetation and other natural features should remain undisturbed. Non-invasive and native species of vegetation and trees should be retained or planted in accordance with the recommendations of the engineering report.
- (b) Employ water-conserving principles and practices in the choice of plant material and irrigation systems. Ensure no over-spray or run-off due to watering.
- (c) The planting of native species of vegetation and trees, as well as the preservation of existing vegetation to control drainage and erosion, as well as to protect bank stability will be required in accordance with the recommendations of the engineering report. A landscape plan is required to illustrate the re-vegetation and restoration strategy and a quote for the full cost of materials and labour for the works to the satisfaction of the CVRD officers is required.
- (d) Where a property has a watercourse or foreshore or other marine or aquatic area, a biophysical assessment is required pursuant to aquatic ESA development permit area.

Fire protection

- (a) Areas where wilderness or forested areas meet settled areas are referred to as “interface” areas and can be susceptible to wild fires. Steep slopes can increase the risk to development at the interface. An area of “defensible space” between buildings and wild land vegetation is encouraged. This defensible space should be relatively free of highly flammable vegetation that could readily transmit a fire from forest to the buildings. Plants that are low growing and woody are referred to as “low fuel volume plants” and are ideal replacements for more flammable species growing close to the buildings.
- (b) For dry or south facing slopes, drought and fire-resistant vegetation is preferred.
- (c) Wherever possible, open spaces should be designed to serve as fire protection areas.
- (d) Design water system pressure zone boundaries with sufficient range to ensure firefighting pressures in the highest side of parcels.
- (e) The guidelines contain in *The Home Owners FireSmart Manual (B.C. Edition)* should be consulted and followed in order to reduce the risk of wildfire.

Rainwater management

It is recognized that the clearing, grading and servicing of sites alters their natural hydrology patterns. In recognition of this fact, a rainwater management plan shall be required. The plan would strive to protect water quality and to maintain post-development peak flows to those of pre-development flow patterns and volumes over the entire water season. This rain water plan should be prepared by a professional engineer and should make use of such devices as permeable surface treatments, wet or dry detention ponds, constructed wetlands or other devices as deemed suitable and consistent with best management practices.

Services and utilities

- (a) Any onsite sewage disposal system should be designed by a qualified professional engineer due to the additional risks of onsite sewage disposal breaking through on steep slopes.
- (b) Where practical, design services and utilities with flexible offsets to maintain ease of access and maintenance. More than one service should be installed in a common trench to reduce the number of trench excavations and therefore, the impacts on the terrain. Where the design profile permits, increase the pipe separation to obtain more than one service in a trench. The works must be constructed in accordance with standards regarding separation of water and sewer lines.

Information requirements

- (a) Applicants shall include a site survey, which is a topographic and feature survey of the site. It should include the following information:
 - i. Property lines, easements, rights-of-way, contours at two metre (6.6 foot) intervals and spot elevations;
 - ii. Slope analysis that shows slope intervals of 0-10%, 10-20%, 20-30% and 30% or greater;

- iii. Natural physical features, which includes swales, knolls, ridgelines, bedrock outcrops, cliffs, slope transitions, break lines, seasonal and permanent watercourses;
 - iv. Potential hazards and hazard areas;
 - v. Locations of top of bank and bottom of bank; and
 - vi. Other information as requested by the staff procedures bylaw
- (b) Applicants shall include geotechnical evaluation of all or portions of the site, prior to site planning or design. The evaluation should include:
- i. Assessment of existing surface and subsurface conditions including soil depths, groundwater levels, potential storm water recharge areas, including their recharge rates, native soil slope stability and depth to rock;
 - ii. Verification of the suitability of onsite soils and rock for re-use in development construction, including optimum moisture content and the maximum angle of repose for all onsite materials;
 - iii. Identification of hazards, such as erosion, sloughing, flooding, landslide, landslide, rockfall, windthrow, excessive run-off, and siltation;
 - iv. Potential impacts of development and erosion control and mitigation measures during and after construction;
 - v. Recommendations for safety, site protection, development and mitigation;
 - vi. Recommendations for vegetation protection, enhancement or retention; and
 - vii. Other information as requested by staff. (DP requirement – specifications in procedures)
- (c) Applicant shall include a grading plan, which integrates site survey information on topography, geotechnical, physical and natural features. The plan should indicate:
- i. Existing and proposed topography and features in plan view and key site cross sections;
 - ii. Native undeveloped areas and limits of disturbance or limit of earthworks or grading;
 - iii. Delineation and shading to show cut and fill and volumes;
 - iv. Retaining wall locations complete with base wall elevations and top of wall elevations;
 - v. Building site envelopes including accesses to individual building sites; and
 - vi. Other information as requested by staff.
- (d) Applicants shall provide a rainwater management plan, which should include:
- i. Water quality characteristics of proposed flows and suggestions of appropriate methods to deal with any quality concerns;
 - ii. Identification of catchment areas, flow routes, drainage capacities, flood plain issues, quality and hydraulic constraints, erosion potential, and any specific environmental issues;
 - iii. rainwater routing using piped systems and open systems;

- iv. rainwater controls for infiltration or groundwater recharge, if appropriate, via ditch and swale seepage systems, infiltration galleries or basins;
 - v. Impacts of irrigation on short and long term stability of any slopes;
 - vi. Protection of drainage swales and major event flow routes;
 - vii. Proposed roof and footing drains for individual lots, on-site treatment or connections to storm sewers, appropriate means of controlling short or long-term erosion;
 - viii. Hydrogeological considerations including maintenance of existing groundwater regimes;
 - ix. Energy dissipation into existing ravines at source and down slope where re-concentration or erosion may occur; and
 - x. Individual lot drainage and siltation control during and after construction; and
 - xi. Other information as requested by staff.
- (e) Subdivision applications should include a proposed subdivision plan superimposed onto a slope analysis plan. Each lot should indicate a suitable building envelope and indicate driveway grades. The subdivision grading plan should include sections through each lot that clearly shows building envelopes, including the top of cut and toe of slope, as well as the top of cut of down slope development.
- (f) All plans and geotechnical evaluation must be signed and sealed by a professional engineer, showing works and measures to be carried out under the development permit. The professional engineer should:
- i. Certify that the works and measures detailed in the plans should be sufficient to satisfy the development permit guidelines;
 - ii. Complete a landslide assessment assurance statement. This statement is to be read and completed in conjunction with the *APEGBC Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia, 2006*;
 - iii. Attest that they will supervise and have been authorized by the applicant to supervise, the carrying out of such works and measures to ensure that they are carried out in accordance with the said plans and the terms of any development permit issued hereunder; and
 - iv. Upon completion of the said works and measures and prior to the issuance of any building permit or final subdivision approval on lands which are subject to a development permit issued hereunder, certify that all works and measures have been carried out in accordance with the plans and the terms of the development permit and plans.

Commercial and industrial development permit area (Form and character)

85. *Justification*

This type of development occurs primarily along main roads and highways in the Comox Valley such as Ryan, Royston and Cumberland Roads and the Island Highway. As such, the

development along these corridors offers many visitors their first impression of the Comox Valley.

This land use also tends to occur as infill development in areas traditionally used as rural residential. As such, it is important that the potential for conflict with established residential properties be minimized.

The permit process will be used to ensure that adequate buffers are provided and to ensure that the development is attractive and coordinated with respect to form and character of the neighborhood.

Area

Those parcels zoned for commercial and/or industrial use under part 900 pursuant to the Comox Valley zoning bylaw, 2005 being bylaw no. 2781 as amended from time to time by the CVRD board.

Guidelines

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

Form and character

- (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 compatibility with the surrounding development. Blank unarticulated walls will not be permitted.
- (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) Landscaping, awnings, lighting fixtures, and other structures shall be architecturally integrated with the design of the buildings.
- (d) Any end wall of a building that 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.

Landscaping

- (a) A landscape plan shall be required. The landscape plan shall be professionally prepared and shall:
 - i. include supporting documentary evidence pertaining to landscape specifications, irrigation requirements, detailed planting lists, cost estimates, and the total value of the work;
 - ii. identify existing vegetation by type and identify areas which are to be cleared; and
 - iii. provide for the landscape treatment of the entire frontage of the building site abutting onto existing or future public roads. Street specimen tree and grassed boulevard landscape provisions are to be identified 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 and shall meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.

Construction phase

- (a) All construction must be completed according to a site/building plan and an erosion and sediment control plan.
- (b) 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.
- (c) There shall be no dumping of any material or debris on any roads before, during or after site development.

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 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 high fence;
 - iii. the area is not directly adjacent to any residential development; and
 - iv. 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 with a development.

Screening

- (a) The character of developments shall be enhanced by landscaping of substantial proportions along property lines adjacent to residential developments. The developers shall provide a three metre buffer – incorporating existing native vegetation, supplemented by landscaping of substantial proportions utilizing approved specimen tree species. The required plantings shall recognize the need to protect adequate sight distances at intersecting streets.
- (b) 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.

- (c) Such elements as roof top mechanical equipment, 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 building design.
- (d) All waste disposal bins shall be completely screened within a solid walled enclosure not less than two metres in height.
- (e) Loading and receiving areas shall be located so as to cause minimum disturbance to adjacent residential areas.

Parking

- (a) Large surface parking areas shall be broken down into smaller parking lots evenly dispersed throughout the development and integrated with 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 rainwater water plan and shall incorporate oil/water separators.
- (d) The use of any property within the development permit area shall not produce any off-site parking.
- (e) Developers are encouraged to incorporate site-parking requirements within the principal structures of their development.
- (f) Automobile parking areas shall be covered with a select granular base approved by MoTI and provide storm water controls by means of perimeter curtain drains. Access and egress points shall be paved for a minimum distance of 15 metres from the edge of the existing pavement into the subject property and be designed and constructed to MoTI standards. The shared use of a common access between businesses is encouraged.
- (g) Commercial and industrial buildings shall be located in close proximity to the front property line with the majority of parking spaces being situated at the rear and side of buildings.
- (h) Commercial and industrial buildings fronting shall be allowed to share one common interior wall (0.0 metre side yard setback) with an adjacent building.

Rainwater management

- (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 rainwater management plan that strives to protect water quality, and to maintain post-development peak flows to those of pre-development flow patterns and volumes over the entire water season. This rainwater plan shall be prepared by a professional engineer and should make use of such devices as permeable surface treatments, wet or dry detention ponds, constructed wetlands or

other devices as deemed suitable and consistent with best management practices. rainwater runoff from storage areas shall be controlled to prevent contamination of watercourses.

- (b) The discharge of rainwater runoff from storage areas shall be accomplished with appropriate structures and flow control mechanisms to prevent contamination of receiving water bodies.

Farm land protection development permit area permit areas

86. *Justification*

To protect farm land designated agricultural area or agricultural land reserve located in neighbouring jurisdictions by mitigating conflict between agriculture and aquaculture industries and adjacent land uses.

Land use conflicts may develop between lands designated agricultural area or an ALR and adjacent land uses. These conflicts may compromise the use of the land for agriculture and aquaculture industries. The incorporation of a 30 metre wide buffer between non-agricultural lands and lands used for food production will protect the food production value of the latter.

Areas

The farmland protection area buffer development permit area is designated as a 30 metre buffer from land designated agricultural area or agricultural land reserve lands on lands within the settlement node, settlement expansion areas, rural settlement area land use designations.

The development permit applies to land within the 30 metre development permit area described above subject to:

- (1) new lots created through subdivision; or
- (2) development of the subject lots.

Exemptions

In the case of a proposed subdivision, the exemption applies to the following situations within the 30 metre wide development permit area:

- (1) Lot line adjustments or where subdivision does not result in the ability to construct a new dwelling unit.
- (2) Where the land subject to a subdivision proposal is not forming a common boundary with designated agricultural area or an agricultural land reserve, but is separated with a dedicated road right of way of at least 20 metre wide.

Guidelines

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

Buffer

- (a) Include an assessment of the site to substantiate the need for a buffer and provide design measures that are most appropriate for the site – consider the type and intensity of the proposed adjacent land use and its relationship to agriculture and aquaculture industries.
- (b) The vegetated buffer shall be delineated prior to commencing construction or land alteration.
- (c) A buffer must be maintained and/or established on land within the development permit area parallel to and/or along the common boundary of the adjacent land designated agricultural area or agricultural land reserve.
- (d) Subject to the exemption clause, a total minimum separation distance of 30 metres (of which 15 metres is a vegetative buffer) between a residential dwelling unit and adjacent land designated agricultural area, or agricultural land reserve is required to mitigate the impacts of residential on farming activities. The 30 metre separation distance may include a road or railway line right of way.
- (e) Locate principal structures, accessory buildings and wells a minimum of 30 metres from the common boundary of the land designated agricultural area or agricultural land reserve. If the size of the property cannot accommodate this distance, principal structures and wells shall be a minimum of 50 per cent of the property depth back from the common boundary with land designated agricultural area or agricultural land reserve.
- (f) Notwithstanding the guidelines E.6(a) to E.6(d) above, when a buffer is required in this development permit area, the applicant must provide and maintain a continuous minimum 15 metre wide vegetated buffer between any development and the land designated agricultural area or ALR. No buildings, structures or wells shall be allowed within this 15 metre buffer area.
- (g) If paths and/or passive recreational uses are part of the landscaped buffer, the recreational features will not take up more than five metres of the buffer and they will be located away from the common boundary with land designated agricultural area or agricultural land reserve.
- (h) For the purpose of providing additional separation from the land designated agricultural area or agricultural land reserve and reducing potential conflicts, consider locating an open space next to the edge of the landscape buffer. The open space can be designed with water retention capacity and adequate rain water drainage features.
- (i) All buffer areas shall be generally designed and sized in accordance with section 10 - urban side buffer design criteria of the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).
- (j) Plant layout, spacing, and support shall be generally in accordance with the B.C. Agricultural Land Commission’s report [Landscaped Buffer Specifications](#) (1993) and the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).

- (k) To create a filtered view of agriculture and aquaculture practices on the land designated agricultural area and/or agricultural land reserve from the development permit area, preserve existing and supplement vegetation that meets the British Columbia landscape standard published by the BC Landscape Architects Society/BC Landscape and Nursery Association as amended from time to time.

Buffer maintenance

A buffer maintenance plan shall be developed and will include the following: maintenance procedures for all buffer plantings on a regular basis during the first two growing years including a weed management schedule or plan.

Fencing

Barrier fencing, designed to limit encroachment into agricultural land reserve lands by materials and pets, must be constructed in accordance with appendix C of the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).

Subdivision layout

- (a) Subdivision design must minimize potential negative impacts that may occur between farm and non-farm land uses. Avoid road endings or road frontage next to land designated agricultural area or agricultural land reserve except as may be necessary for access by farm vehicles.
- (b) Subdivision design and construction will minimize erosion through consideration of topography that will not result in neighbouring properties becoming the catchment area for additional runoff from roads and driveways.

Union Bay tourism highway commercial

87. *Justification*

This area is located within the proposed heritage development area which represents the core of the Union Bay Community and contains a number of buildings of historical significance and interest that are a testament to Union Bay’s past as a major coal port. The objective of the development permit area designation is to protect and encourage the development of uses and buildings that reflect the historic character of this area. Retaining and reinforcing the link between the Union Bay core, represented by the post office, and Union Point is critical in the character definition of the tourism highway commercial area. The goal is to create a seaside, pedestrian oriented development of appropriate scale, form and character in the area.

Area

The Union Bay tourism highway commercial development permit area is shown as on map 4.

Guidelines

To preserve and compliment the design elements which contribute to the seaside character of Union Bay, development permits issued in this area reflect the following guidelines.

Building Scale & Massing:

Varied building forms will be encouraged which reflect the historical development pattern of small scale individual shops and businesses and incorporate the following design aspects:

- (1) buildings should incorporate elements that add vertical definition such as sloped roofs or façade treatments such as fascia or awnings;
- (2) wall lines should be offset and articulated along the building elevation to allow small building sections to stand out to provide variety at the pedestrian level;
- (3) pitching and stepping down of roof lines should be incorporated to vary height in the roofscapes of buildings;
- (4) a long, continuous building form should be avoided by creating a variety of view corridors between buildings to the west; and
- (5) as a general guideline, an unobstructed view corridor three metres wide should be provided at every 30 metres of building frontage to allow open views of Baynes Sound.

The pedestrian streetscape

Large areas of blank wall are not acceptable on a building face with a waterfront or pedestrian orientation. Buildings and structures shall provide a street orientation attractive to pedestrians at the ground level. This can be achieved by:

- (1) emphasis at the street level on window placement, building entrances and trim details;
- (2) welcoming street furniture such as benches, planter boxes and ornamental lighting;
- (3) inclusion of weather protection along outside pedestrian routes through the use of awnings, arcades, canopies and covered walkways;
- (4) The pedestrian experience should be enhanced through the installation of interpretive signs presenting the rich history of Union Bay;
- (5) Signage should also be installed which encourages movement between the post office site and Union Point; and
- (6) Various sidewalk treatments will be considered and encouraged to enhance the pedestrian experience including pavers, stone, boardwalks as well as strategically placed small scale seating areas.

Facades

Facade design requires variety, scale and articulation. To maintain the character of Union Bay, and specifically the heritage development area, all new construction and major rehabilitation work will be reviewed according to the following guidelines with respect to façade design:

- (1) pedestrian interest should be created through the use of scale and articulation in the placement and detailing of elements such as bay windows, porches, street furnishings, lighting, graphics and entrances;
- (2) facade design on all relevant sides of a building must respect the pedestrian viewpoint;
- (3) shop facades should be designed as individual entities – continuous linear shop fronts are not acceptable;

- (4) all major facades should be finished in materials which reflect traditional material choices in Union Bay such as wood shingles and narrow, horizontal wood siding. Modern substitutes such as vinyl siding may be acceptable, but should be detailed carefully to preserve the appearance of traditional materials;
- (5) historical colours such as browns, yellows, greens, greys, reds and whites are recommended for siding. Pastel colours are to be avoided;
- (6) contrasting trims including whites, light grey, stone, sand and chamois colours are preferable to pastel colours, all trim, fascia boards, external hardware, and canopies can be of brighter colours for the purpose of accent and highlighting; and
- (7) the number of materials used on the building exterior must achieve a balance between achieving visual interest and complexity, and reaching a point where the appearance begins to overpower the surroundings.

Roof design & orientation

The rooftop overview of the Union Bay core and Baynes Sound waterfront is important to the aesthetic integrity of the area, and therefore roofscapes will be carefully controlled. All major projections must be shown on elevations and roof plans. Guidelines for roof design and orientation are as follows:

- (1) flat roofs and roofs with shallow pitches (less than 7 in 12) do not reflect the commercial and residential building traditions of Union Bay in its pioneer days. These roof types should be avoided;
- (2) the roof form should be articulated and broken up with dormers, skylights and other architectural features. A continuous unbroken ridge line should be avoided;
- (3) roof ridge lines should be oriented in an east-west direction perpendicular to the Baynes Sound waterfront to reflect the historic building pattern and to protect view corridors for lands west of and above the highway commercial area; and
- (4) all air conditioning, ventilating or other roof top mechanical equipment should be carefully concealed or screened.

Parking

While it is recognized that sufficient parking spaces must be provided for the travelling public, the siting of the parking spaces must reflect the objective of creating and fostering a pedestrian scaled, seaside environment. This can be achieved with the following guidelines:

- (1) on-street parallel parking will be allowed along the east and west sides of the Island Highway;
- (2) no off-street parking spaces will be permitted in front of buildings;
- (3) the development of common off-site parking areas will be strongly encouraged;
- (4) off-street parking areas should be screened from view by a combination of attractive walls, fencing, hedging, planting, and other screening materials or a combination of these materials;
- (5) off-street parking areas should be linked to sidewalks by paths of paving stone, wood boardwalks or landscaped pathways; and

- (6) off-street parking areas and access lanes should have adequate ornamental lighting, complementary to the surrounding development.

Signage & lighting

Signage and lighting should meet the following guidelines:

- (1) the size, siting and style of signage should be oriented to the pedestrian;
- (2) all signs should be architecturally co-ordinated with the overall design, architectural features and finishes of the building;
- (3) timber and metal are the preferred materials for signage; individual hand-crafted or carved signs are highly recommended;
- (4) indirect, low-level lighting of building facades, pedestrian ways and signage is encouraged;
- (5) exterior neon is discouraged and incandescent or other warm coloured lighting is preferred; and
- (6) lighting should be designed so that it avoids “light-spill” upon the adjacent residential area to the west and onto Baynes Sound.

Building height & setbacks

The following guidelines are intended to create streetscapes which respect the pedestrian scale with lower profile building edges along the Old Island Highway:

- (1) overall building height should not exceed eight metres or two stories; and
- (2) a three metre front yard setback. The front yard setback can be developed with a patio or porch to accommodate outdoor seating areas.

Kensington comprehensive development permit area

88. *Justification*

The proposed Kensington development permit area is located north of and adjacent to the Union Bay community, which is renowned for past successes and future goals to preserve the rich heritage of the area. Development within sensitive areas will be subject to environmental sensitive areas development permits and the development conditions of these permits. Portions of the proposed development area are impacted by the coal residue inherited from a previous industrial era. The “waste coal hills,” as commonly known, are subject to be remediated in accordance with a remediation plan approved by the Ministry of Environment.

One of the objectives of the Kensington development permit area is to protect the historic character of the Kensington and Union Bay communities. This will be accomplished by creating compatible buildings that complement Union Bay’s historic character by utilizing a “west coast” style comprised of stone, wood and other natural building materials.

Where applicable, the regional district will in addition to the above, apply the aquatic habitat development permit and the Ministry of Environment’s riparian areas regulation.

Area

The Kensington comprehensive development permit area is shown on map 5.

Information requirements

All development within the Kensington development permit area indicated on map 5 shall be required to obtain a development permit unless otherwise exempted. An application for a development permit for the Kensington development permit for commercial, multi-family, non-residential and intensive residential development permit applications shall include the following information:

- (1) Location and dimensions of all driveway crossings, parking areas, loading areas, vehicular circulation areas, pedestrian areas and connections to other walkways, proposed landscaping areas, outside storage areas and outside display areas;
- (2) Location and dimensions of all proposed improvements including expansion of proposed and existing improvements;
- (3) Location and dimensions of all property lines, easements and statutory rights-of-way, siting of parking areas, driveways, storage areas and loading docks;
- (4) Proposed surface treatment of all yard areas, showing the extent and nature of landscaping, including details of vegetation cover (trees) to be maintained, or proposed to be planted;
- (5) Dimensioned elevations of all improvements including elevations, noting building materials and finishes;
- (6) Proposed methods of management and control of all on-site drainage (i.e., rainwater management plan);
- (7) Location, height, and construction of all proposed signage, lighting, fencing and screening; and
- (8) Such further information or materials as the regional district may reasonably require.

Exemptions

The following conditions are exempt from development permit requirements of all categories:

- (1) for single family residences;
- (2) for interior renovations;
- (3) for minor alterations to the exterior of a building or structure that do not change the form or character of the development;
- (4) for minor changes to design, finish or landscaping;
- (5) for accessory buildings;
- (6) for subdivisions which are lot line adjustments, subdivision for park purposes or for consolidation; and
- (7) for trail projects approved by the regional district.

Guidelines

General form and character guidelines:

- (1) All buildings and structures shall give consideration to the general architectural style, detailing scale, materials, character of fenestration, character and material of roofs, treatment of entrances, gradations of heights, relationship of indoor and outdoor spaces, design and placement of amenity areas, access, parking arrangement and circulation, and landscape character and design.
- (2) The character and style of buildings, neighbourhoods and communities should provide a sense of place, one that reflects the rich heritage values of Union Bay and coastal natural amenities of Vancouver Island.
- (3) The design of all buildings, open spaces and their relationships should embody crime prevention through environmental design, an established multi-disciplinary approach to deterring criminal behavior through environmental design. Proper design and effective use of the built environment can reduce crime, reduce the fear of crime, and improve the quality of life.
- (4) The design of all buildings and open spaces (e.g., sidewalks, trails, parking lots and public areas) should consider easy and friendly access by people with disabilities and special needs.
- (5) Varied rooflines, including pitched roofs, are encouraged to provide for view corridors and to reflect heritage elements.
- (6) The design and introduction of a new building type to, or adjacent 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.
- (7) All roof top, mechanical equipment should be screened from view and incorporated with the overall architectural treatment of buildings.
- (8) Any end wall of a building that is visible from the street should be finished to the same standard as the front of the building to provide an attractive appearance. Blank unarticulated walls are not permitted.
- (9) 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.
- (10) Buildings and structures shall be designed and situated to maximize view corridors where appropriate.
- (11) Buildings and structures shall be designed and situated to minimize the disturbance of significant natural vegetation.
- (12) Buildings and structures shall be designed to complement unique topographical features.
- (13) Security and other lighting shall not be placed so as to shine directly into residential properties, as per the dark sky policy of the regional district or to reduce the separation effectiveness of any landscaped buffer.
- (14) Compliance with the regional districts dark sky policy is a mandatory requirement.
- (15) Exterior lighting fixtures should be architecturally integrated with the design of the buildings.
- (16) Site planning details shall demonstrate inclusion of the following pedestrian circulation considerations:
 - i. Development of a walkway network that provides access to important site and off-site destinations.
 - ii. Building and site designs should include “public gathering places,” such as open-air market areas which help to encourage pedestrian traffic.

- iii. The use of small seating areas, entry areas, plazas and other meeting places in conjunction with pedestrian areas should be incorporated into development plans.
- iv. Site design should minimize vehicle and pedestrian conflicts.
- v. Pedestrian access to the site and to buildings should be inviting and well marked.
- vi. Encourage maximum accessibility and usage of the foreshore for the public in all land uses.
- vii. Ensure neighbourhood parks in all zones are connected by greenways or trail system to other land uses (e.g., to neighbourhood commercial or to trail systems).
- viii. Pathway design and construction to meet proposed use criteria:

Pathway	Location	Width & surface
Greenway trail	Golf course, riparian areas, waterfront, buffers	2.0 metres (6.6 feet) pervious surface (e.g., gravel)
Sidewalk	Commercial, hotel, retail	2.0 metres – 3.0 metres (6.6 feet – 9.8 feet) hard surfaced (e.g., unit pavers, exposed aggregate concrete, permeable pavers)
Neighbourhood connector	Residential neighbourhood	1.5 metres (4.9 feet) pervious surface (e.g., gravel)
Bicycle commuter trail	Shoulder of major transportation routes / E &N Rail Corridor	Minimum 2.0 metres (6.6 feet) impervious surface (e.g., asphalt)

- ix. Sidewalks may not be required in residential areas or in sectors where alternate pathways are available (refer to paragraph viii above). All pathways shall have the greatest permeability practical for the intended use.
- x. Pathways may be developed in riparian corridors provided that requirements of the riparian area regulations are followed and that porous, non-polluting trail/tread surfaces are used.
- xi. A pedestrian and cycle-friendly access shall be built as part of roadway crossings of Hart Creek.
- xii. All paths are to be connected to form a continuous pedestrian route.
- xiii. Paths shall be established within the dedicated old rail right-of-way as documented in the greenway plan, if feasible.
- xiv. Sidewalks are required on both sides of streets in the Village Centre commercial area.
- xv. Trails, paths and sidewalks should link to those of adjacent communities.

- xvi. Trails, paths and sidewalks should be accessible to people with disabilities.
- (17) Site planning details shall demonstrate inclusion of the following cycling circulation considerations:
- i. Site vehicle circulation should provide for safe bicycle routes across the site to building entrances.
 - ii. Bicycle parking should be provided in a sheltered location convenient to building entrances and provide for secure storage.
- (18) Site planning details shall demonstrate inclusion of the following automobile / transportation infrastructure considerations:
- i. Lanes servicing the rear of residential units shall be surfaced to increase infiltration of rainwater.
 - ii. Alternates to curb and gutter construction are encouraged for interior roadways in the single-family residential areas.
 - iii. Parking areas should clearly identify pedestrian circulation areas, preferably with different paving and landscaping treatment.
 - iv. Parking areas are to be designed with minimum visual impact from the highway and from the retail pedestrian streets.
 - v. Developers are encouraged to incorporate site parking requirements within the principal structures of their development.
 - vi. On commercial sites the following additional considerations are noted:
 - a) Co-ordination and connection of parking lots with adjacent properties is encouraged to ensure street efficiency. Rear loading of commercial buildings is also encouraged.
 - b) Parking areas in commercial zones are to be integrated with the sidewalks adjoining the retail shops.
 - c) On street parking shall be encouraged in commercial areas.
 - d) Parking for people with disabilities and special needs shall be close to buildings.
 - vii. In order to facilitate pedestrian circulation with options for travel routes, a pedestrian walkway from the end of the cul-de-sac to adjacent roadway or trail shall be provided.
 - viii. To create more pedestrian-friendly streets, paved street widths should be reduced wherever possible. The rights-of-way should provide ample room to incorporate walking/cycling paths, services, landscape areas, parking and safe travel lanes. Reduced pavement results in slower vehicle speeds in residential areas, which results in a safer environment for pedestrians and wildlife.
 - ix. Recommended rights of way and paved travel lane widths; should comply with the Ministry of Transportation and Infrastructure’s Chapter 14 Subdivision Road Standards.
 - x. Large surface parking areas are to be discouraged and should be broken down into smaller parking lots dispersed throughout the development and integrated with planted landscaped areas or designed with permeable

- surfaces. Visitor parking spaces should be clearly identified and provided within the development.
- xi. Tree planting is encouraged in parking areas with the provision of adequate space to ensure the success and vigour of the plantings.
 - xii. Traffic calming measures are to be encouraged in all roadway design.
 - xiii. Roads should be connected to the road networks of adjacent communities.
 - xiv. Cul-de-sacs and dead ends should be minimized; they should only be used for the protection of environmentally sensitive areas or for topographic reasons.
 - xv. Where public access to a body of water is required or warranted, identification signs should clearly mark these public corridors.

