



Electoral Area 'C'

***LAND USE AND
GREENWAYS PLAN AND
SARATOGA/MIRACLE BEACH
LOCAL AREA PLAN***

SCHEDULE 'C'
TO BYLAW NO. 2042, BEING THE
RURAL COMOX VALLEY
OFFICIAL COMMUNITY PLAN, BYLAW, 1998

**CONSOLIDATED COPY FOR
CONVENIENCE PURPOSES ONLY**

The version of this bylaw may not be complete due to pending updates or revisions and is to be Used for reference purposes only. THIS BYLAW SHOULD NO BE USED FOR ANY LEGAL PURPOSES. Please come into the regional district office to view the complete bylaw when required.

LIST OF AMENDMENTS

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

Bylaw No.	Amendment	Type of Amendment	Adopted	Text Reference
2447	#11 (to RCV OCP)	Text & Map 5 of the Saratoga/Miracle Beach LAP	September 30, 2002	Saratoga/Miracle Beach LAP Annual Review 2001/2002
50	#34	Text and Map 5 of the Saratoga/Miracle Beach LAP	July 30, 2009	Electoral Area 'C' Land Use and Greenways Plan and Saratoga/Miracle Beach Local Area Plan
48	#33	Text and maps (part three)	January 31, 2012	Saratoga Beach development proposal on Lot A, Block 29, Comox District, Plan 3865 except parts in Plans 11527, 16307, 28304, 31481 and 39339
208	44	Text amendment	February 26, 2013	To amend the OCP to that the minimum lot area designations in the OCP are consistent with those in the settlement expansion areas of the regional growth strategy.

Bylaw No. 2042, "Rural Comox Valley Official Community Plan, 1998"
Schedule 'C'

276	48	Map 1 of Electoral Area 'C' Plan Land Use Designations	February 25, 2014	To amend map 1 of schedule 'C' in the Comox Valley OCP by changing the land use designation from "public use" to "agricultural land reserve" for the property described as Lot 1, Section 27, Township 6, Comox District, Plan 42292 (1256 Larkin Road) in order to permit principal residential use
-----	----	--	-------------------	--

Electoral Area 'C' Land Use and Greenways Plan Saratoga/Miracle Beach Local Area Plan

Preface

The Rural Comox Valley *Official Community Plan (OCP)* was adopted February 22, 1999. The *OCP* recommends the completion of Electoral Area Plans and Local Area Plans. This document includes the Electoral Area Plan (EAP) for Electoral Area 'C' and the Local Area Plan (LAP) for the Saratoga/Miracle Beach area. A Greenways Plan for Electoral Area 'C' is within the EAP.

Plans Applicability

The plans in this document are supplemental to the goals, objectives and policies of the *OCP*, which are not repeated herein.

June 28, 1999

Table of Contents

Part One	1
Background and Introduction	1
1. Purpose of the <i>Electoral Area Plan</i>	1
2. EAP Plan Area	1
3. Purpose of the <i>Local Area Plan</i>	1
4. LAP Plan Area	1
5. Purpose of the <i>Greenways Plan</i>	2
7. Time Frame	2
8. Planning Process	2
9. Background Information.....	3
Part Two	4
Community Goals, Objectives and Policies	4
B. Land Use and Economy: Policies	4
B.4 Home Occupations and Cottage Industry Policies.....	4
B.6 Local Commercial Services Policies	4
Figure #1 Design Options for Commercial Developments	6
Figure#2 Desired Character for Country Inns	7
B.8 Tourist Services and Highway Services Policies	8
B.10 Industrial Policies.....	8
B.13 Agriculture Policies.....	9
B.15 Resource Extraction and Processing Policies	9
C. Land Use and Settlement: Objectives and Policies	10
C.2 Rural Area Policies	10
C.4 Rural Settlement Area Policies	11
C.8 Transportation Infrastructure Policies	13
Figure #3 Density Bonus Example.....	15
Figure#5 Desired Character for Mixed Density, Multi-Family & Resort Buildings.....	16
C.10 Wastewater and Stormwater Policies.....	17
C.12 Parks and Recreation Policies.....	18

Figure #6	Stormwater Management Guidelines	19
	Greenways Plan	20
	C.13 Greenways Policies	20
Figure #7	Ecological Greenways.....	22
Figure #8	Recreational Greenways: Greenway Trail	25
Figure#9	Recreational Greenways: Greenway Road.....	28
	C.15 Institutional Uses Policies	29
	C.16 Heritage Objectives	29
	C.17 Heritage Policies	29
	C.18 Mt. Washington Resort Objectives	29
D.	Advocacy Policies	31
	D.1 Natural Systems Advocacy Policies	31
	D.9 Rural Settlement Areas - Advocacy Policies	31
	D.11 Wastewater and Stormwater Management Advocacy Policies	31
	D.13 Greenways Advocacy Policies	32
	D.14 Institutional Uses Advocacy Policies	32
Part Three	33
	Plan Maps	33
	1. Map #1 Area ‘C’ Electoral Area Plan	33
	3. Map #3 Electoral Area ‘C’ Greenways Plan	37
	4. Map #4 Saratoga/Miracle Beach Local Area Plan (LAP), Greenways	39
Part Four	41
	Development Permit Areas	41
	A. Buffer for Agricultural Land	41
	A.1 Designated Areas	41
	A.2 Justification	41
	A.3 Guidelines for Development Permit Area No. 9	41
Part Five	43
	Comprehensive Plan Areas	43
	A.1 Designated Areas	43
	A.2 Justification	43

A.3 Specified Circumstances for Requiring Development Approval Information	44
A.4 Development Approval Information Not Required	44
A.5 Terms of Reference for Evaluating the Impacts of a Development Proposal.....	44
Part Six.....	51
Plan Implementation	51
A. Implementation Actions	51
Appendices.....	55
APPENDIX A: Glossary of Terms	55
APPENDIX B: Background Information	61
Map #1 Existing Land Use and Zoning.....	61
Map # 2 Environmental Opportunities and Constraints.....	62
Map # 3 Recreation Opportunities and Constraints.....	63
APPENDIX C: Ministry of Transportation and Infrastructure Grid Network Road Plan and Cycling Network Plan	64
APPENDIX D: Population Projections.....	65

SCHEDULE 'C'

Part One

Background and Introduction

Part One describes the purpose and context of the Electoral Area Plan and the Local Area Plan. The contents of part one explain how schedule 'C' was designed. Words or terms that are in *italics* are included in the Glossary of Terms found in Appendix A. Words or terms that are underlined are included in the Glossary of Terms found in Appendix A of the Rural Comox Valley Official Community Plan, 1998.

#48

1. Purpose of the *Electoral Area Plan*

The primary purpose of the *Electoral Area Plan (EAP)* is to provide a guide for future land use, and community development decisions. The OCP is an important statement of shared community values and goals. The EAP provides more detailed plans and policies on how to achieve those goals.

The EAP proposes to preserve the rural character of the area by retaining the existing zoning of most of the lands as rural and agricultural. In some locations, there are proposals for potential new land uses, and recommendations to change the zoning. The EAP also indicates ecological and recreational greenways. These are located generally. It is assumed that they will be sited more specifically during the development process.

2. EAP Plan Area

This EAP is applicable to all portions of Electoral Area 'C' of the Comox Valley Regional District.

#48

3. Purpose of the *Local Area Plan*

The primary purpose of the *Local Area Plan (LAP)* is to provide a plan for future land use and community development decisions. The LAP provides more detail than the EAP on proposed land uses and forms of development.

4. LAP Plan Area

Map 1 identifies a large area within Electoral Area "C", which forms the basis of Schedule 'C'. Map 3 is a Greenways plan prepared for this identified large area.

#48

On Map 1, several 'Comprehensive Plan Areas' are indicated. At this time, direction for future development of these 'Comprehensive Plan Areas' have only been

provided for the Saratoga/Miracle Beach Community with the following two local area plans created for this purpose:

- Map 2 Land Use Designations; and
- Map 4 Greenways.

5. Purpose of the Greenways Plan

A Comox Valley Greenways Concept Plan was prepared in 1997. That plan identifies general types and locations of potential greenways. The OCP has policies related to the implementation of a valley-wide greenways network.

The primary purpose of the Greenways Plan for Area C is to identify in more detail the locations for proposed greenways, and to provide policies for the implementation and management of ecological and recreational greenways.

Many of the policies within this document relate to the Greenways Plan. Policies, which relate specifically to the Greenways Plan, can be found in

- Part Two, Sections C. 12, C. 13 and D. 13.

6. Greenways Plan Area

The Greenways plan is applicable to all portions of Electoral Area "C" of the Comox Valley Regional District. Because greenways are integral to all land use planning, the greenways are illustrated on the Electoral Area "C" land use designations plan (EAP) as well as on the Area "C" Greenways plan (Maps 1 and 3). It has also been included in the two Local Area plans - the Saratoga/Miracle Beach Local Area land use designations plan (LAP) and the Saratoga/Miracle Beach local area Greenways plan (Maps 2 and 4).

#48

7. Time Frame

These plans assume a five to 10 year time frame. The plans also provide the basis for regulatory bylaws (e.g. zoning bylaw), which deal with current land use standards.

The LAP will be reviewed when liquid waste management, environmental and financial studies have been completed for the Saratoga/Miracle Beach area.

8. Planning Process

An extensive, planning-based, public participation program took place in the process of developing these plans. Public workshop events were held at three stages:

- At the outset, to collect information on public objectives and desires for the future,
- Halfway through the process to present and receive input on plan options, and
- Near the end of the process, to solicit input on the draft plans.

Individual questionnaires were available at each public event. Two brochures were produced and publicly distributed prior to the second and third public meetings. The first brochure described the results of the first meetings,

In addition to the public meetings, the Area C Advisory Committee of community representatives met at key stages to review draft plans and policies, and to provide comments.

9. Background Information

The information contained in appendices B and C attached as part of schedule 'C' is for convenience purposes only and does not form part of the legally adopted bylaw subject to be amended and updated as the rest of schedule 'C'. The maps contained in these appendices are used as background and reference material during recent amendments and updates of schedule 'C' as well as the creation of community parks initiatives, maps and plans such as the sensitive habitat atlas, and the Comox Valley cycling plan.

#48

Background information on the geographic resources is summarized on three maps in Appendix B:

- Map #1: Existing Land Use and Zoning
- Map #2: Environmental Opportunities and Constraints
- Map #3: Recreation Opportunities and Constraints

Part Two

Community Goals, Objectives and Policies

Section headings and heading numbers in this part correspond with those of the OCIP. The policies listed below have been divided into two groups. Those that expand upon policies in the Rural Comox Valley OCIP, and those that address issues not covered in the OCP. [The first type is listed under the heading Additions to the OCP. The numbers (i.e. B.6(a)) used for these policies correspond directly to the OCP policy on the same issue. The second type is listed under the heading EAP/LAP Specific Policies. The numbers for these follow the same section and heading numbers but recommence at (a).]

B. Land Use and Economy: Policies

B.4 Home Occupations and Cottage Industry Policies

EAP/LAP Specific Policies

B.4(a) The zoning bylaw shall have separate rules for home occupations and home industries based on the following:

Home Occupations: home-based business contained within a principal dwelling and/or a single accessory dwelling.

Home Industries: home occupations that are clearly incidental to the residential use of the property, that include any of the following:

- .1 use of two or more accessory buildings;
- .2 a floor area exceeding the area permitted for a home occupation;
- .3 an outdoor work or storage yard;
- .4 parking of up to three business vehicles or pieces of equipment outside a building or structure.

B.4(b) Subject to the rulings of the Forest Land Commission and Agricultural Land Commission, home industries would be permitted only on parcels exceeding 0.4ha (1ac) in size.

B.6 Local Commercial Services Policies

Additions to the OCP

B.6(a) Commercial operations designed to serve residents or tourists (excluding

those providing accommodation) are permitted to be located in areas designated as Commercial in the EAP and LAP. Farm retail sales, agri-tourism and other farm related commercial operations are permitted where allowed by the Agricultural Land Commission.

B.6(b) The OCP envisions limited commercial support services within the Plan Area, with such services concentrated in designated areas, where residents can park and walk between businesses. Examples of this type of development are shown in Figure #1. The OCP designates three rural service centres along the Island Highway in Area 'C':

- .1 North Merville: maintain the existing commercial-zoned area. If existing commercial zoning is utilized, future plans may consider increasing the commercial area along the intersecting road both ways from the Island Highway. This arrangement would provide additional commercial space without additional entrances, exits or sprawl along the highway.
- .2 Endall Road, Black Creek: maintain the existing commercial area.
- .3 Lalum Road, Black Creek: maintain the existing commercial zoning.

B. 6 (e) Temporary Commercial Use Permits may be considered in areas designated as Rural Area in the EAP, subject to the applicant providing an acceptable plan for rehabilitation of the site following the discontinuance of the proposed temporary use; including restoration of the areas of the site disturbed by the temporary use to a permeable and non-erodible vegetated condition.

#2447

EAP/LAP Specific Policies

B.6(a) Country Inn

The OCP calls for all commercial other than home occupations to be located in Rural Service Centres. This policy does not recognize needed small commercial operations to provide local services to isolated subdivisions. To service this need, 'Country Inns' shall be permitted to allow very small commercial sites in isolated areas that combine the functions of corner general store, owner's unit above, and bed and breakfast and/or small eatery.

