



Electoral Area 'H'
Official Community Plan
Bylaw No. xxx, 2017

DRAFT Version 1.0 of Section 5 – The Development Strategy

November 21, 2016

Note to the reader:

This is an annotated draft. Explanatory notes are in the right side-bar. The draft includes the text of the current OCP with underline used to show proposed new text, and strikethrough used to show text proposed to be deleted.



5. The Development Strategy

The Development Strategy is a key component of the Electoral Area H OCP and sets the parameters for development within the community. The development strategy provides a framework for focusing future growth into village centres and ~~urban growth~~ containment areas in order to minimize rural sprawl. The strategy for this Plan is driven by the Community Values Statement (see Section 1 of this OCP) and the Development Guideline Criteria (paragraph 5.1) and is consistent with the Regional Growth Strategy. Where revisions during the 2016/17 review of this Plan added policies that require changes to the RGS, the actions or uses identified in the policies shall not be supported unless the Regional Board support an amendment to the RGS.

Updated language to reflect changes in terminology in the Regional Growth Strategy

The Development Strategy is illustrated through mapped 'Land Use Designations' that match the written objectives and policies to land uses, densities and parcel sizes. These Designations are shown on Map No. 5.

There are three designated Village Centres in this OCP: Dunsmuir, Qualicum Bay, and Bowser. In addition, the area near Deep Bay Harbour is an important focal point for marine, aquaculture, and tourism industries, and neighbourhood services for local residents.

It is a goal of the RDN Regional Growth Strategy, 2011 to "facilitate the provision of affordable housing", and a region-wide housing needs study prepared in 2009 confirmed that there is an insufficient supply of affordable housing throughout the region. In 2010 the RDN prepared an Affordable Housing Action Plan that includes exploration of opportunities for the RDN to influence affordable housing.

Updated content

In 2012, two Crown parcels in Bowser Village Centre were leased by the RDN for seniors supportive living housing complex, and the RDN is supporting the Bowser Seniors Housing Society in their plans to construct and manage such a facility.

In 2014, the RDN amended its zoning bylaws to allow secondary suites in some zones in the electoral areas, including in the Plan Area for this OCP.

~~It should be noted that the Regional District of Nanaimo has not, to date, developed any Board endorsed policies regarding affordable housing, rental housing or special needs housing. For the purposes of this OCP, In addition, this Plan supports the provision of affordable housing and does not prohibit rental or special needs housing in any land use designation in the OCP or any future zone created to implement this OCP.~~

This Plan encourages and supports Home Based Businesses as an economic activity conducted as an accessory use on any parcel pursuant to Bylaw No. 500, 1987.

All land use designations described in this section are shown on Map No. 5.

Added here to replace repetitive policy

formerly in each land use designation.

5.1 Development Guideline Criteria

~~Electoral Area 'H' is designated as a development approval information area pursuant to RDN Bylaw No. 1165, 1999. In Electoral Area 'H', prior to considering an application to amend the OCP, rezone or subdivide land to accommodate a development, an applicant must show that the proposal:~~

1. Reflects the Community Values Statement, objectives of the Official Community Plan and the policies of the Regional Growth Management Strategy;
2. Preserves and protects the rural character of area and contains urban development to the Village Nodes;
3. Identifies watersheds and aquifers from degradation and pollution through a detailed hydro-geological study;
4. Protects and promotes natural, environmental, and geographic features through an environmental impact study.
5. Preserves, enhances, and dedicates useable parkland that provides linkages to public lands, and integrated trail system and waterfront access where appropriate;
6. Proposes a comprehensive approach to management and disposal of sewage and/or septage;
7. Proposes a comprehensive approach to drainage and management of stormwater;
8. ~~Preserves~~ Protects and conserves archaeological ~~Areas~~ sites through adherence to the provincial ~~Heritage and Conservation Act~~;
9. Has written confirmation from the local water utility (if within a local water utility area) that sufficient quality and quantity of potable water is available for the development.
10. Has been presented to the community for review and comment on the overall proposal including any studies prepared to satisfy the above. ~~All studies to address environmental, hydro geological, storm-water management and sewage/septage associated with proposed development will include comprehensive public consultation and have representation from the general public, area stakeholders and Local Water Boards. The Regional District will facilitate such input and will ensure that all studies are appropriately designed and conducted.~~

Reference to DAI removed from here but addressed in new section below.

Propose that these requirements only relate to OCP amendment applications to remove barriers to more simple/smaller development applications.

Through the DAI bylaw, the RDN asks for impact information for rezoning, development permit, or temporary use permit applications at their discretion, which would typically be done for complex/major applications.