Additional form & character guidelines - commercial

- (1) All buildings and structures in comprehensive development area 3 (CDA-3) shall be a maximum of four stories in order to promote an appropriate sense of small scale village town centre and ensure surrounding views, including those from the marine environment, are respected.
- (2) Neighbourhood commercial development should blend in character with the surrounding single family homes.
- (3) Special care is required for the design and construction of buildings that will become landmarks, included but not limited to the proposed civic or institutional buildings and the marina public facilities building; to ensure that these buildings complement the form and character of the surrounding area.
- (4) For pedestrian oriented, continuous street fronting development, buildings should line the street with minimum front setbacks or with setbacks to encourage outdoor retail and service use.
- (5) Buildings containing commercial uses shall be sited so as to ensure that any adjacent residential properties have visual privacy, as well as protection from site illumination.
- (6) Articulation of the face of the building to express a variety of three-dimensional forms is encouraged to provide visual interest and varied outdoor space, and prevent the construction of expansive blank walls.
- (7) Street furniture such as benches, lamps and refuse containers shall be incorporated in the landscape design.
- (8) All garages and carports are encouraged to be located at the rear of the lot and accessed from rear lanes or shared driveways.

Additional form & character guidelines - multi-family residential

- (1) All multi-family developments are encouraged to front or appear to front onto adjacent roadways. This may be achieved through appropriate treatment of the building exteriors and through the provision of pedestrian entranceways and walkways to the street.
- (2) No more than five townhouse units should be linked as one building and façades are encouraged to be articulated.
- (3) Pedestrian connections among buildings are encouraged.
- (4) Where multi-family units have vehicular access via a public street, combined driveways are encouraged to minimize breaks in the landscaping along the boulevard.

- (5) Recreation, play and/or garden areas should be provided within each project and should be sensitive to the needs of all age groups likely to reside within the development.
- (6) Buildings should be designed and sited so as to minimize opportunities for residents to overlook each other’s private spaces.
- (7) The design and siting of buildings and individual units should take advantage of views, natural amenities and adjacent open spaces, and should provide the maximum of units with good sun exposure to enhance the livability of units.
- (8) All garages and carports are encouraged to be located at the rear of the lot and accessed from rear lanes or shared driveways.

Additional form & character guidelines – intensive residential

- (1) Building façade plans of single family homes in intensive residential areas shall only be repeated every five houses along the same side of the street and are not to be finished, either by colour or materials exactly the same as the adjacent house.
- (2) The design and siting of buildings and individual units should take advantage of views, natural amenities and adjacent open spaces, and should provide the maximum of units with appropriate sun exposure to enhance liveability.
- (3) All garages and carports are encouraged to be located at the rear of the lot and accessed from rear lanes or shared driveways.
- (4) Road layouts are encouraged to take advantage of the topography and natural features to provide for varied street patterns.

Additional form & character guidelines- marina

- (1) Marina security gates and ramps should be located and designed so that public and emergency access to the water is maximized and view blockage from the shore (Highway 19A) is minimized.
- (2) Ramp locations should be in close proximity to marina parking.
- (3) The service facilities, restaurant, boatsheds and marine buildings should each have glazing opening onto the main public walkway portion of the pier, sufficient to enable passersby to overview activities occurring within.
- (4) Common area floats and pilings are for access only and should not be used for personal property storage.

Landscaping, screening, outdoor storage and signage guidelines

- (1) The character of commercial, non-residential and multifamily developments shall be enhanced by landscaping along property lines adjacent to single family residential developments.
- (2) A landscape plan shall be required for any commercial, multi-family or non-residential development within all comprehensive development areas. A preliminary site plan shall be provided with the required development permit application and a detailed landscape plan provided prior to the issuance of a development permit. The landscape plan shall be professionally prepared and shall include supporting documentary evidence pertaining to landscape specifications, detailed planting lists, cost estimates and the total value of the work. 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 specimen tree and boulevard landscape provisions are to be identified 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 installed within 12 months of an occupancy permit being issued and shall meet or exceed the British Columbia Society of Landscape Architects and British Columbia Landscape & Nursery Association standards.

- (3) Use native west coast plant material and xeriscaping wherever possible in all landscape areas especially in screening, buffer, trails, greenways and park areas.
- (4) Where hard surface areas such as parking lots are planned, adequate pockets of landscaping should be included to soften the effect, provide shade and encourage ground water infiltration.
- (5) Service elements such 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 appropriate siting.
- (6) All waste disposal bins shall be completely screened within a solid walled enclosure.
- (7) All recycling centers are to be appropriately located to provide easy access for users and ease of management by the service providers. Partial screening (i.e., landscaping or structures) is encouraged where conflicts between residential land use and the recycling centre may arise.
- (8) All residential development adjacent to existing Highway 19A will be buffered from the highway by existing native vegetation, enhanced with additional west coast native plant material in order to provide an effective vegetative screen.
- (9) No outdoor storage shall occur in the front yard.
- (10) 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 two metre (6.6 feet) high solid fence having a suitable security gate;
 - ii. None of the goods or materials stored therein exceed the height of the two metre (6.6 feet) high fence; and
 - iii. 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.

Exemptions: tourist and marina related activities, such as, but not limited to kayak, canoe, bicycle and boat rental.

- (11) Billboards and roof signs are not permitted.
- (12) No signs shall be equipped with flashing, oscillating, moving lights or beacons, or be backlit, as per CVRD dark sky policy.
- (13) Illuminated signage should be located in a manner that minimizes disruption to any adjoining residential uses as per the CVRD dark sky policy.
- (14) Each development within the development permit area shall be allowed one freestanding sign for each street frontage of the development. Freestanding signs shall be permitted in landscaped areas only, on the same parcel as the development. Unless otherwise noted, the height of any sign including support structures shall not exceed 1.2 metres (4.0 feet) and the area of any one face shall not exceed three square metres (32.3 square feet). A freestanding sign may be illuminated.

- (15) All green and public open spaces in the development permit area, which include but are not limited to the following, shall be pesticide free zones and shall be established and maintained in accordance with recognized best management practices: golf course and adjacent areas forming part of the golf courses; public open spaces; walking trails; parks; and outdoor recreation facilities.
- (16) In addition to the above, the development and maintenance of all areas associated with the golf course development in the development permit area, shall adhere to a stringent program utilizing recognized environmental best management practices, including but not limited to the following guide:

Greening your BC Golf Course: A Guide to Environmental Management (Fisheries and Oceans Canada and Environment Canada; 1996.)

Although minimizing water use forms part of the implementation of best management practices, this item is included to ensure that the developer will minimize the use of water during the construction and maintenance stage of golf courses.

Additional landscaping, screening, outdoor storage and signage guidelines - commercial

- (1) Landscaping should be provided with the objective of:
 - Providing screening for privacy and security; and
 - Providing an effective screen at the time of planting.
- (2) The use of plant species which may be considered drought resistant is encouraged in all landscaping.
- (3) All landscaping shall be irrigated and maintained by the property owner(s).
- (4) Installation of interim landscaping (e.g., reclamation seed mixture, wildflower/ fescue mix, and clover/fescue mix), which is appropriate to the soil, water regime and microclimate, should be encouraged to the satisfaction of regional district planning staff, on every part of a commercial development site that is not immediately developed according to the ultimate landscape plan include with a development permit.
- (5) Fascia signs shall be permitted for each exterior wall of a commercial building. The maximum area of each fascia sign shall not exceed four square metres (43.0 square feet). The maximum area of all fascia signs combined shall not exceed 12.0 square metres (129.0 square feet). Fascia signs may be illuminated and should be integrated into the design of the building. Fascia signs may not extend above the roofline of a building.
- (6) In comprehensive development areas 1 and 3 (CDA-1 and CDA-3), in order to promote pedestrian interest and visual variety, small retail units at grade level are encouraged to display a variety of sign designs, such as hanging perpendicular from an awning or perpendicular from the building.

Additional landscaping, screening, outdoor storage and signage guidelines - multifamily residential

- (1) All portions of a multi-family dwelling lot not occupied by buildings, parking areas, driveways or sidewalks shall be landscaped.
- (2) A screen of hedging at least two metres (6.6 feet) or trees should be placed and maintained among multi-family buildings and adjacent commercial buildings.

- (3) Orientation signage for larger developments should be provided. All signs should be architecturally compatible with the overall design of the buildings.
- (4) Maximum area of each orientation signage shall be three square metres (32.0 square feet).

Additional landscaping, screening, outdoor storage and signage guidelines - general

- (1) Street trees should be planted after construction of house and driveway.
- (2) Small lot developments should, where practical, provide a common green space.

Environmental guidelines

For additional environmental requirements, please refer to the following regulations:

Aquatic habitat development permit area eagle nest trees development permit area; heron nest sites development permit area; and bylaw no. 2782, being the “floodplain management bylaw, 2005.”

In addition to the above, the following guidelines are provided:

Rainwater

It is recognized that the clearing, grading and servicing of sites alters the natural hydrology patterns. In recognition of this fact each development proposal should be accompanied by a rainwater management plan that has as its goal the prevention of any rainwater runoff to enter the ocean; and the maintenance of post-development flows to those of pre-development flow patterns and volumes over the entire winter season. Preparation, adoption and implementation of a rain water management plan, based on “best management practices,” for the development permit area, may include some or all of the following practices:

- (1) use sediment control ponds;
- (2) use rain gardens;
- (3) encourage the installation of green roofs;
- (4) incorporate the use of oil/water separators or an equivalent technology to remove oil wastes from rainwater;
- (5) the use of grass swales and other alternates (e.g., infiltration trenches, rain gardens) as alternatives to curb and gutter approach should be encouraged wherever they can provide aesthetically-pleasing, practical and cost-effective alternatives to “hard” piped rainwater management solutions;
- (6) pervious and permeable surface should be used wherever possible in order to allow infiltration of precipitation; and
- (7) on-site rainwater detention.

All drainage works that affect roadway ditches or culverts, will require Ministry of Transportation and Infrastructure approval.

Hazardous slopes

- (1) Wherever development is proposed along Hart Creek or adjacent to slopes with 30% or greater, detailed studies of specific sites will be required for development setback recommendations. The following guidelines are conditions of a development permit in hazardous areas:

- i) The sequence and timing of construction or land alteration shall be coordinated to minimize potential erosion;
- ii) Exposed soil on steep slopes subject to erosion shall be immediately re-vegetated or otherwise protected from run-off; and
- iii) Geotechnical report shall be required and the recommendations in the report will form the conditions of the development permit.

Energy conservation, water conservation and reduction of greenhouse gas emissions

Human activities that contribute to climate change include in particular the burning of fossil fuels, agriculture and land-use changes like deforestation. These cause emissions of carbon dioxide (CO₂), the main gas responsible for climate change, as well as of other 'greenhouse' gases. To bring climate change to a halt, every effort should be made to reduce global greenhouse gas emissions. In 2008, the Province mandated local government to establish targets to reduce greenhouse gas emission and include policies and actions indicating how they will achieve the targets. These guidelines are based on the aforementioned mandate.

- (2) Pursuant to Bill 27 *Local Government (Green Communities) Statutes Amendment Act, 2008*, the following areas of development should be considered with respect to their impacts on energy conservation, water conservation and reduction of greenhouse gas emissions:
 - i. landscaping;
 - ii. siting of buildings and other structures;
 - iii. form and exterior design of buildings and other structures;
 - iv. specific features in the development; and
 - v. machinery, equipment and systems external to buildings and other structures.
- (3) The development should incorporate energy efficiency systems or features, such as ground-field loops for ground-source heat pump systems, solar thermal collectors, a district energy system. For example, using “waste” heat from one business as an input to a neighbouring business.
- (4) In order to meet the new legislated requirements for targets and reductions, all buildings and structures should strive to get the highest level of certification by known, leading rating system for all buildings and developments. For example, all new houses should achieve the highest feasible rating of EnerGuide for new houses. Another example is all new commercial and institutional buildings should strive to achieve the highest certification level of the LEED Canada for new construction.
- (5) The use of solar energy is encouraged and therefore clotheslines will be supported.
- (6) In all of the comprehensive development areas, geothermal energy should strive to capture wherever possible and be used efficiently. In comprehensive development area 3, where the village core will be located, the developer is encouraged to plan for and make use of geothermal technology or other green technologies that minimize the consumption of fossil fuels and electricity for heating and cooling purposes. For all residential and other uses outside of the village core, the developer will encourage the use on a precinct basis of geothermal technology or other green technologies that minimize the consumption of fossil fuel and electricity for heating and cooling purposes.

- (7) Placement and type of trees and other vegetation should not interfere with sunlight access to solar panels.
- (8) The location of all buildings in relations to trees and vegetation should allow each building to maximize their exposures to winter sunlight and to be shaded from the summer sunlight.
- (9) All outdoor lighting and electrical systems should be energy efficient.
- (10) All street furniture should be made in an environmentally responsible manner.
- (11) To reduce water consumption for landscaping, all landscaping should be xeriscape, which reduces or eliminates the need for supplemental irrigation. Native, west coast plants that are appropriate to the local climate should be used and care should be taken to avoid losing water to evaporation and run-off.
- (12) In order to minimize water use the water systems used in the development area will, where appropriate, utilize recognized water conservation techniques, including low water use and flush appliances, cisterns for storm drain collection, water meters and other similar techniques, to the satisfaction of the regional district.

Gravel and sand crushing

- (1) No portion of the lands included in the Kensington comprehensive development permit area is shown as on map 5, may be used for the crushing or processing of sand, gravel or other aggregate material, except as needed for the development of such lands.
- (2) None of the above-mentioned material may be removed from the subject lands other than for use in the Kensington development permit area as shown on map 5 with the exception of removing excess material.
- (3) Approval for the crushing or processing of sand, gravel, or other aggregate materials must be done in accordance to the provisions outlined in the *Mines Act*.

Neighbourhood public open spaces and parks

The development needs to incorporate the provision of neighbourhood public open spaces and parks; the number and size of which shall be identified in future subdivision process.

Appendix A: supporting maps

Map 1 Electoral Areas of the Comox Valley Regional District

Map 2 Sensitive Ecosystem Inventory Map

Map 3 Land Use Designation Map

Map 4: Union Bay Tourist Commercial Development Permit Area

Map 5: Kensington Island Properties Development Permit Area

(appendix A maps are attached at the end of this OCP. Full scale and detailed maps are available separately from the Comox Valley Regional District).

Appendix B: glossary of terms

Agricultural liquid waste	Means a by-product of agriculture that contains less than 20 per cent solids and includes agricultural waste water and silage juices.
Agriculture industry	Includes all of the farming operations as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> , where agriculture species (animals and plants) are grown, reared, produced, harvested, processed, graded, stored, marketed, and sold through farm gate or limited on-site sales.
	Where reference is made in the OCP text to ‘agriculture and aquaculture industries’, the meaning of the term is inclusive of both of the industries as defined in this glossary.
Affordable housing	Housing is affordable when housing costs do not exceed more than 30 per cent of a household’s gross monthly income. Affordable non-market housing is housing that is affordable to households in the lowest 30 per cent of household income distribution and it is restricted by deed and or covenant to be permanently affordable. Affordable market housing is housing that is made affordable through the provision of modestly apportioned multifamily or small lot housing. (same as the RGS)
Aquatic ecosystem	Means any body of water, such as a stream, lake, estuary, or wetland, and all of the organisms and non-living components within it functioning together as a natural system.
Aquaculture industry	Means a land or water based industry that includes facilities, natural or human made containers, where freshwater and saltwater organisms and aquatic plants are grown or cultivated.
	Where reference is made in the OCP text to ‘agriculture and aquaculture industries’, the meaning of the term is inclusive of both of the industries as defined in this glossary.
Aquatic habitat corridors	Biodiversity corridors designated to protect watercourses, and the wetlands and fisheries sensitive zones surrounding them. Aquatic habitat corridors include 30 meter buffers to protect and link aquatic and riparian ecosystems.
Biodiversity	The variety of life on earth in all its forms including genes, species, and ecosystems and the natural processes that link and maintain them.
Biodiversity corridors	The land and water pathways that link core parks and protected areas. They incorporate intact and restored ecosystems, as well as areas under human use, such as forestry and agriculture. These habitat connections are critical to maintaining health and biodiversity in plant and animal populations. They provide birthing and rearing spaces, and protection from predators. They include areas of public and private ownership. The two types of biodiversity corridors are aquatic habitat corridors and upland habitat corridors.
Buffer	Refers to a vegetated areas within a lot, generally adjacent to and parallel with a property line or watercourse, arranged and maintained to screen or separate adjoining land uses or properties, and may

	include one or a combination of the following: existing or introduced vegetation, ditches, roads, berms and fencing.
Collaborative planning	Means partnering with stakeholders in decision making using authentic dialogue to discuss issues and develop alternatives. Adopting a mutual gains approach, the process explores underlying interests rather than positions with an aim to create value versus competitive adversarial negotiations.
Community amenity contributions	Community amenity contributions (CACs) are in-kind or cash contributions voluntarily provided by property developers at the time when the regional board grants development rights through rezoning.
Density bonusing	Occurs at the rezoning phase of development where a developer provides amenities such as parks, greenways, heritage conservation, green technology or affordable housing in exchange for increased development rights. The increased development rights cannot exceed the permitted densities in the zoning bylaw or OCP other than additional floor or living space for dwelling or accessory buildings. Density bonus provisions require board approval generally at the rezoning phase.
Design with nature	Means that humans and the environment are holistically connected. Human development must consider protective measures that result in the enhancement of ecological systems, enabling those systems to become more resilient and more adaptive. This requires that the landscape form, such as topography, slopes, land capabilities and presence of water be provided for in any design, and requires that any systems, such as weather, groundwater, rainwater, watersheds, streams, wetlands, erosion, shoreline processes, sun angles, frost, vegetation, habitat, and other natural systems also be considered. For more information see <i>Design with Nature</i> by Ian L. McHarg, or other sources of information about green or eco-design.
Development	Means any activity that results in the: <ul style="list-style-type: none">(a) removal, alteration, disruption or destruction of vegetation;(b) disturbance of soils;(c) construction or erection of buildings and structures;(d) creation of 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) construction of drainage systems;(i) construction of utility corridors;(j) subdivision as defined in section 872 of the <i>Local Government Act</i>.
Ecosystem	Means a complete system of living organisms interacting with the soil, land, water, and nutrients that make up their environment. An ecosystem is the home of living things, including humans. An ecosystem can be any size - a log, pond, field, forest, or the earth's

	<p>biosphere - but it always functions as a whole unit. Ecosystems are commonly described according to the major type of vegetation - for example, old-growth forest or grassland ecosystem.</p>
Ecosystem functions	<p>Means the physical, chemical and biological processes that keep an ecosystem operating. Examples include infiltration of surface water, evapo-transpiration and nutrient cycling.</p>
Ecosystem services	<p>Means the benefits people derive from ecosystems such as resources like food, wood and other raw materials, pollination of crops, water purification and erosion prevention.</p>
Estuary	<p>An estuary is a partly enclosed coastal body of water with one or more rivers or streams flowing into it and a free connection to the open sea. Estuaries form a transition zone between river environments and ocean environments and are subject to both marine influences, such as tides, waves, and the influx of saline water; and riverine influences, such as flows of fresh water and sediment. These conditions make estuaries among the most productive natural habitats in the world.</p>
Greenways	<p>Means linear parks that connect natural areas and communities. Greenways create linkages between human development and natural systems. They may protect aquatic areas, provide wildlife habitat and increase recreational opportunities.</p>
Habitat refuge	<p>A small patch of habitat that provides food, shelter and/or other needs for wildlife. Habitat refuges may include human-modified ecosystems, and generally are not large enough to maintain the genetic diversity of a population.</p>
Habitat reservoir	<p>A large area of relatively natural habitat that has sufficient size and ecological integrity to support a range of native species, including species that need interior habitats and those that are less tolerant of human presence. The size of the habitat reservoir depends on the species being managed. Habitat reservoirs are often hotspots of biodiversity in or near disturbed urban and rural landscapes.</p>
Home occupations	<p>Means a business or the production of a product or service that is intended to earn a financial return that is conducted in a residential dwelling unit or accessory building that is incidental and subordinate to the primary residential use of the property.</p>
Important bird areas	<p>An Important Bird Area (IBA) is an area recognized as being globally important habitat for the conservation of bird populations. Currently there are about 10,000 IBAs worldwide, including three in the Comox Valley (Comox Valley, Baynes Sound and K’ómoks Estuary)</p>
Intensive agriculture	<p>As defined under the <i>Local Government Act</i>, means the use of land, buildings and other structures by a commercial enterprise or an institution for:</p> <ul style="list-style-type: none">• The confinement of poultry, livestock or fur bearing animals, or• The growing of mushrooms.
Intentional communities	<p>Means a planned residential community designed specifically to have a high degree of social cohesion and teamwork. Members of an</p>

	<p>intentional community may share common social, spiritual, economic or lifestyle visions, follow an alternative lifestyle, and be based on agriculture or intergenerational living.</p>
Interface fire hazard areas	<p>Are those primarily rural areas between a natural forested area and an area proposed for new residential development, and where residential uses are vulnerable to forest fires.</p>
Impervious surface	<p>Means a hard, non-absorbent, human-made surfaces such as roofs, roads, driveways and parking areas that prevent water from going directly into the ground.</p>
Natural boundary (present)	<p>Means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.</p>
Natural hydrology regime	<p>Includes natural rates of surface runoff, infiltration to shallow groundwater (interflow) and infiltration to deep groundwater.</p>
Precautionary Principle	<p>Means where there are threats of serious or irreversible damage to the environment or human health, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent the environmental degradation from occurring.</p>
Priority ecological areas	<p>Are areas defined in the Nature Without Borders, Second Edition, including aquatic habitat corridors, upland habitat corridors, sensitive ecosystems, aquatic ecosystems, community drinking water sources, and estuaries.</p>
Proper functioning condition	<p>Means managing land uses in a riparian area so that the natural ecological functions of the area can be maintained or restored.</p>
Riparian ecosystem	<p>A distinct ecological system surrounding streams and wetlands and delineated by site-specific vegetation, soil and elevation features. Riparian ecosystems support high levels of biodiversity, protect adjacent aquatic areas and stabilize stream banks. They are critical refuges and natural aquatic corridors for wildlife.</p>
Qualified Environmental Professional (QEO)	<p>The BC Ministry of Environment defines a Qualified Environmental Professional (QEP) as an applied scientist or technologist, acting alone or together with another QEP who 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. The QEP may be a professional Biologist, Agrologist, Forester, Geoscientist, Engineer, or Technologist. The individual's area of expertise must be 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 the particular development proposal that is being assessed.</p>
Sensitive ecosystems	<p>Rare, threatened and/or fragile ecosystems and other ecosystems of high biodiversity that have been identified during a sensitive ecosystems inventory. For the East Vancouver Island sensitive ecosystem inventory, the following are included: coastal bluff, sparsely</p>

	vegetated, terrestrial herbaceous, wetland, riparian, woodland, and older forest.
SEI	SEI means sensitive ecosystems inventory, which is an inventory maintained by the BC Ministry of Environment that systematically identifies and maps at risk and ecologically fragile ecosystems.
Sensitive Habitat Atlas	Means the database of sensitive habitat as managed on the CVRD Geographic Information System and available at: http://imap2.comoxvalleyrd.ca/imapviewer/
Service centre	Means a centralized location where rural transportation services and infrastructure are concentrated, and may include recreation, assembly, service delivery, or other community uses.
Small-scale agriculture and aquaculture operations	Although similar to the agriculture and aquaculture industries regarding land use, the difference is the scale and that these operations are earmarked to establish in “rural areas” identified on the land use designation map (appendix A, map 3). Small-scale agriculture and aquaculture operations resemble hobby and cottage farms, and the following applies: <ul style="list-style-type: none">• All of the farming operations as defined in the <i>Farm Practices Protection (Right to Farm) Act</i>, where agriculture species (animals and plants) are grown, reared, produced, harvested, processed, graded, stored, marketed and sold through farm gate or limited on-site sales;• A land or water based operations that includes facilities, natural or human made containers, where freshwater and saltwater organisms and aquatic plants are grown or cultivated;• Innovative farming and local marketing techniques that would improve the economic viability of these operations;• The exploration of alternative models of agricultural land ownership that support these operations, such as:<ul style="list-style-type: none">○ Mentorship programs between new farmers and experienced farmers;○ Cooperative and traditional leasing of agricultural land; and○ Farm trusts/cooperatives where food producers share barns, other farm buildings, equipment and expenses.
Upland habitat corridors	Biodiversity corridors that provide connectivity between terrestrial ecosystems. Upland habitat corridors are mapped to recognize the existing or potential connections between habitat refuges and habitat reservoirs including core protected areas such as nature parks and conservation lands.
Vegetation buffer	Means an area of land and vegetation adjacent to watercourses containing fish, riparian or wildlife corridor habitats that are to remain in an undisturbed state throughout and after the development process. The vegetation buffer may contain a streamside protection and

	enhancement area as defined and determined by a riparian area assessment as required under the <i>riparian areas regulations</i> .
Watercourse	Means any natural depression with visible banks which contains water at some time including any lake, river, stream, sea, creek, spring, swamp, wetland, intermittent stream, gulch, surface source of water or surface drainage works inhabited by fish or contributing to fish habitat
Watershed management plan	A guidance document for managing a specific watershed, which assists local governments, landowners and others to maintain and restore watershed health. They contain high-level planning guidance as well as specific implementation items for all land users and land stewards. This guidance will typically be incorporated into local government planning documents as well as staff work-plans and budgets.
Wetland	Means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support vegetation that is typically adapted to saturated soil conditions. Types of wetlands include swamps, marshes, bogs, fens, vernal pools, and salt water marshes.

Appendix C: Population projections bibliography

[Canada Census Data Navigator](#) as retrieved Dec 20, 2013 from

<http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/map-carte/index-eng.cfm?URLGEOCODE=5926&GEOLEVEL=10>

Canada Mortgage and Housing as retrieved Jan 3, 2014 from <https://www03.cmhc-schl.gc.ca/catalog/productList.cfm?cat=49&lang=en&fr=1388882123053>

[Census of Agriculture](#) as retrieved Dec 20, 2013 from <http://www29.statcan.gc.ca/ceag-web/eng/community-agriculture-profile-profil-agricole?geoId=590126000&selectedVarIds=300%2C302%2C297%2C301%2C298%2C304%2C299%2C303%2C296%2C295%2C>

[Focus on Geography Series](#) as retrieved Dec 20, 2013 from <http://www12.statcan.gc.ca/census-recensement/2011/as-sa/fogs-spg/Facts-csd-eng.cfm?Lang=Eng&GK=PR&GC=5926022>

GeoDepot as retrieved Dec 20, 2013 from http://geodepot.statcan.gc.ca/GeoSearch2011-GeoRecherche2011/GeoSearch2011-GeoRecherche2011.jsp?minX=3884456.17394958&minY=2083081.02016807&maxX=3977229.28319327&maxY=2139551.60840336&LastImage=http://geodepot.statcan.gc.ca/Diss/Output/GeoSearch2011_f6geoimspaz147443009918.gif&lang=E&boundaryType=csd&switchTab=0#tabdataTable

[National Household Survey](#) as retrieved Dec 20, 2013 from <http://www12.statcan.gc.ca/nhs-enm/2011/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CD&Code1=5926&Data=Count&SearchText=comox%20v&SearchType=Begins&SearchPR=01&A1=Housing&B1=All&Custom=>

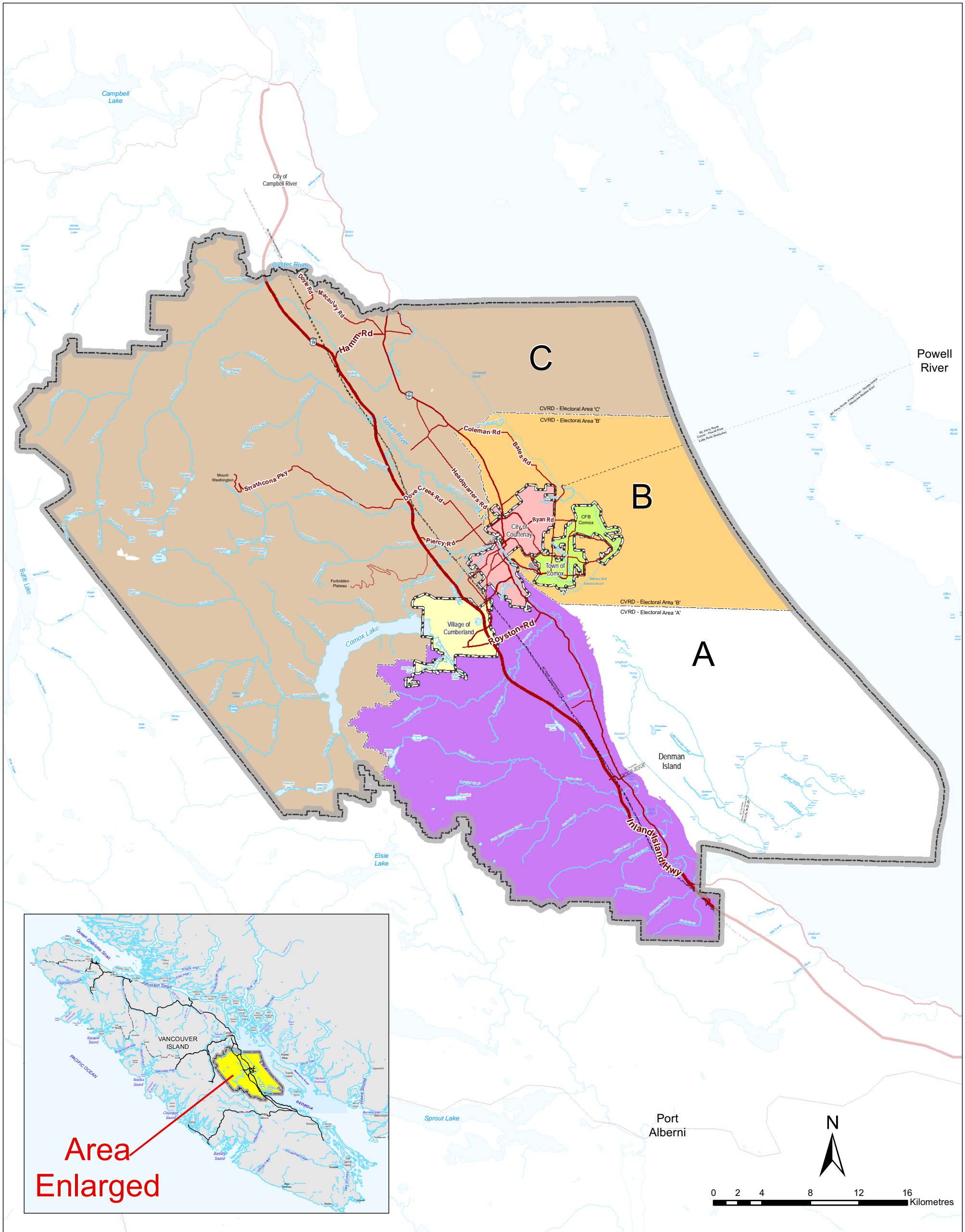
[P.E.O.P.L.E. 2013](#) as retrieved Dec 20, 2013 from

<http://www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationProjections.aspx>

[Vancouver Island Health Authority](#) as retrieved Dec 20, 2013 from <http://www.viha.ca/NR/rdonlyres/790DD84A-78C2-40F8-B891-E1EB8F7A1CB2/0/71Courtenay2011.pdf>

Appendix D: Mt. Washington local area plan

(Mount Washington local area plan document follows this OCP and is also available separately from the Comox Valley Regional District).