#2447

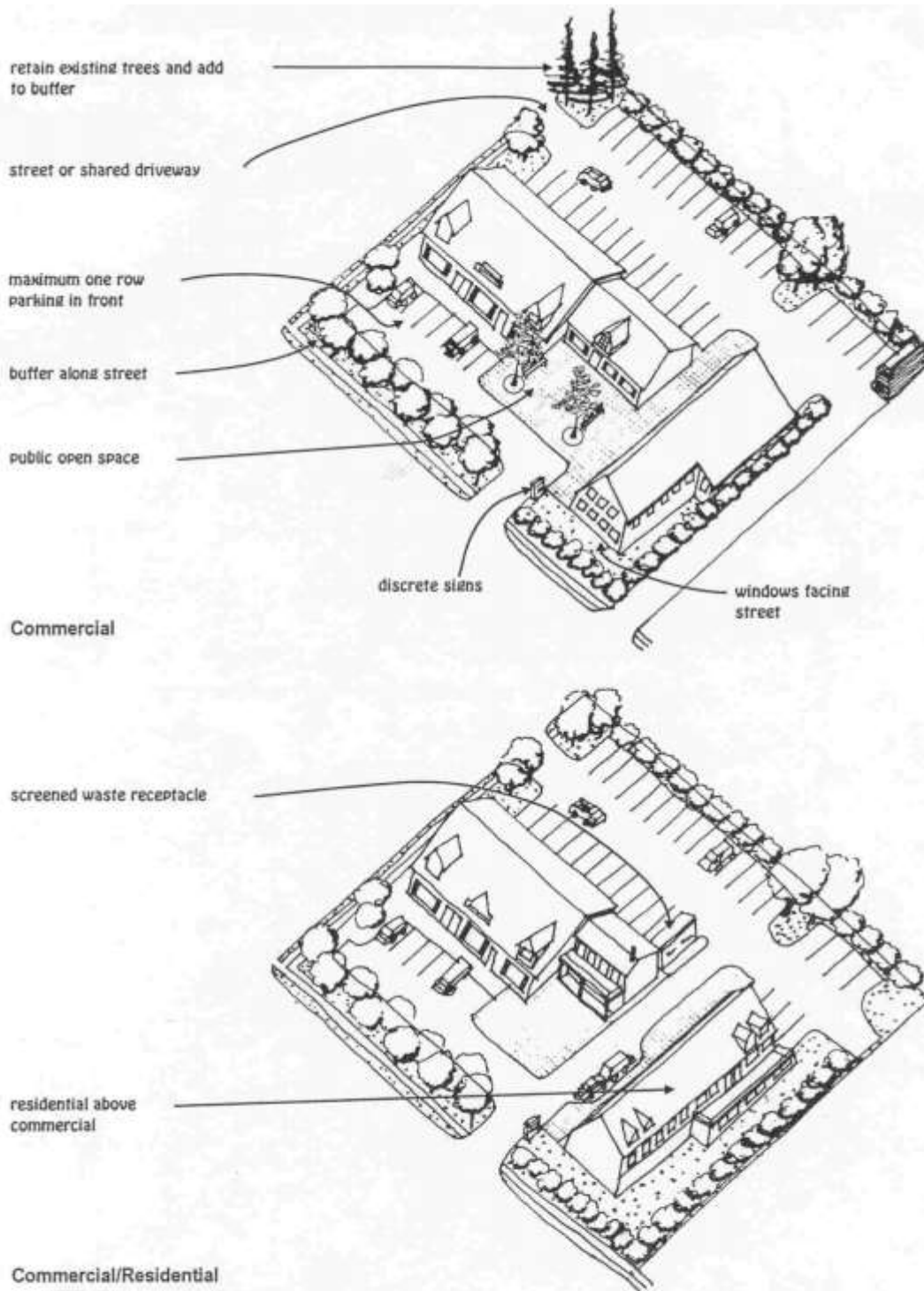
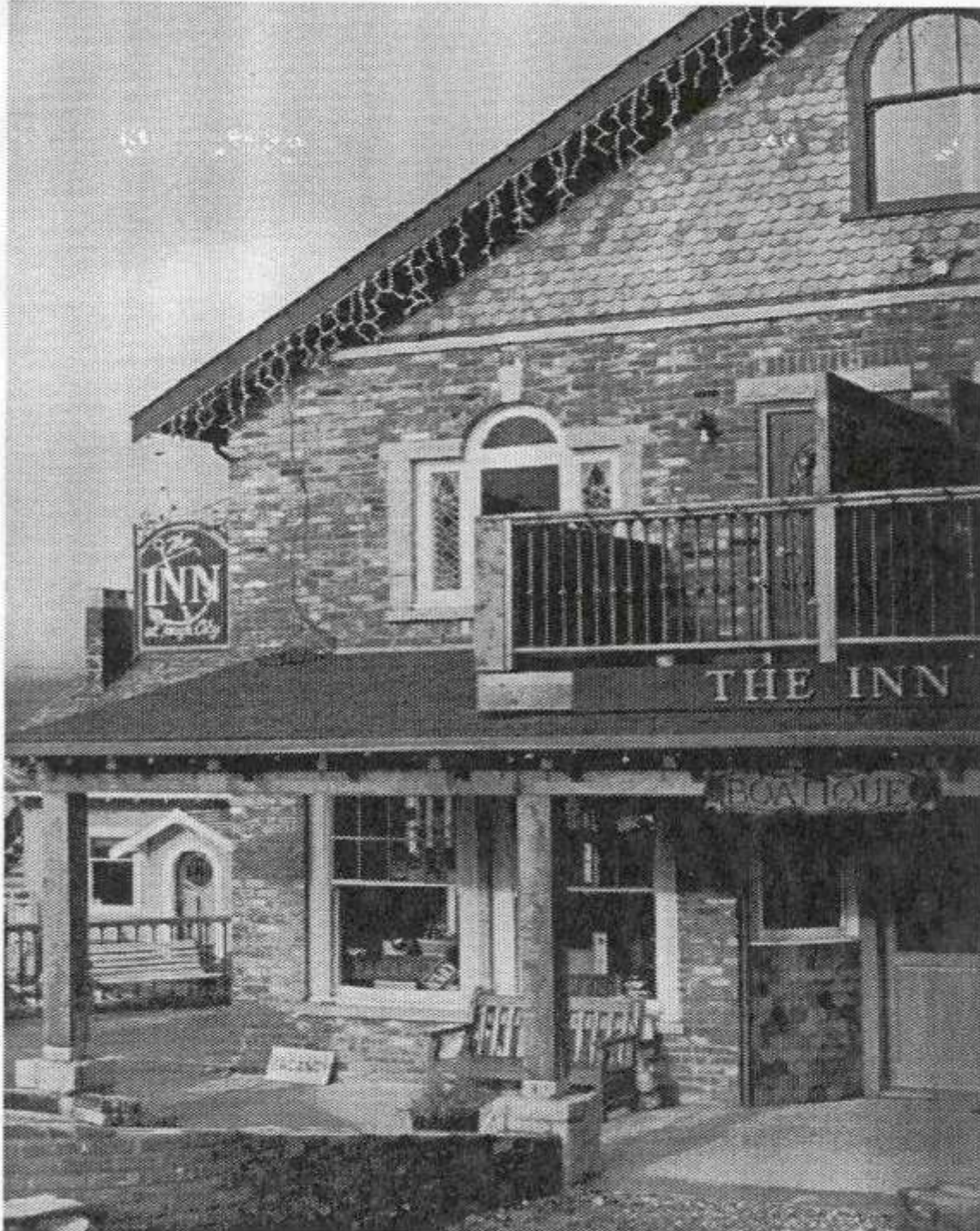


Figure #1 Design Options for Commercial Developments

FIGURE #2



Figure#2 **Desired Character for Country Inns**

These might be in a building or two that resemble a country homestead, and could provide local employment as well as rural tourism. Two initial locations are envisioned. These are at Macaulay (perhaps as part of existing resort zoning), and the other in the Dove Creek area. See Figure #2: Desired Character for Country Inns for an example. The Country Inn concept may also be appropriate to accommodate the need for small, commercial operations in the Saratoga / Miracle Beach Local Area Plan, particularly in the 'Resort' area.

Country Inns shall be designated under Development Permit Area No.6 (Commercial/Industrial).

B.8 Tourist Services and Highway Services Policies

Additions to the OCP

- B. 8(b) The siting and design of tourist services and highway services shall take into consideration the location of ecological and recreational greenways.
- B. 8(c) Highway services and tourist services that do not provide accommodation shall be located in areas designated as Commercial in the EAP and LAP. Farm retail sales, agri-tourism and other farm related commercial operations are permitted where allowed by the Agricultural Land Commission.

B.10 Industrial Policies

Additions to the OCP

- B. 10(a) Lands designated for industrial use are shown on Map #4: Area C Electoral Area Plan as "Industrial".
- B. 10(i) Temporary Industrial Use permits may be considered in areas designated as Upland Resource or Industrial in the EAP, subject to the applicant providing an acceptable plan for rehabilitation of the site following the discontinuance of the proposed temporary use; including restoration of the areas of the site disturbed by the temporary use to a permeable and non-erodable vegetated condition.

#2447

EAP/LAP Specific Policies

- B.10(a) On lands designated for light industrial on the LAP map:

#2447

- .1 The zoning bylaw shall be amended to allow light industrial uses to be mixed with owner-occupied residential quarters beside or above the industrial use.
- .2 Shall be designated under Development Permit Area No. 6 Industrial/Commercial.

- B.10(b) Applications for industrial use (including both the rezoning of land designated industrial and the amendment of the OCIP, EAP or LAP to designate additional sites) should include a comprehensive plan prepared to identify and acceptably mitigate environmental impacts, and to identify site access, proposed subdivision, utilities and site servicing, protection of greenways, and visual buffering of the site perimeter.

B.13 Agriculture Policies

EAP/LAP Specific Policies

- B.13(a) Agriculture Development Permit areas will be used to minimize conflicts between farms and adjacent uses (see Part Four: Development Permit Areas).
- B.13(b) The EAP supports amendment of the zoning bylaw to allow commercial composting operations. The conditions under which these operations shall be permitted shall be determined through direct consultation with existing operators and members of the Agricultural Advisory Committee.
- B.13(c) Zoning bylaw amendments will be considered in support of agri-tourism operations that meet the Agricultural Land Commission policy for tourist accommodation on farms.

B.15 Resource Extraction and Processing Policies

Additions to the OCP

- B.15(e) Known sand and gravel resources are indicated on Maps 1 and 4.

EAP/LAP Specific Policies

- B.15(a) Due to the high mineral potential of the area, increased mineral exploration and development activity can be expected. These activities will only be supported if conducted in a manner that respects environmentally sensitive areas and other concerns voiced by the community.
- B.15(b) To minimize the potential for conflict between aggregate operations and other uses, the permitted uses allowed in close proximity to resource sites and hauling routes may need to be restricted through zoning.

C. Land Use and Settlement: Objectives and Policies

C.2 Rural Area Policies

Additions to the OCP

C.2(c) Despite any other provision of this bylaw, density averaging, density bonusing and density transfer do not apply to the subdivision of lots within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010. For the next five years rezoning of land in Rural Areas for the purpose of subdivision shall be discouraged. The number of parcels created by subdivision in Rural Areas (outside the Rural Settlement Area) shall not exceed that allowed by existing zoning.

#208

Within the above broad principle, consideration will be given to rezoning applications that include smaller parcel sizes than allowed under current zoning, subject to:

#2447

- .1 the use of density averaging, density bonus, or density transfer or other acceptable means to provide approximately 30% green space in the Plan area when in the interest of the community and supported by the community; and
- .2 demonstrated capability for water supply, stormwater management and sewage disposal systems acceptable to all approval authorities.

EAP/LAP Specific Policies

C.2(a) Second dwellings are supported to meet objectives of family values and affordable housing. The intent of this plan is to allow second dwellings on non-ALR and non-FLR parcels while ending speculative pressure- for subdivision of parcels with second dwellings to lot sizes smaller than allowed in the zoning. This speculative pressure is contrary to the existing zoning bylaw, and creates the serious long-term threat of suburban sprawl, with related impacts to the environment and rural character of Area C. Provisions for second dwellings shall not be accepted as justification for rezoning or subdivision.

C.2(b) In order to promote affordable housing, including seniors housing, secondary-suites are permitted in all residential zones subject to approval of water and septic disposal services as part of the building permit process.. The approval of secondary suites will be subject to clauses added to the zoning bylaw, as well as to the building code and Community Health Services Society approval. The Regional District will support the inclusion of secondary suites to existing farm dwellings in the Agricultural Land Reserve, as a source of non-farm income for farm families.

#2447

C.2(c) Despite any other provision of this bylaw, density averaging, density bonusing and density transfer do not apply to the subdivision of lots within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010. Affordable housing shall be promoted where deemed to be appropriate by the community.

208

Innovative design, average minimum lot sizes, density bonusing, a range of house sizes and government support may be used to create opportunities for the provision of affordable housing for those with special needs or within the lowest 30% of household income distribution.

#2447

Where appropriate, the provision of special needs housing shall be subject to a housing agreement between the landowner and the Regional District to specify the number of units and maximum rents or selling prices.

C.4 Rural Settlement Area Policies

Additions to the OCP

#2447

C.4(c) The rural settlement area boundary for Saratoga/Miracle Beach is as outlined on LAP Map No. 5.

C.4(n) Development cost charges and local service area bylaws shall be considered as a means of ensuring the proper collection, treatment and disposal of all wastewaters (storm and sewage) and the provision of adequate water supplies.

EAP/LAP Specific Policies

C.4(a) No rezonings for development of 3 or more new parcels within the rural settlement area will be approved prior to thorough studies of water supply, wastewater treatment, and stormwater management being provided for the lands proposed for development. Additionally, these studies shall outline how the servicing for the proposed development will tie-in with and/or provide servicing benefits to the adjacent established lands within the rural settlement area. (See also Part 6 A.2 Utility Servicing Alternatives Plan)."

#2447

C.4(b) The establishment of a Local Service Area for stormwater management in the Saratoga/Miracle Beach is recommended. The servicing study should identify stormwater management needs and related costs and delivery mechanisms.

C.4(c).1 Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010" is 4.0 hectares.

#208

Despite any other provision of this bylaw, density averaging, density bonusing and density transfer do not apply to the subdivision of lots within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010. The minimum lot sizes shall be as shown on the LAP Map No. 5. Lot sizes are specified as minimum however according to the Rural Comox Valley Official Community Plan and the Local Government Act landowners do have the right to propose density averaging, density bonusing or density transfer to secure community benefits such as the preservation of greenways, open space, sensitive habitats, and woodlots. The community will have an opportunity to provide input on density bonusing and density transfer applications through the required rezoning process

#2447

Figure #3: Density Bonus Example illustrates how this idea may work.

C.4(c).2 Despite any other provision of this bylaw, density averaging, density bonusing and density transfer do not apply to the subdivision of lots within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010. Further subdivision of parcels created under a density average or density bonus plan shall be discouraged.

#208

C.4(d) The Plan supports the following changes to residential densities as indicated on the LAP map:

#2447

- .1 A 1.8 ha (4.5 ac) minimum parcel size is supported along Miracle Beach Drive and the Island Highway, except along the Island Highway near Schulz Road where a 1.0 ha (2.5 ac) minimum is supported.
- .2 Decisions on density in the "Comprehensive Plan Area" shall be subject to further public review as part of a rezoning process. Rezoning proposals received for lands within the "Comprehensive Plan Area" shall not proceed until water and liquid waste management plan studies have been completed and potential solutions identified for the existing residential community. Further, rezoning proposals shall not proceed until a Comprehensive Plan that provides for approximately 30% of the land area to be dedicated as park and greenway system has been made available.

All rezoning applications received shall include complete information in relation to water and liquid waste servicing for the subject lands. In addition, environmental assessment information, including stormwater management, shall be provided by the applicant to aid in the decision.

(See Part Five: Comprehensive Plan Areas).

- .3 In the Paulsen Road area, the existing 0.4 ha (1 ac) lot size zoning regulation is to remain. Infill to the same density is encouraged on abutting lands. Provided that the development includes dedication of park and greenway systems to buffer new development from existing residential areas, and to provide space for retention of existing vegetation, stormwater management, and public trails system and amenities, the parcel size may be averaged to include a range of parcels sizes with a minimum size of 0.2ha (0.5 ac) for smallest parcels.
- .4 In Saratoga/Miracle Beach after development there shall be approximately 30% in parks, schools, greenways and stormwater management lands. Lands will be provided by dedication at subdivision, through development cost charges to purchase open space or by other means.
- .5 Support is given for the development of affordable housing in a variety of housing forms, in accordance with the range of lot sizes and development density as outlined in Policy C 4(d).6 below, up to a maximum developed area of 7.75 ha (20.0 ac).

- .6 Development in the Residential designation should be a planned, family friendly, accessible community that is similar in character to the current residential areas of Saratoga/Miracle Beach. Lot sizes should be mixed, ranging in size from 0.2 ha (0.5 ac) to 0.8 ha (2 ac), the overall development density a 0.6 ha (1.5 ac) average; except for the Saratoga Beach Estates Phase One development, which has minimum lot sizes of 450m² (4,843.8ft²).

#48

Approximately 30% of the property should be green space in the form of a park, golf course, recreation, or habitat greenways, and/or possibly a community centre.

Development plans received for lands within the 'Residential' designation shall take into account and shall coordinate with water management and liquid waste management plans for the surrounding community.

- C.4(e) The plan supports existing commercial properties, and recognizes that most convenience grocery and other shopping will be done in the commercial area located directly adjacent to and north of the Oyster River and at the Black Creek shopping facilities. The plan allows small new commercial uses distributed where they are accessible for residents on foot. These will follow form and character guidelines to maintain a high quality rural character. Proposed new areas include:

#48

- .1 Limited tourist commercial zoning at the corner of Miracle Beach Drive and the Island Highway.
- .2 The Country Inn concept may be supported in the Plan Area to accommodate the need for commercial operations, particularly in the 'Resort' area. (See B.6(a) EAP/LAP Specific Policies)
- .3 Allowing for a tourist commercial area in the vicinity of the boat sheds at Pacific Playgrounds.
- .4 A location for a fire hall is required in the Saratoga-Miracle Beach Plan area. If an opportunity for a fire hall is proposed, the community may have an opportunity to comment on the proposal during a rezoning public process.

- C.4(f) Those lands designated by the LAP as commercial, tourist commercial and light industrial shall be subject to the form and character guidelines specified under Development Permit Area No. 6 Commercial/industrial.

- C.4(h) The comprehensive plan areas within the EAP and LAP shall be subject to the provisions outlined in Part Five: Comprehensive Plan Areas.