Development Approval Information – Circumstances and Special Conditions

11. Applicants for zoning amendment, development permit, or temporary use permit in all designations of this Plan may be required to provide development approval information.
12. This Plan attempts to embrace compatible development while at the same time maintaining the values that are fundamental to the health

New for accuracy

New for accuracy. This statement is required in this OCP in order to

and prosperity of the community. In order to achieve the goals of this Plan and ensure compatibility with the Community Values Statement and the Development Guideline Criteria, future land use and development decisions must consider the anticipated impacts of proposed development on the environment and community resources. Development approval information may be required to ensure that development may be adequately serviced and accommodated in a manner that sustains natural resources, environmentally sensitive areas and protects rural character while containing urban development to village nodes. Development approval information may be required to help the Regional District of Nanaimo determine appropriate uses, density and siting of future development.

designate the OCP as an area for which development approval information may be required. The RDN Bylaw 1165 provides more detail about circumstances under which this information will be required.

Land Use Designations

5.2 Resource Lands

This land use designation applies to lands that are used and valued for agriculture, forestry, natural resource extraction, or environmental conservation opportunities. All lands within the Agricultural Land Reserve are in this land use designation. Lands that were formerly in the Forest Land Reserve (major forestry holdings) and large parcel Crown land holdings (other than those designated as Park Lands) are also within this land use designation.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the RDN. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision-making.

Resource Lands Objectives

1. *Maintain* the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. *Encourage* more comprehensive management of the resource land base.
3. *Protect* the environment.
4. *Encourage* and protect outdoor recreational opportunities.
5. ~~Direct development that is compatible with the Community Values and Development Guideline Criteria Statements.~~

Section 5.1
Development Guideline
Criteria adequately
addresses this
objective. Removed to
reduce repetition.

Resource Lands Policies

- 1) ~~Land within the Resource Management designation is shown on Map No. 5.~~
- 2) Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
- 3) For lands within the ALR, an 8.0-hectare minimum permitted parcel size shall be supported by this Plan.
- 4) Notwithstanding ~~Policy 5.2.2~~ Resource Lands Policy 3 above, any lands within the ALR having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum parcel size (these parcels are illustrated on Map No. 5).

Not needed, Map No. 5
is now referenced in the
section introduction

Clarifies reference

~~5) For lands within the Agricultural Land Reserve, the regulations and policies of the Agricultural Land Commission apply.~~

This is not needed as a policy and is already mentioned in the introduction to this section.

6) Where land is in the Agricultural Land Reserve and is proposed for subdivision, a second dwelling unit, or a non-farm use, approval must first be obtained from the Agricultural Land Commission.

This is where a new policy could go, resulting from the ALR Prelim Boundary Review study

Below are two options for a policy regarding density of development on the Cook Family Lots. These are presented for community review and discussion.

Note for draft

Cook Policy Option #1

On the Cook family lands, (legally described as DISTRICT LOTS 13 and 14 NEWCASTLE DISTRICT, EXCEPT THE ESQUIMALT AND NANAIMO RAILWAY COMPANY RIGHT OF WAY AS SAID RIGHT OF WAY IS SHOWN COLOURED RED ON DD 4433N) there are large, relatively undisturbed sensitive ecosystems of older forest, wetland and riparian areas and their protection for environmental value and public access is encouraged. In order to achieve their protection, amendment to this Plan for residential and/or Resort Commercial development on a portion of one or both of these lands is supported subject to:

This policy does not include support for a specific increase in density, which means that at the time of development proposal, the owner will need to apply to amend the RGS, OCP and zoning bylaw to allow that increase.

- a) removal of the lands from the Agricultural Land Reserve
- b) environmental assessment identifying areas where development will have the least impact
- c) protection in perpetuity of a significant portion of the sensitive ecosystem areas, and mechanisms in place to ensure protection and public access to some or all of the areas, including agreement from an agency or organization willing to own or manage the lands for conservation purposes.
- d) proof that the quality of drinking water, surface water and marine waters will not be negatively impacted
- e) proof that there is sufficient drinking water quantity for the development
- f) use of alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.
- g) the scale and density of residential and / or Resort Commercial uses are supported by market analysis at the time of the rezoning application

What this policy does is identify these lands as an important amenity the community would like to obtain, and its willingness to accept increased development in exchange.