Electoral Areas of the Comox Valley Regional District

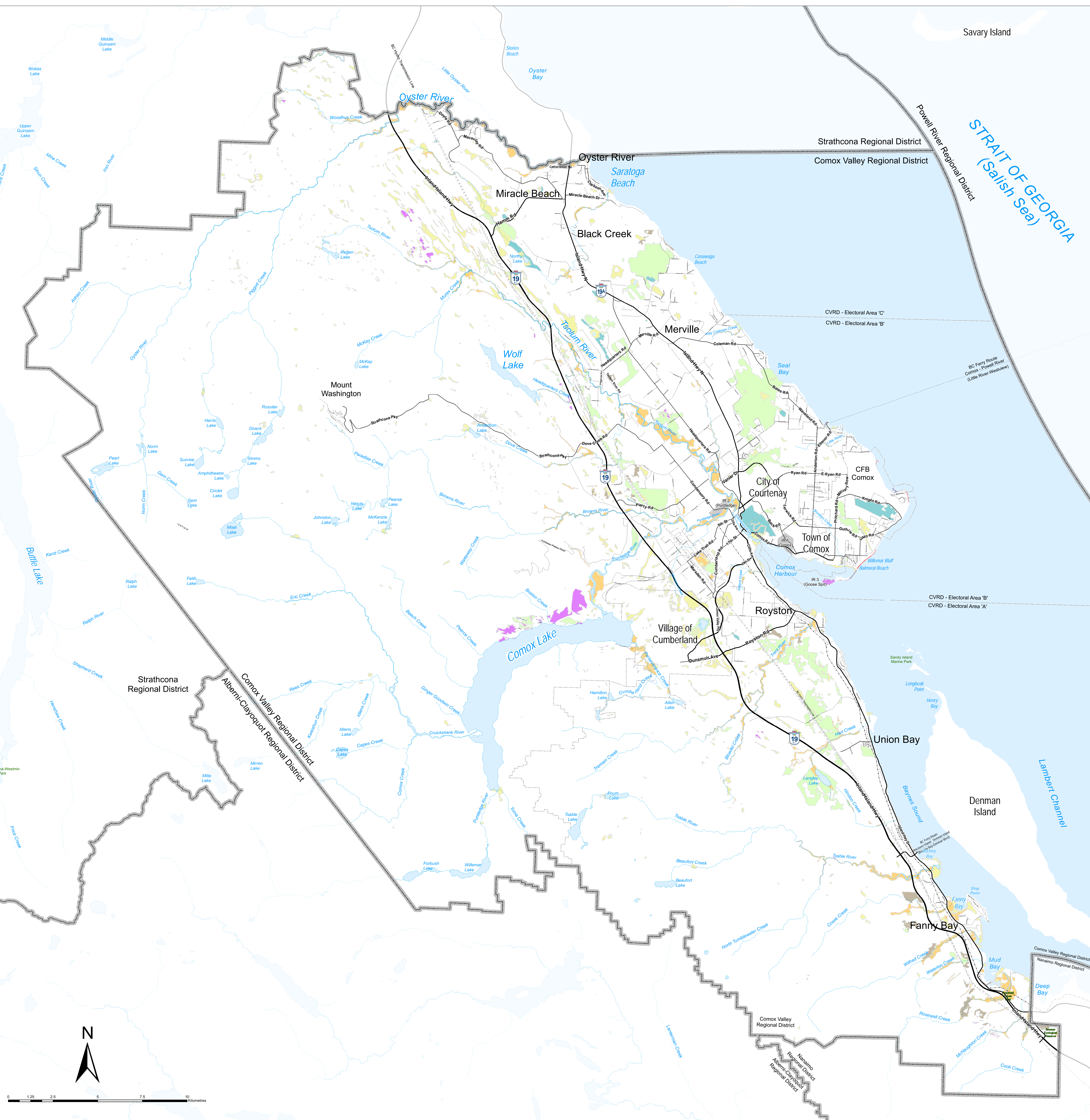
- | | |
|--|-----------------------|
| Comox Valley Regional District Boundary | City of Courtenay |
| *Baynes Sound-Denman/Hornby Islands (Electoral Area 'A') | Town of Comox |
| Lazo North (Electoral Area 'B') | Village of Cumberland |
| Puntledge-Black Creek (Electoral Area 'C') | K'ómoks First Nation |

* Part 25 of the Local Government Act does not apply to lands within Islands Trust jurisdiction. Thus, the Rural Comox Valley Official Community Plan excludes Denman and Hornby Islands.



This map was prepared by the CVRD for planning purposes only, and is not a legal document. This map is a composite of different data sets that were obtained from different sources and dates. This map should be used with caution. The CVRD is not responsible for any damages resulting from any omissions, distortions or errors.

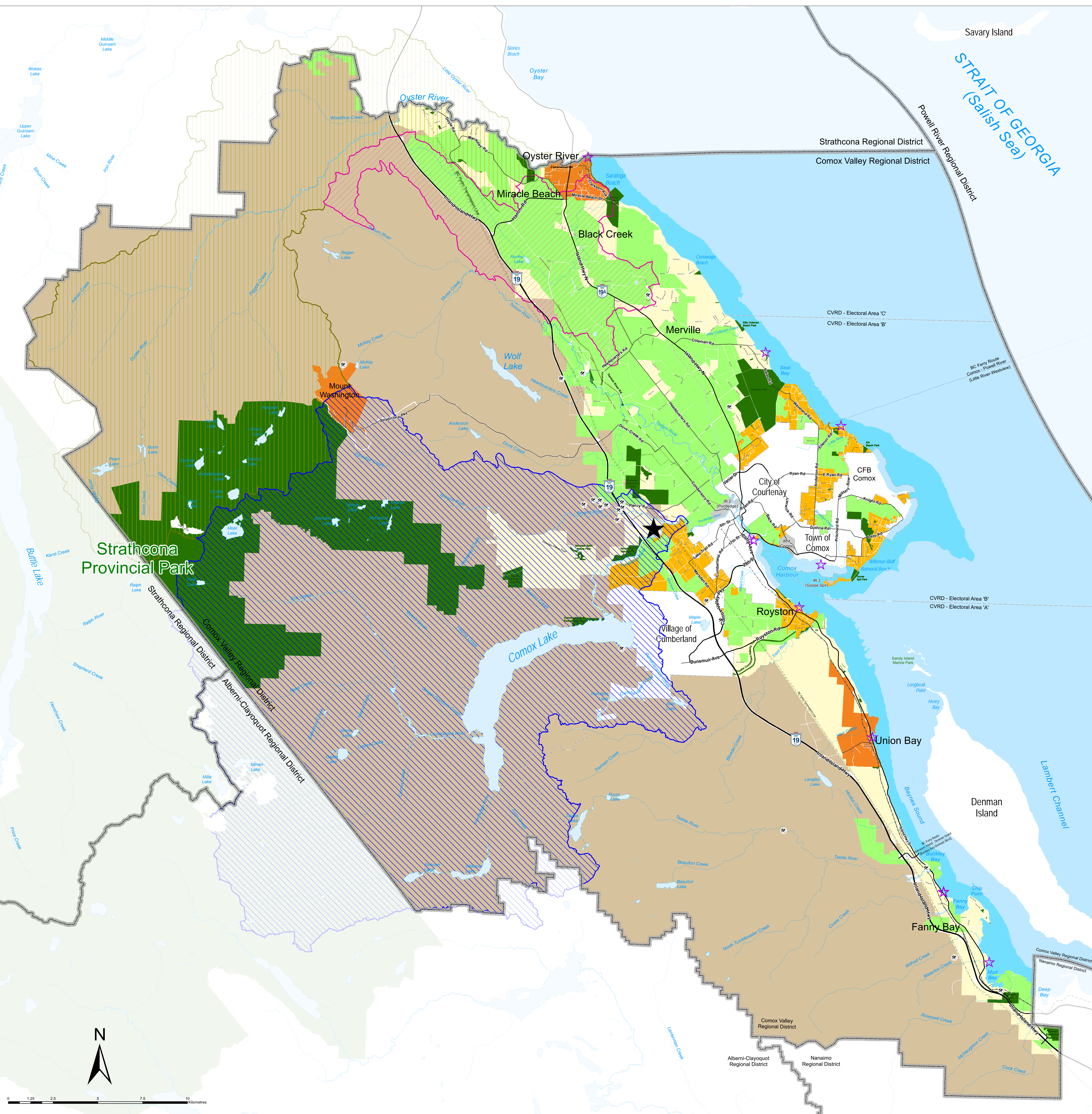
Map 1 - Rural Comox Valley Official Community Plan Bylaw No. 337, 2014 - 7/10/2014 2:28:19 PM



This map was prepared by the CVRD for planning purposes only and is not a legal document. This map is a composite of different data sets that were developed from different methods and dates. This map should be used with caution. The CVRD is not responsible for any damages resulting from any omissions, deletions or errors.

Sensitive Ecosystem Inventory Map

- | | | | |
|--|---|--|---|
| Coastal Bluff | Sparsely Vegetated | E&N Railway | Regional District Boundary |
| Seasonally Flooded Agriculture | Terrestrial Herbaceous | Ferry Route | Electoral Area Boundary |
| Older Forest | Wetland | BC Hydro Transmission Line | K'ómoks First Nation Land |
| Older Second Growth Forest | Woodland | | |
| Riparian | | | |

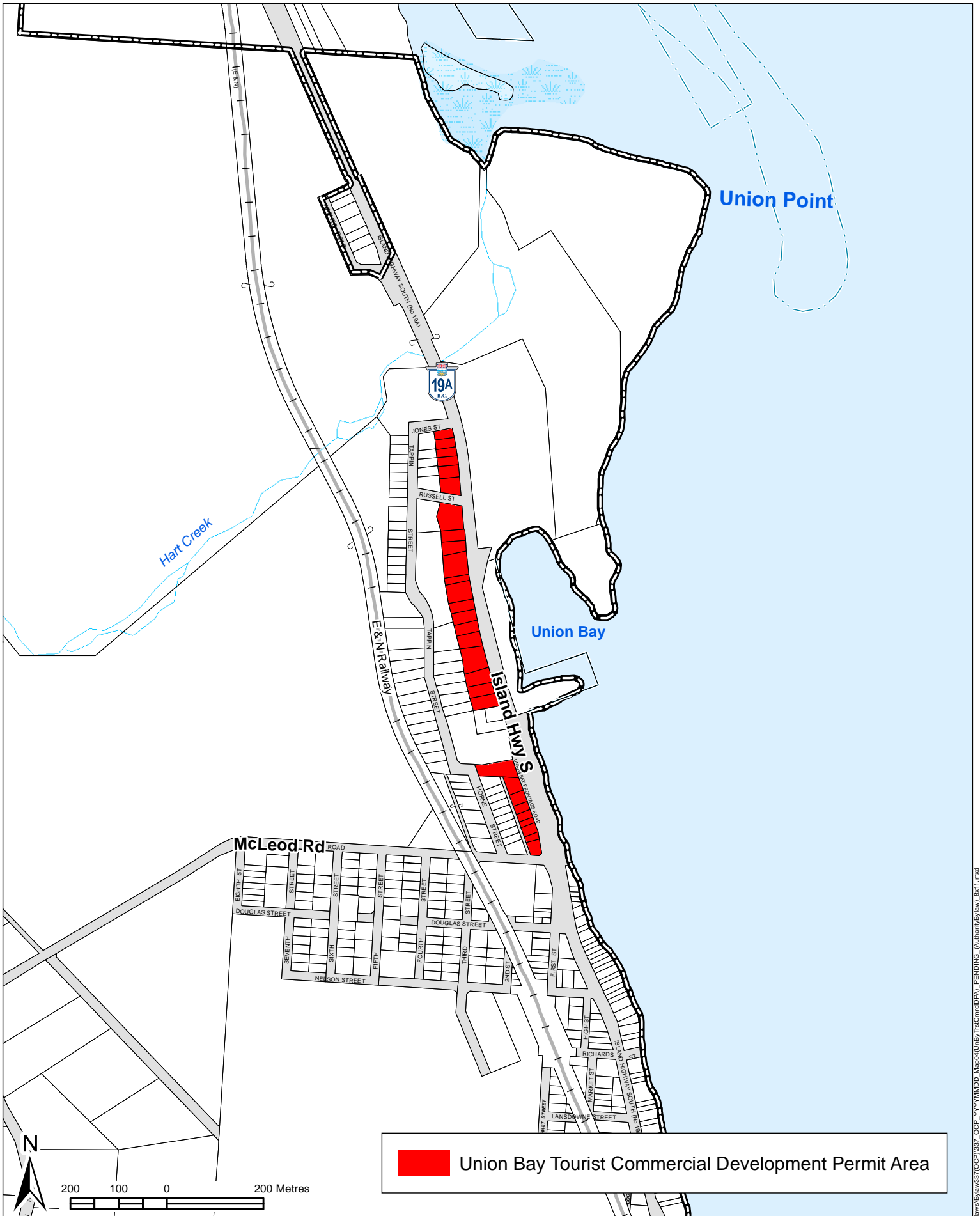



Land Use Designation Map

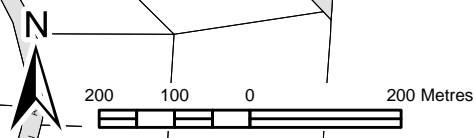
- | | | | |
|---------------------------|--------------------------------|-------------------------------|--|
| Rural Settlement Area | Parks and Natural Areas | Wharf/Marina/Boat Ramp | E&N Railway |
| Settlement Expansion Area | Active Transportation Corridor | Sand and Gravel Deposits** | Ferry Route |
| Settlement Node | Railway Corridor | Puntledge Community Watershed | BC Hydro Transmission Line |
| Resource Area | Fresh Water | Oyster River Watershed | Regional District Boundary |
| Agricultural Area | Coastal Area | Black Creek Watershed | Electoral Area Boundary |
| | | | K'omoks First Nation Land |
| | | | Lands Excepted (See Map 6 of Appendix A) |

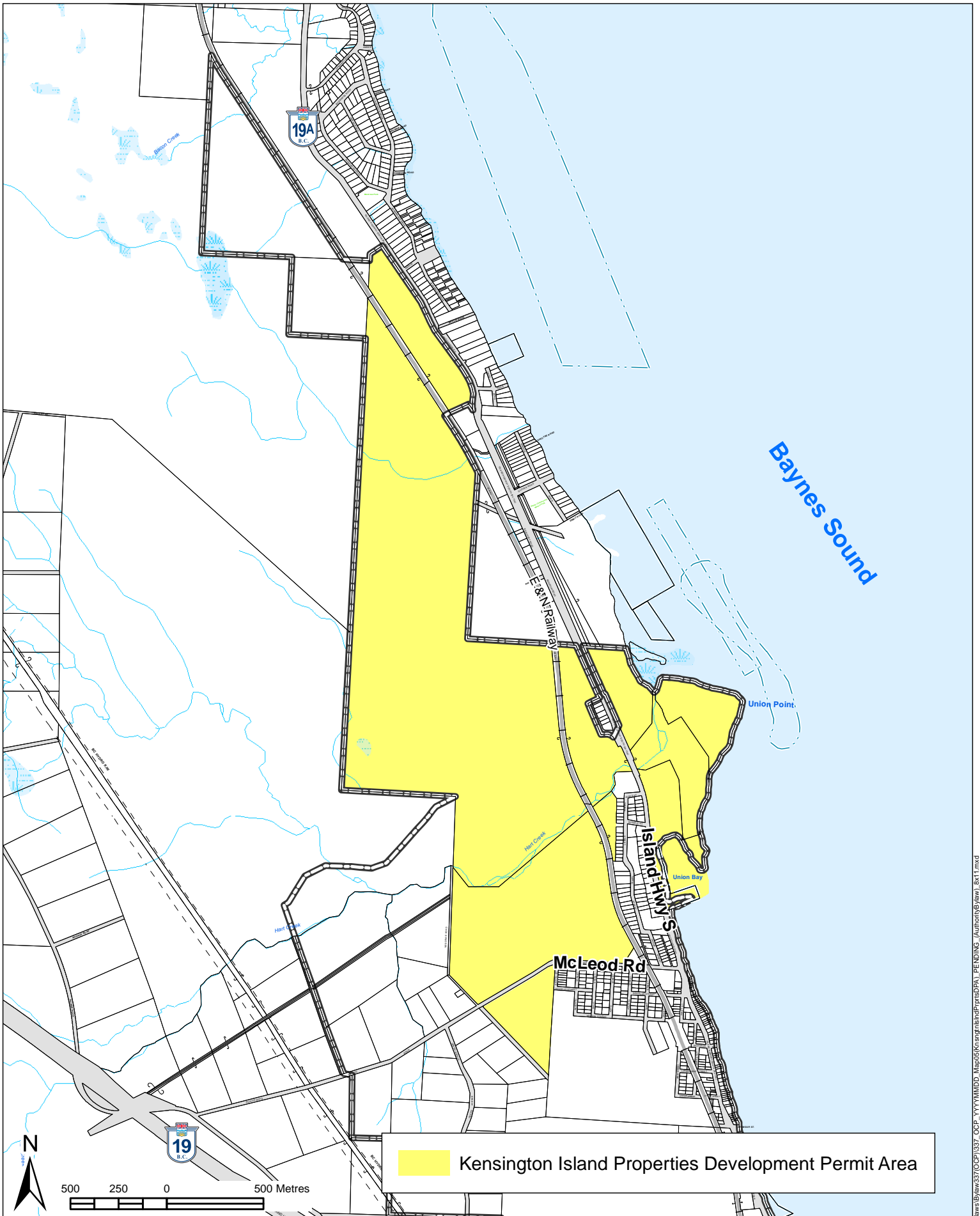
* The fresh water designation includes all watercourses, lakes and wetlands within the CVRD.
 ** Locations are approximate

This map was prepared by the CVRD for planning purposes only and is not a legal document. This map is a composite of different maps and data developed from different methods and dates. This map should be used with caution. The CVRD is not responsible for any damages resulting from any omissions, deletions or errors.

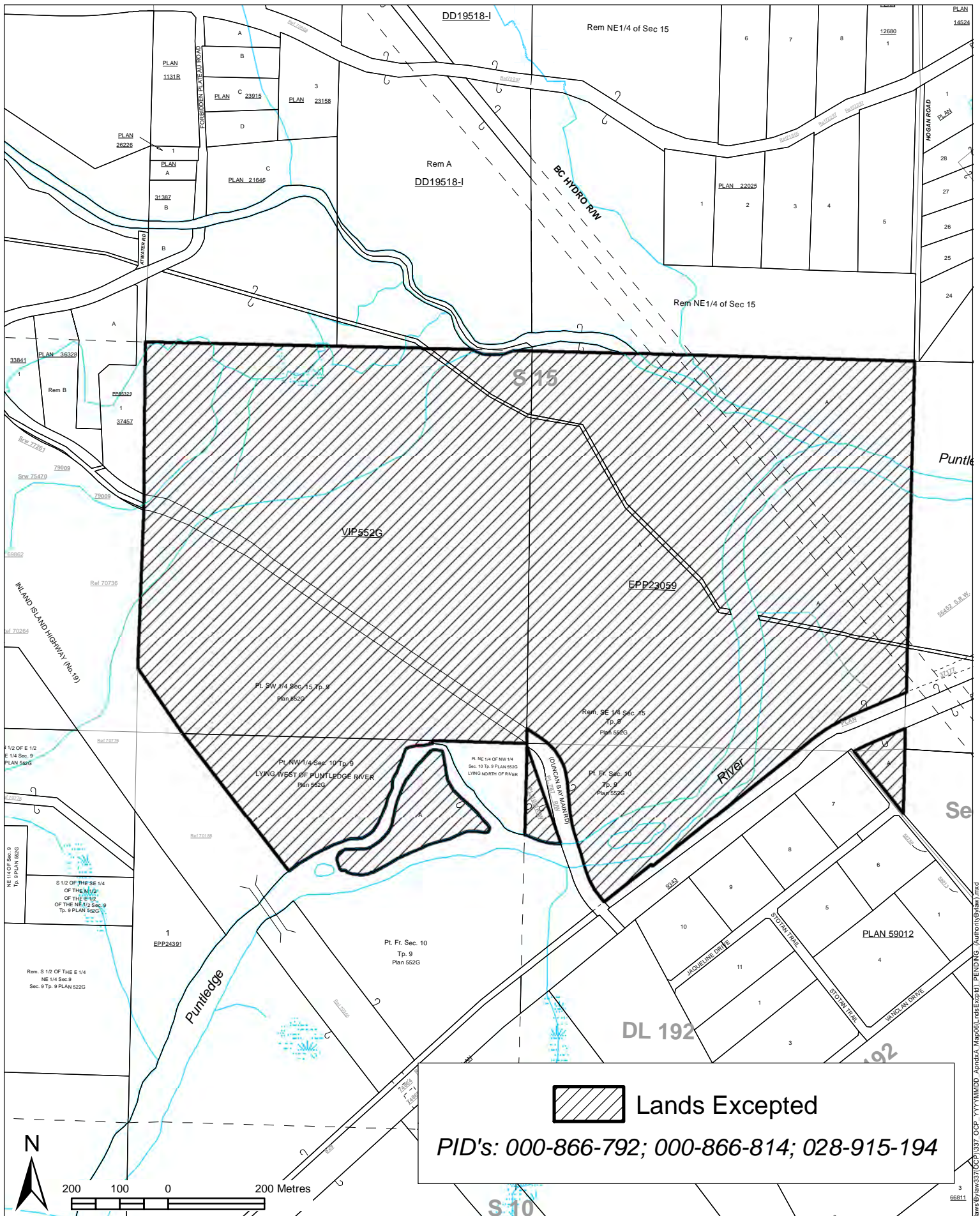


 Union Bay Tourist Commercial Development Permit Area





Kensington Island Properties Development Permit Area



 **Lands Excepted**
PID's: 000-866-792; 000-866-814; 028-915-194

Mt. Washington

Integrated Resort Community Plan

2013



Celebrate ...

Mt. Washington is one of three settlement nodes identified for the Comox Valley Regional District. This node has significant capacity to accommodate new growth through a balance of compact development and expansion of public infrastructure. As a settlement node, Mt. Washington Alpine Resort has the potential to expand residential uses and provide for additional diverse land uses and services.

Mt. Washington's coastal climate delivers the highest snow fall in British Columbia, with record snowfall heights of 14 m! With a summit elevation of 1588 m the mountain has sweeping views across the Strait of Georgia and a magnificent view of the rugged landscape of Strathcona Provincial Park. The park on the southwest side of Mt. Washington collectively enhances recreation opportunities. Driving up Strathcona Parkway, through private managed forest lands bordering Mt. Washington on the three remaining sides, enhances the enjoyment of a nature adventure.

Mt. Washington is a 644 ha privately- owned resort, evolving to become the island's premiere four-season destination resort and ski area. With five lifts and five magic carpet rides it offers a comfortable carrying capacity of 5,000 skiers per day! It offers 81 ski / Nordic and snowshoe trails (some within Strathcona Provincial Park). Only 25 km west of the Comox Valley and 100 km north of Nanaimo, the resort community will become a destination resort – not only for Vancouver Island residents and Western Canada - but for visitors around the world.

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PHOTO CREDITS

Courtesy of Mount Washington Ownership Group





PART ONE CONTEXTUAL OVERVIEW

1.1 Introduction

In March of 2011, the Comox Valley Regional District (CVRD) adopted its regional growth strategy, which provides the framework for future decision making and land use. The growth management framework identifies core settlement areas where ninety percent of the development within the Comox Valley will occur. While the core settlement areas mainly consist of the Town of Comox, the City of Courtenay and the Village of Cumberland and the settlement expansion areas of these municipalities, it also includes three settlement nodes within the jurisdiction of the CVRD. One of these is the Mt. Washington settlement node, in the electoral area ‘C’ (Puntledge-Black Creek). This node is a maturing, privately-owned and operated tourism resort that caters to the permanent and seasonal population of the Mt. Washington alpine resort community. Given the right economic conditions and willingness of the resort operators to make further investment, the Mt. Washington settlement node has the potential of growing substantially as a resort and recreation destination. Mt. Washington settlement node has the potential to become a self-sustaining community with a variety of community services, diversified land uses and various residential densities. The integrated resort community plan aspires to encourage a high density, pedestrian focused alpine village development with a village centre that forms the “heart” of the resort community.

As a privately held resort for the past 34 years, Mt. Washington is not developed as most comprehensively planned and managed mountain resorts in BC. While self-described as a “family destination”, it is currently in transition from a winter focused regional ski area to a four-season destination resort. Nevertheless, the vision for the Mt. Washington resort community is to continue to expand and diversify within the constraints and limitations associated with fluctuating market conditions.

In compliance with the *Local Government Act* (LGA), section 865(1), any future planning within the Mt. Washington settlement node must be compliant with the Comox Valley regional growth strategy (RGS). As such, the Mt. Washington local area plan (LAP) was reviewed and a Mt. Washington integrated resort community plan (IRCP) was created.

The Mt. Washington IRCP is prepared by the CVRD for the Mt. Washington resort community. It has been developed in consideration of the requirements and enabling provisions of the *Local Government Act* and the direction provided by the regional growth strategy. The plan has relied on:

- Ground work done by CTQ Consultants Ltd.
- Technical information provided by the Mt. Washington ownership group, such as skier capacity, water and sanitary sewer service provisions, employee housing, return trip shuttle

bus service for employees and the shuttle bus service from the base of the mountain to the Alpine Lodge.

- Information found in the previous Mt. Washington local area plan.
- Other background information and technical studies.

The IRCP is organized in the following parts:

- Part one: contextual overview
- Part two: planning for future growth
- Part three: policy framework
- Part four: development permit area guidelines
- Part five: implementation

The purpose of this plan is to provide the policies and guidelines for growth, development and environmental protection within the Mt. Washington IRCP area. The plan will serve as a guide for long term decision making by public authorities and private investors.

The IRCP is not a static document, and will be subject to periodic reviews. Minor amendments may be considered to best respond to the socio-economic climate, the needs of the Mt. Washington ownership group, the residents, businesses and stakeholders who have invested in properties and businesses within the IRCP plan area.