C.8 Transportation Infrastructure Policies

Additions to the OCP

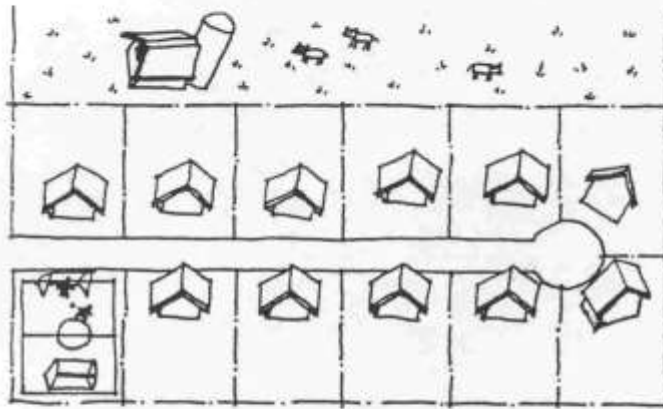
- C.8(h) A non-motorized multi-purpose trail is designated along the Inland Island Highway, stretching from Lake Trail Road to Oyster River (See Map #6: Area C Greenway Plan)

Implementation and maintenance of the roadside trails shall be the subject of a cooperative agreement between the Regional District and the Ministry of Transportation and Infrastructure (MOTI).

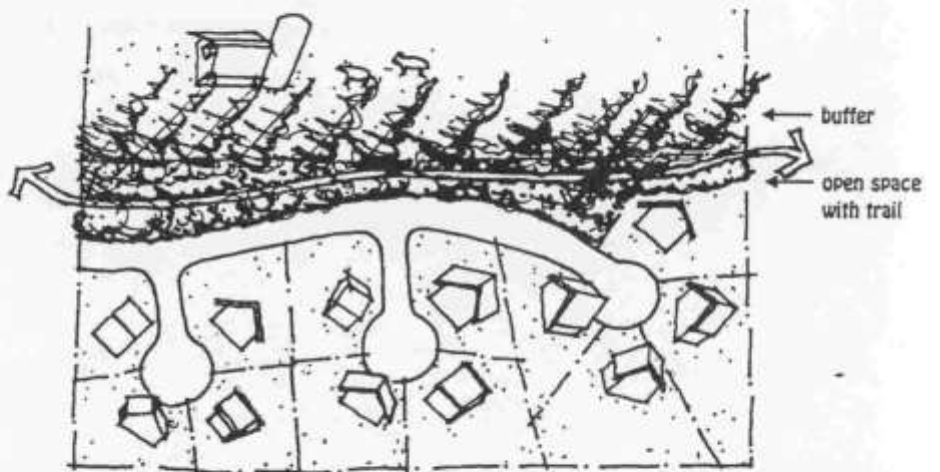
#48

- C.8(i) In most cases, the MOTI will be encouraged to require rural road standards in association with rural residential and agricultural development. Urban road cross sections are to be generally avoided, except for special cases where safety or congestion warrants.

Figure #3 Density Bonus Example



Not This, But



This

Example of Density Bonus in Exchange
for Trail and ALR Buffer

FIGURE #4 DELETED

#2447



FIGURE #5

Mixed Density or Multi-family Character

Resort Building Character



Figure#5 **Desired Character for Mixed Density, Multi-Family & Resort Buildings**

Alternative road development standards that respect the following integrated stormwater management principles, shall be encouraged:

- .1 Keeping impervious surface to the minimum necessary, including consideration of one-way lanes or reduced pavement width on minor local roads that serve only a few residents;
- .2 Filtration of runoff through open vegetated swales;
- .3 Maximum use of infiltration to groundwater, while respecting the need for pavement sub-base drainage;
- .4 Minimize use of curb or catch basin inlets and piped solutions;
- .5 Maximize retention of native vegetation, including retention of trees in the right-of-way where this is safe and economic.

EAP/LAP Specific Policies

- C.8(a) Greenway roads are designated on the EAP, LAP and Greenway plans (See Maps 4, 5 & 6).

C.10 Wastewater and Stormwater Policies

Additions to the OCP

- C.10(a) It is critical to recognize that all land alteration and development affects stormwater runoff and that effects are cumulative. Development proposals shall be required to use best management practices in accordance with the "*Land Development Guidelines*" to ensure that post-development Peak flows do not exceed pre-development peak flows. Development shall be encouraged to direct water back to the ground wherever possible to minimize channelization and piping but without causing flooding on adjoining and nearby parcels. Some examples of appropriate practices include:

- .1 minimize impervious surfaces through use of pervious pavement, gravel or driveway chips for parking areas, and porous materials for paths, patios, and other use areas. If driveway paving is required due to a steep slope, use tire track paving with grass in the middle;
- .2 drain roof water to the surface and disperse it into the ground;
- .3 replace a thick organic layer of topsoil and organics throughout cleared/disturbed areas to promote growth of vegetation and water retention;
- .4 direct water to grass slopes, swales and areas with thick vegetation;
- .5 use stormwater detention ponds with adequate storage between high and low water to meet the requirement of the *Land Development Guidelines*, and with a control structure to release low flows only;
- .6 use wetlands, which can improve quality of stormwater through biofiltration;
- .7 retain as much existing vegetation as possible, and where clearing has occurred, plant native trees and shrubs, to restore the vegetative mass, and supplement these with erosion control where necessary on slopes.

These are illustrated in Figure #6: Stormwater Management Guidelines.

- C.10(c)1 The preparation, adoption and implementation of a Liquid Waste Management Plan for the Black Creek watershed is supported. This should act as a pilot project for liquid waste management in other Comox Valley watersheds.
- C.10(c)2 A Liquid Waste Management Plan for the Saratoga/Miracle Beach area is supported on a priority basis. Terms of reference for this Liquid Waste Management Plan are given in Part Six.

EAP/LAP Specific Policies

- C.10(a) Since it is anticipated that the majority of new lots with an area of less than 2ha (5ac) and dependent on well and septic systems will not meet the current standards for subdivision, all proposals involving such lot sizes shall be required to demonstrate capability for both systems prior to receiving final approval from the Regional District.
- C.10(b) With approval of the appropriate agency and under agreement with the Regional District, adjacent properties and developments shall be encouraged to share the construction and use of wastewater treatment systems, in particular in rural service centres and commercial/industrial uses.
- C.10(c) The EAP and LAP support the establishment of a Local Service Area for stormwater management in the Saratoga / Miracle Beach area. This Local Service Area shall make provision for services and infrastructure for area-wide stormwater collection and treatment.

C.12 Parks and Recreation Policies

EAP/LAP Specific Policies

- C.12(a) Active recreation sites are encouraged in the Saratoga/Miracle Beach LAP as follows:
- .1 centrally located near the proposed 'Country Corners', at a site which is within walking distance of the majority of new residents;
 - .2 in the existing playing fields and playgrounds of Miracle Beach Elementary School;
 - .3 at a future new middle or high school in the area;
 - .4 at existing beaches and foreshore areas; and
 - .5 by maintaining the existing private Pacific Playground golf course.
- C.12(b) Better control of beach parties and rowdyism, as well as trail vandalism and abuse, is encouraged through a local or satellite police presence in Saratoga/Miracle Beach. This could be seasonal, and/or supplemented by trained volunteers in the community.

Stormwater Management Guidelines

FIGURE #6

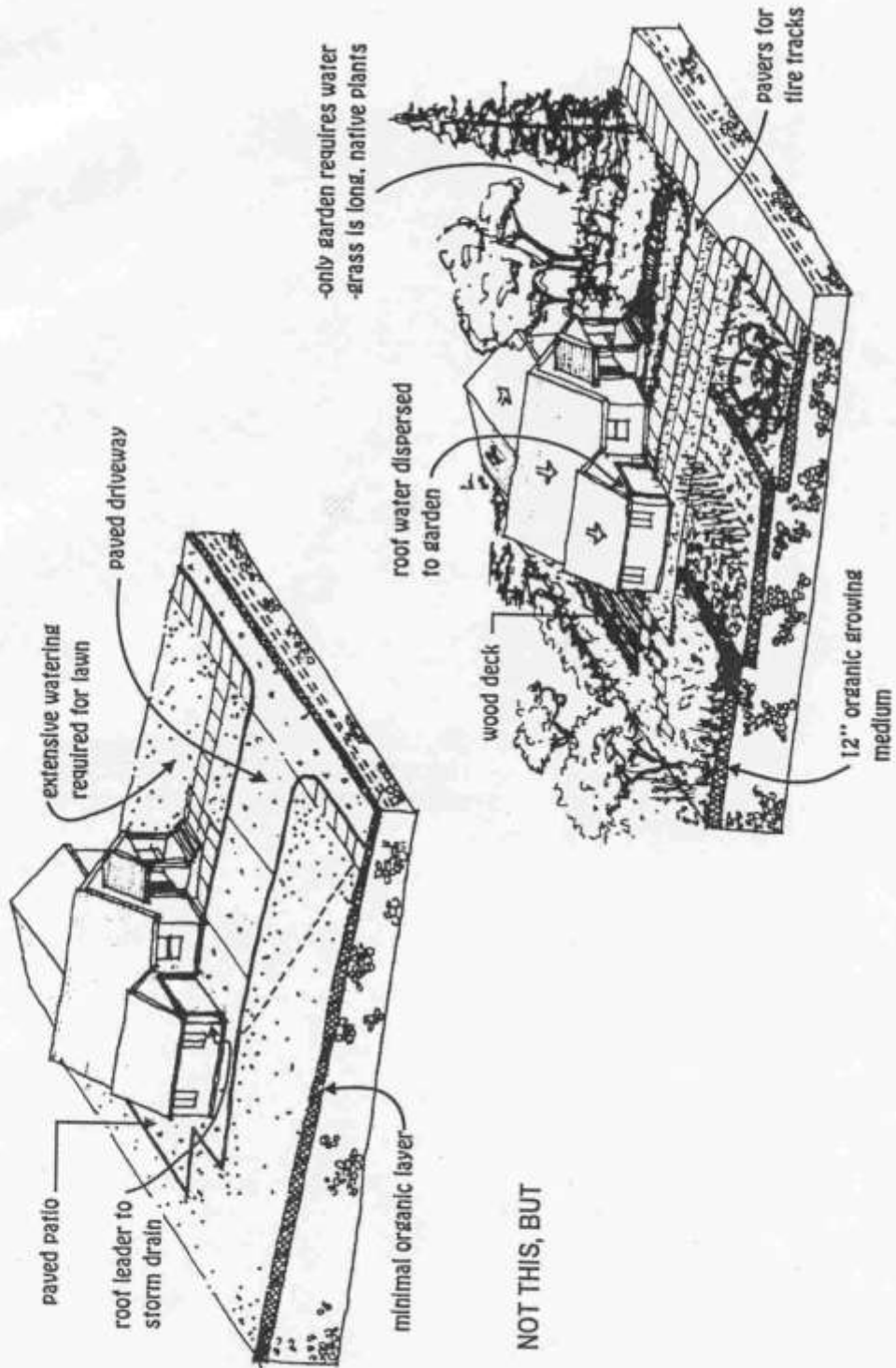


Figure #6 Stormwater Management Guidelines

Greenways Plan

C.13 Greenways Policies

EAP/LAP Specific Policies

C.13(a) Proposed Greenways

Ecological Greenways

Aquatic Habitat

- Aquatic Habitat Greenways
- Working Landscape Fisheries Sensitive Areas

Upland Habitat

- Upland Habitat Greenways
- Working Landscape Biodiversity Corridors
- Eagle Nest Sites
- Heron Nest Sites

Recreational Greenways

Greenway Trails

Greenway Roads

- Major Greenway Road
- Minor Greenway Road

C.13(b) Ecological Greenways

Ecological Greenways; are lands containing environmentally sensitive areas and wildlife habitat connected together by a network of green space. These green space connections allow fish, birds and other species corridors to move to find food, birth and rearing spaces, and protection from predators. Ecological greenways; help to maintain health and biodiversity in fish and wildlife populations. They may be either public or in private ownership. They normally have no public access.

Aquatic Habitat Greenways

Aquatic Habitat Greenways are designed to protect watercourses and the fisheries sensitive zone around them in Rural Areas (see Figure #7: Ecological Greenways). These greenways; are designated outside the Agricultural Land Reserve (Working Landscapes). These greenways do not normally have public access.

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

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

Aquatic Habitat Greenways will be implemented through a variety of measures, including their designation in Development Permit Area No. 1 outside the Agricultural Land Reserve.

#48

Working Landscape Fisheries Sensitive Areas

In working landscapes, management of the fisheries sensitive area is under senior government jurisdiction (Canada Fisheries Act, Water Act, Fish Protection Act, Farm Protection Act, Forest Practices Code). In these areas the width of conserved aquatic habitat will vary based on fisheries values, adjacent land use and the applicable senior government guideline. The OCP advocates protection of appropriate aquatic conservation corridors through working landscapes.

Upland Habitat Greenways

Upland Habitat includes wooded areas, veteran trees and native thickets (see Figure #7: Ecological Greenways). These areas provide important habitat for eagles, herons, song birds as well as many mammals and other species.

Many areas of upland habitat exist on private lands throughout the Plan Area. Thoughtful private landowners have maintained habitat on their properties.

Upland Habitat Greenways are mapped to recognize major habitat areas and the existing or potential connections for wildlife between them.

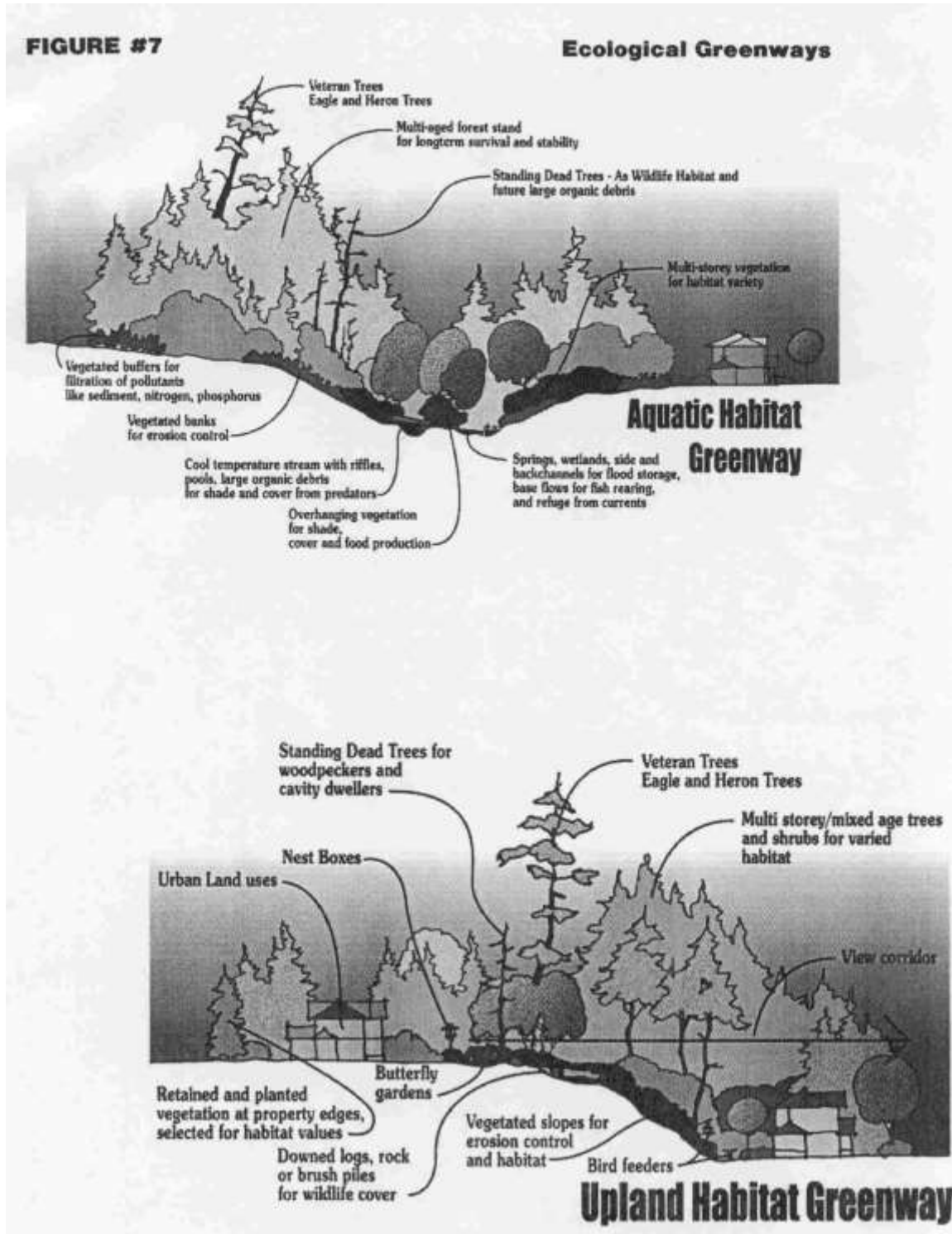


Figure #7 Ecological Greenways

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

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

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

Upland Habitat Greenways shall be considered for designation under Development Permit Area No. 1 outside the Agricultural Land Reserve.