Cook Policy Option #2

On the Cook family lands, (legally described as DISTRICT LOTS 13 and 14 NEWCASTLE DISTRICT, EXCEPT THE ESQUIMALT AND NANAIMO

This policy does enable the OCP and RGS to be

RAILWAY COMPANY RIGHT OF WAY AS SAID RIGHT OF WAY IS SHOWN COLOURED RED ON DD 4433N) there are large, relatively undisturbed sensitive ecosystems of older forest, wetland and riparian areas and their protection for environmental value and public access is encouraged. In order to achieve their protection, amendment to this Plan to change the designation to Rural Lands as part of a rezoning application is supported subject to:

- a) removal of the lands from the Agricultural Land Reserve
- b) amendment to the Regional Growth Strategy
- c) environmental assessment identifying areas where development will have the least impact
- d) protection in perpetuity of a significant portion of the sensitive ecosystem areas, and mechanisms in place to ensure protection and public access to some or all of the areas, including agreement from an agency or organization willing to own or manage the lands for conservation purposes and re-designation in this plan to Park Lands
- e) That the Rural Lands designation will only apply to those lands not protected in c) above,
- f) proof that the quality of drinking water, surface water and marine waters will not be negatively impacted
- g) proof that there is sufficient drinking water quantity for the development
- h) use of alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.

amended to allow for additional residential density. The Rural Lands designation allows a minimum lot size of 4 ha (10 acres), which on the full extent of Lots 13 and 14 would equal approximately 22 lots.

However, we do not at this point have information to set a percentage of lands to be protected, so the lot area from which to calculate the densities would be smaller, so less than 22 lots would be possible.

As drafted, this option does not include commercial uses. It could, but an appropriate amount or type has to be determined.

Cook Policy Option #3

A third option is to for re-designation to Rural Residential which allows a minimum lot size of 0.2 ha (0.5 acres). Calculated on the full size of both properties, this would allow over 400 lots, however it would be less after the amount of land for conservation was determined.

A fourth option allows some other calculation of density between lots sizes of 4 ha and 0.5 acres.

Resource Lands Advocacy Policies

- 7) Areas with environmentally sensitive features or significant ecological resources within the Resource Management designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives.
- 8) All development on Resource Lands ~~will be~~ is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings

Updated language to reflect current

~~and property to fire. use best practice interface forest fire mitigation terminology
techniques for building and landscaping.~~

5.3 Rural Lands

This land use designation applies to large lots, not located within the Agricultural Land Reserve, and generally 2.0 hectares or more in size. These lands are intended to provide for traditional rural pursuits, and serve as a buffer between Resource Lands and the more urbanized areas of Electoral Area 'H'. This designation also applies to lands in the Spider Lake Area, where larger parcel sizes are the typical form of development and where residents in the area promote the retention of large parcel sizes to protect each individual property's privacy and rural quality of life.

Rural lands are characterized by the suitability to accommodate unserved rural activities. These parcels typically have an adequate water supply and wastewater can be treated and disposed of through on-site ground disposal systems.

Rural Lands Objectives

1. *Preserve* the rural character of lands within the Plan Area.
2. *Encourage* farm activities on productive agricultural lands.
3. *Contain* the extent of growth of urban and suburban lands.
4. Encourage alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns. *New, to implement RGS Policy 5.13*
5. Support Resort Commercial and light industrial development that is compatible with the local area and adjacent properties. *New, to encourage more opportunities for economic development.*
6. ~~Direct development that is compatible with the Community Values and Development Guideline Criteria Statements.~~ *Section 5.1 Development Guideline Criteria adequately addresses this objective. Removed to reduce repetition.*

Rural Lands Policies

- ~~Lands within the Rural Lands designation are shown on Map No. 5.~~ *Not needed, Map No. 5 is now referenced in the section introduction*
- 1) Lands within the Rural Lands designation shall have a minimum permitted parcel size of 4.0 hectares
 - 2) Notwithstanding ~~5-3-2 Rural Lands Policy 1,~~ any lands within the Rural Lands designation having a minimum permitted parcel size of less than 4.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum permitted parcel size (these parcels are illustrated on Map No. 2). *Clarifies reference*
 - 3) Secondary suites are supported in the Rural Lands designation and regulated by the zoning bylaw. Secondary suites are not included in *Secondary suites were permitted in all Rural*