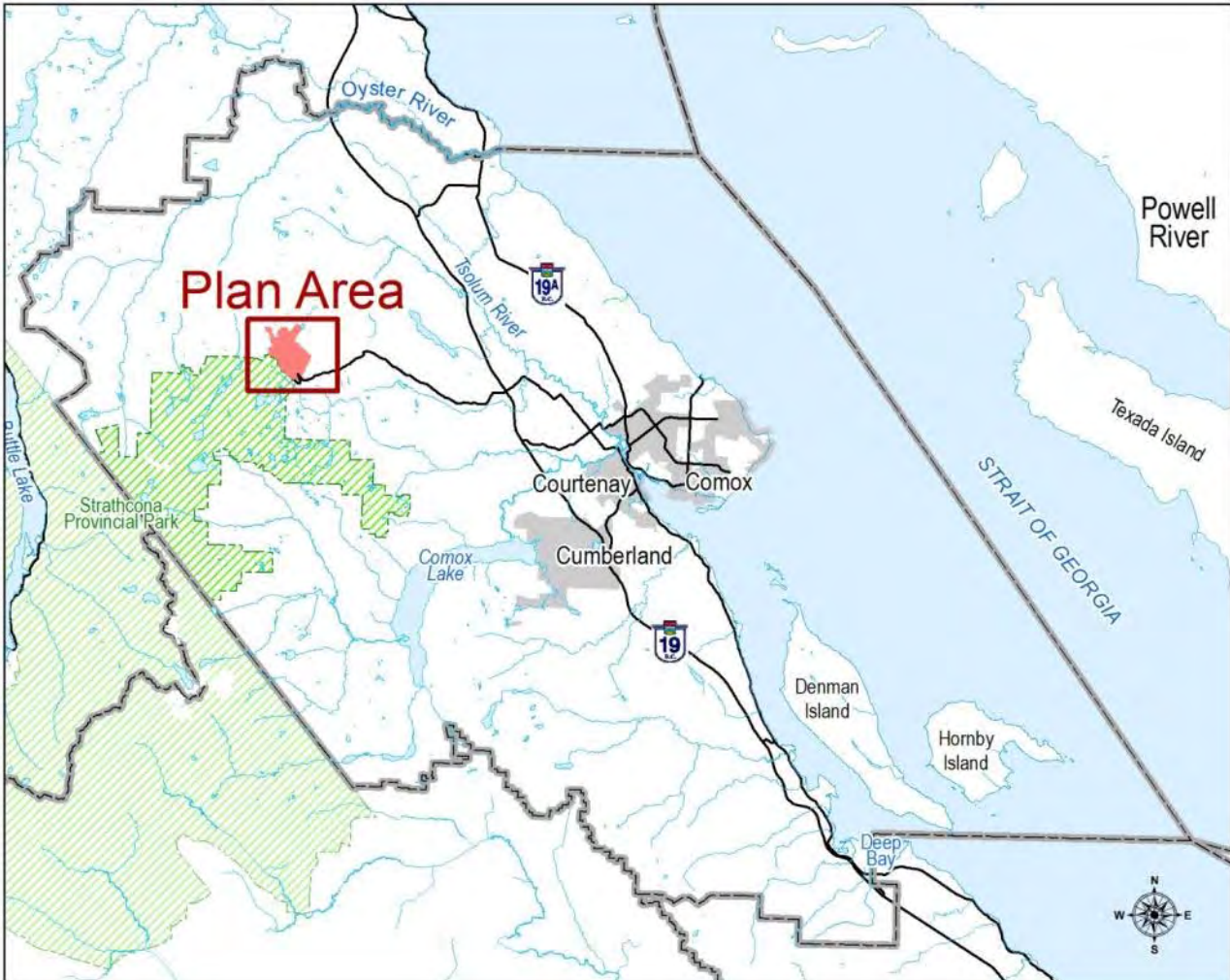
This Mt. Washington IRCP is adopted pursuant to part 26 of the *Local Government Act*. The IRCP is a statutory plan, adopted as a regional district bylaw, forming part of Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014” (OCP).

1.2 Scope of Study and Plan Area

The scope of study was confined to the RGS identified Mt. Washington settlement node boundary.

The geographic location of the plan area in the North West quadrant of the CVRD is shown in *figure 1: Mt. Washington IRCP Area*.

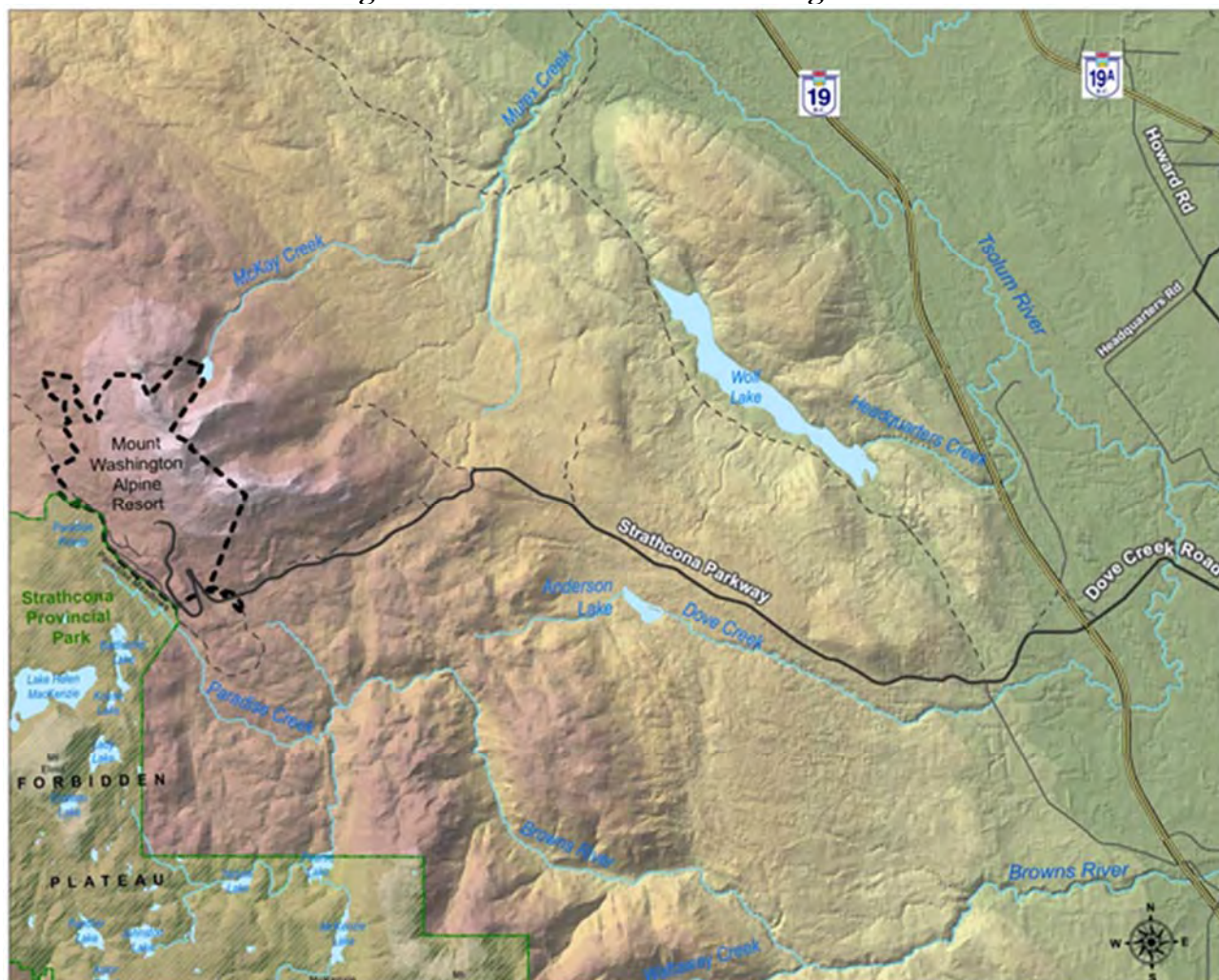
Figure 1: Mt. Washington IRCP Area



1.3 Local and Regional Context

Mt. Washington alpine resort is a unique ski area located 25 kilometres west of the Comox Valley and 100 kilometres north of Nanaimo. Most visitors are locals from the Comox Valley and other parts of Vancouver Island. As seen in *figure 2: Mt. Washington IRCP Area*, the alpine resort is located on the west side of Mt. Washington, north of Strathcona Provincial Park's Forbidden Plateau.

Figure 2: Location of the Mt. Washington IRCP area

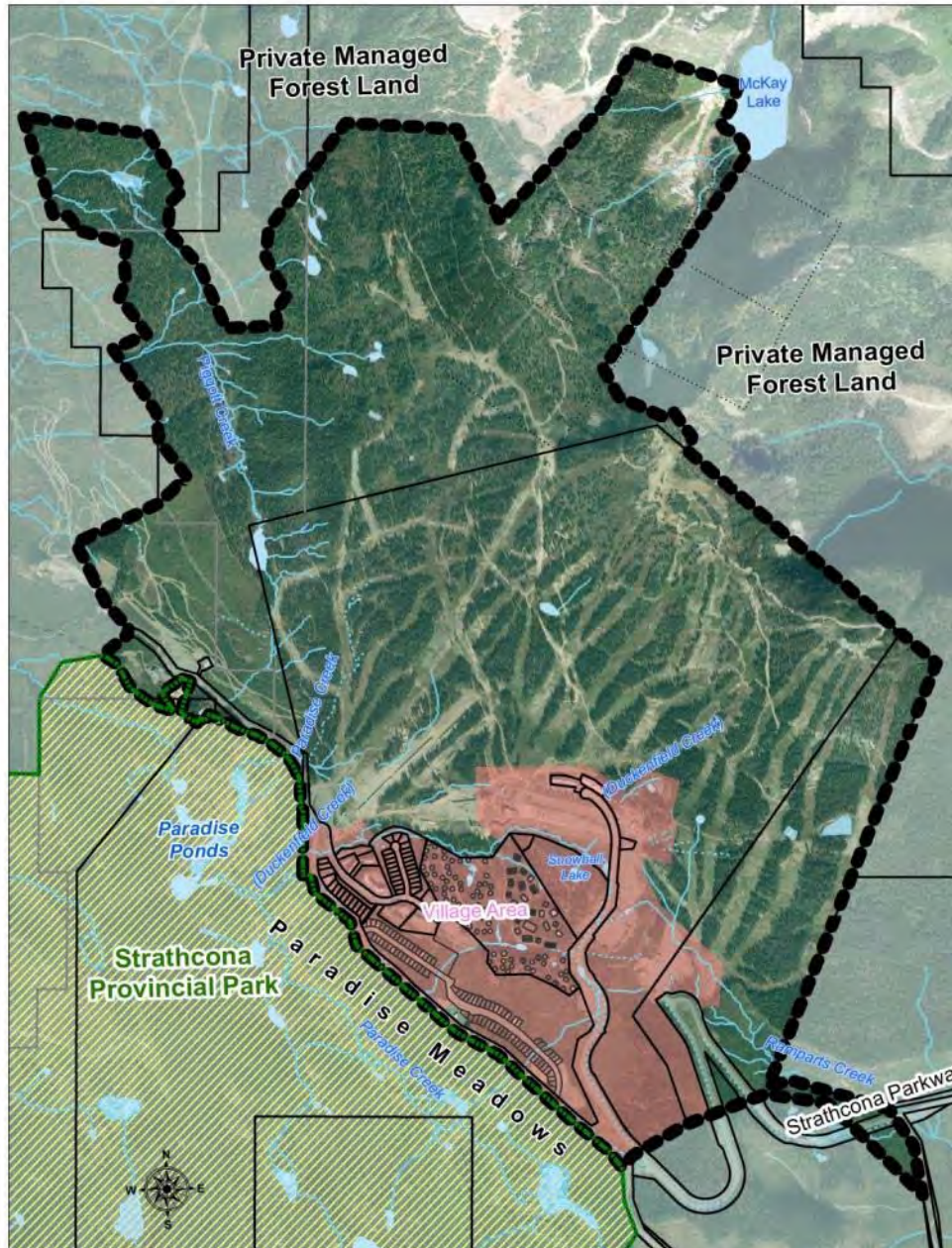


Driving time between the base of the mountain, along the Strathcona Parkway, to the beaches along Georgia Strait is less than 30 minutes.

As seen in *Figure 3: Mt. Washington IRCP Area*, the largest portion of the area consists of the mountain based recreational area and associated recreational facilities and infrastructure. At the base of the recreational area is the village area, where the main footprint, service roads, infrastructure, a variety of commercial enterprises, and residential/tourist accommodation has been developed over the past 34 years.

The plan area is bounded by Strathcona Provincial Park to the south and on the remaining three sides by private managed forest lands. While the surrounding lands are subject to provincial rules and regulations, such as the *Parks Act* and *Private Managed Forest Land Act*, the land and uses within the boundaries of the IRCP plan area have potential impacts on the surrounding lands and are subject to provincial health and resort regulations, the regional growth strategy, the regulations of this plan, and other regional district bylaws.

Figure 3: Orthophoto of Mt. Washington IRCP area



The relationship between Mt. Washington and Strathcona Provincial Park, both tourist destinations, has been mutually beneficial.¹ The park attracts visitors in all seasons and by way of permit, authorizes Mt. Washington ownership group to provide Nordic ski and snowshoe services within the park. Together, they form a mountain based resort tourism destination that adds considerable value to the settlement potential than would be possible if they were not located adjacent to one another.

Strathcona Provincial Park forms an integral part of the natural area of Mt. Washington resort community. The park protects ecosystems that are representative of the natural environment of Vancouver Island. It also shares the scenic values that are enjoyed by visitors to both destinations. The continuation of a cooperative and mutually beneficial relationship between the resort community and BC Parks will help to mitigate potential impacts from the resort onto the natural environment of the adjacent park. Conversely, the importance of Mt. Washington in regards to the provision of access to Paradise Meadows should be recognized by park stakeholders and visitors. The Mt. Washington ownership group donated land used for the Strathcona Visitors Centre and free overflow parking during peak summer visitation time.

1.4 Environment and Wildlife

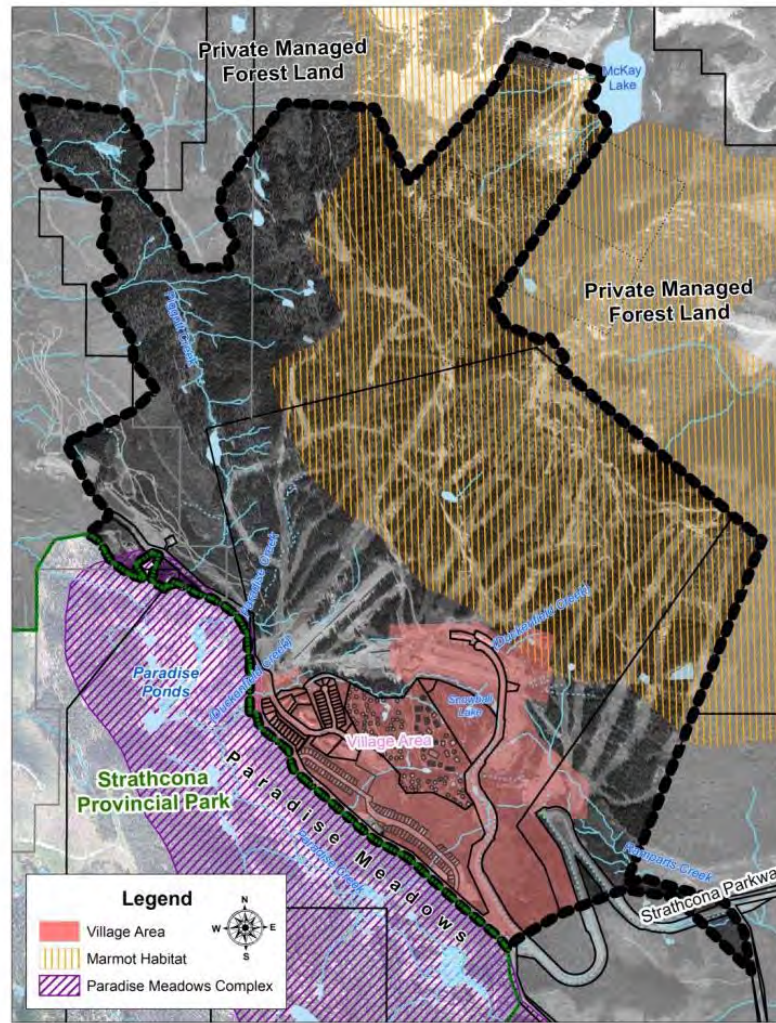
The beauty of the natural environment and the alpine setting are key reasons for the success of the resort and its attractiveness as a mountain community. The community is established on the west flank of Mt. Washington, with a base elevation of 1083 metres and a summit elevation of 1588 metres. The coastal climate brings an average annual snowfall of 11 metres. The elevation and location of Mt. Washington allows for sweeping views across the Strait of Georgia and a magnificent view of the rugged landscape of Strathcona Provincial Park.

Two biogeoclimatic zones, which provide temperature and precipitation modifiers, are part of the IRCP area: the Alpine Tundra and the Mountain Hemlock. These regions are cooler in all seasons than the coastal areas and receive most precipitation as snowfall during winter. This snowfall supports stream-flow during the summer and fall months. Coniferous old growth forest still exists on some of the private lands of the resort as well as in the adjacent Strathcona Provincial Park. Prior to the development of the resort, much of the site was logged. Mineral exploration of surrounding areas took place starting in the 1940s. The former Mt. Washington Copper Mine is located on the northwest flank of Mt. Washington. Geological mapping indicates that the Mount Washington Plan Area is comprised of three main bedrock types: Triassic Karmutsen basalts (volcanic rock), Upper Cretaceous Nanaimo Group sedimentary rocks, and some early Tertiary intrusive rocks. According to the ministry of energy and mines the Mt. Washington IRCP area is considered non-prospective for oil, gas, and coal bed gas. This site is currently on private managed forest lands. A successful restoration program was conducted and completed in 2012, which reduced the amount of leachate runoff from the abandoned mine into the Tsolum River.

¹ As the gateway to Strathcona Park, Mt. Washington provides free overflow parking at the Paradise Meadows trailhead, and donated land to BC Parks to allow unfettered access to Paradise Meadows.

Creeks, ponds, wetlands, and meadows form an important part of the unique alpine ecosystem. The most environmentally sensitive areas to be protected are the watercourses that drain into Paradise Meadows within Strathcona Provincial Park on the south-west side of the IRCP area, as well as species' habitats² including the endangered Vancouver Island marmot. While a large portion of the marmot habitat is located within the IRCP boundaries it also extends to the north and east outside of these boundaries (see *figure 4: Environment and Wildlife*). In addition to the endangered marmot, the IRCP area is home to a variety of animal, birds, and plant species.

² In the *Species at Risk Act*, critical habitat means the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species' critical habitat in the recovery strategy or in an action plan for the species. In the *Wild Life Act*, "critical wildlife area" means land in a wildlife management area that is designated as a critical wildlife area. And "habitat" or "wildlife habitat", means the air, soil, water, food and cover components of the environment on which wildlife depend directly or indirectly in order to carry out their life processes. Under section five of the act it enables the Minister of Environment to protect endangered species and require land for habitat for a species of wildlife designated as an endangered species or threatened species, in which case the minister may, by regulation, designate land in a wildlife management area as a critical wildlife area or as a wildlife sanctuary.

Figure 4: Environment and Wildlife

1.5 Land Use and Ownership

Mt. Washington alpine resort is located entirely on private land, owned by the Mt. Washington ownership group. Since its inception, the Mt. Washington resort has been largely self-reliant.³

From 1977 to 1986, the site was leased and in 1986 purchased from the then owner Crown Zellerbach Ltd. Mt. Washington first opened in 1979, with two double chairlifts and a rough road

³ Because no Crown Land is involved, the Mt. Washington ownership group does not have to enter into a master development agreement with the provincial government.

leading to the top of the mountain. From the beginning, the emphasis has been on family oriented skiing. Since then, the following resort-based investments have been made by the Mt. Washington ownership group:

- expanded ski terrain
- people movers that include expanded lift capacity and magic carpets
- skier services
- water and sanitary sewer services and related infrastructure to support the real estate development that has taken place

The present and future viability of the resort community is tied to demand for the “lifestyle products” offered by the resort operators. These include alpine recreation and opportunities for recreational real estate. Investment in future resort expansion will continue to be at the discretion of the Mt. Washington ownership group, taking into account favourable market conditions.

In addition to the investment of the Mt. Washington ownership group, other private owners purchased and developed land in accordance with the comprehensive development zone of the CVRD bylaw 2781, being the “Comox Valley Zoning Bylaw, 2005”. By virtue of having land use in place, future residential and commercial developments (driven by market demand) are allowed to establish in the existing comprehensively-zoned village area at the base of the ski hill, indicated on *Figure 4: Environment and Wildlife*. Private development at the base of the ski hill includes a range of residential and commercial accommodations, such as chalets, duplexes, large strata apartments, and lodges. Although hotels do not currently exist, nightly rentals are available through rental management agencies. Unlike many other ski resorts in BC, there are no restrictions on the owners’ rental of their homes at Mt. Washington. Once the IRCP is adopted as an official community plan amendment bylaw, the zoning bylaw will be amended to conform to the IRCP.

Over the years, limited commercial development has occurred. Convenience retail, food and beverage, sport and recreation equipment sales, and some entertainment establishments are located at the Alpine Lodge and the Bradley Building. A general store and two small eating establishments are available on a more seasonal basis. A small retail outlet, food and beverages are also available at the Raven Lodge in the Nordic area of Mt. Washington.

Currently most of the Mt. Washington alpine resort employees live in the Comox Valley communities and travel by car or bus to and from work. At this time the Mt. Washington alpine resort provides free shuttle service for its employees from various pickup points in the Comox Valley and at the foot of Mt. Washington near the beginning of Strathcona Parkway. The most pragmatic strategy for stakeholders to pursue would be the provision of regional transit parking in the above-mentioned area, with attendant carpooling or shuttle service to the top of the mountain.

It is recognized that in the future, Mt. Washington alpine resort may not be the only employer on the mountain, suggesting a potential increased demand for employee and/or affordable housing on a seasonal or year-round basis. For the foreseeable future, it is likely that the majority of employees will continue to prefer living in the Comox Valley communities, for reasons of convenience, services provided, cost and variety of attainable housing and lifestyle. However, there may eventually be some employees who would prefer to live on the mountain, should the range of community services and amenities expand. Some secondary suites/lock off units are currently available for employees who have a connection to homeowners who are willing or able to share/rent their residential accommodation with employees.





PART TWO PLANNING FOR FUTURE GROWTH

2.1 Initial collection of information for the development of the IRCP

The planning process for the development of the Mt. Washington IRCP began in the fall of 2011. A desktop review of several documents included the principles of the Comox Valley sustainability strategy (CVSS) and other CVRD documents, including the policies of the regional growth strategy, the previous Mt. Washington local area plan, as well as adaptation measures for climate change, and the control of greenhouse gas emissions.

During January 2012, CTQ Consultants Ltd. had an on-site display of the project and collected input through a survey available at the display area and online through the project website. Through meetings, phone, and email exchange, CTQ interviewed stakeholders for initial input, which included: the Mt. Washington ownership group, local strata representatives, various user groups, skiers at the mountain, stakeholders, K'ómoks First Nation, and the following provincial agencies:

- Ministry of Transportation and Infrastructure
- Ministry of Health
- Vancouver Island Health Authority
- Ministry of Environment, which includes BC Parks
- Ministry of Forests, Lands and Natural Resource Operations,

2.2 Principles that Guided the Development of the IRCP

The following guiding principles for the development of the Mt. Washington IRCP were derived from baseline data and written and verbal information collected during the initial stages of the creation of the Mt. Washington IRCP.

2.2.1 Principle One: Sustainability

The CVRD board received the CVSS and adopted the Comox Valley regional growth strategy (RGS), and is committed to *“meeting its current needs without compromising the ability of future generations to meet their own”*.⁴

⁴ United Nations, Brundtland Commission Report. 1987

The Province of British Columbia established greenhouse gas reduction targets and as a signatory to the Climate Action Charter, the Comox Valley Regional District is committed to reducing corporate and community emissions. To achieve the provincial 33 percent reduction target by 2020, the CVSS and the RGS require a long-term target of 80 percent reduction of greenhouse gas emissions from 2007 levels by 2050, with a mid-term target of 50 percent reduction by 2030.

All new development in the Mt. Washington resort community must be consistent with the greenhouse gas emission targets prescribed above. To support sustainable development in the Mt. Washington resort community, the CVRD will consider the impacts of policy decisions and ensure that the decision-making process reflects the Mt. Washington IRCP's sustainability principles.

Greenhouse gas reduction measures appropriate to an alpine resort community include green buildings regulations, energy saving methods, the use of on-site energy production, reduced vehicle use through enhanced modes of alternative transportation, the provision of compact village design, and best practices and innovative engineering for the provision of heat, energy and services. It also includes water-saving measures that can be achieved through capture and re-use of rainwater and snow melt and through landscape design where native species are used.

2.2.2 Principle Two: Community Development through establishment of Resort Community Services

The safety of the permanent and seasonal residents, visitors, and staff of the resort, is of paramount interest. The need for increased policing, fire protection, and the establishment of a safe environment within the resort community and adjacent lands will be coordinated through the cooperation of local, provincial, and federal agencies. Due consideration should be given to a range of health, education, and resort community services based on the size of the permanent population and extended stay residents within the village. Schools, together with public spaces and amenities, will be required as the population expands.

2.2.3 Principle Three: Support Tourism and Sustainable Economic Development

The commercially-viable four-season alpine recreation resort development will form the basis of a future, comprehensively-serviced alpine village. Development in the IRCP area will continue to be driven by the local economy, tourism and resort destination visitors, recreation homes, winter sports, and other all-season activities. Economic health and vitality are linked to sustainability; in that ongoing economic activity cannot successfully take place without a healthy environment and a strong social fabric. In the same way, the viability of the resort community as an integrated whole is largely determined and driven by economic conditions.

The further development of the resort community as a whole is tied intrinsically to the economic viability of the privately owned alpine resort and favourable market conditions. Ultimately, it is the availability and willingness of private capital alone that will determine growth of the resort, and by

extension, will shape the community dependent on the resort operation for its own viability. This plan sets in motion appropriate planning guidelines to help define the resort village area and future village centre.

2.2.4 Principle Four: A Comprehensively Planned Resort Community

Bylaw 2781, being the “The Comox Valley Zoning Bylaw, 2005”, provides the current land use designation for the resort. The Mt. Washington comprehensive development zone permits a variety of residential, commercial and recreation-oriented land uses on Mt. Washington. Through a mix of residential housing types and commercial services, the area will, over time, evolve into a mature resort community.

In order to succeed, this IRCP has adopted the principle of comprehensive planning by integrating land use, recreation, services, transportation, environment and design. Future development and design will:

- respect the direction of a revised master plan and subsequent or related plans to achieve a sense of place
- anticipate that with favourable economic conditions, the Mt. Washington ownership group or other relevant stakeholders will develop a village centre to provide amenities and support social integration for permanent and seasonal residents
- incorporate the following crime prevention strategies through environmental design (CPTED) principles that would enhance the safety of the permanent and seasonal population and visitors:

Natural surveillance – that keeps people easily observable in public places, parking areas and building entrances

Territorial reinforcement - that define property lines and distinguishes private spaces from public spaces using landscape plantings, pavement designs, gateways and fences

Natural access control - that clearly indicate public routes and discourage access to private areas or development of unauthorized trails

Maintenance - that shows an area is cared for and is free of trash, graffiti and other visible signs of damage ⁵

The concept of a village centre that is compact, pedestrian oriented and that will accommodate a mixture of tourist accommodation, residential, and commercial development has been articulated in former plans for Mt. Washington alpine resort. The desire for a village centre again surfaced as one of the most prominent messages received during the preparation of this plan, from the CVRD elected officials and throughout the public input phase. Seasonal residents and visitors alike spoke about the need for pedestrian oriented development, easily accessible services and amenities, and compact design that would foster a focal point or “heart” to the resort community.

⁵ Lancaster Community Safety Coalition – Safety by Design website. Crime Prevention Through Environmental Design (CPTED): <http://www.lancastercsc.org/CPTED/Overview.html>

2.2.5 Principle Five: Use a Revised Master Plan to Guide Future Growth

The extent of the IRCP area is confined to the boundaries of the IRCP as depicted on *Map 2: Land Use Designation*.

While the area at the southern boundary of the plan, labeled “Potential Mixed Use Residential” is not included in the IRCP area, it is included in the legend of *Map 2: Land Use Designation*.

Development within this “Potential Mixed Use Residential” area and any further residential or commercial development outside the boundaries of the IRCP area would necessitate a boundary extension of the existing IRCP area and will trigger the requirement for the following bylaw amendments:

- An amendment to the regional growth strategy
- An amendment of the official community plan – Mt. Washington IRCP boundary (map and text)
- A zoning bylaw amendment

The three bylaw amendment applications (described in the aforementioned bullets) to extend development beyond the boundaries of the IRCP area, will need to be accompanied and complimented with the following:

- A revised master plan
- A phased development agreement

The terms of reference for a revised master plan will be reviewed and approved by the CVRD prior to initiating the planning process.