#48

Working Landscape Biodiversity Corridor

In working landscapes not covered by the Forest Practices Code, management of upland habitat greenways or biodiversity corridors is entirely voluntary. In these areas the width of conserved habitat may vary based on adjacent land use. Location of corridors may vary over time, e.g. as forestry cycles rotate. Biodiversity corridors are shown on the EAP as an encouragement to landowners to maintain these biological connections during land use change.

Proposed Ecological Greenway Locations

The EAP, LAP and Greenway Plan show the conceptual location of major ecological greenway connections.

The location of Aquatic and Upland Greenways; may coincide. Where these are show together on Map #6, the core of the greenway would be aquatic habitat, and this core would be supplemented with wider areas of upland habitat where possible.

The following major greenway routes shown on the map combine aquatic and upland values:

- .1 Puntledge and Browns River greenways
- .2 Tsolum River greenway
- .3 Oyster River greenway
- .4 Lazo/Oyster greenway
- .5 Merville/Headquarters greenway
- .6 Black Creek greenway

Many other small aquatic greenways will follow stream corridors.

Proposed Recreational Greenways

People love green space. The ready access to beautiful wild places in Area C is a significant part of its quality of life. However, too much human access to wild places can destroy the habitat values that we enjoy. The Recreation Greenway plan balances the needs of people with the needs of other species.

This section introduces two types of recreational greenways: greenway trails and greenway roads (see Figures 8 & 9). Both are envisioned as beautiful green spaces, with special facilities for people to walk, cycle and enjoy nature. Use of pervious surfacing is encouraged wherever possible for recreational greenways.

Greenway Trails

Key north-south trails are envisioned using along the waterfront, along the Comox Logging right-of-way and along the Inland Island Highway. Local and East/West trails will extend this system using a combination of greenway roads and unopened road right-of-way to create a series of interconnected loop circuits through the Plan Area.

Greenway trails will be for walkers, cyclists, and in some cases for equestrians. Noisy or high-speed motorized vehicles such as trail bikes or ATVs will be prohibited on greenway trails.

Trails will connect to the road system, where signage and barriers will restrict vehicular access. Trails will not dead-end at ALR lands.

Buffers along the trail will provide separation between trail users and adjacent residents or farming activities. Where necessary, and in consultation with adjacent landowners, vegetation, fencing, barriers and signs will be installed to minimize trespass, vandalism and liability exposure for all parties. Weed and garbage control will be sensitive to adjacent uses.

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



FIGURE #8

Recreational Greenways: Greenway Trail

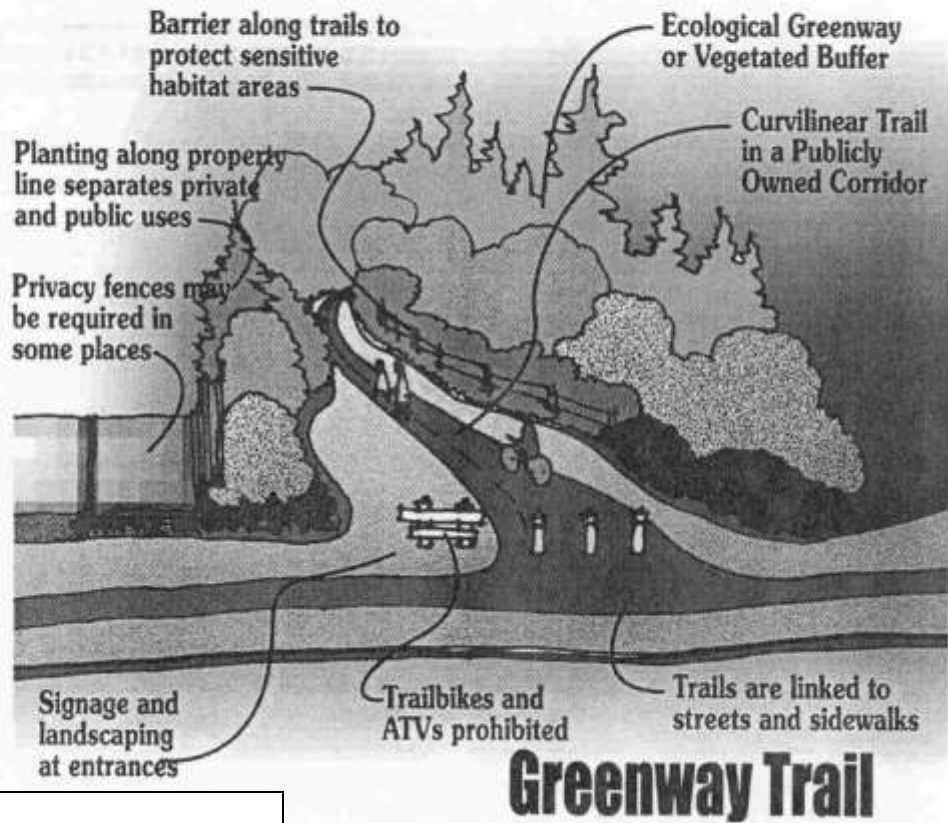


Figure #8 **Recreational**

Greenway Roads

A key role of the greenway system is to increase public access to green space. Where no other option exists, this will be accomplished by special treatments on the road right-of-way to create Greenway roads.

Greenway roads will provide access for walkers, cyclists, and equestrians to the larger greenway trail system.

Actual roadway cross-sections will vary. On busier collector roads, trails may be separated from the pavement - occurring near the property line behind the roadside ditch. On quiet local roads, a wide gravel or rough grass shoulder may be all that is required to accommodate cyclists, horseback riders and pedestrians. In all cases, the objective will be to keep the overall width of roadway pavement to a minimum.

Proposed Recreational Greenway Locations

The EAP, LAP and Greenway Plan show the conceptual location of major recreational greenway connections.

The major recreational greenways proposed include:

- .1 Puntledge River Trail (2 sides)
- .2 Brown River Trail
- .3 Puntledge Triangle (with connections to Wildwood area)
- .4 Bevan/Maple Lake Trail loop
- .5 Comox Logging Railway Trail
- .6 Headquarters Creek Trail
- .7 Oyster River Trail
- .8 Hamm Road Trail and Macaulay loops
- .9 Lazo/Oyster Trail (with Saratoga/Miracle Beach loops)
- .10 East Coast Trail
- .11 Merville/Headquarters Trail
- .12 Piercy Road Trail
- .13 Inland Island Highway Trail

Proposed Cycling Network Plan

The following Greenway Roads and Trails shall form the cycling network plan for Electoral Area C (see Appendix C: Cycling Network Plan):

- .1 Lake Trail Road into Courtenay
- .2 Piercy Road and extension
- .3 Condensory Road into Courtenay
- .4 Headquarters Road into Electoral Area B and Courtenay
- .5 Merville Cross Valley connection from the Sackville Road area to Howard Road, Headquarters Road (north) and to the Inland Island Highway
- .6 Island Highway between Howard Road and Miracle Beach Drive
- .7 Proposed Miracle Beach Connector
- .8 Miracle Beach Drive
- .9 Proposed road from existing Fire Hall at Saratoga Beach to Miracle Beach Drive (proposed Yed Road).

This network is intended to promote transportation (commuter) cycling and to provide a safe cycling environment. It will be developed through liaison with adjacent electoral areas and local governments, the Ministry of Transportation and Infrastructure (MOTI), and local residents and cycling organizations. The design of any infrastructure on MOTI right-of-way will follow the guidelines and standards of MOTI.

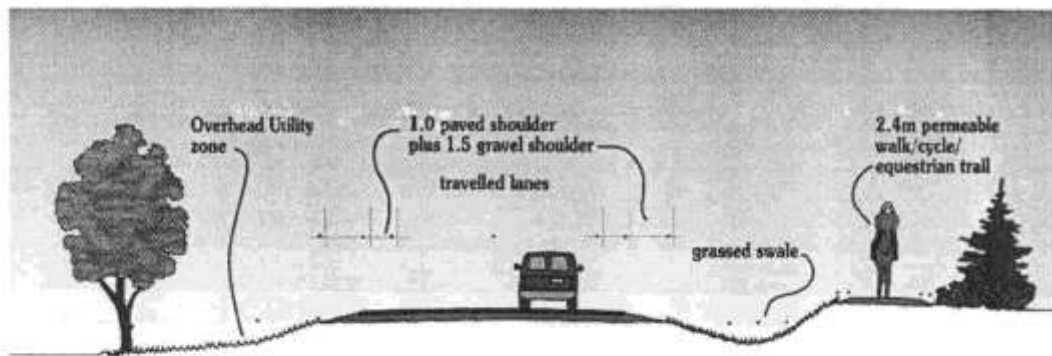
#48

On designated Greenway Roads, a separate bike path will be pursued. This path, however, will be shared with pedestrians and horseback riders. A *shoulder bikeway* is desired along other MOTI roads forming part of the cycling network. Development of a *shared roadway* will be encouraged along private rights-of-way and MOTI roads outside of the cycling network.

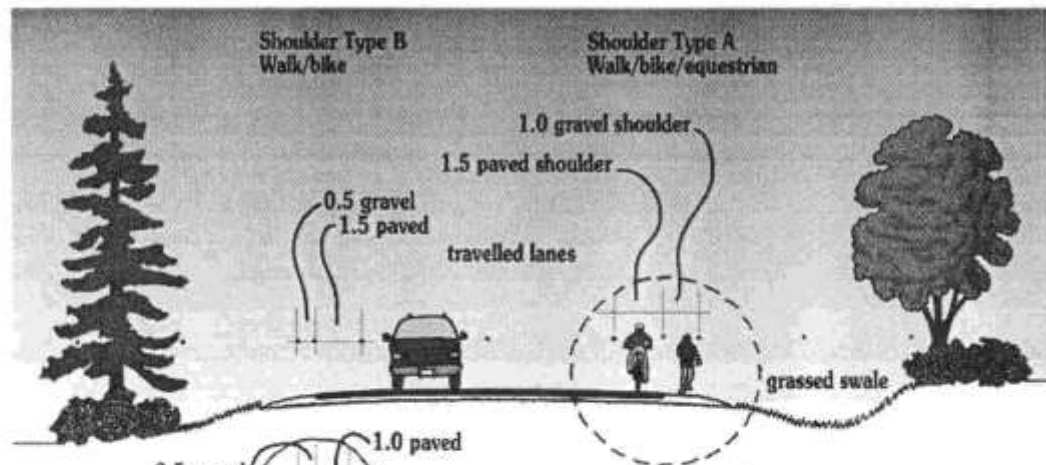
Development of the network will include appropriate signage, a maintenance agreement with MOTI to ensure regular sweeping and repair of *shoulder bikeways*, and a network map/brochure to encourage cycling transportation.



FIGURE #9 **Recreational Greenways: Greenway Road**



MAJOR GREENWAY ROAD
MOTH RLU standard with bike lane



MINOR GREENWAY ROAD
MOTH RLU standard with shoulder variants

Figure#9 **Recreational Greenways: Greenway Road**

C.15 Institutional Uses Policies

- C.15(a) School District No. 71 (Comox Valley) has not identified additional public schools as being required within the Saratoga/Miracle Beach Rural Settlement Area. However, both School Districts 71 and 72 (Campbell River) will review the northern Electoral Area C and southern Electoral Area D areas to consider a middle/high school for this area.
- C.15(b) Community facilities, daycare centres and institutional uses such as churches, and schools shall be encouraged to locate adjacent to greenways and to provide public open space which can form part of the greenway.

C.16 Heritage Objectives

- C.16(a) To recognize the importance of heritage to the Plan area.
- C.16(b) To encourage and facilitate the identification, protection and conservation of heritage sites and archaeological sites located within the plan area.

C.17 Heritage Policies

EAP/LAP Specific Policies

- C.17(a) The protection of sites and structures of historical significance to the community shall be encouraged. An initiative will be undertaken to identify and inventory potential sites and structures. This inventory will be reviewed at the first annual review of this Plan.

Mt. Washington Resort Objectives and Policies

C.18 Mt. Washington Resort Objectives

- C.18(a) The major objective is to promote orderly and responsible development of the resort site with due respect for the alpine and sub-alpine ecosystems and local watersheds in which it is located.
- C.18(b) To facilitate the development of high quality, four season tourism and lifestyle opportunities for visitors and owners alike. The presence of the Resort in the Valley is significant in employment and economic terms and will continue to increase as it reaches its ultimate size.
- C.18(c) It is envisaged that Mt. Washington Resort may have a maximum combined residential and tourism development yield of approximately 2200 accommodation units. This may be limited by support infrastructure.

C.18(d) It is important to ensure that development of the Resort is undertaken in a responsible manner and with due respect for the ecosystems on the resort site, as well as those within Strathcona Park and the Oyster River and Browns River watersheds.

C.18 Mt. Washington Resort Policies

C.18(a) The main activities permitted in this area will be tourism accommodation, residential, recreation and facilities associated with recreation, commercial uses, and public and private infrastructure.

C.18(b) Construction of buildings and structures shall be in accordance with the Mt. Washington Building Scheme pursuant to the Land Titles Act, and with reference to the "Mt. Washington Architectural and Planning Guidelines" (August 1998) as amended from time to time. The Mt. Washington Architectural and Planning Guidelines can only be amended with the concurrence of the Board of the Regional District.

C.18(c) All development shall be designed and constructed with reference to the "Mt. Washington Master Drainage Plan" (April 1999) as amended from time to time. The Mt. Washington Master Drainage Plan can only be amended with the concurrence of the Board of the Regional District.

C. 18(d) All development shall be designed and constructed with reference to the "Mt. Washington Greenways Plan" (October 1998) as amended from time to time. The Mt. Washington Greenways Plan can only be amended with the concurrence of the Board of the Regional District.

C.18(e) All development should be undertaken in accordance with the "Land Development Guidelines for the Protection of Aquatic Habitat" (Sept. 1993) published by Ministry of Environment, Lands & Parks and the Department of Fisheries and Oceans, as amended from time to time.

C.18(f) Mt. Washington Ski Resort Ltd. shall provide and maintain a potable water supply to all development within the Mt. Washington Resort designation. It shall also maintain an adequate water supply to meet provincial standards for emergency fire flows.

C.18(g) Mt. Washington Ski Resort Ltd. shall provide and maintain infrastructure for the collection, treatment and disposal of wastewater for all development within the Mt. Washington designation and in accordance with a current Waste Management Permit.

C.18(h) Household and commercial garbage and recyclable materials shall be collected in accordance with the Comox Valley Regional District Solid Waste Management Plan.

C.18(i) Mt. Washington Ski Resort Ltd. shall provide land for a firehall for development within the Mt. Washington Resort designation.

C.18(j) Lease holders within the "Mt. Washington Resort" designation shall be consulted prior to the approval of amendments to the above guidelines and policies, or zoning amendments within the designation. The opinions and comments of leaseholders will be given full consideration.

C.18(k) Any lands added to the "Mt. Washington Resort" designation shall be zoned as Resort Recreation only until a plan that addresses the above-noted objectives has been completed and approved by the Regional District.

D. Advocacy Policies

D.1 Natural Systems Advocacy Policies

Additions to the OCP

- D.1(a) Local government agencies, senior government agencies and residents of the Comox Valley shall be encouraged to work cooperatively in the updating and refinement of information in the Sensitive Ecosystems Inventory.

EAP/LAP Specific Policies

- D.1(b) Local government agencies, senior government agencies and residents of the Comox Valley shall be encouraged to work cooperatively in the testing and implementation of new policies related to the Fisheries Protection Act within agricultural and non-agricultural land.

D.9 Rural Settlement Areas - Advocacy Policies

EAP/LAP Specific Policies

- D.9(a) The appropriate provincial authorities having jurisdiction over Crown Lands shall be encouraged to comply with the provisions of this plan and to conduct public consultation prior to the marketing of, and during the process of developing, any Crown Lands.

#2447

D.11 Wastewater and Stormwater Management Advocacy Policies

Additions to the OCP

- D.11(a) Local government agencies, senior government agencies and residents of the Comox Valley shall be encouraged to work cooperatively in the testing and implementation of innovative technologies for sewage treatment such as the use of phytoremediation.

Phytoremediation involves planting of particular trees, usually poplars, which remove contaminants from the soil. If phytoremediation could be used along with or instead of traditional septic fields, aesthetic and stormwater objectives could also be served.

EAP/LAP Specific Policies

- D.11(a) Local government agencies, senior government agencies and residents of the Comox Valley shall be encouraged to work cooperatively in the testing and implementation of a variety of methods for stormwater management.

D.13 Greenways Advocacy Policies

Additions to the OCP

- D.13(a) Prior to marketing of Crown Lands, the Province shall be encouraged to provide lands to the community for greenways supported by this plan.
- D.13(b) Regional District support for withdrawals from the Agricultural Land Reserve shall be contingent on protection of environmentally sensitive areas and greenways prior to withdrawal or rezoning.

#48

D.14 Institutional Uses Advocacy Policies

Additions to the OCP

- D.14(a) Senior government agencies shall be encouraged to locate future community facilities and uses on public lands adjacent to greenways and to provide public open space, which can form part of the greenway.

Part Three Plan Maps

The following maps are part of Schedule 'C'.

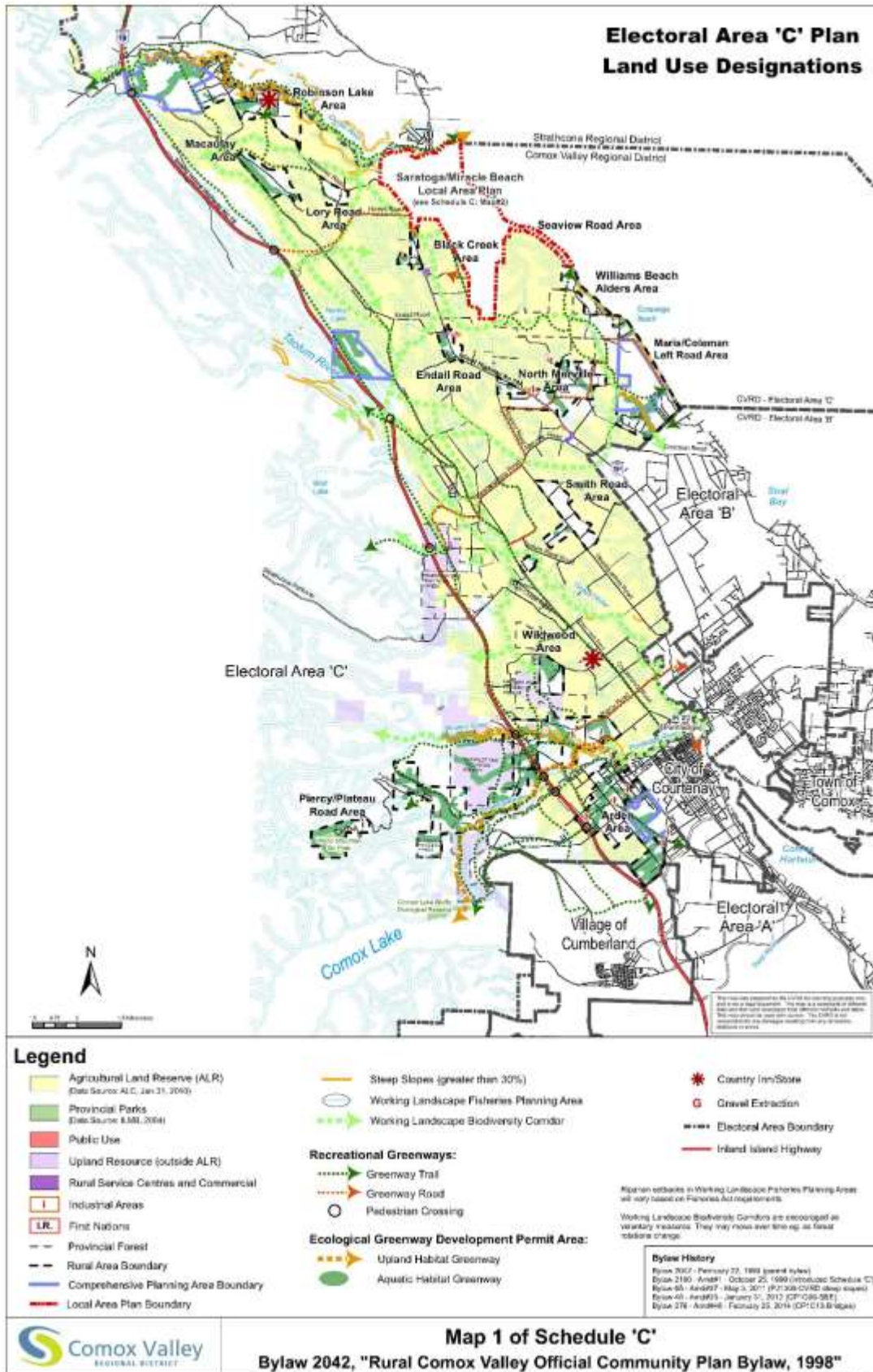
1. Map #1 Area 'C' Electoral Area Plan

The portion of the Electoral Area Plan (EAP) included on Map 1 identifies amongst other things the following:

- A portion of the local area boundary;
- Land use designations, such as: Agricultural Land Reserve (ALR); Public Use; Provincial Parks; Upland Resource (land outside of the ALR); rural Service and Commercial Centres; and Industrial Areas.

#48

#276



2. **Map #2 Saratoga/Miracle Beach Local Area Plan**

The Local Area Plan (LAP) identifies the location of the following land use designations:

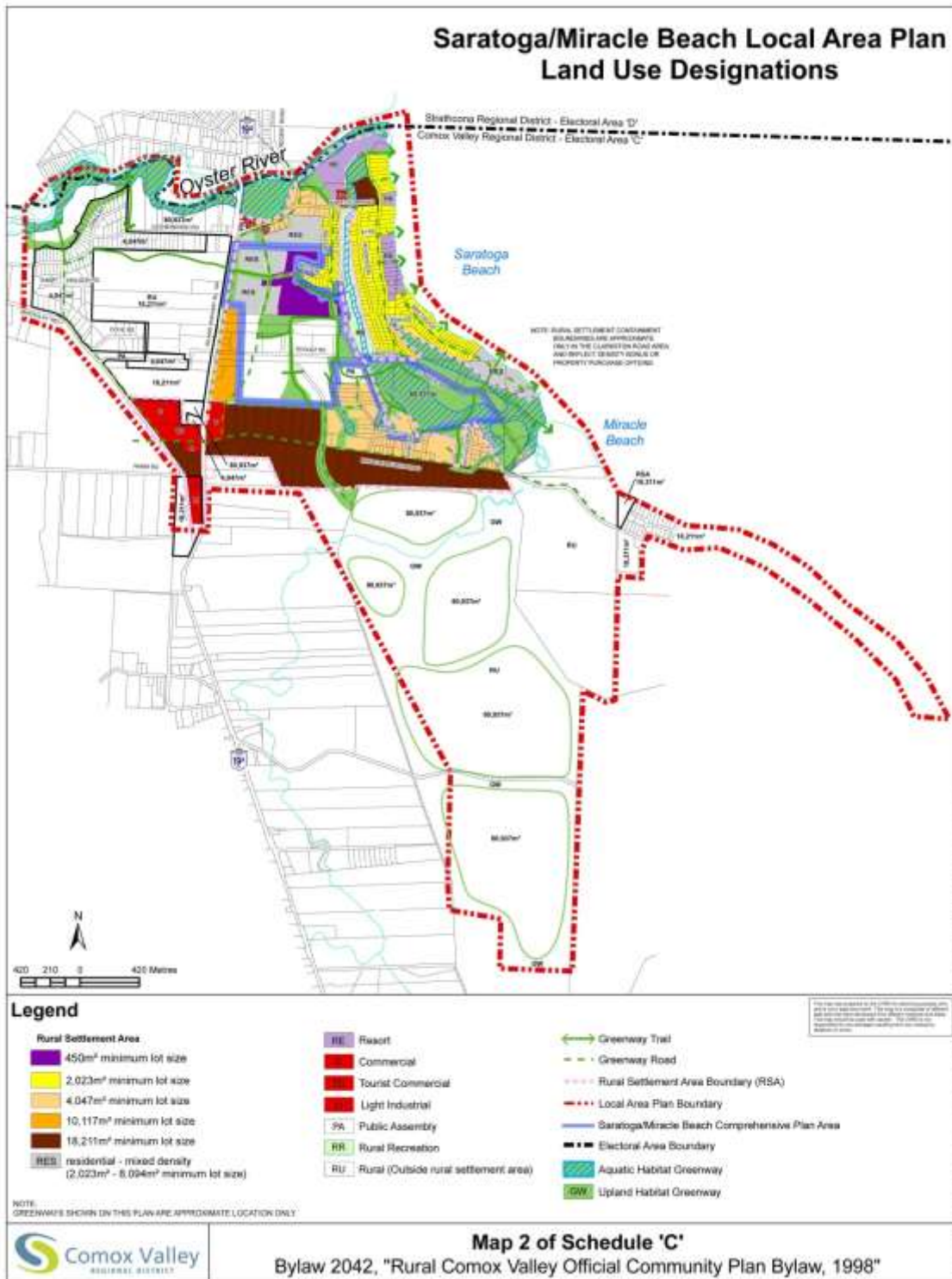
#48

- Rural settlement area boundary;
- Light industrial Areas;
- Residential Areas (various densities);
- Commercial Areas;
- Resort Areas;
- Public Assembly Areas;

#2447

#50

and shows general locations of ecological and recreational greenways.



#48

3. Map #3 Electoral Area 'C' Greenways Plan

The Greenways Plan identifies the location of the following greenways:

#48

Recreational Greenways:

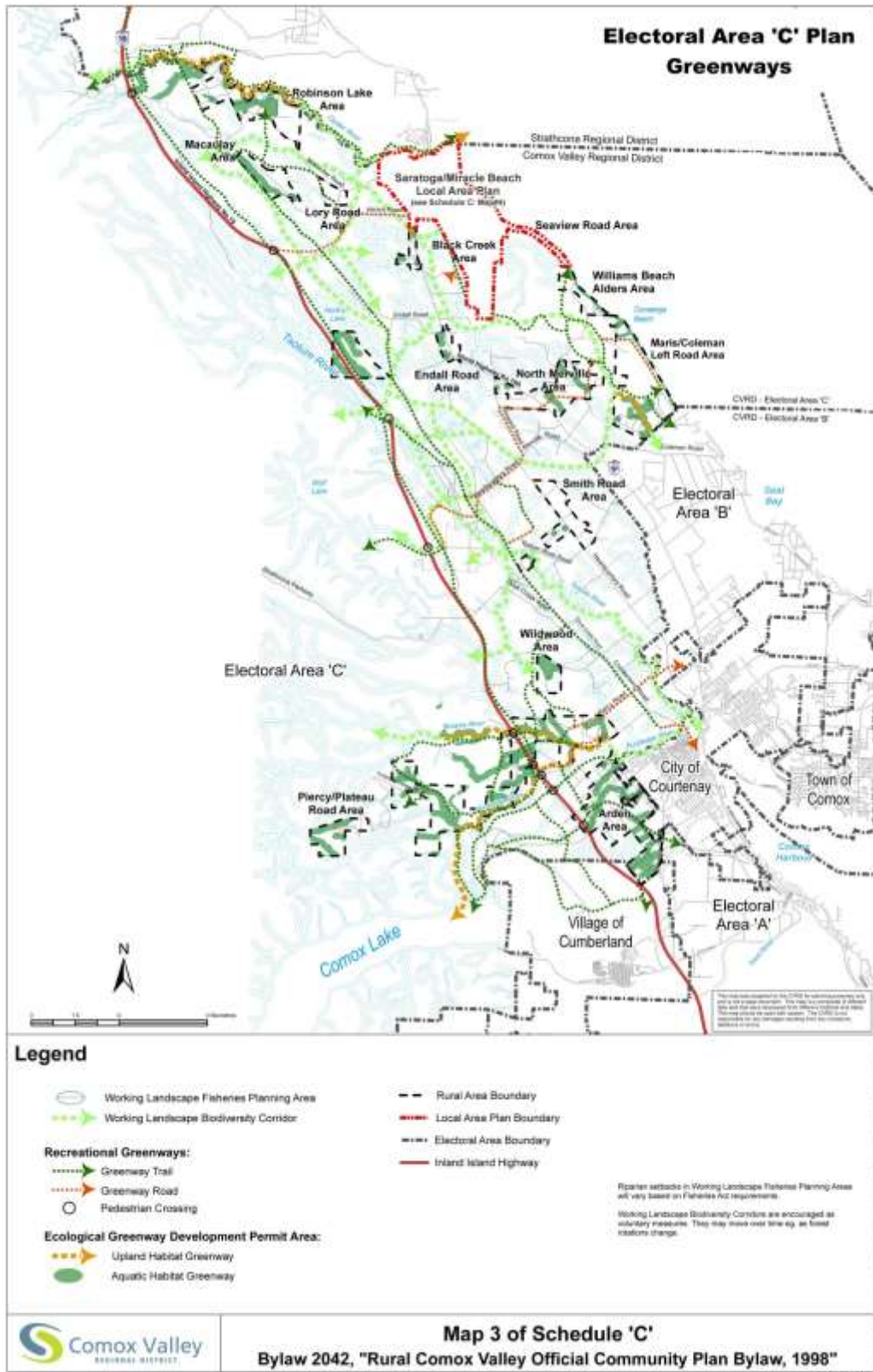
Greenway Trail;

Greenway Road.

Ecological Greenway Development Permit Area:

Upland Habitat Greenways;

Aquatic Habitat Greenway



#48

4. Map #4 Saratoga/Miracle Beach Local Area Plan (LAP), Greenways

#48

In addition to the boundaries of planning areas indicated on the other EAP and LAP forming part of Schedule 'C'; the Greenways Plan identifies the approximate location where the following greenways will be established in the Saratoga/Miracle Beach communities:

Recreational Greenways:

Greenway Trail;

Greenway Road

Ecological Greenways:

Upland Habitat Greenway;

Working Landscape Biodiversity Corridor;

Aquatic Habitat Greenway;

Upland Habitat Greenway



#48

Part Four

Development Permit Areas

Development Permit Area No. 9 is an addition to those contained within the *Official Community Plan (OCP)*. The general exemptions and provisions for varying other bylaws apply as outlined in the OCP.

A. Buffer for Agricultural Land

A.1 Designated Areas

A.1.1 Development Permit Area No. 9: Buffer for Agricultural Land

Will apply to any parcels created following the adoption of this plan which are 2ha (5ac) or smaller and within 100 metres (328ft) of the Agricultural Land Reserve.

A.2 Justification

Numerous conflicts have occurred as a result of non-farm uses being close to agricultural land. These include: trespass and vandalism to farm crops and equipment, complaints about early morning farm vehicle noise, the drifting of dust and sprays from field operations, smells from the application of manure and compost, and danger to farm animals from human litter.

The public process for the Area C plan indicated strong support for the buffering of agricultural lands to address the above issues and to provide a visual transition between farm and non-farm uses.