The proposed revised master plan for the resort should respect the principles and policies of the Mt. Washington IRCP and amongst other items, include the following:

- The vision of the Mt. Washington ownership group depicting how the resort community could expand and grow through a phased development process
- The policy directions achieved in reference to the regional growth strategy and the IRCP
- Principles of sustainable development, including greenhouse gas (GHG) reduction strategies, measures for adaptation to climate change, green building technologies, water saving measures, heat recovery and other alternative energy sources (solar, wind, and geothermal)
- Visitor use experiences based on the provision of four-season activities for all ages and abilities
- A public and agency consultation plan, with special reference to the Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Ministry of

Environment (including BC Parks), and the Ministry of Forests, Lands and Natural Resource Operations

- A comprehensive land use plan that would include details for the infill development of the land use designations indicated on *Map 2: Land Use Designation*
- Details for the compact pedestrian orientated development of the “Village Centre” indicated on *Map 2: Land Use Designation*, with building design guidelines, native and FireSmart⁶ landscaping, public gathering places such as plaza(s)/park(s), play areas and greenways, parking, vehicle and pedestrian mobility, and relationship to the mountain recreation/ski area
- Mt. Washington resort’s Trail System Plan (Castor, 1998) suggests a series of integrated trails and trail connections for summer season use by resort visitors and unit holders. This private trail network could connect residential areas and the village centre. A sustainable trails and open space system plan should be integrated with the future land use plan for the resort community. The plan should comply with the provincial standards for construction and layouts, avoid environmental impacts such as erosion, damage to flora, fauna and that will be maintained through regular monitoring and reporting
- A transport and mobility plan making provision for the use of active and alternative transportation options (especially in the village area), may include the following options: carpooling, the use of public transportation (busses), cycling, walking, and using the “magic carpets”, gondolas, rope tows, etc. for pedestrian and skier mobility
- A comprehensive signage plan that would not only address the uniform look of signs, but that would also include the maximum height and sizes of signs
- A master snow/storm/rainwater management plan, including maintenance and the implementation of best management practices and low impact development techniques, for snow and rainwater storage, drainage and runoff quality control measures, and recommendations on how sediment levels in streams and the presence of hydrocarbons and salts in downstream soils and water bodies can be minimized, monitored and mitigated. As part of a future snow and rainwater management master plan, the plan is required to address the following:
 - How runoff drains into the three watersheds surrounding Mt. Washington, including Strathcona Park, and the drainage basins within the developed areas of the IRCP
 - Development setbacks from creeks and riparian areas
 - How peak runoff is to be conveyed through the existing and the proposed development areas of the IRCP
 - Any necessary rerouting or channelization of the natural drainage courses that will be required through the existing and the proposed development areas of the IRCP
 - Floodplain or maximum level of flow in the drainage courses

⁶ In accordance with the [BC FireSmart Manual](#)

- The potential impact of debris torrent
 - A design that will not adversely affect water quality and fish habitat downstream into wetlands, creeks and rivers occurring in the IRCP area as well as the adjacent Strathcona Provincial Park, with a monitoring system that can determine if the design is successful
 - How potential pollutants and suspended solids e.g. siltation, gravel and salt will be handled to eliminate sediment impacts on water courses
 - Snow clearing from roads and parking areas, with provisions not to pollute or negatively affect the environment
 - Consideration of incorporating and adapting the rainwater performance targets based on BC Ministry of Water, Land and Air protection's Guidebook for British Columbia Stormwater Planning (<http://www.env.gov.bc.ca/epd/epdpa/mpp/stormwater/guidebook/pdfs/stormwater.pdf>) in the management plan
- Water and sanitary master plans, with an analyses of potable water and sanitary sewer services and the capacity of these services supporting further growth and expansion of the resort community

The water master plan will address the following:

- Source water and the protection of these sources
- Supply and monitoring of water sources
- Consumption
- Distribution system
- Proposed and or required upgrades
- Conservation measures
- Consultation with users and government authority (VIHA)
- Fire suppression, including fire department use and sprinklered buildings used for residential occupancy or public assembly
- Wildfire suppression water supplies
- Future governance and operations of the water system

The sanitary sewer master plan will address the following:

- Collection
- Treatment
- Distribution system, including a pipe distribution for district energy network
- Disposal of effluent
- Recycling for re-use
- Phasing
- Downstream monitoring
- Future governance and operations of the sanitary sewer system

- Service provision to the resort community, including emergency response planning for policing, health and safety, fire protection, as well as solid waste disposal and recycling programs
- How the integrity of existing ecosystems will be protected, maintained and enhanced

2.2.6 Principle Six: Environmental Protection of Ecosystem Health, Flora and Fauna

The Mt. Washington ownership group, other land owners and strata holders recognize that their investments would be significantly devalued if the alpine and subalpine environments within the IRCP area and surrounding areas are degraded. They realize that a healthy natural environment is key to the successful development of the outdoor recreation based resort community. The IRCP acknowledges the need for an ecologically viable network of natural areas, biodiversity, wildlife habitat, aquatic life, and connecting corridors for scenic and recreation areas. The principle of environmental protection is therefore enshrined throughout many policies of the plan, ranging from the protection of the high alpine environment, to identifying and addressing discharges into the creek systems within the resort and adjacent Strathcona Provincial Park.

Concern has been raised by provincial ministries about the impact on watercourses within the IRCP area and the adjacent aquatic environment of Paradise Meadows that result from silts, gravel and salt removed from roads and parking lots during winter snow clearing operations and construction activities. In order to understand the potential impacts and devise proper mitigation strategies, a coordinated effort by the Ministry of Environment, Ministry of Transportation and Infrastructure senior government agencies and other responsible parties should be undertaken to establish baseline data for the streams and for Paradise Meadows relative to other watercourses within Strathcona Provincial Park. Ideally, this baseline data should include sampling watercourses from lower intersection points (outside the IRCP) at relative altitudes of the provincially maintained public road; and from watercourses in areas of disturbance unrelated to resort activity. This would be measured against data gathered from within the Strathcona Provincial Park where human activity is minimal. This would enable distinctions between the naturally-occurring conditions and the impacts of public road maintenance, private resort operations, and other commercial activity in the area.

It is important that a snow management and snow melt and rainwater management strategy be designed, to minimize future and continued impacts of runoff on watercourses, with a monitoring program to evaluate if the strategy is successful.

In the interim, snow storage areas must consider where runoff from snow melt in the spring will occur. Waterways and areas near waterways must be avoided as snow storage areas.

2.2.7 Principle Seven: Alpine Climate and Terrain Appropriate Design

Mt. Washington is renowned for its volume of snowfall. Winds and extreme snow conditions add to the winter experience at the resort but also place constraints upon development, transportation, and walkability during most of the year (typically, between October and June).

While the recreation opportunities at Mt. Washington are not restricted by the boundaries of the IRCP area, the residential and commercial development is. Unlike many other mountain resorts that are based on a valley floor, Mt. Washington alpine resort has developed on the flank of mountain where there is limited flat, or gently sloped, terrain suitable for development. The location of the existing “Village Area” (indicated on *Figure 4: Environment and Wildlife*), the limited amount of developable terrain, existing and future carrying capacity of infrastructure all play a role in determining the future expansion of the resort community.

The popularity of Mt. Washington alpine resort is tied to its location and what it offers to visitors - vistas of the Strait of Georgia and Strathcona Provincial Park, and a diversity of recreational opportunities in the resort, adjacent Comox Valley and Strathcona Provincial Park.

Due to the high snowfall, the focus of recreational opportunities will probably always be on the winter recreation options made available through the vast skiable terrain, opportunities for cross-country skiing, snowshoeing and snowtubing. To optimize the use of the infrastructure provided on the mountain these winter activities should be balanced by offering equally numerous opportunities for the “shoulder” and summer months. During the summer months, Strathcona Provincial Park caters to the recreational needs of Mt. Washington residents and visitors. If more opportunities and infrastructure for four-season recreation are made available at Mt. Washington, it will potentially attract more people to stay year-round.

This principle establishes the need to address a number of design and infrastructure elements with the often unpredictable weather and local climate in mind:

- Building and site design that takes into consideration an average of over 10 m of snowfall
- As a result of the freeze-thaw cycle, all structures and signage must make provision for significant icicle build up and the dangers associated with masses of snow falling from roofs and signage
- Snow management is critical to ensure safe and efficient mobility throughout the resort. Public areas and pedestrian connections should be well-planned and cleared for public safety
- The maintenance of the shuttle or bus service between Mt. Washington and the nearby communities of the Comox Valley - to reduce the use of private vehicles and vehicles that are not equipped for the challenging winter road conditions and steep incline of Strathcona Parkway

- Public education regarding emergency response and safety: including public awareness and preparedness for power outages, residential way finding, and 911 emergency planning

2.2.8 Principle Eight: Balancing Private Ownership with Regional District Governance

The IRCP area is located in the jurisdiction of electoral area ‘C’ (Puntledge-Black Creek) of the CVRD. Since the IRCP is not in an incorporated area and is a private holding, there is no special recognition for services provided to Mt. Washington. Some of the key services that CVRD is responsible for providing to the taxpayers of area ‘C’, including Mt. Washington, are: administration and general government, land use planning, building inspection and approvals, provision and maintenance of parks, greenways, recreation complexes, and economic development.

The policies of the Mt. Washington IRCP are rooted in the policy direction of the regional growth strategy. The Comox Valley zoning bylaw and Mt. Washington comprehensive development zone implement the policies found in the regional growth strategy and the Mt. Washington IRCP and provide details for land use and site development within the IRCP area.

The policies of the IRCP acknowledge the unique ownership of Mt. Washington, where the majority of the land base is owned by the primary developer of the resort (the Mt. Washington ownership group). Over 400 units on Mt. Washington are held as fee simple titles within strata developments, with the exception of the 24 chalets off Fosters Place (which is a non-strata development).

As the resort continues to grow, there is a mutual interest in determining appropriate forms of governance, service delivery, maintenance, planning responsibility, and communication with involved parties. The IRCP therefore acknowledges that:

- The Mt. Washington ownership group owns the ski resort/recreation facilities and is accountable for providing and maintaining private potable water and sanitary sewer services to sustain development that occurs within the IRCP area
- Private land development proponents within the IRCP area are affected by the resort owners and developments, and warrant public services and land use control as applied to other lands in the CVRD
- Mt. Washington ownership group is accountable for the preparation of a master plan for the resort, which will be compliant with CVRD land use planning bylaws
- All stakeholders within the IRCP area are responsible for maintaining public services to satisfy the CVRD and senior government regarding the safety and health of all permanent and seasonal residents and visitors of the resort community.
- In accordance with development pressures that might drive future expansion, strategic and innovative approaches will be required by both private owners and government to ensure that the necessary plans, resort community services, and

organizational structures are in place to sustain growth and diversification of land uses within the Mt. Washington IRCP area.

2.2.9 Principle Nine: Public Consultation

Within the regulatory framework of the regional growth strategy, the official community plan and zoning bylaw, and the unique ownership situation on Mt. Washington, collaboration and consensus building amongst several parties will be required to foster an economically sound, sustainable and livable resort community.

The public consultation principle of the IRCP enshrines the need to keep open lines of communication between all stakeholders, which, amongst others includes:

- The CVRD
- Mt. Washington ownership group
- Private land and strata owners
- Visitors and recreational users
- K'ómoks First Nation
- Comox Valley economic development society (CVEDS)
- Provincial government agencies, which include Ministry of Environment (including BC Parks), Ministry of Forest Lands and Natural Resource Operations, Ministry of Transportation and Infrastructure, Ministry of Community, Sport and Cultural Development and Vancouver Health Authority (VIHA)
- Adjacent privately managed forestry land owners

This principle respects the fact that all parties need one another for the resort community to be viable, offer significant benefits to the Comox Valley and Vancouver Island, and develop the tourism and lifestyle opportunities that many have come to enjoy at Mt. Washington. As such, public consultation will have a role in future master planning, arranging for resort community services or resolving planning and development issues where the public is deemed to have a say in the outcomes.

2.3 Policy direction as prescribed by the regional growth strategy

Figure 5: Relationship between Planning Bylaws



The policy direction for growth and land use in the Comox Valley is rooted in the regional growth strategy. While this strategy provides the general framework, the detailed policies and regulations that define land use permissions will continue to be found within the electoral areas official community plan, other plans such as the Mt. Washington IRCP and the zoning bylaw.

In accordance with the regional growth strategy managing growth MG policy 1B-2, the IRCP will provide specific land uses and development criteria. And in accordance with managing growth MG Policy 1B-4, minor adjustments to existing settlement node boundaries shall be permitted subject to a minor amendment to the regional growth strategy.

During the creation of the Mt. Washington IRCP, the policy direction of the regional growth strategy was followed. The IRCP provides the framework for decision making and for managing future development of the lands contained within the IRCP area.

The following policies of the regional growth strategy formed the basis for the Mt. Washington IRCP and were expanded in part three of the plan to become the detailed policies of the IRCP.

Housing policies	
Policy 1A-4	Within settlement nodes densification and intensification of development is required, with centres that are walkable and limited to local services with a range of housing types and densities.
Policy 1C-2	Provide a diversity of housing types in settlement nodes including medium density of 24-74 units per ha and high density of a minimum of 74 units per ha.
Policy 1C-3	Encourage alternative housing forms at lower cost and with lower environmental impacts.
Policy 1D-4	Encourage green building design that include water and energy efficiency practices.
Ecosystems, natural areas and parks policies	
Policy 2B-1	In order to maintain and enhance biodiversity, conservation will be rooted in the principles of precaution, connectivity and restoration.
Policy 2C-1	Encourage land owners to protect the sensitive environmental and unique natural features on their land.
Policy 2D-2	Require new development to link to, improve or expand the existing greenway network.
Local economic development policies	
Policy 3A-1	Encourage responsible expansion of the economic base of the Comox Valley with the intent of enhancing wealth and employment opportunities.
Policy 3B-9	Encourage tourism, including cultural and eco-tourism opportunities.
Transportation policies	
Policy 4B-1	Promote and encourage cycling plans.
Policies 4B-3 and 8B-4	Subdivision approval process should prioritize pedestrian, cyclists, and transit use.
Policy 4B-5	Improve sidewalk and intersections to improve pedestrian and cyclist safety and accessibility, which would support healthier and more active transportation choices.

Policies 4B-6, 7A-2 and 8B-3 Ensure bicycling amenities and infrastructures are included in all public developments.

Infrastructure policies

Water

Policy 5B-1 Manage development on the basis of precautionary principles within watersheds of water supply lakes.

Policy 5C-2 Encourage the use of permeable surfaces within the design of new developments and public spaces.

Sewer

Policy 5D-3 Promote eco-industrial development that turns wastes into resources.

Solid waste policies

Policies 5E-1 and 8C-1 Through the solid waste management program, effectively manage and reduce solid waste.

Public health and safety

Policy 7A-1 To improve active transportation, support the creation and coordination of bicycle and pedestrian plans.

Policy 7A-5 Support the promotion of healthy lifestyles and invigorating community spirit through physical activity.

Policy 7B-1 Consider the public health impacts of larger scale development.

Policy 7B-2 Promote active transportation choices.

Policies 7C-1 and 8F-7 Improve fire safety.

Policy 7C-4 Planning for all new development areas should include considerations for the provision of public health and safety services through the approval process.

Climate change policies

Policies 8A-1 and 8A-2 Establish green building priorities and incentives.

Policy 8A-4 Create development permit area policies that encourage green site design.

Policy 8B-1 Promote patterns of development that increase walking, cycling and transit use.

Policy 8B-7 Promote the use of electric vehicles through the provision of re-charging infrastructure and priority parking.

Policies 8E-1 and 8E-2 Increase the use of cost competitive renewable energy and district energy systems.

Policy 8E-4 Support sustainable infrastructure including on-site energy production.

Policy 8F-3 Promote water conservation.

Managing growth (MG) policies

MG 1B-1 Accommodate growth through a balance of new development, intensification and improvements to public infrastructure. Infrastructure improvements will need to include the provision of appropriate water and sewer services along with enhanced public transit and active transportation options.

MG 1B-4	Should minor adjustments to existing settlement node boundaries be identified through local area plan process, such boundary adjustments shall be permitted subject to a minor amendment to the RGS.
MG 3A-1	<p>Lands within the RGS identified resources areas should be protected and used for resource-focused and related value added uses to support local economic development. In identified resource areas:</p> <p>(b) Residential uses are restricted.</p> <p>(c) Resort developments are permitted subject to minor amendment of the RGS and subject to the overall size of development and conditions that such development does not include full-time residential uses.</p> <p>(d) Recreational trails and supporting infrastructure, not including commercial or residential buildings are permitted.</p>

2.4 Review of existing capacity and demand

(1) Land Area

The total land area of the resort is approximately 644 hectares. The resort lands are currently segmented between ski terrain/recreational lands and the village area at the base of the ski terrain lands, indicated on *Figure 4: Environment and Wildlife*. The village area will continue to contain the bulk of residential accommodation and commercial uses and will continue to serve as the cultural hub of the resort community. Former draft master plans commissioned by the Mt. Washington ownership group have called for a village centre and pedestrian area. This has not yet materialized at the resort, given unfavourable market conditions.

(2) Access, Roads and Parking

At this time, Strathcona Parkway, a provincial two lane paved roadway, is the only public access route to and from Mt. Washington. It climbs 18.8 kilometres from the Island Highway (Highway 19) in the Comox Valley and terminates (as Alpine Road) in the parking lot at the Deer Lodge just above the Alpine Lodge.

During an emergency situation, an emergency access route through Strathcona Provincial Park is a possibility that can be used, depending on authorization from authorities of Strathcona Provincial Park. It is recognized that such an emergency route is not signed, maintained, or snow cleared.

On a typical weekend day during the winter ski season, approximately 850 private vehicles arrive at the resort; an additional 250 people arrive by privately-operated buses.

Private and public parking lots are located at various locations to accommodate both day visitors, and permanent and seasonal residents. Public parking is estimated at 1,200 spaces.

Two main issues that will have to be addressed by the Mt. Washington ownership group with regard to future capacity will be potential loss of some public lots targeted for future development, and winter snow maintenance to address parking convenience and safety.

During the ski season, the resort operates a day shuttle from the base of the mountain to the Alpine Lodge and back. Given commercial viability, it is expected that shuttle bus transport will increase in the future, requiring convenient parking and drop-off locations throughout the resort community. Mt. Washington ownership group is investigating the potential development of an expanded shuttle parking area near the base of the mountain.

In addition to the Strathcona Parkway, the other public roadways in the resort community are Nordic Road that extends into the Nordic ski area/west slopes; and Henry Road that serves Fosters Place and extends into some of the multi-residential areas of the resort.

The portion of Nordic Road that runs along the perimeter of Strathcona Provincial Park is also used as a main access to the Strathcona Provincial Park trailhead near the Raven Lodge (also referred to as the Nordic Lodge). At this location, Mt. Washington resort provides overflow parking for park visitors, in exchange for the parking lot being used for snow storage during winter months.

The remaining roadways are private roads belonging to a strata corporation that provide access into a series of residential clusters. Many of these become residential access trails that are not cleared during the winter months and are only accessible via foot, ski, or sled.

Although Strathcona Parkway was planned with future growth in mind, the Ministry of Transportation and Infrastructure (MOTI) is encouraged to monitor trip volumes as the resort continues to expand. Quality of maintenance on all roads, especially the public roads maintained by MOTI contractor(s), continues to be problematic during major winter snowfalls.

It is understood that the various owner groups of the resort community are responsible for the maintenance and snow clearing of only their roads and parking areas during normal weather and severe snow conditions. These include:

- Ministry of Transportation and Infrastructure: public roads within the Mt. Washington resort community and the Strathcona Parkway
- Mt. Washington ownership group: parking lots and facility areas
- The private and strata corporation land owners: private roads

Due to the diversity of private and public roads and parking areas in the IRCP area, the level of maintenance and snow clearing will vary.

(3) Residential accommodation

Map 2: Land Use Designations shows where existing buildings are located and where subdivision occurred. While developable land on the slopes of Mt. Washington is limited, there is clearly still a lot of land available for infill and new development.

Within the context of economic conditions and market demand, the future will see continued development of housing types, densities, and architectural forms in order to meet the needs of employees, visitors, and homeowners.

The current (winter 2011/2012) build out is approximately 681 residential units, including single residential, duplexes, and strata apartments, with the potential to expand to 2,200 units.⁷

In 2011, the Vancouver Island Mountain Centre was completed and added a 40 bed dorm for programs offered on site. The land for the centre was donated by Mt. Washington ownership group to the non-profit organization who runs and manages the centre. It was primarily planned and designed to provide outdoor recreation programs and associated accommodation. The IRCP recognizes this centre as an asset that could in future become a community centre for the Mt. Washington resort community.

(4) Commercial and Institutional Services

To satisfy the day-to-day needs of permanent and seasonal residents at the resort commercial uses will primarily be provided within the “Mixed Use Commercial” zone, but will also be integrated as a secondary use in the “Mixed Use Residential” zone indicated on *Map 2: Land Use Designation*.

Although commercial lodging (nightly rentals) is available, hotels or inns are currently non-existent. The lodges provide food and beverage, entertainment and snack/coffee service mainly during the winter/ski season, and special event rentals throughout the year. Retail is limited to ski gear and apparel/gifts.

⁷ This projection is not considered to be a reflection of the capacity of the resort’s alpine landscape or ability of land alone; it is based on former master plan concepts and the 2001 Mt. Washington local area plan build-out figure that assumed certain housing types and densities, commercial and accommodation.

The existing commercial and institutional services provided are summarized in the table below.

Name and/or location of commercial enterprise	Commercial/Institutional uses
Alpine Lodge	Ski equipment and accessories shop, coffee shop, pub, upper cafeteria, lower cafeteria, guest services, outside ticket sales and ski rentals, and the Podium of Life Ski Academy
Bradley Building	Ski rentals, ski lessons, ticket sales, and daycare facility
General Store	Groceries and convenience items, property management companies, and Tourism Mount Washington
Hawk Chair (base)	Hot dog stand with refreshments
Raven (Nordic) Lodge	Nordic ski equipment and accessories shop, snow shoe rentals, and restaurant
Mountain Tek at base of the Eagle Chair	Equipment and accessories
Retail outlet at the tubing slope	Ticket sales and refreshments
The Podium of Life Ski Academy (located in the former Nordic Lodge at the Hawk Chair parking lot)	Provides academics in the morning and in the afternoon on-snow training on Mt. Washington. Students attend school on Mt. Washington where they experience grade appropriate education, which follows the B.C. curriculum, as well as daily on-snow training
Vancouver Island Mountain Centre	40 bed facility for programs offered on site, recreation and fitness programs

(5) Skier capacity

Mt. Washington ownership group monitors skier density on their lands and at the lifts to ensure a comfortable visitor experience.

To date, the Washington ownership group obtained and provided the following terrain and infrastructure - with the potential for growth and expansion:

Recreational Terrain and Infrastructure	Lift and Carpet Capacity
<p>644 ha recreational (ski) terrain</p> <p>Runs are colour coded and classified with various levels of difficulty, with approximately:</p> <ul style="list-style-type: none"> 15 percent easy green runs, 65 percent intermediate blue runs, and 20 percent difficult black runs (with 5 percent of the black runs earmarked for experts). 	<p>Five ski lifts and five carpet rides</p> <ul style="list-style-type: none"> • Hawk – six person lifts • Eagle – four person lifts • Whisky Jack – three person lifts • Sunrise Quad – four person lifts • Boomerang – four person lifts <p>Lift capacity: approximately 14,000 rides per hour</p>

	Approximate comfortable carrying capacity of 5,000 skiers per day.
<p>81 ski trails/Nordic and snow shoe trails (some within Strathcona Provincial Park), with various levels of difficulty:</p> <p>14 percent beginner, 35 percent intermediate, 36 percent advanced and 15 percent expert.</p>	
Lift accessed mountain bike and hiking trails	
Stomping Ground Terrain Park and the Easy Acres Terrain Park	

(6) Water and sanitary sewer services

As with any development within the CVRD, where it is the responsibility of the developer to provide water and sewer services that meets provincial regulations, the Mt. Washington ownership group is required to meet provincial standards in the provision of these services.

Mt. Washington ownership group operates with fully licensed and permitted private water and wastewater systems. The infrastructure that is in place and the source surface water allows for current demand and expansion possibilities. Future studies would be required to confirm expansion capacity for any major additions to the existing infrastructure.

(a) Water

Mt. Washington ownership group has made extensive investment in privately owned on-site water and associated infrastructure to accommodate current and projected development to approximately 2,200 units⁸, before the existing system needs to be expanded.

The resort's water supply comes from four ground water springs located within the Mt. Washington IRCP area. The resort holds five water licenses for the collection and treatment of potable water within the IRCP boundary. The average demand varies between seasons, but can be summarized in five year averages (2008 - 2012) as follows:

- five year max daily demand 844m³
- five year average winter daily demand 348m³
- five year average summer daily demand 150m³
- five year average annual consumption 81,968m³

Domestic potable water storage is accommodated with on-site open reservoirs and a closed steel tank. The maximum domestic potable water storage capacity of the reservoirs is 23,000m³ with a maximum finished storage elevation (closed tank) of 1,360m³. An additional 20,000m³ reservoir will be brought into service upon installation of a secondary UV disinfection system expected to be completed after November 2013.

(b) Sanitary sewer service

Mt. Washington ownership group has developed a privately owned and operated sanitary sewer treatment facility and associated infrastructure to accommodate

⁸ This threshold is mentioned in the 2001 Mt. Washington local area plan and in 2013 has been confirmed by the Mt. Washington ownership group.

current and projected development to approximately 2,200 units, before the existing system needs to be expanded.

The Mt. Washington water reclamation facility is a 1,828m² wastewater processing plant that was commissioned in 1996. The treatment process is an aerated 345,000/ bioreactor cell, with two others of equal size for future expansion and sludge storage. Two ultra violet reactors running sequentially provide disinfection. Clarification is provided through 48 Zenon 500b membrane filters. Four turbine blowers running in sequence provide the aeration to the bioreactor. The effluent produced is certified for water re use and is discharged directly to surface water and creeks after ultra violet disinfection with a small amount stored on site for rinsing and back flushing. Waste sludge is stored within the plant and is naturally separated and dewatered throughout the year. Through an annual application process, the resort is permitted to spread sludge or class B bio solids in the late summer to designated sites within the IRCP area as part of its existing solid waste management plan.

(7) Solid waste removal

An expanding resort community and growth in the permanent and seasonal residents and visitor population will produce increases in the solid waste stream. Currently, the Mt. Washington ownership group, private landowners and strata councils are responsible for solid waste management. The approximately 681 units on the mountain are responsible for waste removal through their respective strata councils. Currently, containers are located in strategic locations and removed to the land fill and returned. The strata councils of Blueberry Hill, Ptarmigan Ridge, Paradise Ridge, Foster's Place, Deer and Bear Lodges and Alpine Village all provide containers, and the Mt. Washington ownership group has containers at the Alpine and Raven lodges and at the maintenance shop.

Recycling programs are a very effective means of reducing the solid waste and working towards a sustainable resort community. In the absence of collection of electoral areas 'A', 'B' and 'C', the Mt. Washington ownership group contracts a private company to manage both non-recyclable waste and recyclable waste, and assists the ski club by providing a location for a bottle donation depot for resort visitors.

(8) First aid services and public safety

Public first aid services are currently available at the Mt. Washington ownership group owned and operated first aid and ambulance station. Other public amenities include the Vancouver Island Mountain Centre and staff administration and maintenance facilities.

As per WorkSafe regulations, there are year-round first aid services available on Mount Washington during the day. During the winter ski season, the ski area employs ski patrollers who are emergency first aid trained and available to assist the public in cases of

emergency. There is also a volunteer “Doctor on the Hill” program which operates full-time during the ski season. There is a first aid facility with field ambulance stationed at the Hawk lift parking lot, and first aid bump stations at the top of every chair that are staffed during all ski hill operational hours (including night skiing).

Policing of the resort community is done by the RCMP and fluctuates seasonally.

Sections 800(1) and 801(1) of the *Local Government Act* confirm that the establishment of a regional fire service must receive electoral assent, as well as be established by bylaw. Before a “fire protection local service area” can be established for the Mt. Washington resort community, the Mt. Washington ownership group, the strata and private land owners in this area, will need to give their consent. The CVRD will work with these groups to investigate if consensus can be reached and which area should be included. A potential local service area consisting of only the “Village Area” (indicated on *Figure 4: Environment and Wildlife*), where residential and commercial enterprises can be developed, or a wider area that also includes recreational areas within the IRCP area.

At this time, no fire protection service is available for Mt. Washington, only rescue and auto-extrication services. These services are authorized by the issuance of a Provincial Emergency Program (PEP) task number for each incident. PEP task numbers are only issued for life-threatening incidents and do not apply to incidents involving property loss due to fire. Calls from Mt Washington requesting assistance for a rescue or auto-extrication incident will be directed by dispatch to the appropriate fire department and a PEP task number will be sought. Their services are however, limited to saving lives and excluding buildings and property.

The Wildfire Protection program that the Mt. Washington ownership group has in place, allocates resources in terms of apparatus and staff certified to protect the community. The Mt. Washington ownership group has been pro-active in training staff for fighting building fires and currently has two employees training with the Cumberland Fire Department.





PART THREE POLICY FRAMEWORK

3.1 Land Use Designations

3.1.1 Overall development of the Mt. Washington IRCP area

Objectives

- (1) To follow the policy direction of the Comox Valley regional growth strategy (RGS), which identifies the Mt. Washington IRCP area as a growth receiving settlement node; as well as to follow the direction of the revised future Mt. Washington resort community master plan.
- (2) To establish a land use pattern (use and density) that is environmentally responsible, avoids known hazards and respects sensitive ecosystems and habitats.
- (3) To combat horizontal sprawl and the cost of extending service lines to isolated pockets of development.
- (4) To encourage infill development and a compact development footprint that would optimize the available areas where development can occur and buildings can be constructed.