A.3 Guidelines for Development Permit Area No. 9

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

- A.3(a) Locate principal structures a minimum of 30 metres (100 feet) from the edge of agricultural land. If the size of the property cannot accommodate this distance, principal structures shall be a minimum of 50% of the property depth back from the property line facing agricultural land.
- A.3(b) Provide and maintain a continuous minimum 15 metre (49 feet) wide buffer between any development and agricultural land. Buildings or structures shall not be built within the buffer area.
- A.3(c) Group buildings and structures away from the agricultural land to provide a continuous landscape buffer.
- A.3(d) For the purpose of providing additional separation from the farmland and reducing potential conflicts, consider locating an open space next to the edge of the landscape buffer. The open space shall be designed with water retention capacity and adequate storm drainage, preferably on the surface.

- A.3(e) Existing *significant* or *individual trees* within the buffer area shall be preserved. Supplement existing trees with existing woods or planted landscape to create a landscape buffer that provides a filtered view of agricultural practices. A majority of the plant material shall be low maintenance, native vegetation. Consider the guidelines contained in the B.C. Agricultural Land Commission's report Landscaped Buffer Specifications.
- A.3(f) Drainage from the parcel will be managed to ensure there is no flooding or erosion of adjoining or nearby farming activity.

Part Five Comprehensive Plan Areas

A.1 Designated Areas

Under the provision of section 920.01(1) of the *Local Government Act* (LGA) several comprehensive plan areas have been identified for Electoral Area "C" as indicated on Map # 1. Once identified, the LGA grants an officer or employee the right to require development approval information and the approving authority must establish application and processing procedures for development approval information. The LGA specifies that an applicant subject to the mentioned decision of an officer or employee is entitled to have the local government reconsider the matter without charge.

#48

A.2 Justification

Despite any other provision of this bylaw, density averaging, density bonusing and density transfer do not apply to the subdivision of lots within areas designated as "settlement expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010.

208

Comprehensive Plan Areas are largely unsettled, have high greenway values and are potential development properties. It is important that these properties develop in a way that maximizes their potential land value and environmental value.

In some cases these large areas involve several property owners. Most areas require development permit applications, and are candidates for density averaging, density bonus, or transfer of development rights. Planning these areas comprehensively will allow economy of scale in planning and development, and will create more flexibility in meeting all objectives.

By applying the provisions made under section 920.01 of the LGA and establishing comprehensive plan areas, it is possible to achieve a similar level of development control as would have been the case in a designated development permit area. With consideration to the character and the general provisions of schedule 'C', development controls imbedded in comprehensive plan areas would be better suited to the proposed land development in electoral Area 'C' than the controls exercised through the establishment of a development permit area, since:

#48

- the majority of proposed development in comprehensive plan areas, identified on Map #1, is anticipated to be predominantly single family residential; and
- applications for development proposals in comprehensive plan areas are excluded from application fees that are normally required under the development permit application process.

A.3 Specified Circumstances for Requiring Development Approval Information

#48

Development approval information may be required for a plan amendment or rezoning.

A.4 Development Approval Information Not Required

Development approval information is not required for the following:

- a) applications that would create less than three new parcels or three new units.
- b) applications that will cumulatively disturb less than 1 ha (2.5ac) of land area outside an ecological greenway.
- c) projects which are reviewable under section 3 or 4 of the *Environmental Assessment Act*.

A.5 Terms of Reference for Evaluating the Impacts of a Development Proposal

#48

A.5.1 An applicant must submit an environmental assessment by a *professional consulting team* which recommends the extent of the proposed land uses, *ecological greenways* and environmental mitigating measures, supported by:

- a) a fish and wildlife habitat inventory by a professional biologist or fish and wildlife technologist;
- b) a land use plan by a professional land use planner;
- c) a hydrological assessment of drainage patterns and proposed stormwater management facilities by a professional engineer;
- d) a geotechnical stability assessment and recommendations if sloping terrain of 30% or more (measure from top of bank to toe of slope) exists on the site;
- e) a traffic impact analysis by a professional engineer
- f) an environmental impact statement and proposed mitigating measures, including a vegetation management plan and an erosion and sedimentation control plan; and
- g) a written statement indicating compliance with the Land Development Guidelines, or where variance with the Land Development Guidelines is proposed, the extent of and rationale for the proposed variance.

A.5.2 To the extent that the proposed activity or development can reasonably be expected to have an impact on any of the following, these shall be included in the information to be submitted:

- a) **the natural environment of the area affected**, e.g. surface drainage and groundwater, ecosystems and vegetation, soils, and identification of areas of environmental sensitivity and any rare plant or animal species, and existing or proposed greenways in the neighbourhood;
- b) **public infrastructure in the area affected**, e.g. local highways, water supply and sewage disposal systems including wells and ground sewage absorption systems, utilities, parks, local transportation services, local parking facilities and any other affected public services or infrastructure;

- c) **agricultural land reserve areas, or other existing land uses in the vicinity;**
- d) **aesthetic and heritage values** associated with the property and its surroundings;
- e) identification and **evaluation of the impacts** on the above resources, an assessment of the significance of the impacts and how they might be mitigated; and
- f) a **comprehensive plan** at a scale of 1:10,000 or more detailed, with recommendations indicating proposed:
 - i) Land use mix and density.
 - ii) Subdivision pattern, consolidation or parcelling (conceptual lot layout plan).
 - iii) Ecological and recreational greenways.
 - iv) Other mitigation measures, to show how undesirable impacts will be mitigated or avoided.

#48

A.5.3 The proposed design of new lots and the development of these lots in Comprehensive Plan Areas indicated on Map #1 Area C Electoral Area Plan, may be considered to have higher denser compact lots than the densities provided on adjacent lands, only if these lots are:

#48

- o located within an approved Comprehensive Development Zone of the zoning bylaw;
- o adhere to the smart growth, and
- o related green and sustainable community policies as generally know; as captured in the Bylaw No. 2042, being the "Rural Comox Valley Official Community Plan Bylaw, 1998"; and as described below.

During the pre-development phase the developer is encouraged to incorporate the following principles in the layout and building designs in order to demonstrate to the regional district how these principles were included in the development proposals of land located in Comprehensive Plan Areas indicated on Map #1 Area C Electoral Area Plan:

A.5.3.1 "*Smart Growth*" principles: Smart growth recognizes the connections between development and the quality of life, the importance of ecosystem functioning and the necessity to be fiscally, socially and environmentally responsible. The application of these principles in the detailed design of the Comprehensive Plan Areas will result in the creation of a community where the quality of life is enhanced; where the development proposal is transit and pedestrian oriented; and where a variety and mix (or integration) of residential and commercial uses will be found. The application of these principles will also ensure that open spaces are preserved and other environmental amenities are included in the design of the community. These principles reflect the need for Comprehensive Plan Areas development proposals to:

- o encourage community and stakeholder collaboration;
- o make development decisions predictable, fair and cost effective;

- strengthen and direct development towards the existing development nodes, in order to create an attractive community with a strong sense of place;
- promote compact walkable neighbourhoods, where greenways and environmentally sensitive areas are linked with corridors that are pedestrian and cycling friendly;
- provide for transportation alternatives;
- preserve open space, natural beauty and critical environmental areas;
- integrate storm water management with riparian corridor protection strategies;
- reduce impervious surfaces while encouraging ground water recharge;
- to encourage mixed land use zones and within these mixed land use zones, provide a variety of housing options, which also includes affordable housing options integrated with other available choices.

A.5.3.2 "New Urbanism" principles: While recognizing that most of the proposed developments located in Comprehensive Development Areas will not be large scale developments, the principles imbedded in "New Urbanism" designs should still be considered and where applicable be incorporated in development proposals:

- The basic building block of the community is the neighbourhood. A neighbourhood standing alone can be a village or a small town. A cluster of neighbourhoods forms a bigger town. Clusters of many neighbourhoods make up a city.
- The neighbourhood is limited in physical size, with a well defined edge and a centre. The size of a neighbourhood is usually based on the distance that a person can walk in five minutes from the centre to the edge – a quarter mile. Neighbourhoods have a fine grained mix of land uses, providing opportunities for young and old to find places to live, work, shop, and be entertained.
- Corridors form the boundaries between neighbourhoods – both connecting and defining the neighbourhoods. Corridors can incorporate natural features, such as streams or canyons. They may take the form of parks, natural preserves, travel paths, railroad lines, or a combination of all these. In towns and cities, a sector can form a district. Districts consist of streets and areas containing special activities, which get preferential treatment. A corridor may also be a district – as when a major shopping avenue runs between adjoining neighbourhoods.
- Human-scale sets the standard for proportion in buildings. The developer should be sensitive when considering the siting of buildings and how they relate to their lots if public space is to be successfully demarcated. Because the street is the preeminent form of a public space, buildings are generally expected to honour and embellish the street. Buildings also define parks and squares, which are distributed throughout the neighbourhood and are designed to be appropriate for rest, recreation, or special events.
- Treating a range of transportation options as important is fundamental. For most of the second half of the 20th Century, transportation agencies have focused almost exclusively on optimizing the convenience of automobile travel, and have dealt with transit riders, pedestrians, and bicyclists as little more than

afterthoughts. Developers are encouraged to consider to all modes of transportation to relieve congestion and to provide people with realistic choices.

- The street pattern is conceived as a network, to create the greatest number of alternative routes from one part of the neighbourhood to another. This has the effect of providing choices and relieving vehicular congestion. The streets form a hierarchy, from broad boulevards to narrow lanes and alleys.
- Civic buildings (town halls, churches, schools, libraries, museums) belong on preferred sites such as a squares or neighbourhood centres, or where the view down a street terminates. Such placement helps turn civic buildings into landmarks and reinforces their symbolic and cultural importance.

A.5.3.3 Improving Housing Affordability: Diverse housing types should be available to accommodate the various housing needs of existing as well as future residents, and to meet the changing needs of the various age groups of residents. Support for housing that is affordable, rental based, family oriented and/or allowing seniors to "age in place" should be given priority. Particular consideration will be given to multi-family rental housing proposals, supportive housing and multi-level care facilities.

Alternative housing tenures (e.g., co-housing, non-profit and cooperative housing) and the retention of rental housing and transitional housing is encouraged; whereas, the conversion of rental housing to strata ownership is discouraged. Secondary suites, carriage houses and secondary dwellings, wherever they are permitted, are encouraged.

A.5.3.4 Green Building Strategies: Green buildings involve sustainable design and development through the practice of:

- increasing the efficiency with which buildings and their sites use energy, water and materials;
- orientating buildings (especially single and multi-family residential buildings) to optimize the warmth and light distributed by the sun; and by
- reducing building impacts on human health and the environment through better siting, design, construction, operation, maintenance and removal.

Green buildings have been proven to have reduced life cycle costs and enhanced marketability.

A.5.3.5 Transportation Alternatives: The developer is encouraged to incorporate the different kinds of transportation routes in the development proposal and more specifically the routs indicated on Map #1 the Area C Electoral Area Plan.

A.5.3.6 Protection of Valuable Existing Significant Vegetation: Not all existing vegetation is valuable, since it may not be the best fit for the area it is growing in. For example, existing invasive species has little value. Valuable existing native vegetation provides for wildlife habitat, erosion control, stormwater management, improved air quality, visual and noise buffer, aesthetics and a decrease in water demands due to irrigation reduction. Protection of valuable existing native vegetation reduces subsequent landscape costs and significantly improves the quality of the proposed development. Effective protection of valuable existing significant vegetation requires that a professional arborist and biologist:

- assess the area subject to development of improvement by identifying which existing vegetation has significant value and should be protected;
- delineate on a site plan all areas of valuable existing vegetation to be protected; and
- design protective measures to ensure compliance of the protection of identified vegetation worthy of protection, as well as protective measures to ensure no grade changes, compaction or storage occurs within, at a minimum, the dripline of the tree canopy slated for preservation.

A.5.3.7 Restoring the integrity of the areas subject to be developed or improved: Notwithstanding the above, it is recognized that sometimes when the quality of a area has become diminished, or significantly disturbed due to man-made or natural courses, the developer shall be required to re-vegetate the site in accordance with a site reclamation plan, which may or may not dictate native species and or the protection of existing vegetation.

A.5.3.8 Follow best practices as these become available: Additional guidance regarding land development can be obtained from the following current publications: Environmental Best Management Practices for Urban and Rural Land Development in British Columbia and Develop with Care: Environmental Guidelines for Urban and Rural Development in British Columbia (or similar documents as available), which can be obtained from the Ministry of Environment.

A.5.3.9 Integrated Stormwater Management: It is imperative that the development proposals must deal with changes to the hydrologic regime within the confines of the Comprehensive Development Areas affected by the proposed developments. This requirement demands that the pre-development hydrologic conditions in the applicable watershed are known and understood; post-development and future climate conditions are forecasted; and measures taken to mitigate the effects of increasing impervious surfaces, interruption of subsurface and surface flows and vegetative clearing. Alternates to standard "hard" piped solutions to stormwater management, including storage and beneficial reuse, are strongly encouraged to minimize the conversion of rainfall to runoff at the source. This will ensure that rainwater and snow filters into the soil at its source rather than causing concentrated impacts downstream by being piped into watercourses.

In the design of individual lot coverage the developer is encouraged to provide for the minimum amount of impervious surfaces; and to capture, infiltrate and filter storm water on site through bio swales, detention ponds, and rain gardens. The developer should, wherever possible, reuse stormwater for beneficial purposes, such as irrigation and toilet flushing. Plans for integrated stormwater management should be done in consultation with the following provincially sponsored documents: Stormwater Planning: A guidebook for British Columbia and the Water Balance Model for British Columbia (or similar documents as available).

A.5.3.10 Integrated Resource Recovery (IRR): forms an integral part of sustainable communities and is an approach and a set of tools for planning and managing community infrastructure to maximize the recovery of value from waste resources. This approach mimics the closed-loop cycles present in all ecosystems, provides local sources of energy, water and other resources, and reduces demand from external or

new sources. IRR can provide economic, environmental and social benefits as outlined below:

- reduction of greenhouse gas emissions;
- provision of carbon-neutral forms of energy;
- reduction of use of high quality, potable water for non-potable purposes;
- provision of local, sustainable employment in new industries based on recovering resources such as biofuels from waste;
- production of new sources of revenue for communities to offset infrastructure cost;
- reduction of the life-cycle cost of infrastructure to taxpayers; and
- reduction of costs when compared managing each waste stream individually.

When undertaking planning for developments, individual buildings and infrastructure, the provincial government's Resource from Waste: A Guide to Integrated Resource Recovery should be adhered to.

A.5.3.11 Following the Land Development Guidelines for the Protection of Aquatic Habitat (Fisheries and Oceans Canada and British Columbia Ministry of Environment, Land & Parks, 1993): for the planning of the developments of land uses adjacent to the shore line. Potential marine development and shoreline works should be done in conjunction with the *Marine Development Guidelines for the Protection of Fish and Fish Habitat, March 1995* and in consultation with the Department of Fisheries and Oceans. Furthermore, development within riparian areas (including trails) and in stream works or any other activities that may impact fish habitat (freshwater or marine) will require consultation with DFO and authorization under the *Fisheries Act* may be required.

A.5.3.12 Coastal Shoreline Development: All works should be conducted with adherence to the guidelines in *Coastal Shore Stewardship: A Guide for Planners, Builders and Developers* and in the British Columbia edition of the publication *On the Living Edge: Your Handbook for Waterfront Living when developing land in the foreshore area*.

A.5.3.13 Mitigation and adaptation to Climate Change: Climate changes this century are expected to include numerous impacts such as rises in sea levels and increased frequency and severity of extreme weather events. During the pre-development stage of development proposals, the mentioned effects of climate change need to be considered. Therefore, at the development approval stage, the developer will be required to, at a minimum, identify:

- expected climate change effects that will impact the proposed development;
- how the developer proposes to mitigate and adapt to these effects; and
- how the developer is proposing to reduce green house gas emissions in the development proposal which could include the use of alternative energy sources and efficient features in layout and building designs and how alternative modes of transportation will be provided and be promoted.

A.5.3.14 At the development approval stage, post-development considerations shall include the following: All construction debris and waste shall be reduced, recycled and reused whenever possible and removed and disposed of appropriately. All areas should be restored and improved by proper landscaping with emphasis on native plant species.

A.5.4 For the preparation of information requirements to be evaluated for development approvals, the applicant shall prepare and submit a written terms of reference. The Terms of Reference shall specify professional expertise to be used for preparation of information, including the identity, qualifications and experience. The Terms of Reference shall be accepted by the Regional District prior to the information being prepared.

An applicant may request reconsideration by the Regional Board of information requirements, setting out the grounds on which the information request is considered inappropriate and what, if any, alternative the applicant considers should be accepted.

#48

Part Six Plan Implementation

A. Implementation Actions

In addition to the implementation actions listed, the following are specific action priorities for Area C:

A.1 The Regional District shall complete a local area plan for the Piercy / Plateau Road Rural Area. This plan:

- a) would recognize the dramatic change that will take place in this area, with the construction of the Inland Island Highway and connector roads, and potential Crown land exchanges in the area;
- b) will start once the location of the Inland Island Highway and connector roads are known;
- c) will identify key greenway connections, and implementation strategies including the Puntledge Triangle, connections to Wildwood and the Medicine Bowls;
- d) will review land use options, and make recommendations for land use designations in the area, given the new highway and land exchanges.

A.2 The Regional District, in conjunction with interested parties, including the community, shall strive to complete a Utility Servicing Alternatives Plan, or a series of associated servicing studies for the Saratoga / Miracle Beach Area. Terms of reference for the plan(s) shall include consideration of the following:

#2447

- a) identification of the environmental impacts of the current state of servicing in Saratoga Beach (water and wastewater).
- b) provision of servicing and financial options separately for the area within the rural settlement boundary.
- c) consideration of density options within the rural settlement boundary, and in particular provision of separate financial projections for water supply, wastewater treatment, and stormwater management for:
 - i) existing development and existing zoning;
 - ii) proposed densities as indicated in the Saratoga / Miracle Beach Local Area Plan.
 - iii) review of water service options, including a detailed review of costs and environmental implications of:
 - a) potential use of tertiary treated sewage effluent for landscape irrigation purposes e.g. for golf course, parks or private residential yards. This would require a twinned water distribution system.
 - b) Potential use of groundwater from wells for landscape irrigation

needs – either separately or in concert with treated sewage effluent. In assessing water supply from wells, studies shall determine the relationship of groundwater to base flows in the Oyster River, and if drawing of groundwater would impact base flows in the Oyster, would calculate that groundwater flow as if part of the water licences from the Oyster River.

- c) Required amount of water supply per unit, based on recommendations from the studies above and water conservation measures. Nevertheless, water supply sources planned shall be based on a minimum per unit allowance for water consumption of 1000 litres per capita per day.
 - d) Assess the proportion of existing water licences from the Oyster River that would be utilized in the various rural settlement area boundary and landscape irrigation options.
 - e) Assess the impact of the proposed water supply scenarios on the fisheries resources in the Oyster River and other affected watercourses, with special attention to the impacts of base flow.
- iv) review of sewage treatment options, including;
- a) Partnering with interested landowners and the community regarding wastewater treatment options.
 - b) Potential use of reclaimed water for landscape irrigation purposes e.g. for golf course, parks or private residential yards. This would require a twinned water distribution system.
 - c) Potential use of reclaimed water for base flow enhancements for fisheries purposes. This review should include consideration of outfalls into Oyster River, Black Creek, and their tributaries including the sloughs.
- v) review of stormwater management options, including a detailed review of costs and environmental implications of:
- a) Alternative roadway standards, to minimize effective impervious area and maximize infiltration.
 - b) Creating a hydrological disconnect of roof and other paved areas.
 - c) Design and planting of dry and wet detention ponds, constructed wetlands, and other stormwater storage devices.
 - d) Conveyances and routes for stormwater swales, ditches, and pipes where required.

A.3

#2447

The Regional District, in consultation with the community, shall conduct a comprehensive review of the LAP within a 5 to 10 year timeframe. This review shall include detailed discussions on Rural Settlement Area Boundary Alternatives. The desired outcomes being:

- a) to summarize the options including proceeding with only the core rural settlement area, and to include discussion and provision of separate information on density and servicing options for those areas outside the rural settlement area

in the following priority:

- .1 the area west of the Island Highway up to Tammy Road;
- .2 the Seaview Road area;
- .3 the area west of Miracle Beach Park.

- b) to summarize the financial implications for property owners for the various options.
- c) to summarize the environmental impacts and benefits of the various options.
- d) to identify a public process to review discussion outcomes and gain consensus on which option to choose.

A.4 The Regional District shall assist in facilitation of Comprehensive Plans, for affected properties in both the Saratoga/Miracle Beach Area and other parts of Area C. The facilitation role that the Regional District could play on the request of property owners includes:

#2447

- a) Providing staff assistance to bring affected property owners together, and to explain economies of scale in planning and engineering.
- b) Acting as a neutral 'banker and manager' for the consulting process.
- c) Organization of approval reviews or public process for the comprehensive plan areas.
- d) Provision of model or example comprehensive plans as an illustration of expectations.

A.5 The Regional District shall undertake a Stewardship Implementation Program, with the following components:

#2447

- a) A Watershed Management Pilot Project, in concert with senior government agencies, to identify technical and administration arrangements for practical implementation of integrated stormwater and environmental stewardship. Black Creek and the Saratoga/Miracle area may provide an ideal rural pilot project for an integrated watershed, stormwater and wastewater management plan.
- b) A Watershed Best Practices Manual may be developed with senior government assistance. This could be in association with the Black Creek pilot and other projects.
- c) A Water Quality Bylaw, to set performance standards for erosion control and water quality measures, and to allow local government ticketing for minor offences.
- d) A Stewardship Rewards Program, considering:
 - i) Annual awards program for stewardship.
 - ii) Tax relief strategies.
 - iii) Information and training services.
 - iv) Continuing implementation of "one-window approvals" with an eye towards faster approvals.

- v) Continuing cooperation with senior governments on providing environmental or stewardship coordinators in the Regional District.
- e) A Greenway Implementation Program, including:
 - i) Trail and Greenway Road Design guidelines.
 - ii) Inland Island Highway trail negotiations, to determine design parameters and standards, and split of responsibility for trail construction and maintenance.
 - iii) Land Acquisition guidelines, to provide a consistent and fair policy for negotiations with landowners.
 - iv) Capital Fund Raising program.
 - v) Operation and Maintenance policies, to address the need for management of trail abuse, vandalism, litter, bylaw enforcement and relationships to adjacent property owners.
 - vi) Greenway Partners – providing an expedient vehicle for volunteer works by corporations, agencies, public groups or landowners.

A.6

#2447

The Regional District shall undertake a review of all development permit exemptions and guidelines in the *Official Community Plan* to clarify what actions can occur without permits and what is to be protected where permits are required. This review should also look at the expansion of the hazardous conditions development permit area to any slope with a gradient of 30% or more, and flood hazard areas.

Appendices

APPENDIX A: *Glossary of Terms*

<i>access envelope</i>	means an area of land, which intrudes into or bisects an ecological <i>greenway</i> , on which trail, utility, road crossing or other access development exists or is proposed.
<i>active recreation</i>	means playgrounds and golf facilities.
<i>aquatic habitat greenway</i>	means the total area of the <i>watercourse</i> , the <i>watercourse leave area</i> and related <i>access envelope</i> .
<i>British Columbia Landscape Standard</i>	means the publication by the same name of the British Columbia Society of Landscape Architects and the British Columbia Nursery Trades Association, 1993 Edition.
<i>buffer</i>	means an area within a lot, generally adjacent to and parallel with a property line, consisting of either existing vegetation or created by use of trees, shrubs, berms and fencing.
<i>certified arborist</i>	means a person certified as an arborist by the International Society of Arboriculture (ISA).
density bonusing	means a process pursuant to Section 904 of the <i>Local Government Act</i> wherein a local government may permit a higher density than otherwise allowed by the zoning bylaw in exchange for an agreed-upon amenity. The process to amend a zoning bylaw requires a public hearing.
density transfer	means the transfer of permitted density from one area or property to another by the agreement of landowners and the rezoning process. A density transfer could be in the form of additional lots, units per acre, site coverage. A density transfer could be utilized to preserve land with public value.
<i>drainage works</i>	include culverts, ditches, drains, rip rapped channels, and storm sewer systems, which discharge into, or collect, constrain or divert a <i>watercourse</i> .
<i>drip line</i>	means a vertical line extending from the outer most branches of a <i>tree</i> to the ground.
<i>ecological greenway</i>	means either an aquatic habitat greenway or upland habitat greenway as defined in this bylaw.

green space

#2447

means vegetated space that is open for public use and that is the gross area of the subject parcel less the gross area of all buildings and privately used property. Green space may be exterior areas dedicated to trails, paths, public areas, and natural green space preserved by dedication as park, covenant, retention of common open space as in the case of a strata community or by deeding to a registered non-profit society or trust in perpetuity.

habitat landscape

means the conservation, installation and maintenance of trees, shrubs, groundcovers, herbaceous plants and related soil and water to repair site disturbance in a way that is conducive to use of the site by native species of fish and wildlife.

habitat linkages

means a linear corridor of native vegetation or *habitat landscape* that provides continuous wildlife passage from habitat to habitat. *Habitat linkages* connect two or more sensitive terrestrial ecosystems together. These links provide critical corridors for species to move to mix with other populations, find food, or avoid predation. These linkages are important to maintenance of urban wildlife, and to biological diversity.

land development guidelines

means the Land Development Guidelines for the Protection of Aquatic Habitat dated May, 1992, or September, 1993, published by the Ministry of Environment, Lands and Parks and the Department of Fisheries and Oceans.

leave areas

areas of land and vegetation adjacent to watercourses containing fish or fish habitat that are to remain in an undisturbed state throughout and after the development process. These areas help to regulate water temperature, stabilize stream banks, prevent stream bank erosion and provide fish with food organisms and cover. As well, leave areas play a major role in the filtration, absorption and biological uptake of storm water runoff.

natural boundary

means the visible high water mark of any *watercourse*, where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the *watercourse* a character distinct from that of its banks, in respect to

	vegetation or in the nature of the soil itself.
<i>Naturescape guidelines</i>	means the publication series "Naturescape British Columbia: Caring for Wildlife Habitat at Home" published by Naturescape British Columbia c/o the Ministry of Environment, Lands and Parks.
<i>paving</i>	means any graded, hardened, and relatively impervious surface covered with materials comprised of asphalt, concrete, masonry, crushed gravels or combinations thereof.
<i>professional consulting team</i>	means a group of professionals including a professional biologist or fish and wildlife technician, a professional engineer, and a landscape architect / land use planner.
<i>prune</i>	means remove living or dead parts of a <i>tree</i> , including branches, in order to reduce size, to maintain shape, health, flowering or to regulate growth.
<i>regular landscape maintenance</i>	means landscape maintenance activities described in the British Columbia Landscape Standard, but does not include the topping and removal of trees or removal of native shrub and herbaceous ground cover.
<i>sensitive terrestrial ecosystem</i>	means land mapped under the Sensitive Ecosystems Inventory, as well as other lands which contain; <ul style="list-style-type: none">a) <i>sloping terrain</i>, with cover of natural vegetation.b) unique or rare woodland communities (e.g. arbutus, Garry oak).c) mature and older forest, including veteran trees.d) native trees, woods and thickets, including older second growth, and especially habitat where red- or blue-listed plant or animal species have been identified and confirmed.e) cliffs, bedrock outcrops, coastal bluffs, points and rocky islets, and unique or rare herbaceous (wildflower) communities on sparsely vegetated sites.f) marine foreshore and nearshore areas, and seasonally flooded sites and floodplains.g) eagle nesting or roosting trees, and heron rookeries, with wooded buffers.

- h) native standing dead trees, if naturally occurring, and if not a hazard to persons, public or property.
- i) wildlife cover on the ground, including shrub thickets, downed logs, brush piles or rock piles, and water sources for wildlife.

shared roadway

means a road which has been designated by directional signage as being open to bicycle travel and is shared with other MOTI or vehicle traffic, but is not identified by land lines or pavement markings.

shoulder bikeway

means a paved area for cycling located on the right side of a shoulder line of a road. It does not encompass any of the regularly travelled MOTI or vehicle portion of the roadway.

sloping terrain

means land with slopes which average greater than 20% for a vertical distance of 3 metres or more, or slopes designated as hazard lands by a Professional Engineer with experience in geotechnical engineering.

surveyed

means surveyed by a British Columbia Land Surveyor.

top of bank of a watercourse

means the closest top of slope adjacent to the natural boundary of a *watercourse* where two conditions are met:

- a) the grade is flatter than 3:1; and
- b) the land beyond the top of slope maintains a grade flatter than 3:1 for a minimum of 15 metres measured perpendicular to the *watercourse*. Slopes steeper than 3:1 but less than 1 metre in height shall not be considered in the determination of the 15 metre distance from the top of bank.

tree

means a woody perennial plant with a stem or stems each of which has a diameter of at least 10 centimeters measured at a height of 30 centimeters above the natural grade of the land, and includes the roots, branches, trunk, crown or any part of the *tree*.

tree, hazardous

means any *tree* which due to its condition, health or any other circumstances has been determined by a *certified arborist* or the bylaw administrator to present a hazard to the safety of persons or to the

	public or to private property.
<i>tree, individual</i>	means a <i>tree</i> , other than a <i>significant tree</i> , growing in a location so that it does not meet the definition of <i>woods</i> .
<i>tree, removed</i>	means a <i>tree</i> cut down, killed or removed by any means and without limiting the generality of the foregoing includes removal of the top of a <i>tree</i> or any branch or stem of a <i>tree</i> where the branch or stem removed or cut has a diameter of more than 10 centimeters.
<i>tree, replacement</i>	means a <i>tree</i> or <i>trees</i> planted in accordance with this bylaw to replace a <i>tree</i> cut, removed or damaged.
<i>tree, significant</i>	means a <i>tree</i> identified by one of the following criteria: <ul style="list-style-type: none">a) A veteran or older growth <i>tree</i> in excess of 100 years old;b) A wildlife <i>tree</i>, meaning a <i>tree</i> that supports eagle roosting or nesting, heron rookeries, cavity dwellers or red- or blue-listed species;c) A Garry oak, arbutus or Pacific dogwood tree.
<i>Tree Pruning Guidelines</i>	means the publication "Tree Pruning Guidelines, 1994, Revised Edition, International Society of Arboriculture".
<i>upland habitat greenway</i>	means the total area of a <i>sensitive terrestrial ecosystem</i> , related <i>buffer</i> , and <i>habitat linkages</i> .
<i>watercourse</i>	means any natural depression with visible banks, or wetland with or without visible banks, which contains water at some time; and includes any lake, river, stream, creek, spring, swamp, gulch or surface source of water, whether containing fish or not; and includes intermittent streams; and includes surface drainage works which are inhabited by or provide habitat for fish.
<i>wetland</i>	means land which is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions supports, a prevalence of vegetation typically adapted for life in saturated soil conditions,

including swamps, marshes, bogs and similar areas, and land above and within 7.5 metres, measured horizontally, of the land just described.