Policies

- (1) The location and extent of development will be confined to the boundaries of the IRCP as depicted on *Map 2: Land Use Designation*; including the “potential mixed use residential” portion shown on map 2, subject to a successful minor amendment to the regional growth strategy and IRCP (text and maps), and an amendment of the Mt. Washington IRCP to have the “Potential Mixed Use Residential” portion included within the IRCP plan area.
- (2) Any proposed expansion of residential and/or commercial uses beyond the IRCP boundary will require an amendment of the regional growth strategy, the electoral area official community plan (which included the Mt. Washington IRCP), the upland resource (UR) designation of the private forest land reserve of the zoning bylaw, and the preparation of a revised master plan.
- (3) Carefully managed growth will continue to be integral to establishing community well-being, creating a balanced mix of land uses, housing types, community services and facilities to meet the needs of the permanent and seasonal residents and visitors to Mt. Washington. Growth should complement the resort community and not place an additional burden on infrastructure, community services, taxes, public health and safety, or the environment. Therefore the following patterns of development shall be supported:

- (a) Gradual infill of the existing “village area” as identified on *Figure 4: Environment and Wildlife* (where the main footprint services, roads, and infrastructure are established) is preferred over development outside of the village area.
 - (b) Clustering development - including, but not limited to, buildings, structures, parking services and outdoor amenity areas, which would assist in protecting sensitive areas and features, and reduce servicing and infrastructure costs and the amount of impervious surfaces required for parking and road access⁹.
- (4) The creation of new parcels through subdivision should be assessed in accordance with the VIHA Subdivision Standards.
 - (5) Use the environmental development permits of the electoral area official community plan to establish guidelines for the development of all lands contained within the Mt. Washington IRCP area that would ensure meeting provincial riparian area regulations (RAR) and provide protection for the sensitive alpine ecosystem and environmental resources of this area.
 - (6) Through the implementation of the mixed use development permit area guidelines ensure that the improvements on Mt. Washington are safe, sustainable and complimentary of the alpine setting.
 - (7) Height and design of buildings should respect the natural topography.
 - (8) While it is the responsibility of development proponents to design buildings and structures for an alpine terrain and high elevation climate that meet applicable BC building code requirements and the standards of the regional district, architectural controls for single detached developments shall be the responsibility of the Mt. Washington ownership group.
 - (9) Where economically feasible, integrate parking within building structures, especially multi-residential and commercial developments, to help avoid extensive grading for outdoor surface parking and to optimize the efficient use of the land.
 - (10) Development proponents are encouraged to provide shared parking facilities that would permit multi-level parking structures as a principal use in the Comox Valley zoning bylaw.

3.1.2 Mixed Use Commercial

Objectives

- (1) To support commercial use as the principal use on land designated “mixed use commercial” indicated on *Map 2: Land Use Designation*, with all other uses being secondary in nature to the principal commercial use.
- (2) To establish an integrated mixed use development pattern.
- (3) To provide for a variety of commercial uses that cater to the day-to-day needs of visitors and of permanent and seasonal resort community residents.
- (4) To support the establishment of a compact, pedestrian oriented “village centre” within the “mixed use commercial” area indicated on *Map 2: Land Use Designation*.

⁹ Source: Develop with Care 2012: Environmental Guidelines for Urban and Rural Land Development in British Columbia: <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/>

- (5) To ensure that firefighting apparatus and emergency services will be able to gain access during all stages of development within designated “mixed use commercial” area indicated on *Map 2: Land Use Designation*.

Policies

- (1) Follow the guidelines of the mixed use development permit area to establish the mixed use commercial area as indicated on *Map 2: Land Use Designation*.
- (2) On land designated “mixed use commercial” on *Map 2: Land Use Designation*, the principal commercial land use will be established at grade and may be integrated vertically with a variety of other suitable secondary land uses above grade, such as tourist accommodation, service industries, residential uses, educational, and cultural land uses.
- (3) Encourage the development of outdoor commercial spaces that can be utilized during summer months.
- (4) The necessary precaution should be taken to ensure that the design of the village centre would, at all stages of development of the centre, allow for sufficient access for fire apparatus and emergency vehicles.
- (5) Support small-scale development with special attention to the dark sky policy at the mountain top where visitors could enjoy the view; which would address the short-term comfort and refreshment needs of visitors, such as warming huts, washrooms, restaurants, etcetera.

3.1.3 Mixed Use Residential

Objectives

- (1) To support residential use as the principal use on land designated “mixed use residential” and “potential mixed use residential” indicated on *Map 2: Land Use Designation*, with other compatible non-residential uses being secondary in nature to the principal residential use.
- (2) To achieve an integrated mixed use development pattern, the principal residential use will be integrated with other secondary and compatible land uses.
- (3) To provide for a variety of residential accommodation.

Policies

- (1) Density provisions shall be in accordance with the regional growth strategy:
 - (a) Low density: 1-24 units per hectare
 - (b) Medium density: 25-74 units per hectare
 - (c) High density: more than 74 units per hectare
- (2) On land designated “mixed use residential” and “potential mixed use residential” indicated on *Map 2: Land Use Designation*, the principal residential land use may be integrated with a variety of secondary land uses that serve the day-to-day needs of residents and visitors, such as commercial uses, tourist accommodation, bed and breakfast, home based business, public services, educational and cultural land uses.

- (3) To provide for various ages, lifestyles, socio-economic backgrounds and tenures, support the establishment of a range of residential uses and price points, such as single detached, duplexes, and strata apartments.
- (4) Minimize “overlook” onto adjacent properties, through use of screening and landscaping.
- (5) Encourage the creation of common facilities in proposed developments, such as meeting spaces, lounges, shared amenity areas and recreation areas, which provide opportunities for residents to socialize and develop a sense of community.
- (6) To make more residential accommodation available, support the establishment of secondary suites that meets the provisions of the zoning bylaw.
- (7) Support the provision of on-site employee housing which complements the existing housing available in the communities of Courtenay, Comox, Cumberland, and in the electoral areas.
- (8) Employee and affordable housing may be provided through a variety of means, including secondary suites and private hostels.

3.1.4 Potential Mixed Use Residential

Objectives

- (1) To support in principle the expansion of the boundaries of the IRCP area to include the “potential mixed use residential” (shown on *Map 2: Land Use Designation*), subject to a minor amendment of the regional growth strategy to have this land included in the development of the resort community.
- (2) To achieve sustainable development of Mt. Washington, encourage pedestrian oriented compact development that would optimize the use of land suitable for development and discourage vehicle dependency.

Policies

- (1) Potential inclusion (and subsequent development) of the “potential mixed use residential” area indicated on *Map 2: Land Use Designation*, will respect the fact that compact development within “village area” (indicated on *Figure 4: Environment and Wildlife*) needs to occur first, before the expansion of the boundaries of the Mt. Washington IRCP area will be considered.
- (2) When the build out of available land within the “village area” has occurred an application to extend the IRCP boundaries to include the area designated “potential mixed use residential” (indicated on *Map 2: Land Use Designation*), shall include the following documents:
 - (a) A comprehensive plan for the area that addresses land use, proposed build-out, servicing, measures to protect the natural environment, snow management, vehicular access and the provision and location of any centralized parking areas
 - (b) A geotechnical analysis of the land to demonstrate that the land is suitable for the development proposed
 - (c) A minor amendment of the regional growth strategy to provide for a boundary expansion of the Mt. Washington settlement node area

- (d) An amendment of the Mt. Washington IRCP to amend the text and maps to include this area within the boundaries of the Mt. Washington IRCP area
- (e) A zoning bylaw amendment

3.1.5 Resort Facilities

Objective

- (1) To encourage resort facilities that embrace best practices and are based on innovative green technologies and resource recovery opportunities.

Policy

- (1) Ensure that with new or expanded facilities the best practices available for the industry is followed, which include innovative green technologies and resource recovery opportunities.

3.1.6 Resort Recreation

Objective

- (1) To promote the IRCP as a four-season recreation resort community and tourist destination for all ages and abilities.

Policies

- (1) While recognizing that the main attraction to the IRCP area will always be the various winter sports provided at Mt. Washington, the provision of all-season recreation activities is supported in accordance with established environmental best practices.
- (2) Support the provision and expansion of the necessary recreation infrastructure within the IRCP area, including lift towers, terminals, people movers, snow making equipment, and maintenance equipment in accordance with established environmental best practices.
- (3) Planning and design of all ski and service installations must continue to respect the sensitivity and integrity of the land, water courses, and wildlife habitat.
- (4) Respect the connectivity to Strathcona Provincial Park's recreational assets and the park's broader goals of environmental protection and tourism development.

3.1.7 Resort Expansion Area

Objectives

- (1) To recognize that the area indicated as "resort expansion area" on *Map 2: Land Use Designation* forms an integral part of the resort community development.
- (2) To undertake a comprehensive plan of the "resort expansion area" so that development in this area can complement the remainder of the resort community.
- (3) To support a mixture of mixed use residential, limited mixed use commercial and resort facilities in the "resort expansion area".

Policies

- (1) To combat sprawl, the planning of the “resort expansion area” is encouraged to occur following the build-out of the “village area” indicated on *Figure 4: Environment and Wildlife* (unless market conditions dictate otherwise).
- (2) An application for subdivision and development within the “resort expansion area” indicated on *Map 2: Land Use Designation*, needs to be supported with the following documents:

A comprehensive plan for the area that addresses land use, proposed build-out, servicing infrastructure pertaining to roads, parking areas, water and sewer (in accordance with VIHA Subdivision Standards), measures to protect the natural environment, rain and snow management, and how the gradual transition in the development interface zone between the developed area within the IRCP boundary and the adjacent private managed forest lands and Strathcona Provincial Park will be provided.
- (3) When planning the “resort expansion area”, the provision of access into and the relationship with Strathcona Provincial Park will be important considerations, with the understanding that continued access to Strathcona Provincial Park will be provided while mitigating direct and indirect impacts.

3.2 Community Services

3.2.1 Fire protection

Objective

- (1) To, over time, develop adequate fire protection to all the permanent and seasonal population, visitors, and employees, and to the buildings and structures within the resort community.

Policies

- (1) The safety of visitors, residents and staff is a priority in planning for fire protection services and therefore the CVRD will continue working on a phased approach to provide and support adequate fire protection services for the resort community – with the first phase being fire prevention measures.
- (2) The CVRD will strive towards implementing a comprehensive fire protection program that will consist of a combination of the following:
 - (a) A sprinkler bylaw to provide powers to require that all new buildings that are occupied for residential or public assembly purposes have sprinkler systems installed for initial defence, until a “fire protection local service area” is established for the Mt. Washington IRCP area and a local fire protection service is in place¹⁰

¹⁰ At the time of the IRCP creation, the Mt. Washington ownership group was collaborating with the Cumberland Fire Department to initiate a volunteer fire-fighter training program.

- (b) A full service volunteer fire department that will begin with a part time or a full time fire chief, subject to the outcome of a feasibility assessment
 - (c) Ensuring adequate fire flow for all existing and proposed development in the Mt. Washington IRCP area
 - (d) Development of the site that has been donated by the Mt. Washington ownership group, a fire hall/public service building that can accommodate necessary emergency and firefighting equipment
 - (e) Assistance in recruiting volunteer or paid firefighting staff for the Mt. Washington station.
- (3) Should the CVRD consider commissioning a fire protection feasibility study¹¹, the terms will include:
- (a) Investigation of fire protection services that will provide adequate fire protection to all buildings
 - (b) Options for combining fire protections services with policing, security and wildfire/forest fire protection, emergency preparedness, and ambulance
 - (c) Governance and management structure outlining the cooperation of the CVRD with the Mt. Washington ownership group, residential strata councils, other private land owners and any government agencies that may have a role in fire protection or public safety at the resort community
 - (d) Financial and funding feasibility
 - (e) Investigation of fire protection services that will provide adequate fire protection to all buildings.
- (4) Petition(s) and local area bylaw(s) that may be required to enact the service will be the responsibility of the CVRD.

Advocacy policies

- (1) Confirmation of an access/egress route due to concerns for (forest) wildfire should be defined and communicated to the public. Emergency preparedness in the form of an emergency access/egress route available at the resort, and a review of the existing emergency response plan, may form part of the greater fire protection study. It will also be reviewed as a component of the planned CVRD Transportation Road Network Plan.
- (2) A Community Wildfire Protection Plan (CWPP) is a requirement of planning a “FireSmart” community. The Mt. Washington ownership group, private and strata owners and councils are encouraged to cooperate with the adjacent landowners, Ministry of Forests, BC Parks and the CVRD, to develop a CWPP to identify the risk of wildfire that may threaten the resort and structures. After adoption of the CWPP by the CVRD board, the CVRD will work with the Mt. Washington ownership group to implement it.

¹¹ This decision will be based on getting CVRD board budget approval to implement this portion of the IRCP.

3.2.2 Safety

Objectives

- (1) To develop and maintain a safe living environment throughout the resort community.
- (2) To separate and improve intersections and junctions where conflicting users of infrastructure cross paths with each other.

Advocacy policies

- (1) In the planning and design of the resort community, incorporate the principles and components of “crime prevention through environmental design” (CPTED).
- (2) Use signage and other creative methods to improve intersections and junctions where conflicting users cross each other, such as vehicle flow and pedestrian flow, or Nordic cross-country skiers and pedestrian trail users.
- (3) Improve communicating to the public what emergency plans and options are in place to deal with major disruptions, such as an earthquake or a forest fire, before these events happen.
- (4) Improve indicating the location of an emergency exit route through Strathcona Provincial Park, which may be needed when Strathcona Parkway is unsafe to use.

3.2.3 Policing and security

Objectives

- (1) To secure continued RCMP policing services to the resort community.
- (2) To ensure adequate on-site police protection and security, especially during special events.

Advocacy policies

- (1) Policing and security services within the resort area will continue to be examined as the resort matures.
- (2) For the safety of residents and visitors the CVRD will facilitate ongoing discussions between the RCMP and the Mt. Washington ownership group to ensure that adequate RCMP presence is provided for the resort community.
- (3) Any additional on-site security that may be required during special events or emergency situations must be provided by agreement between the Mt. Washington ownership group and the RCMP or other special security agencies, prior to the event, with a courtesy notification to the CVRD explaining what arrangements have been made.
- (4) Upon investigation of the feasibility of a public service building, the inclusion of space for an RCMP presence (part or fulltime) should be provided.

3.2.4 Education

Objective

- (1) To support the establishment of public or private educational facilities that would, over time, contribute to the formation a complete resort community.

Advocacy policies

- (1) The Mt. Washington ownership group and the CVRD will continue to monitor the needs of residents in relation to education. If, and as warranted, the Mt. Washington ownership is encouraged to work with service providers to ensure adequate space is provided for appropriate education facilities within the Mt. Washington IRCP area.
- (2) The CVRD will facilitate the discussion with the pertinent school district and the Mt. Washington ownership group regarding future public school needs and potential allocation of land or buildings as the permanent population of Mt. Washington resort community grows.
- (3) Acknowledge the potential of private daycare and schools and academies to locate at the resort. Planning for such facilities must consider the need of the student population, including but not limited to student accommodations, extracurricular activity areas and amenities that will support education on a part time (seasonal) or full time (academic year) basis.

3.2.5 Roads

Objectives

- (1) To ensure that the public and private internal road system of the resort community is safe, efficient and designed to meet anticipated demand.
- (2) To acknowledge that the Mt. Washington ownership group has made provisions for alternative routes that can be used in emergencies, when the Strathcona Parkway (being the only public access and egress route to Mt. Washington) is deemed unsafe to use.
- (3) To investigate the potential of having emergency access/egress routes included in a revised Comox Valley Rural Official Community Plan.

Advocacy policies

- (1) At the time of subdivision and rezoning the approving officer will be consulted to determine the width and the standard of public roads that need to provide access and accommodate safe movement of emergency vehicles.
- (2) At the time of subdivision consider including in the proposed road network-system a multi-use trail for pedestrians and cyclists.
- (3) Review internal public roadway classifications with Ministry of Transportation and Infrastructure to help address responsibility and subsequent priority of snow clearing and maintenance of roads and parking areas.

3.2.6 Parking

Objectives

- (1) To minimize the occupation of developable land by parking areas.

- (2) To site public and private parking areas, drop off locations, and 15 minute parking spots throughout the resort community that will respect the efficient relationship between the overall transportation system and parking allocation.
- (3) To improve way-finding to parking areas, drop off locations and 15 minute parking spots, especially for visitors and new skiers who are not familiar with Mt. Washington.
- (4) To encourage skier access parking that is safe for families and large groups.
- (5) To provide a separate and safe pedestrian thoroughfare/walkway alongside each parking lot, so that pedestrian flow is separated from the vehicle flow.
- (6) To prohibit on street parking, excluding “lay-by” parking for buses, so that roads (private or public) are always open and available for snow plowing.
- (7) To encourage maintenance of parking facilities during peak winter use periods.
- (8) To support the principle of establishing satellite parking lots elsewhere in the Comox Valley, that would enhance alternative transportation options.

Policies

- (1) Site parking areas in strategic locations throughout the resort community and in the parking areas provide for alternative transportation options, such as parking for buses, carpooling sites, bicycle racks, electric vehicle plugins, etc.
- (2) Encourage the consideration and development of innovative/alternative approaches to parking. Examples that can be considered include minimizing land consumption by providing ground level or structured parking; or to incorporate efficient and alpine appropriate measures to reduce the amount of snow to be cleared and stored, such as geothermal snow melting systems or radiant heat into parking surfaces.
- (3) Ensure sufficient parking for tourist accommodation is provided.

Advocacy policy

- (1) The CVRD will work with the Mt. Washington ownership group and the Ministry of Transportation and Infrastructure, to consider the provision of off-site satellite parking areas within the Comox Valley from which shuttle buses can transport permanent and seasonal residents and visitors to the resort community. During this investigation, collaborate with the CVRD to see if multi-use parking areas can be designed, where visitors to parks and trails can share parking facilities with visitors to Mt. Washington.

3.2.7 Transportation and mobility

Objectives

- (1) To decrease greenhouse gas emissions and non-renewable energy use, support a variety of alternative transportation options for permanent and seasonal residents of the resort community.
- (2) To continue to explore options for minimizing dependence on private vehicles within the resort, such as using active transportation options and means of shuttling visitors to the resort by bus.

- (3) To encourage the Ministry of Transportation and Infrastructure to continue to provide a safe and efficient all-season road between the resort and the Comox Valley.
- (4) To encourage pedestrian orientation through the provision of public trails and paths, and design that foster a compact resort community and village centre.

Advocacy Policies

- (1) Meet overall climate emissions goals of the Comox Valley sustainability strategy, where the transportation related emissions need to be reduced by 80 percent by 2050, by shifting transportation modes away from private vehicles to other alternative modes of transport.
- (2) Encourage using a variety of measures and strategies to reduce dependency on the use of private vehicles to drive to and within the resort community. This may include:
 - (a) Continued use of the shuttle bus service between the Mt. Washington resort community and the communities of Comox Valley
 - (b) Establishment of a parking lot at the base of Mt. Washington or the start of Strathcona Parkway from which visitors to the resort community can use alternative transportation options, such as carpooling or shuttle bus services
 - (c) The CVRD will continue to discuss opportunities with BC Transit for the regional transit service to expand the service to the base of Mt. Washington
 - (d) An internal transit system for peak period use, with pick up and drop off at strategic locations and parking lots
 - (e) A multi-modal transportation system with opportunities for ski-in and out, walking, cycling and use of people movers such as staircases, gondolas, magic carpet rides, and rope tows (powered by renewable energy sources) that will encourage people to get around within the IRCP area without using their vehicles
 - (f) A year-round pedestrian and multi-use trail system.
- (3) Encourage the Ministry of Transportation and Infrastructure to:
 - (a) Continue maintaining and providing efficient snow clearing and maintenance of Strathcona Parkway
 - (b) Continue communication with all the key parties that benefit from the parkway, such as the Mt. Washington ownership group, the CVRD, private forest land owners and BC provincial parks

3.2.8 Recreation, parks, and greenways

Objectives

- (1) To provide opportunities for four-season recreational services to the permanent and seasonal population of the resort community.
- (2) To provide recreational opportunities for all ages and abilities based on public and IRCP stakeholder's consultation on the types of park and desired recreational amenities to be developed in each park.
- (3) To promote a formal public trail system (gravel and/or hard surface) to help reinforce pedestrian orientation at the resort.

- (4) To integrate public open spaces and trails into design to form an integral part of the resort community, while understanding that (private) ski terrain is part of the open space system and non-motorized transportation system (skiing instead of walking/biking).
- (5) To establish a development interface zone within the Mt. Washington IRCP area, to preserve or enhance aesthetics and minimize the impact of light and noise generated from development within the IRCP area.
- (6) To respect the connectivity to Strathcona Provincial Park including views, trails and trail heads.

Policies

- (1) When reviewing applications for subdivision or rezoning, consider the provision of public parks and recreational greenways that will improve connectivity within the village area and between the future village centre and adjacent Strathcona Provincial Park.
- (2) Provide ample public open space and pedestrian walkway throughout the IRCP area to:
 - (a) Develop a sense of community through the provision of common facilities such as plazas, lounges, shared amenity areas and recreation areas
 - (b) Link the above-mentioned common facilities with streets, pedestrian walkways and greenways
 - (c) Stimulate pedestrian interest by creating and complementing opportunities for recreation and social activity, enhancing the use of alternative transportation and reducing vehicle dependency

Advocacy policies

- (1) Encourage the provision of activities that are all-season, for all ages, and abilities.
- (2) Seek opportunities to integrate potential CVRD maintained parks with possible future publicly accessible open space or trail systems that will complement the Mt. Washington ownership group's plan for their ski/snowboard runs and infrastructure.
- (3) Planning of public trails should be done to encourage multi-use activity during the summer season where there are opportunities for recreational cycling, hiking and walking within the resort and to connect to convenient locations with Strathcona Provincial Park. During the planning of such potential public trails the private ownership and management of private managed forest land and Strathcona Provincial Park, where biking is not permitted, should be considered, to ensure that recreational activity does not impact neighbouring land use.

3.2.9 Water services provision

Objectives

- (1) To protect natural surface and ground water resources within the IRCP area and within adjacent properties.
- (2) To provide potable water to all permanent and seasonal residents and visitors to the resort community, in accordance with Vancouver Island Health Authority (VIHA) standards

- (3) To ensure sufficient supply of water for the servicing of new buildings and future fire protection of the resort community.

Policies

- (1) Mt. Washington ownership group will continue to provide baseline data and other required information on its water provision and systems to the CVRD.
- (2) When making an application for a rezoning, subdivision, or building permit, the applicant must provide confirmation from the water service provider at Mt. Washington that adequate water services can be provided for the proposed development or building.
- (3) With an application for a boundary extension of the IRCP area, the application shall include:
 - (a) A water master plan to assist in future development and expansion decisions
 - (b) Confirmation from a professional engineer that there is sufficient capacity in the water infrastructure on Mt. Washington to accommodate the expansion proposal

Advocacy policies

- (1) The Mt. Washington ownership group should obtain a construction permit from the VIHA Public Health Engineer for any works to expand the existing water service, add additional treatment facilities or partake in any other works requiring a permit under the *Drinking Water Protection Act*.

3.2.10 Sanitary sewer services provision

Objectives

- (1) To provide sanitary sewer services to all permanent and seasonal residents and visitors to the resort community, in accordance with the Ministry of Environment standards.
- (2) To document the supply, storage and distribution systems for sanitary sewer service.
- (3) To ensure sufficient capacity in the sanitary sewer and treatment system to accommodate the existing and proposed development of the resort community.

Policies

- (1) Mt. Washington ownership group will continue to provide baseline data and other required information on its sanitary sewer systems to the CVRD.
- (2) When an application is made for rezoning, subdivision, or building permit, the applicant is required to provide confirmation from the wastewater service provider at Mt. Washington that adequate sanitary sewer services can be provided for the proposed development or building.
- (3) With an application for a boundary extension of the IRCP area, the application shall include:
 - (a) A sanitary sewer master plan to assist in future development and expansion decisions

- (b) Confirmation from a professional engineer that there is sufficient capacity in the sanitary sewer infrastructure on Mt. Washington to accommodate the expansion proposal

3.2.11 Solid waste disposal and recycling

Objectives

- (1) To minimize the waste stream.
- (2) To examine the potential for implementing an integrated resource recovery (IRR) approach and waste management which regards waste as a potential resource and mimics the closed-looped cycles in nature.

Policies

- (1) Solid waste materials shall be disposed in accordance with the Comox Strathcona Solid Waste Management Plan.
- (2) The CVRD will work with the Mt. Washington ownership group, strata councils and private contractors to minimize the waste stream in regard to storage, collection and disposal of the solid waste created at Mt. Washington.
- (3) The CVRD, the Mt. Washington ownership group and strata councils will collaborate on an education program with landowners, unit holders, and visitors to enhance the profile and the merits of recycling at the resort.

Advocacy policies

- (1) The Mt. Washington ownership group and strata councils are encouraged on an ongoing basis, to investigate how recycling programs can be refined and what can be done to reduce waste that will help minimize solid waste sites and transfers.
- (2) Promote the concept of reduce, reuse and recycle amongst the permanent and seasonal resident and visitor population.
- (3) The proposed integrated resource recovery approach should strive to encompass water, energy, and infrastructure and include digesting biomass, heating, electrical or fuel.
- (4) To reduce human and wildlife conflicts, bear proof containers should be used for storage and collection of the waste created at Mt. Washington.

3.2.12 Communication networks

Objective

- (1) To continuously improve communication networks for radio broadcastings, telephones, internet, televisions, etcetera to the IRCP area.

Advocacy policy

- (1) Encourage collaboration with service providers to ensure that the best possible communication networks and services are provided to permanent and seasonal residents and visitors to the IRCP area.

3.3 Environmental Protection

3.3.1 Watersheds

Objective

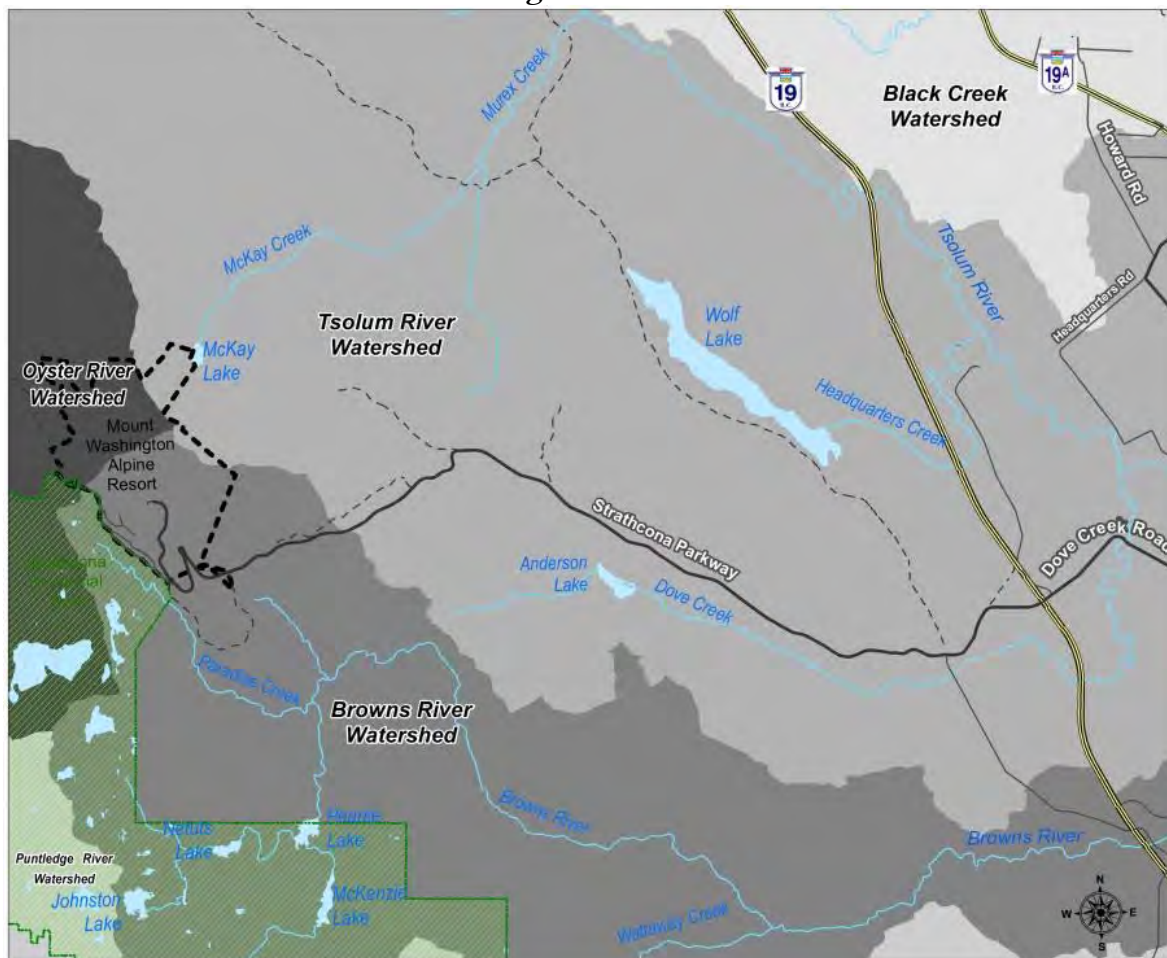
- (1) To protect the natural hydrologic regime, quality of water resources and habitat of the waterways of the Oyster, Tsolum, and Browns River watersheds as shown on *Figure 7: Watersheds*.

Policies

- (1) Ensure that development proposals retain existing native vegetation and tree cover in order to prevent erosion and siltation of watershed features.
- (2) Encourage establishment or enhancement of vegetation and tree cover where site conditions permit on steep slopes and adjacent to water.

Advocacy policy

- (1) Support collaboration of government and private entities in efforts to prevent deterioration and promote restoration and enhancement of watershed features.

Figure 6: Watersheds

3.3.2 Environmentally sensitive areas

Objectives

- (1) To protect ecosystems that in turn, support the biodiversity of species.
- (2) To identify key sensitive habitat areas, water features and related ecosystems, and mitigate the impact of development on these features and functions.
- (3) To protect the environmentally sensitive features whether mapped or unmapped in the IRCP area through development permit guidelines.
- (4) To recognize the sensitivity of the adjacent Strathcona Provincial Park, Paradise Meadows area to ensure that development does not adversely impact the meadow's natural environment, including aquatic resources and hydrology.
- (5) To recognize that the high quality of the natural environment is one of the key attributes of the attractiveness of the Mt. Washington resort community and to ensure that the resort continues to develop in an environmentally sustainable manner.

Policies

- (1) Development within the IRCP area shall use precaution in order to protect water resources from potential erosion and siltation. To prevent this from occurring, preventative measures should be taken to protect topsoil and ground cover during all stages of development occurring in the IRCP area.
- (2) Restoration, which includes seeding and/or replanting of disturbed sites as a result of development, will be required through the mixed use development permitting process.
- (3) Strongly support the Mt. Washington ownership group's existing policy of not using chemicals and other non-natural forms of snow making that may be used to accelerate the formation of snow.

Advocacy policies

- (1) For the protection of ecosystems, which do not respect property boundaries, collaboration and cooperation between all land owners and visitors that will result in following best management practices to mitigate development impacts on the environment and ecosystems is encouraged.
- (2) The CVRD will facilitate ongoing communication between the, Ministry of Forests, Lands and Natural Resource Operations, Ministry of Environment, BC Parks, TimberWest, the Ministry of Transportation and Infrastructure and snow clearing service providers, the Mt. Washington ownership group, private and strata land owners and strata councils to address snow removal and other impacts on aquatic resources within the IRCP area and further downstream. In order to understand the potential impacts and devise proper mitigation strategies, a coordinated effort should be undertaken to establish baseline data for the streams and for Paradise Meadows relative to other watercourses within Strathcona Provincial Park.

3.3.3 Snow melt and rainwater management¹²

Objectives

- (1) Manage snow melt and rainwater to preserve ecosystem and watershed health. The collection and management of snow melt/rainwater is an important component of ensuring the overall health of the Comox Valley waterways and natural areas. As tree cover is removed and impermeable areas increase, snow melt/rainwater management becomes a larger concern. There is a critical threshold when there is over 10 percent impervious area within a watershed or drainage catchment. Modern management techniques are moving engineered solutions towards green infrastructure approaches which seek to replicate natural systems in the impoundment, infiltration and cleansing of rainwater (e.g., naturalized ponds, bioswales).
- (2) In order to minimize the environmental impact of development, encourage the creation of a comprehensive snow melt and rainwater management plan for the IRCP area.

¹² Note that storage of snow is captured in rezoning applications and development permit requirements and is therefore not included in this section.

- (3) To use sustainable practices and design buildings and sites to manage rainwater in an ecologically sensitive manner. The location of buildings and infrastructure on a site and the manner in which any piece of land is landscaped has significant implications to the site's ecology, habitat and watershed protection implications, as well as to the energy performance of the buildings. In order to achieve better sustainability performance in development, strategic approaches to site planning and landscaping are needed.

Policies

- (1) Development proposals shall be required to address snow melt and rainwater management to ensure that on-site post-development peak flows do not exceed pre-development peak flows.
- (2) Upon applications for rezoning, or for a boundary extension of the IRCP area, the CVRD may require proof from a professional registered engineer that there is sufficient capacity in the snow melt and rainwater drainage infrastructure on Mt. Washington to accommodate the development and/or expansion proposal.
- (3) On-site snow storing areas for all new development shall be incorporated in the development proposal.
- (4) Seek areas for snow storage that minimize downstream impacts on water quality in Strathcona Park from spring melt runoff and sand/gravel deposits.
- (5) Continue exploring alternative snow dump areas to avoid/eliminate impacts around the Strathcona Park trail parking lot.
- (6) For new construction and in areas where development has already taken place, apply low impact development (LID) techniques that will contribute to snow melt and rainwater management. Low impact practices include:
 - (a) Conservation site design strategies (i.e., non-structural low impact development practices)
 - (b) Infiltration practices
 - (c) Rainwater harvesting
 - (d) Runoff storage and evapotranspiration
 - (e) Runoff conveyance
 - (f) Filtration practices
 - (g) Landscaping that would slow down or capture rain water runoff, such as rain gardens; or provide for permeable surfaces that would enhance rain water infiltration to ground water, such as lawns.
- (7) Avoidance and mitigation of impacts on watercourses and cause for erosion will be addressed in all development reviews using a development permit process.

3.3.4 Energy and Water Conservation and Greenhouse Gas Reduction

Objectives

- (1) To promote the reduction of greenhouse gas emissions (GHG) and water conservation within the IRCP area.
- (2) To encourage the production of on-site and district energy plants and/or systems.

- (3) To use and provide alternative energy sources that would increase multiple use of these sources, and that would enhance energy efficiency in buildings, landscape features and powering people movers, etc.

Policies

- (1) Energy and water conservation and greenhouse gas reduction will be addressed through the mixed use development permitting process.
- (2) Sustainable and green building designs will be encouraged, given that these building forms provide lower energy bills and lower environmental impacts than traditional buildings. Green building design principles include the following:
 - (a) Maximizing solar orientation; and
 - (b) Considering climate and weather implications (e.g. winds and snow drifts).
- (3) Overall reductions in greenhouse gas emissions will result from a combination of reduced energy consumption and increased renewable energy reliance.
- (4) Utilize the unique challenges associated with development in an alpine environment where significant snow accumulation and rainfall occurs, regular windstorm and prolonged summer sun and drought are normal. Development proponents are encouraged to capture resources associated with these challenges and to reuse them for district energy systems, energy production and supply or as backup systems during power outages, as well as landscape irrigation, grey water supply, fire suppression and water storage. The use of the following and similar resources will be supported if the use of such sources is mitigated and does not result in any socio or environmental degradation:
 - (a) biogas
 - (b) biomass
 - (c) geothermal energy (heat loops and wells)
 - (d) heat energy from ground and or air (heat pumps)
 - (e) heat and power generated from sewage treatment facilities that can be considered as the resort community and service facilities expand
 - (f) solar energy (solar energy panels and solar photovoltaic systems, where the latter directly convert sunlight into electricity for heating air and or water)
 - (g) solar energy through passive solar design that can provide 30 to 60 percent more space heating needs
 - (h) waste heat produced from existing facilities that can be used by another facility in a compact mixed neighbourhood
 - (i) wind power and wind turbines that are useful for displacing diesel fuel in off-grid generators
 - (j) waste water effluent
 - (k) wind (turbines, useful for displacing diesel fuel in off-grid generators)
 - (l) wood “waste”
- (5) With water re-use, such as grey water recycling in water conservation/irrigation the legislative criteria for its application provided by BC Building Code, MOE *Environmental*

Management Act, *VIHA Drinking Water Protection Act* and *Public Health Act* (SSR), should be followed.

- (6) Development proponents and builders are encouraged to integrate energy saving measures during the site and building planning and not as an add-on after the building of landscaping of the site are completed.
- (7) If all the provisions of a development proposal meets legislative requirements, including BC building code, the CVRD will provide support to create a leading edge pilot project related to energy, and water conservation and greenhouse gas emission reduction.
- (8) Through ongoing green building education, the CVRD will continue to promote and educate development proponents and builders on the use of alternative energy production measures.¹³
- (9) The establishment of a mix of uses on one site is encouraged, as this mix should increase the viability of on-site energy supply.

3.3.5 Landscaping

Objectives

- (1) To instill the use of sustainable best practices in site planning. The location of buildings and infrastructure on a site and the manner in which any piece of land is landscaped has significant implications to the site's ecology, habitat and watershed protection implications, as well as to the energy performance of the buildings. In order to achieve better sustainability performance in development, strategic approaches to site planning and landscaping are needed.
- (2) To focus on the provision and maintenance of native drought resistant and "FireSmart" landscaping to enhance the aesthetic appeal of the resort community and complement the natural landscape.
- (3) To use turbines, solar energy systems, and other resource recovery technologies, to power landscaping features.

Policies

- (1) Use landscaping to delineate and separate land use areas, increase the aesthetics of use areas, enhance privacy, mitigate erosion and stabilize slopes, conserve energy, mitigate sound, preserve air and water quality.
- (2) Promote education about xeriscaping and "FireSmart" planting.
- (3) Select native plants suited to the characteristics of a site, to ensure a vibrant healthy landscape, that require little or no watering and that are not subject to stress during hot and dry summer months.
- (4) Through the provisions of the mixed use development permit area, provide landscaping guidelines to improve the aesthetics and safety of the resort community.
- (5) The implementation of alpine appropriate green roof design is encouraged.

¹³ CVRD website: www.comoxvalleyrd.ca/GreenBuilding is used for educating the public.

3.3.6 Air, Noise and Light Pollution

Objective

- (1) To minimize the development impact of air, noise and light pollution within the Mt. Washington IRCP area on the natural and wilderness areas of the alpine resort (and adjacent Strathcona Provincial Park).

Policies

- (1) Residential and commercial development must adhere to the “dark sky” policy of the CVRD.
- (2) Where possible, use mitigative measures to reduce noise.

3.4 Mining and Forestry Activities

3.4.1 Metal leaching and acid rock drainage from mineral occurrences

Objective

- (1) To be aware of and manage the occurrence of acid rock drainage in the IRCP area.

Policies

- (1) Prevent and mitigate potential problems resulting from metal leaching and acid rock drainage as a result of development.
- (2) Where acid rock drainage occurs, preventative measures shall be taken that would prevent the acid from draining into aquatic ecosystems, such as Piggot Creek, a tributary of the Oyster River.
- (3) Discourage fracturing rock where there is a known presence or potential for metal leaching and acid rock drainage.

3.4.2 Mining

Objectives

- (1) To respect the fact that resource development falls under the provincial government jurisdiction and regulations.
- (2) To accommodate mining rights of the tenure holders.

Policy

- (1) When the CVRD receives a referral for proposed mining or exploration activities, the comments provided would include that provision be made for environmental and drainage protection for the IRCP area and for the adjacent Strathcona Provincial Park.

3.4.3 Forestry

Objectives

- (1) To accommodate forestry on the lands bounding the IRCP area.
- (2) Wherever possible, to protect stream sides on privately owned land from logging.

Advocacy policy

- (1) The Mt. Washington ownership group is encouraged to continue cooperating with the agencies responsible for the management of Strathcona Provincial Park and the adjacent private managed forest lands and associated land owners, in all matters of common interest, including, but not limited to:
 - (a) emergency preparation relative to wildfires
 - (b) transportation safety
 - (c) streamside protection
 - (d) any development that may challenge the environmental integrity of ecologically sensitive features or habitat





PART FOUR DEVELOPMENT PERMIT AREA

4.1 Introduction

The Mt. Washington IRCP relies on the use of development permit areas as the primary tool to assist the resort community in working towards achieving its vision and ensuring that future development is consistent with the sustainability principles, goals, objectives, and policies of the Comox Valley regional growth strategy, the IRCP and the development permit guidelines. The application requirements and development permit procedures are captured in the planning procedures and fees bylaw. In some cases, a report from an architect, landscape architect, or other professional may be required to assist staff in evaluating an application. Development within the development permit area may only proceed if the proposal satisfies the development permit specifications and guidelines.

In addition to the mixed use development (MUD) permit of the IRCP, the development permits included in the electoral areas official community plan that apply to all electoral areas, will where applicable, also apply within the Mt. Washington IRCP area.

The Mt. Washington mixed use development permit area specifications identify when a permit is required and the guidelines that have to be met. In accordance with the development permit requirements, an applicant needs to obtain a development permit before development, construction, or land alteration commences, so that the impact of development on the environment within the designated areas identified on *Map 3: Development Permit Area* can be reduced and the end project can satisfy the vision for the form and character of the Mt. Washington alpine village.

4.2 Mixed Use Development Permit Area

4.2.1 Designated Area

The *Local Government Act* sections 919.1(1) authorizes the regional district to include in the official community plan, a development permit area for the following:

- “(a) protection of the natural environment, its ecosystems and biological diversity;...
- (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;...
- (h) establishment of objectives to promote energy conservation;
- (i) establishment of objectives to promote water conservation;

(j) establishment of objectives to promote the reduction of greenhouse gas emissions.”

The requirement for a development permit will apply to the area identified on *Map 3: Development Permit Area*, and more specifically to the following land use designation areas shown on *Map 2: Land Use Designation*: “mixed use commercial”, “mixed use residential”, “potential mixed use residential”, and “resort expansion area”.

4.2.2 Objectives

The development permit area is established to achieve the following:

- (1) Enhance the alpine village character and experience of visitors
- (2) Ensure that development within the Mt. Washington IRCP area is suitably integrated with the natural environment and improved surroundings
- (3) Establish low impact development standards, where designs take into consideration:
 - (a) Safety of people and infrastructure
 - (b) Energy saving measures
 - (c) Alternative transportation options to decrease vehicle dependency

4.2.3 Justification

There is a limited amount of developable land on Mt. Washington, and this makes it more important to ensure that the siting and design of buildings and development achieve maximum integration within the topography, both now and in the future. The development permit area was established to ensure that commercial and multi-residential development on Mt. Washington occurs in accordance with an alpine village theme as described in the guidelines provided. Development permit measures have been included in order to mitigate the effect of climate change, development to promote energy and water conservation, and to reduce greenhouse gas emissions.

4.2.4 Applicability

Within the mixed use development permit area indicated on *Map 3: Development Permit Area*, for commercial, industrial and multi-residential development, the following activities require a development permit prior to:

- (1) Any site alteration or landscaping being done
- (2) Installation of infrastructure that requires site alteration
- (3) Approval of a building plan and resulting construction of buildings and associated structures

4.2.5 Exemptions

Notwithstanding section 4.2.4, a development permit shall not be required for the following activities on the subject land:

- (1) The construction of single detached and duplex dwellings
- (2) The construction of an accessory building, where the proposed accessory building is equal to or less than 10 metre² in size
- (3) Minor interior and exterior building alterations, excluding any increase in floor area of building footprints, provided the work is above existing foundations and in the opinion of a CVRD officer, would be consistent with the objectives and guidelines of the mixed use development permit. This could include repainting or refinishing a building, repair or replacement of roofs, windows, doors, decks and awnings, provided that there would be no significant change to the façade and exterior appearance of the building
- (4) Erection of a fence that is in compliance with the fence height and siting regulations in the implementing zoning bylaw
- (5) Construction of retaining walls equal to or less than 1.5 metres in height
- (6) Construction of temporary emergency works to prevent flood or erosion damage to structures
- (7) Construction of emergency works to install, repair, or replace public utilities or infrastructure
- (8) Erection of a freestanding light pole, utility pole, flag pole, communications tower, warning devices and/or similar structures related to public health, safety, and infrastructure
- (9) Replacement of or alterations to existing signage that does not result in a contravention of guidelines pertaining to signs within this development permit area
- (10) Removal of trees deemed hazardous by a qualified arborist, identified in a report submitted to the CVRD

4.2.6 Guidelines

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

General Design

- (1) The character of the mixed use development permit area will generally:
 - (a) Complement and blend with the surrounding natural and improved environments, and incorporate natural building materials into the design of the buildings that will be durable to withstand the harsh climate at Mt. Washington
 - (b) Accommodate distinct building form, where mixed use development will complement existing buildings through the use of common architectural and landscape elements, and colours and materials, which complements surrounding natural and improved environments
 - (c) Avoid duplicate mirror-image or repetitive monotonous building designs that are not supported in the Mt. Washington IRCP area
- (2) Reduce the energy consumption and reliance on mechanical means through location, orientation and building design to facilitate the retention of passive solar heat, optimize distribution of natural daylight into a building's interior spaces, and support natural ventilation.

- (3) Encourage the use of energy efficient building materials, techniques, technologies, and practices that produce local energy and/or reduce the amount of energy consumption, which include, but are not limited to the following:
 - (a) South facing windows that maximize winter passive solar gain and natural daylight
 - (b) Geothermal
- (4) Screening of rooftop mechanical equipment should be incorporated into building design.
- (5) Where possible with the design of commercial residential and multi-residential development, provide for ski-in and ski-out opportunities.
- (6) Development shall not be a separate “gated community” with walled or fenced enclaves.
- (7) Building and landscape design should incorporate design elements that address the functional needs of persons with disabilities, including those who are mobility, visually and hearing impaired, or have reduced strength or dexterity.
- (8) Make provision for fire protection of buildings and infrastructure, including access for firefighting services.
- (9) Commercial development should be primarily ground oriented and generally located within the ground floor or second storey.

Site design and preparation

- (10) Site design should consider the unique challenges associated with development within the Mt. Washington IRCP area, where the following is typical:
 - (a) Significant snowfall and accumulation, resulting in significant snow melt
 - (b) High rainfall and associated runoff
 - (c) Regular windstorms
 - (d) Summer drought
- (11) Plan and design buildings to preserve vegetation, maximize solar access, accommodate existing grades, optimize views, and accommodate potential challenges that the subject land may present, rather than changing the subject land to accommodate the building.
- (12) In the “village centre”, all buildings shall be arranged on the site to facilitate social interaction, and build a sense of community and place. This may occur by:
 - (a) Providing and clustering patios, porches, or verandas adjacent to common areas
 - (b) Ensuring building entrances face each other
 - (c) Providing for visual surveillance of open space from as many angles as possible
- (13) During all stages of site preparation, development and construction prevent erosion and sedimentation through the appropriate placement of erosion control mechanisms.
- (14) Make use of low impact technologies, such as incorporating native vegetation in the landscape plan, and using naturalized ponds and/or bio swales.
- (15) Permanently stabilize and rehabilitate all disturbed slopes and drainage features upon completion of construction with native plant species and/or natural materials.
- (16) Buildings on sloping sites should step down with the natural grade of the site in order to minimize cuts and fills, retaining walls, artificial embankment of grade, or extensive re-grading.
- (17) Street design in the future village centre shall provide for the inclusion of pedestrian amenities such as benches, human-scaled lighting, street trees, recycling/refuse receptacles

and bicycle/ski/snowshoe racks. These shall be consistent with, similar to, or identical in character to the architectural character of the development.

Building Siting, Height, Size and Massing

- (18) Multi-residential, commercial and mixed use development should be designed carefully to prevent shading, loss of privacy, air quality or noise pollution impacts on neighbouring properties. Therefore landscaping, buffering and screening should be incorporated when developing adjacent to residential uses.
- (19) Mixed use developments situated near the side yards of single detached dwellings should be particularly sensitive to issues of noise, privacy and overlook on adjacent properties. Consideration should be given to greater setbacks above the ground floor, special landscaping measures and orienting living and amenity areas away from adjacent living and amenity areas.
- (20) Where site conditions permit, building placement and design shall consider setting buildings into the hillside and stepping upper story back to respect views from adjacent developments to the greatest extent possible.
- (21) Minimize the visual impact of massing by segmenting large buildings, incorporating human-scaled architectural elements in building design such as interesting architectural massing, roof line and balcony/terrace design, window treatments and landscaping.
- (22) Careful attention shall be paid to roofscapes by including roof heights and pitches to ensure that new development complements existing development.
- (23) Areas around buildings will address the risk of large and significant icicle build up and the dangers associated with masses of snow falling from roofs and signage. Roof design must consider function and safety requirements for snow retention and shedding, designed pitch, selected materials, and aesthetics associated with diverters or retainers.

Building materials and exterior finishes

- (24) Where feasible, locally produced natural materials should be incorporated into the design without compromising the building or structure's fire resistance.
- (25) The use of non-combustible building materials is encouraged.
- (26) Authentic detailing and application of exterior finishes where practical is strongly encouraged. False windows and mirrored glass are not supported.
- (27) Colours shall be inspired by the surrounding natural environment.

Parking and service areas

- (28) All site design must provide for:
 - (a) Emergency vehicle access
 - (b) Parking places close to building entrances for ease of use by physically impaired persons
 - (c) Bicycle racks
 - (d) Building and sidewalk locations, size and configuration of parking areas
 - (e) Snow storage areas

- (29) The majority of parking should be provided in parking structures within buildings or in adjacent structures.
- (30) Parking areas within buildings or adjacent structures are encouraged to make provision for the plugin of at least one electric vehicle.
- (31) Surface parking should be designed in accordance with a snow melt and rainwater management plan to ensure that post development flows do not exceed predevelopment flows.
- (32) Parking, storage and service areas should be located in the least visible area of the site screened from public view, with the following landscaping/building requirements:
 - (a) Loading areas shall be screened
 - (b) Landscaping shall be used to soften the visual impact of surface parking and to emphasize a pedestrian friendly environment
- (33) Where applicable, bus layby and/or shelters, pullouts and turnaround areas should be incorporated into the site design.
- (34) Impervious surfaces should be minimized.

Snow/rainwater and ground water management

- (35) The Comox Valley Regional District shall require the applicant to submit a snow/rain water management plan prepared by a professional engineer that addresses the following:
 - (a) Management control measures in place during the construction phase to ensure that adjoining lands are not adversely impacted by runoff generated on the subject land
 - (b) Once development is completed there shall be no net increase in peak rainwater runoff from the site to adjoining lands
 - (c) Consider innovative snow management techniques and technologies that would assist in reducing winter snow storage and capture snow melt and rainwater runoff for re-use
 - (d) Means to move/remove snow on a regular basis and during extreme snowfalls
 - (e) Provision of adequate space for on-site storage of snow and/or having an agreement for off-site storage of snow
 - (f) Consider integrating low impact development features such as bio swales and infiltration trenches

(One method that can be used to determine how to mitigate impacts related to runoff from snow melt and rainwater is the Water Balance Model.)

- (36) Best management practices for mitigating siltation, erosion and pollution of the natural areas, watercourses must be used in all cases where avoidance is not possible.
- (37) Pedestrian routes, especially at building entrances, which must be fully protected, should be considered to optimize pedestrian safety.
- (38) Building projections below the main roof must be durable. Generally, conventional eaves troughs or built-in eaves troughs should be avoided as they are subject to damage from snow shed.

Landscaping and screening

- (39) The Comox Valley Regional District shall require the applicant to submit a landscape plan prepared by a qualified landscape architect or equivalent professional which meets the British Columbia Landscape Standard, considers the constraints and opportunities of an alpine environment, and satisfies the following objectives:
- (a) Where possible, preserve the natural character by blending new landscaping with the surrounding areas, existing mature trees and native vegetation
 - (b) Where site conditions permit, use a variety of native or similarly hardy, drought tolerant deciduous and evergreen plant species that are best suited to the site specific growing conditions, harsh snowy winters and dry summers that are not invasive
 - (c) Provide visual separation from and compatibility with surrounding residential uses, when practical
 - (d) Buffer multi-residential developments from other uses
 - (e) Improve the aesthetic appeal of the development
 - (f) Assist in the safe movements of pedestrians throughout the site
 - (g) Reduce the amount of impervious surfaces on the site
 - (h) Complement the development and surrounding uses
 - (i) Provide erosion control where appropriate
 - (j) Establish or enhance habitat values on the development site where appropriate
 - (k) Minimize water consumption through means such as micro-irrigation, xeriscaping, and rainwater collection systems for re-use and irrigation purposes
 - (l) Reduce the risk of fire and wildfire
 - (m) Not attract bears
- (40) Retention of natural vegetation is strongly encouraged, since it is a challenge to establish new vegetation on Mt. Washington.
- (41) In areas that are challenging to plant, the use of rock gardens, log and natural landscape materials are encouraged and preferred to non-native grasses and ornamental plantings.
- (42) Where appropriate, establish landscape buffers that create a natural transition between commercial and residential areas – through the use of hard and soft landscaping, such as containing layers of shrubs, trees and low walls.
- (43) Low impact stormwater control measures shall be integrated into paving treatments and landscape design to encourage detention.
- (44) On ground level, large scale (commercial and/or multi-residential) garbage and recycling containers, utilities, service kiosks, exhaust elements, satellite dishes, etc. shall be screened with a combination of landscaping and fencing and, gated to a minimum height of 2 m. Any outside storage areas shall be located to the rear of the buildings unless adequately screened.
- (45) Garbage collection and storage areas shall be bear proofed.
- (46) Chain-link fencing shall be used only when screened by landscaping. Decorative fences are encouraged matching the natural materials used for the principal building.
- (47) While respecting the importance of Mt. Washington's naturally forested character and the preservation of mature trees, encourage the design of on-site landscaping to minimize negative shading impacts on the potential for solar thermal or photovoltaic systems on the

site and surrounding properties. Placement of deciduous trees is encouraged to provide summer season shading, and winter season solar access.

Pedestrian and cyclist considerations

- (48) On-site pedestrian sidewalks and pathways should provide direct connections between building entrances, parking areas and sidewalks/pathways of adjacent streets.
- (49) With safe pedestrian travel in mind, walkways shall be distinguished from driving surfaces, so that on-site pedestrian traffic is separated from vehicle traffic, through the use of raised, marked or landscaped features, or groomed snow pathways during winter months.
- (50) Walls, fences, shrubs, grade changes, snow storage areas or other site features, should not obscure vehicle driver vision of pedestrian or bicycle routes or provide obvious opportunities for concealment.
- (51) Where appropriate, cycling and alternative transport facilities should be provided through safe circulation paths, “end of trip” facilities and sheltered locations for bicycle, ski, snowshoe storage/security.
- (52) Continuous weather protection over main entrances and building facades shall be encouraged.

Site illumination and signage

- (53) The Comox Valley Regional District shall require the applicant to submit a site illumination and signage plan that will satisfy the following design objectives:
 - (a) To maintain the ambiance of the ski resort and adjacent Strathcona Provincial Park, minimize impacts on adjacent land uses and avoid unnecessary impacts on nocturnal wildlife
 - (b) To have a coordinated theme for signage and way-finding throughout the resort community that will complement and blend the improved environment with the natural environment of the mountain setting
- (54) Illumination should adhere to the Comox Valley Regional District “dark sky” policy guidelines and be positioned downwards, to minimize glare and preserve the ambiance of the night sky.
- (55) While the use of back lit signage and LED or video signage is not supported, the use of indirect and/or accent lighting on signage is encouraged.
- (56) Signage should be visually unobtrusive.
- (57) Particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting.
- (58) Billboards and roof signs are not permitted.
- (59) Energy efficient (i.e. solar powered, timer or sensor controlled) light fixtures should be used for the illumination of exterior walkways, driveways, entryways and general exterior lighting.
- (60) The size, location and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.

- (61) Multiple free standing signs should be avoided and consolidated into one multi-tenant sign.
- (62) One freestanding sign for each street frontage of the development shall be allowed. Freestanding signs shall be permitted in landscaped areas only, on the same parcel as the development. The height of any sign, including support structures, shall not exceed one point eight metres and the area of any one face shall not exceed three square metres.
- (63) One fascia sign shall be permitted for each development. The maximum area of fascia signs shall not exceed six square metres. 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.





PART FIVE IMPLEMENTATION

5.1 Plan review

The effectiveness of the Mt. Washington IRCP will be monitored to ensure that it meets its performance objectives and the policies. In order to keep the IRCP consistent with provincial and local government legislation, the socio-economic realities of the time, and future needs, the IRCP will be reviewed comprehensively on an eight to 10 year basis.

5.2 Studies and Future Plans

Studies	Implementation	Timing
Resort Community Services/Fire Protection Feasibility Study	CVRD to initiate discussions with the Mt. Washington ownership group, private land owners and strata owners and councils to expand the regional fire protection service on Mt. Washington and to determine if public consensus with property owners can be reached for the establishment of a fire protection service potentially as part of a service to address broad community needs.	Within three years after the adoption of the Mt. Washington IRCP.
Recycling Education Program/ Study	CVRD to initiate discussions with the Mt. Washington ownership group, private land owners and strata owners and councils.	Within three years after the adoption of the Mt. Washington IRCP.

Plans	Implementation	Timing
Resort Master Plan (revision) The terms of reference for a master plan for the Mt. Washington resort community will be reviewed and approved by the CVRD <u>prior to</u> initiating the planning process, to ensure that the master plan will be compliant with CVRD land use policy regulations.	Mt. Washington ownership group.	Prior to any amendment to the IRCP boundaries, excluding the proposed boundary extension to include the "Potential Mixed Use Residential" land indicated on <i>Map 2: Land Use Designation</i> .