woods

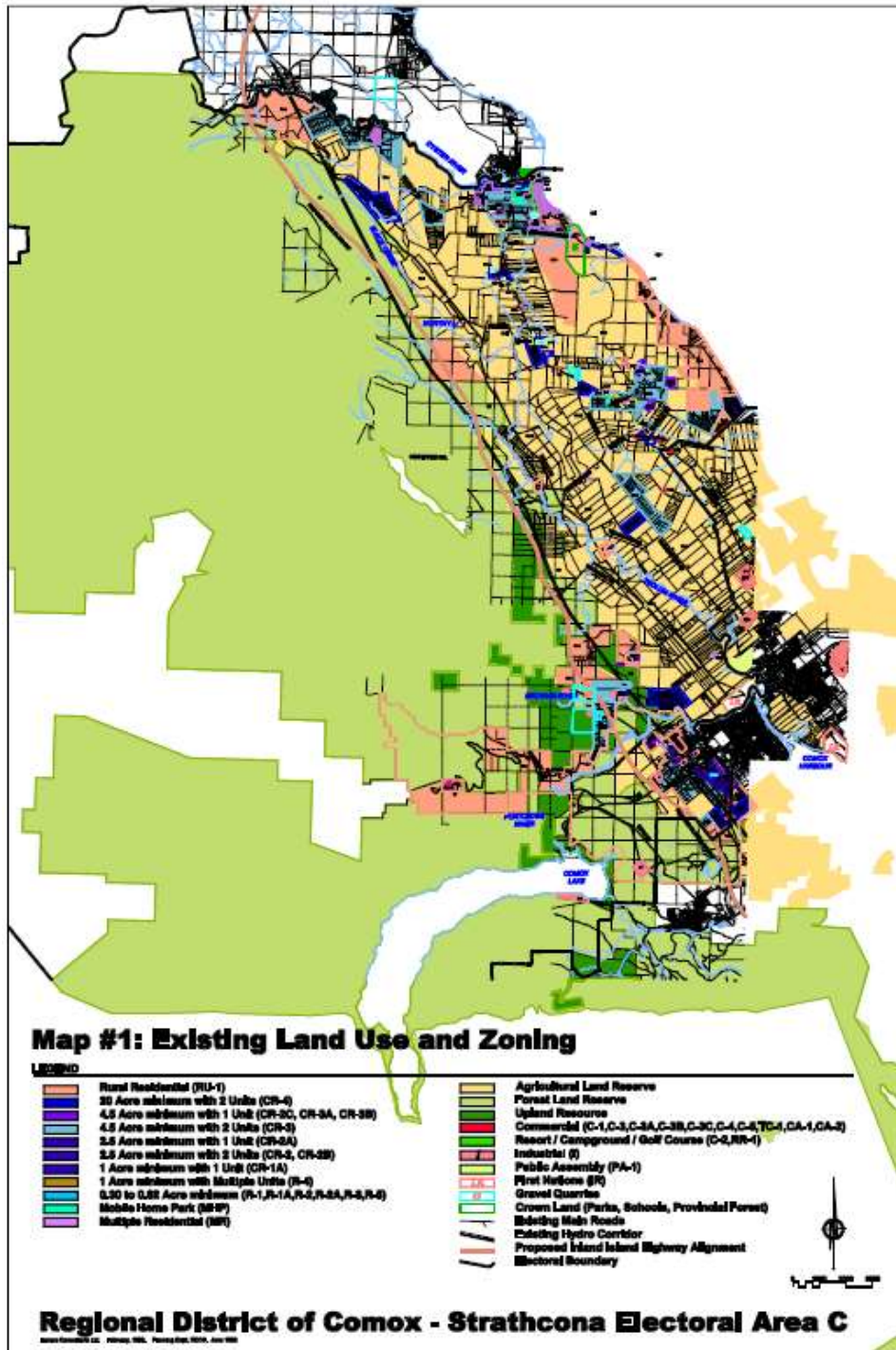
means an area which contains more than 10 *trees* where *trees* are closer than 5 metres from centre to centre of stem, and where native groundcover of shrubs and herbaceous plants remains. The line defining the edge of *woods* is defined by the outside of the *tree* trunks.

work

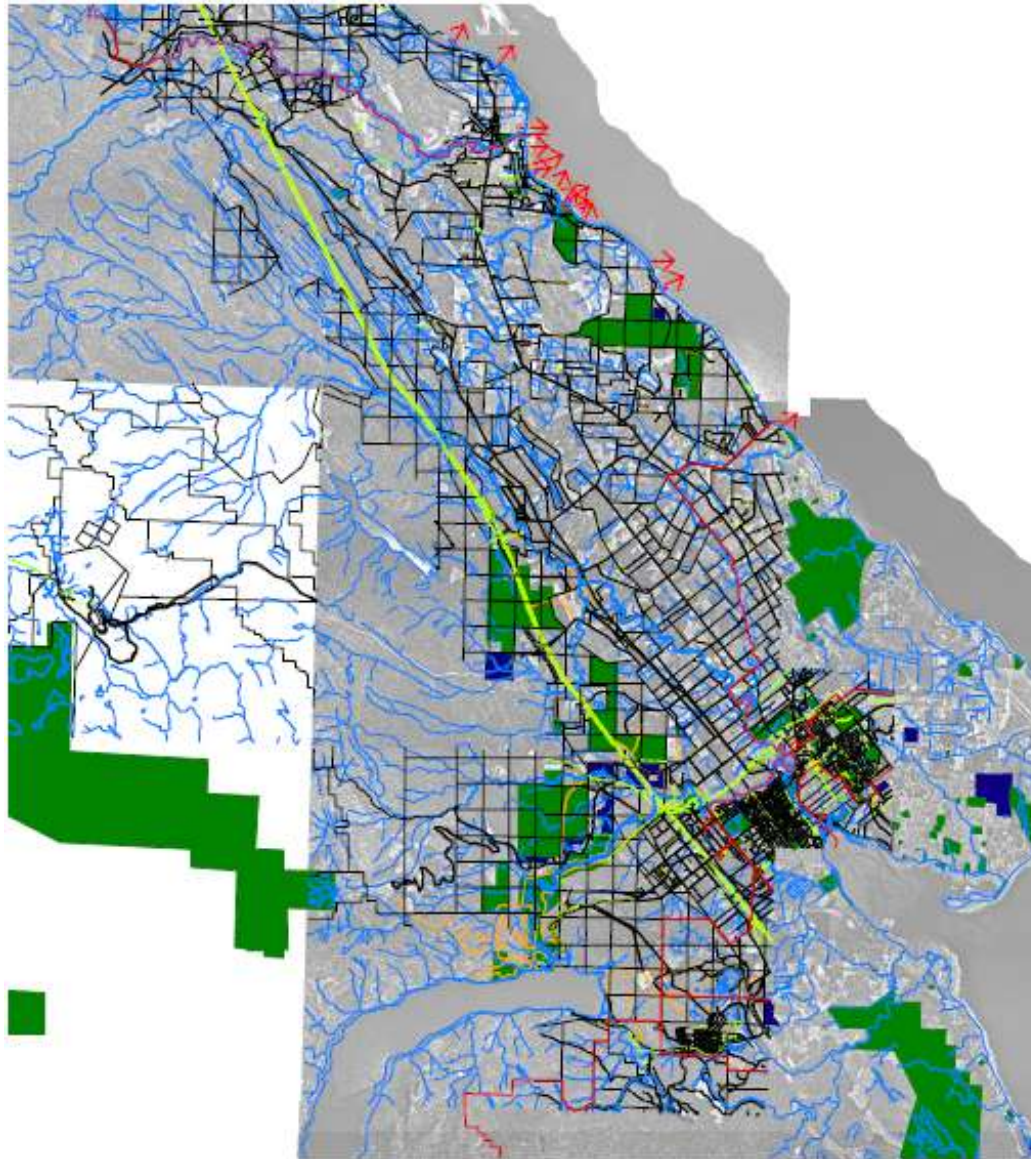
means activities involved in cutting or removal of vegetation, removal of soil, deposit of soil or other material, construction of a building, structures or paving, or installation of drainage works, but does not include regular landscape maintenance of planted gardens or landscaping.

APPENDIX B: Background Information

Map #1 Existing Land Use and Zoning



Map # 3 Recreation Opportunities and Constraints



Map #3: Recreational Opportunities and Constraints

LEGEND

- | | |
|---|--|
| <ul style="list-style-type: none"> Electoral Area C Boundary Lot Existing Main Roads Hydro Right Of Way Major Watercourse Minor Watercourse Tributary Watercourse Provincial Parks and Woodlots Crown Land | <ul style="list-style-type: none"> Vacant Road Right Of Way Scientific Features / Part Of Interest Sand Beachs Existing Waterfront Access Existing Trails Regional Parks City Squares Existing Schools Existing First Nations (SR) Proposed Inland Island Highway (Approximate Location) |
|---|--|

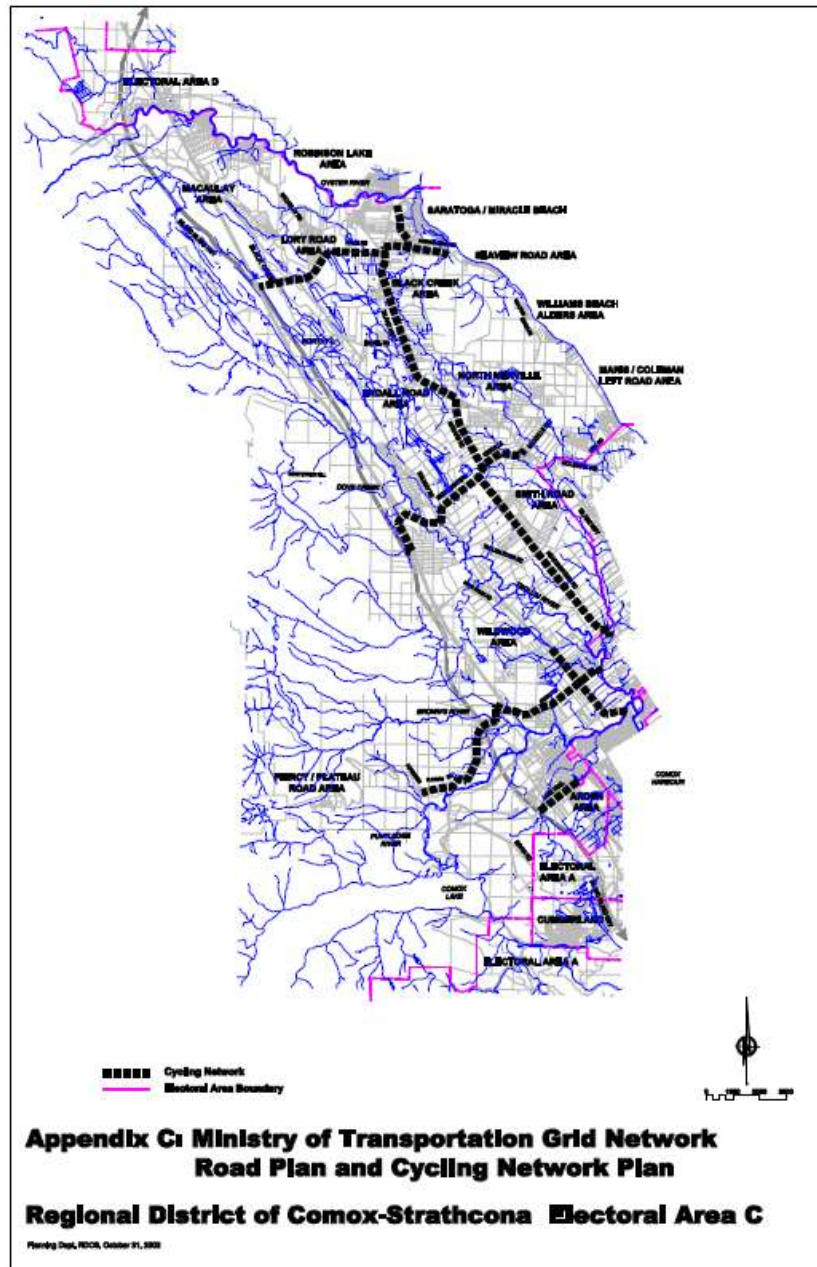


Regional District of Comox-Strathcona Electoral Area C

January 2004/June 2005

APPENDIX C: *Ministry of Transportation and Infrastructure Grid Network Road Plan and Cycling Network Plan*

(Grid Network Road Plan and Cycling Network Plan shall be considered in consultation with the community and Ministry of Transportation and Infrastructure)



APPENDIX D: *Population Projections*

Electoral Area C Population Increase Example

Appendix F of the *Official Community Plan* gives estimated population projections ranging from 2.4% to 3.5% for the next 10 years. Based on this range of numbers, Electoral Area C can expect its population to grow from 8,701 in 1996 to somewhere between 11,030 to 12,274 by the year 2006 (See Table 3).

Electoral Area C Developable Land Analysis

Table 4 provides an analysis of developable land in Electoral Area C in three estimates:

Units possible under existing zoning:	3542
Units under proposed land use changes:	164
Total proposed zoning capacity	3706

Allowing 3 persons/dwelling, this zoning capacity would support a population of 11,118, which is towards the low end of the ten-year population ranges.

Significant assumptions in these projections are:

- Second dwellings or suites will occur on about 12% of properties on average.
- Significant portions of undeveloped zoned land (20% in Saratoga, 33% in other areas) will be reserved by the landowners for long term development (beyond a 10 year period).
- Some undeveloped zoned land (5% in Saratoga, 20% in other areas) will not be environmentally or economically feasible for development (watercourses, steep slopes, poor road access, areas unsuitable for sewage treatment or without water supply).

Under present zoning, Saratoga and Miracle Beach represent approximately 25% of the unit capacity in Electoral Area C. Under proposed zoning changes, Saratoga and Miracle Beach's share of population will increase to about 29% of that in Area C over the next 10 years.

Appendix D
Table 3

Area C Population Increase Example

Based on Growth Rate Per Year of:

2.40%	Population	Pop. Increase	Unit Equivalent at 3.0 people /dwelling
1996	8701		
1997	8910	209	70
1998	9124	214	71
1999	9343	219	73
2000	9567	224	75
2001	9796	230	77
2002	10032	235	78
2003	10272	241	80
2004	10519	247	82
2005	10771	252	84
2006	11030	259	86
Totals		2329	776

3.50%	Population	Pop. Increase	Unit Equivalent at 3.0 people /dwelling
1996	8701		
1997	9006	305	102
1998	9321	315	105
1999	9647	326	109
2000	9985	338	113
2001	10334	349	116
2002	10696	362	121
2003	11070	374	125
2004	11458	387	129
2005	11859	401	134
2006	12274	415	138
Totals		3573	1191

Appendix D
Table 4
Developable Land in Area C

File: New Units1.xls

	Approx. Existing Units	Approx. New Unit Capacity	Approx. Pop. Equivalent (3.0x)	Approx. Total Unit Count	Approx. Pop. Equivalent (3.0x)	Population Distribution
<i>Under Existing Zoning</i>						
Arden Area	628	128	385	756	2269	
Piercy / Plateau Rd. Area	93	11	33	104	312	
Wildwood Area	12	13	40	25	76	
Smith Rd. Area	63	24	71	87	260	
North Merville Area	98	46	137	144	431	
Endall Road Area	42	22	65	64	191	
Williams Beach / Alders Area	47	7	22	54	163	
Maris / Coleman / Left Rd. Area	119	59	177	178	534	
Seaview Rd. (w/ no second homes)	105	4	11	109	326	
Lory Rd. Area	33	5	14	38	113	
Robinson Lake Area	228	90	269	318	953	
Macaulay Area	59	3	10	62	187	
Farm (ALR) Area	620	40	120	660	1980	
Electoral Area C outside Saratoga /Miracle Beach	2147	451	1353	2598	7794	
Allowance for second dwellings (+/-12%)	262	55	165	318	953	
Allowance for longterm holdings (33%)		-167	-501		-501	
Allowance for unfeasible lands (20%)		-101	-304		-304	
Approximate Totals		238	714	2647	7942	75%
Saratoga / Miracle Beach Area	434	484	1453	918	2755	
Allowance for secondary suites (+/-12%)	53	59	178	112	337	
Allowance for longterm holdings (20%)		-109	-326		-326	
Allowance for unfeasible lands (5%)		-27	-82		-82	
Approximate Totals		408	1223	895	2684	25%
Note: includes existing MHP zoning creating 322 units						
Total, Existing Zoning Capacity				3542	10626	

Table 4
Page 2

	Approx. Existing Units	Approx. New Capacity	Approx. Unit Equivalent (3.0x)	Pop. Count	Approx. Total Unit Equivalent (3.0x)	Pop. Distribution
Under Proposed Zoning Changes						
Saratoga / Miracle Beach Area (net of existing zoning capacity)						
- 0.5 acre average		96				
- 1.0 acre average		27				
- Residential/Commercial		20				
- Density Bonus		21				
Subtotal, New Zoning Capacity			164		492	

Note: existing MHP zoning creating 322 units is counted as existing

Existing and New Zoning Capacity

Electoral Area C outside Saratoga /Miracle Beach				2647	7942	71%
Saratoga / Miracle Beach Area				1059	3176	29%
Totals				3706	11118	

Note: Variances of one are due to rounding