Plans	Implementation	Timing
Parking Plan	Mt. Washington ownership group and future development proponents and/or private or strata land owners.	Prior to any changes to parking provisions in the zoning bylaw or in conjunction with development approval considerations of new buildings that will require extensive parking spaces.
Snow Management Plan	Ministry of Transportation and Infrastructure, the Mt. Washington ownership group and future development proponents and/or private or strata land owners.	In accordance with the mixed use development (MUD) permit, as a condition of any future development approvals.
Snow Melt/Rainwater Management Plan	In accordance with principle five of part two, the Mt. Washington ownership group, as part of a revised master plan will be responsible to create an overall comprehensive drainage management plan. In the meantime, future development proponents and or private or strata land owners will be required to create a site-specific drainage management plan.	Prior to zoning and issuance of a development permit, future development proponents and/or private or strata land owners will be required to provide the CVRD with site specific management plans to accommodate any new development.
Master Water and Master Sanitary Sewer Plans	In accordance with principle five of part two, the Mt. Washington ownership group.	With an application for a boundary extension of the IRCP area.
Building permit review	The applicant is required to provide confirmation from the water and sewer service provider at Mt. Washington that adequate water and sewer services can be provided for the proposed development.	When an application for a building permit is submitted.
Zoning bylaw amendment	The applicant is required to provide confirmation from the water and sewer service provider at Mt. Washington that adequate water and sewer services can be provided for the proposed new building.	When an application for a zoning bylaw amendment is submitted.
Mt. Washington Comprehensive Development Zone (MTW-CD) review	CVRD.	Within one year after the adoption of the Mt. Washington IRCP
Development interface zone	Mt. Washington ownership group in collaboration with a potential development proponent.	When development within the "Resort Expansion Area" indicated on <i>Map 2: Land Use Designation</i> is considered.
Community Wildfire Protection Plan (CWPP)	CVRD in collaboration with the Mt. Washington ownership group, private and strata owners and councils, Ministry of Forests and BC Parks.	Within five years after the adoption of the Mt. Washington IRCP.

5.3 Promoting Collaboration amongst Key Role Players

Item	Action	Explanation
Capital/Funding	The CVRD will assist in determining funding sources.	Certain initiatives beyond the resort's private investment and development may require cooperative funding ventures between the CVRD, the Mt. Washington ownership group, and provincial government agencies. Examples include government grant programs to assist with plans and studies, pursuing assistance (in-kind), and aid for various programs and financing for small capital projects.
Use of Facilities for the Resort Community	<p>The CVRD should work with the Mt. Washington ownership group to confirm needs for facilities such as the following:</p> <ul style="list-style-type: none"> • Recreational (indoor) facilities • Resort community facilities • An expanded emergency centre • Special amenities • Parks and greenways and the types of recreational activities desired • Schools and other education facilities • Places of Worship • Other institutional developments <p>Means to deliver these services will be subject to jurisdictional responsibilities.</p>	As the resort community continues to grow and mature, it is understood that residents will demand a higher or different level of service, which may need to be delivered through new or expanded facilities.
Environmental Concerns	The CVRD will facilitate discussions with key stakeholders to, collaborate and address the concern about the impact of snow removal and other activities on the natural environment and aquatic systems within the IRCP area and in Paradise Meadows located in Strathcona Provincial Park adjacent to and downstream from the resort community, to integrate multi-jurisdictional solutions in snow management and clearing – that can be carried forward in a proposed future drainage plan and potentially in the proposed revised OCP.	<p>The CVRD and private landowners should continue to protect aquatic systems located within the IRCP area and further downstream and in this regard, collaborate with key agencies and stakeholders.</p> <p>Key role stakeholders include: the Ministry of Environment, BC Parks, TimberWest, the Ministry of Transportation and Infrastructure, snow clearing service providers and/or private contractors responsible for road maintenance within the Mt. Washington IRCP area, the Mt. Washington ownership group, private and strata landowners and strata councils.</p>
Road Infrastructure	The CVRD will facilitate discussions with the agencies and entities involved with snow management and clearing within the IRCP area.	Key role players that will be consulted include the Ministry of Transportation and Infrastructure, snow clearing service providers and or private contractors, the Mt. Washington ownership group, private and strata landowners and strata councils, to investigate suitable means of providing road safety and snow clearing during severe weather conditions to and at the resort community.

Item	Action	Explanation
Road Infrastructure Continued	<p>Through the development permit process, the CVRD will require commercial and multi-residential developments to provide a snow storage/snow melt/rainwater management plan.</p>	<p>With an application for developing properties within the IRCP area, or for an application for a boundary extension of the IRCP area, the CVRD will require proof from a professional registered engineer that there is sufficient capacity in the snow and rainwater drainage infrastructure on Mt. Washington to accommodate the development and/or expansion proposal.</p>
	<p>The Mt. Washington ownership group will be required to develop an overall comprehensive snow/storm/rainwater management plan that will address the drainage and other policy provisions of the IRCP.</p>	<p>To be prepared as part of an updated master plan and submitted with an application for a boundary extension of the Mt. Washington IRCP area.</p>
	<p>The Comox Valley Emergency Program, Area Coordinator and the Mt. Washington ownership group (in consultation with BC Parks) is encouraged to continue working together on an emergency program for the Mt. Washington area, which needs to ensure that an emergency route (in case of the failure of Strathcona Parkway) is adequately included.</p>	<p>Because Strathcona Parkway is the only publically used road to and from Mt. Washington, it is necessary to ensure that during an emergency situation, the public will be educated about available alternatives.</p>
	<p>As the Mt. Washington resort community continues to expand, the Ministry of Transportation and Infrastructure is encouraged to monitor trip volumes on Strathcona Parkway.</p>	<p>As the main transportation corridor for traffic going to and coming from Mt. Washington, it is imperative that Strathcona Parkway is well maintained and that timely upgrades are planned and budgeted for.</p>
Fire Protection Service	<p>Collaboration between the CVRD and the Mt. Washington ownership group is required to discuss interim fire protection services to all properties.</p> <p>The CVRD will be responsible to advance this discussion.</p>	<p>Within three years after the adoption of the Mt. Washington ICRP and prior to obtaining the outcome of a formal feasibility study or providing extended/comprehensive protective services at the resort community, solutions need to be found to improve public safety and provide fire prevention and protection measures for people and structures.</p>
	<p>The CVRD will initiate discussions with the Mt. Washington ownership group, private and strata land owners and councils, to get their consent to establish a “fire protection local service area” for the IRCP area.</p>	<p>To establish a “fire protection local service area” and to determine which area should be included in such a potential service area – only the village area shown on <i>Figure 4: Environment and Wildlife</i>, or the two portions where resort expansion will overtime occur, indicated as “Potential Mixed Use Residential” and “Resort Expansion Area” on <i>Map 2: Land Use Designation</i> and or portions of the recreation area.</p>

Item	Action	Explanation
RCMP Protection Service	The CVRD will initiate and facilitate discussions between the RCMP and the Mt. Washington ownership group, to ensure that adequate on-site police protection and security services are provided for the resort community.	To maintain and/or improve the safety of permanent and season residents and visitors to Mt. Washington.
Parks and Greenways, or other types of recreational activities desired	The CVRD will collaborate with the Mt. Washington ownership group, current and future strata councils to find suitable areas where the mentioned recreational opportunities can be established.	The CVRD is interested in collaborating with public and stakeholders to determine recreational needs and to investigate where potential recreational opportunities can be developed and maintained.
	The CVRD will determine if and where public parkland should be provided, with the provision that if parkland is requested in accordance with the <i>Local Government Act</i> , then park will be maintained by the CVRD.	Considered with future subdivision referrals.
Public Educational Facilities	The CVRD will facilitate discussion with the pertinent School District and the Mt. Washington ownership group regarding future public school needs and potential allocation of land or buildings that can be used for educational purposes.	The Mt. Washington ownership group and the CVRD will continue to monitor the needs of residents in relation to education. As warranted, the Mt. Washington ownership group will work with service providers to ensure adequate space is provided for appropriate education facilities within the Mt. Washington IRCP area.
Future Expansion Opportunities	Consideration of future expansion of the Mt. Washington IRCP area will be subject to the receipt and review of the plans and items listed.	Where there may be opportunities or needs to expand the residential and commercial land uses of the resort community into the privately managed forest lands beyond the boundary of the IRCP.
Water and sanitary sewer services	The Mt. Washington ownership group will be responsible to provide data to CVRD of these services.	To ensure that the existing systems can accommodate future growth and expansion of the resort community, when development and expansion is proposed.
Solid Waste/Recycling Program	The CVRD will work with the Mt. Washington ownership group, private and strata land owners and councils in accordance with the items listed in the solid waste disposal policies.	In the interest of implementing a full recycling program for the Mt. Washington IRCP area, the CVRD will play an advisory role.
Alternative energy	The CVRD will encourage and support the use and generation of alternative on-site energy production, and will continue to promote and educate development proponents and builders on the use of alternative energy generation options.	CVRD will provide ongoing green building education.

Item	Action	Explanation
Advance the use of alternative transportation options	<p>The CVRD will work with the Mt. Washington ownership group and Ministry of Transportation and Infrastructure, to consider the provision of off-site satellite parking areas within the Comox Valley from which shuttle buses can transport permanent and seasonal residents and visitors to the resort community.</p> <p>The CVRD will continue to discuss opportunities with BC Transit for the regional transit service to expand the service to the base of Mt. Washington.</p>	<p>To advance the use of and provide options for alternative transportation choices.</p>
	<p>In the revised master plan the Mt. Washington ownership group needs to provide a transportation and mobility plan making provision for the use of active and alternative transportation options (especially in the village area).</p>	<p>Provision for active and alternative transportation will encourage the use of the proposed infrastructure.</p>
	<p>During the review of subdivision proposals, the CVRD will consult with the proponents to determine if a multi-use trail for pedestrians and cyclists can be included in the proposed road network-system.</p>	
	<p>Site design forming part of a mixed use development permit must identify the location where bicycle racks can be installed.</p>	<p>Aim to have bicycle racks in strategic locations throughout the Mt. Washington IRCP area.</p>
Development approval process	<p>The CVRD will clarify the development permit, building permit, development variance permit processes.</p>	<p>To ensure that all parties involved in these processes understand the permitting requirements.</p>
Zoning bylaw amendment	<p>The CVRD will review the zoning bylaw as part of the implementation of the IRCP.</p>	<p>Review of planning bylaws is an ongoing function of the CVRD to make improvements where necessary.</p>
Transition to a four-season destination resort for all ages and abilities		<p>Since the Mt. Washington ownership group prepared their first master plan (1990), and updated the plan (2000) for the resort village core only, no comprehensive master planning has been undertaken.</p> <p>Much of the detail of future development will be subject to what the Mt. Washington ownership group will include in their updated future master plan.</p>
Staying true to the vision of the IRCP	<p>The CVRD will ensure that development on Mt. Washington will be conducted in accordance with the principles, objectives and policies described in the plan.</p>	<p>The CVRD will monitor the progress made with the implementation of the plan.</p>





GLOSSARY OF TERMS

Accommodation	The development for permanent or temporary residential purposes, including without limitation, sleeping units, guestrooms or dwelling units, but excludes a campground.
Alpine	The biogeoclimatic zone in a mountain system, which lies above the timberline.
Bed and Breakfast	Means a home occupation use that provides bedrooms within a dwelling unit and the first meal of the day for the temporary accommodation of the travelling public, but does not include boarding house.
Biodiversity or Biological Diversity	The diversity of life in all its forms and levels of organization, including genes, species, ecosystems, and the evolutionary and functional processes that link them.
Core Settlement Areas	The term used within the Comox Valley regional growth strategy, where <i>core settlement areas</i> comprise four land use designations: <i>municipal areas</i> , <i>settlement nodes</i> , <i>sports and education nodes</i> and <i>settlement expansion areas</i> . A minimum of 90 percent of the growth within the Comox Valley will be directed to <i>core settlement areas</i> , in order to promote the efficient use of land and public infrastructure, provide densities supportive of alternative transportation choices, and achieve environmental benefits resulting from compact growth.
Development Interface Zone	Is the zone within the IRCP boundary where the developed area within the IRCP shares a common boundary with the natural and forested areas on adjacent private managed forest lands and/or Strathcona Provincial Park. The purpose of this zone is to provide a gradual transition between the developed area within the IRCP boundary and the adjacent natural area. This can be achieved through maintaining or enhancing the natural vegetation, or using natural materials to improve the landscaping within this zone, before buildings, roads and other manmade structures and improvements are encountered.
Greenway	A system of protected linear corridors of open space, natural areas and/or stream corridors, managed for conservation and/or recreation purposes.

Intensive Residential Development	Clustered high-density residential development within the boundaries of the IRCP, starting from single residential developments (such as chalets) to four storey multi-residential developments.
Mt. Washington Ownership Group	The group of landowners that owns the majority of the land within the IRCP area, mainly the top and flank of Mt. Washington, which includes the alpine resort recreational areas, alpine and Nordic lodges, and support facilities.
Multiple Residential Dwelling	A building containing three or more residential dwelling units.
Peak Flow	The highest volume of water flow occurring in a water course within a given time period.
People Mover	A transportation system that moves the general public, most often in the form of a gondola, or chair lift, or “magic carpet”.
Qualified Environmental Professional (QEP)	<p>An applied scientist or technologist acting alone or together with another qualified environmental professional, if:</p> <ul style="list-style-type: none"> • the individual is registered and in good standing in the Province of 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; • 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, • the individual is acting within that individual’s area of expertise.
Recreational Vehicle (personal motorized)	A trailer, motor home, or similar motor vehicle designated for travel and temporary overnight sleeping accommodation.
Regional District	The Comox Valley Regional District, abbreviated CVRD.
Regional Growth Strategy (RGS)	The RGS was initiated and adopted by the CVRD and was referred to all three member municipalities in the Comox Valley for review and acceptance. On March 29, 2011, the CVRD board adopted this strategy as bylaw 120, which provides a regional vision and direction for growth.

Resort Community	A partially or wholly self contained community of permanent and seasonal residents and visitors to the alpine resort. The resorts provide for most of a residents and visitor needs while remaining on the premises, such as food, drink, lodging, sports, entertainment and shopping.
Riparian	A terrestrial area where the vegetation complex and microclimate conditions are products of the combined presence and influence of perennial and/or intermittent water, associated high water tables, and soils that exhibit some wetness characteristics.
Riparian Area Regulation (RAR)	The BC provincial <i>Riparian Areas Regulation</i> and amendments thereto enacted pursuant to section 12, 13(1) and 37(2) of the <i>Fish Protection Act</i> .
Runoff	The part of precipitation and snow melt that reaches watercourses by flowing over or through the ground. Surface runoff flows without penetrating the soils. Groundwater runoff enters the hydrological system by seeping through soils.
Settlement Area	An area (within the boundary of the Mt. Washington settlement node), where future growth and infill development of the resort community is expected to occur in accordance with the established Mt. Washington comprehensive development zone of the Comox Valley zoning bylaw. This area is shown on <i>Figure 4: Environment and Wildlife</i> .
Settlement Node	A term used in the RGS refers to a planned settlement area within Union Bay, Saratoga Beach and Mt. Washington. While a <i>settlement node</i> is not contiguous with <i>municipal areas</i> , a node is planned to receive growth and can accommodate urban forms of development.
Skier Carrying Capacity	A measure of the optimum number of skiers and snowboarders who can utilize the resort at any given time, being guaranteed a pleasant recreational experience without causing a decline in the quality of the environment. Factors, which influence skier capacity, include lift capacity, ski trail capacity, on-hill skier density, and base facility capacity.
Sub-Alpine	The zone in a mountain system below the timberline, characterized by the mountain hemlock biogeoclimatic zone on Vancouver Island.
Village Area	The village area, indicated on <i>Figure 4: Environment and Wildlife</i> , is located at the base of the recreational area where the main

footprint, services roads, infrastructure and a variety of commercial enterprises and residential accommodation has been developed over the past 34 years.





Village Centre

The village centre, indicated on *Map 2: Land Use Designation*, is located within the area earmarked for “mixed use commercial”, where the compact pedestrian oriented hub / “heart” of the alpine resort community will be established over time.





MAPS

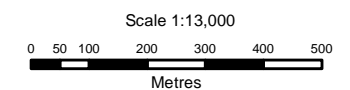
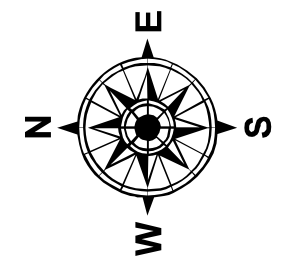
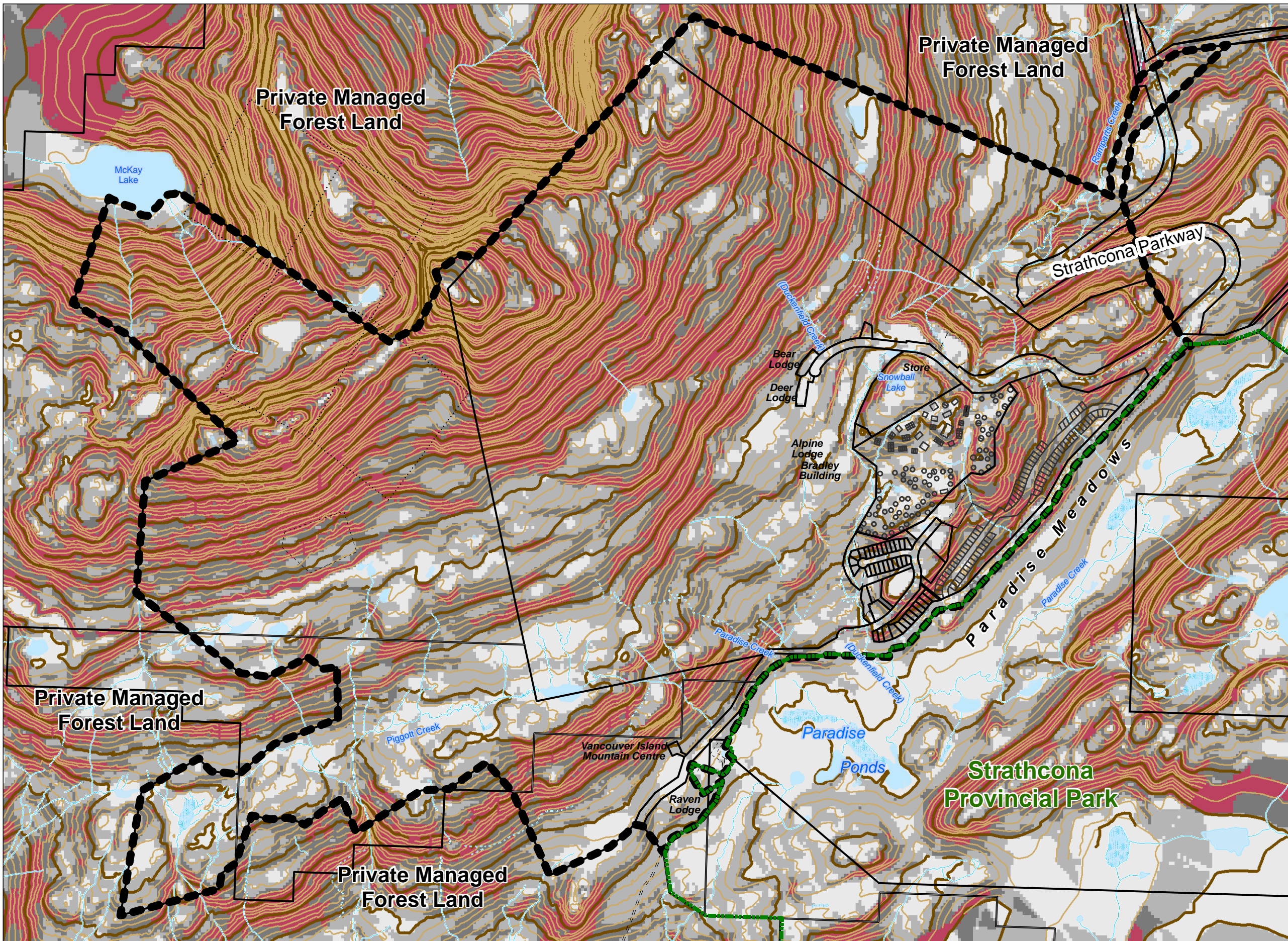
Mt. Washington Integrated Resort Community Plan

Legend

-  Major Contour
-  Minor Contour
-  Strathcona Provincial Park
-  Mt. Washington IRCP Boundary

Percentage of Slope

-  0 - 10%
-  10 - 20%
-  20 - 30%
-  > 30%

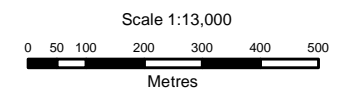
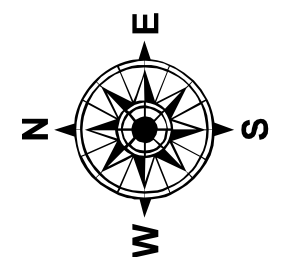


Map 1 Topography/Slope Analysis

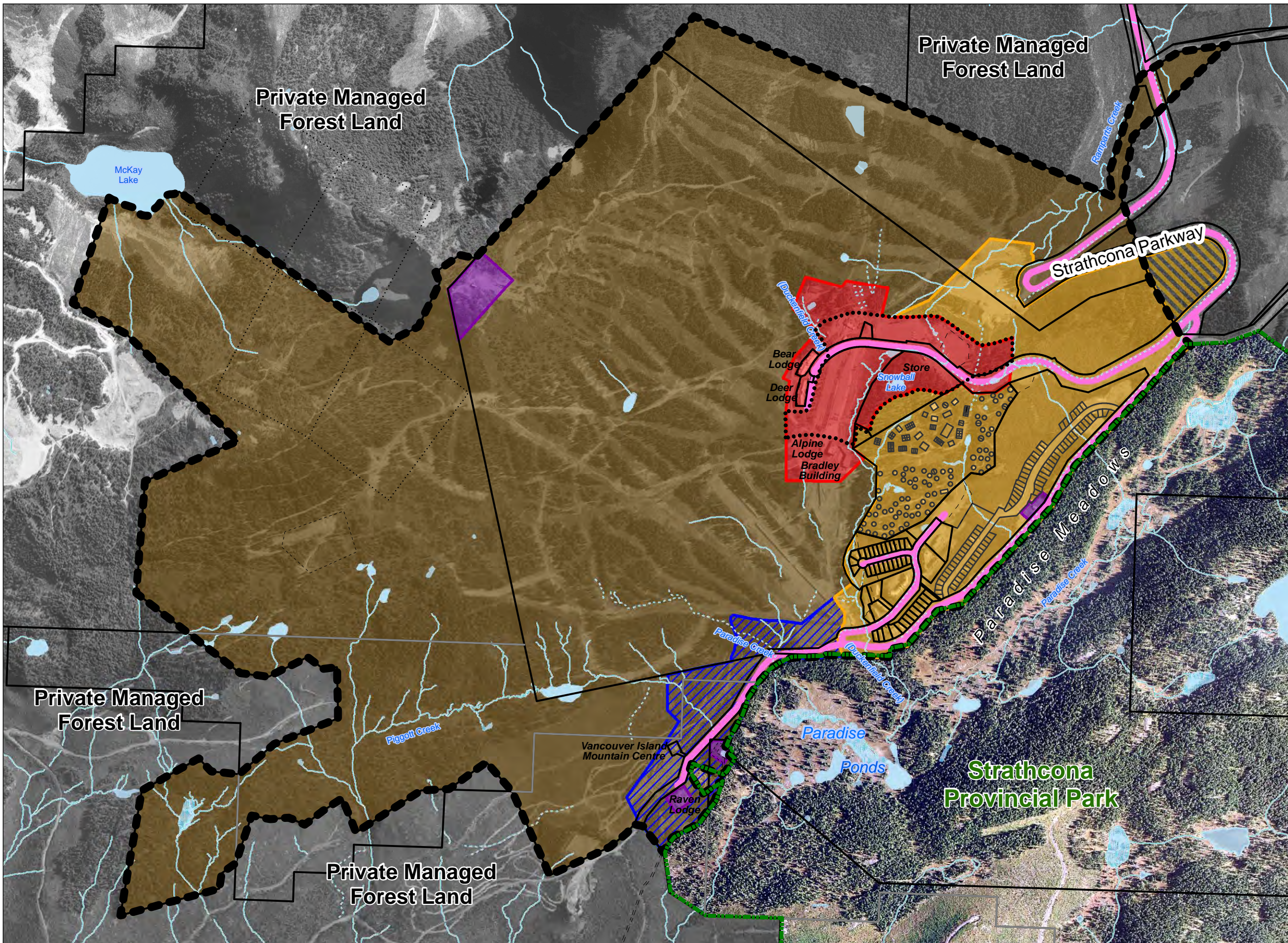
Mt. Washington Integrated Resort Community Plan

Legend

-  Mt. Washington IRCP Boundary
-  Village Centre
The commercial hub/'heart' will be established somewhere within this area
-  Mixed Use Commercial
-  Mixed Use Residential
-  Potential Mixed Use Residential
-  Resort Facilities
-  Resort Recreation
-  Resort Expansion Area
-  Public Road- paved
-  Strathcona Provincial Park






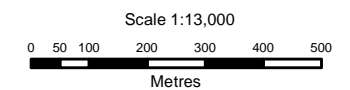
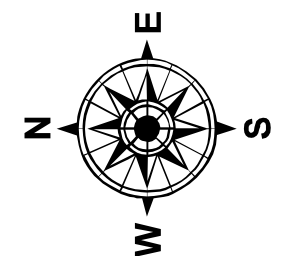
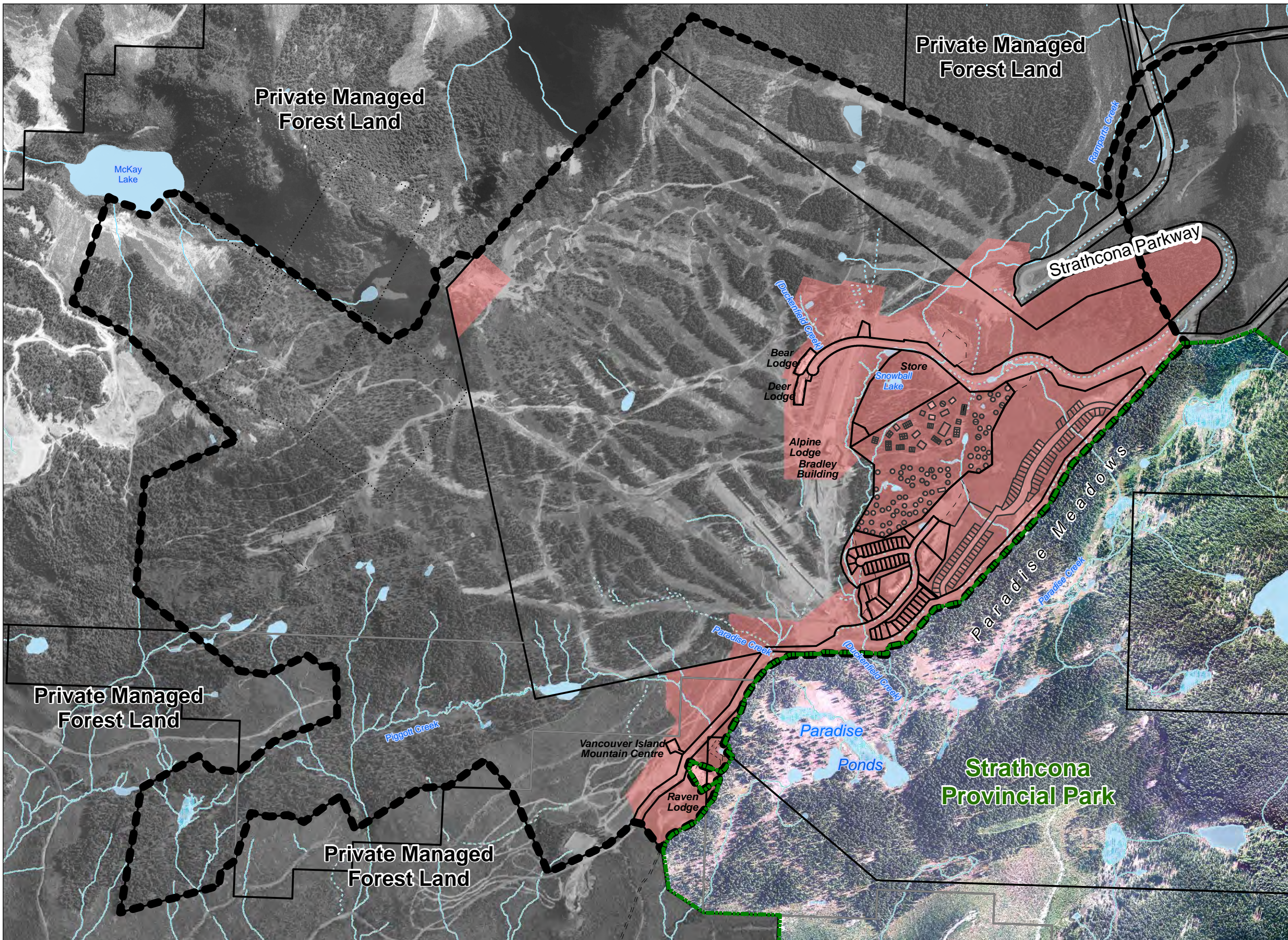
Map 2 Land Use Designation



Mt. Washington Integrated Resort Community Plan

Legend

-  Mt. Washington IRCP Boundary
-  Mixed use development (MUD) permit area
-  Strathcona Provincial Park



Map 3 Development Permit Area