- the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
- 4) ~~In addition, notwithstanding 5.3.2, lands within the Rural land use designation may be considered for a rezoning to the 2.0 hectare minimum permitted parcel size where the proposal meets the following criteria:~~
- ~~a) One dwelling unit per parcel~~
 - ~~b) Bare land strata subdivision shall not be permitted~~
 - ~~c) No frontage relaxation required~~
 - ~~d) No further road dedication to accommodate parcel frontage or additional parcels (as verified as of the date of adoption of this Plan)~~
 - ~~e) Provision of a comprehensive plan for subdivision of the area being rezoned with a report from a recognized professional with geotechnical and geohydraulic experience indicating an assessment of the environmental suitability of the subdivision that is accepted by the RDN, Water, Land and Air Protection, and the Environmental Health Officer.~~
- 5) While this Plan recognizes an existing Industrial parcel within the Plan Area that is currently zoned for Industrial use, this OCP does not support additional heavy industrial zoning within the Rural Lands designation. This Plan does support rezoning for additional light industrial zoning in the Rural Lands designation provided it:
- a) is accessory to residential use;
 - b) does not negatively impact ground or surface water or sensitive ecosystems;
 - c) does not unduly affect neighbouring properties through impacts such as noise, odour and significant increase to traffic;
 - d) is visually screened from neighbouring properties and roads; and
 - e) provides a community need that is not provided elsewhere in the RDN or where its location in the Plan Area is essential to the use.
- 6) This Plan supports rezoning for Resort Commercial uses in the Rural Designation provided it complies with policies in section 5.6 of this Plan.
- 7) This Plan supports the development of services for the local public and travelling public at the Horne Lake Road and Inland Island Highway intersection the lot legally described as LOT 1, DISTRICT LOT 90, NEWCASTLE DISTRICT, PLAN EPP41641). The community envisions services that improve the economic diversity of the Plan Area by supporting multi-use, commercial/light industrial zoning, subject to the following:
- a) Amendment of the Regional Growth Strategy
- zones in the zoning bylaw in 2014.*
- This policy is deleted but replaced with the policy in new Section 5.10 – Alternative Forms of Rural Development.*
- Added text in response to public comments interested in more flexibility for light industrial uses.*
- Also see new Temporary Use Permit section that will allow an owner to “try out” a new use before going through the rezoning process.*
- New policy to remove barriers to economic opportunities in Rural lands.*
- Refers to Horne Lake Interchange lot of 32 acres.*
- This policy aims to support a limited size and scope of commercial / light industrial use in exchange for land for a*

- b) Prior to approval of a rezoning for commercial or light industrial uses, land must be provided for a visitor information area that includes a public rest area, and an agreement secured with appropriate agencies and/or societies for the ownership and/or management of such areas. The specific nature and scale of the visitor information area will be related to the value of the proposed rezoning and subject to community consultation.
- c) The total land area to be rezoned must be limited to that needed for the proposed use, and the scale of the use must be supported by evidence of a current market need. Should additional lands be needed in the future for expansion of the use, amendment to this Plan can be considered at that time.
- d) The nature of the proposed development is demonstrated to be appropriate to the location, and not reasonably able to be provided or desirable within an existing Village Centres.
- e) The development is screened from the highway to maintain the natural visual characteristics, and where visibility from the highway is deemed essential to the proposed use, high quality urban design and architecture is employed.
- f) Pedestrian and cyclist access is provided.
- 8) In order to achieve construction of an important rail crossing and trail connection for this community that connects Bowser Elementary School at Faye Road to the Thompson Clark – Ocean Trail trail, and to provide for affordable housing, this Plan supports rezoning to permit additional density on two lots on Faye Road across from Bowser Elementary School (LOTS 6 and 7, DISTRICT LOT 82, NEWCASTLE DISTRICT, PLAN 35694) subject to the following:
- a) Amendment to the Regional Growth Strategy.
- b) Cash contribution to the RDN for construction of a rail crossing that will connect with the unopened right-of-way adjacent to Lot 7.
- c) Construction of, or cash contribution for construction of trail on the unopened right-of-way adjacent to Lot 7, to RDN Park standards.
- d) The density proposed is no more than an average of 4 dwellings per hectare.
- e) The housing is designed to be affordable and to achieve this there will be a maximum lot size and dwelling square footage established in the zone regulations.
- f) The wetland on the property will be protected, and this protected area can be included in the calculation of density in d) above.
- g) The wetland will be protected in perpetuity through covenant permitting no further subdivision, or transferred to a government agency for park purposes subject to their agreeing to accept the
- visitor information area / centre and agreement secured with an appropriate agency to own and manage that land for that use.*
- Limiting the scale in words is difficult. A simpler idea that would provide more certainty to the community is to choose one of the 5 segments of the lot (identified in the Nov 1 Forum presentation) and have this policy to apply only to that segment. If further expansion was desired in the future, the OCP could be amended at that time.*
- New. This density would allow 16 lots.*
- There are two key community benefits to this OCP change: that a trail and important rail crossing are constructed, and that the housing is affordable. Affordable housing commonly means where housing costs no more than 30% of a household's income before taxes. For rental housing, a local government can require a housing agreement that sets out the terms of the rent – who qualifies as a renter, and what rent can be charged. For market housing as proposed, it is the design and location and dictate affordability.*

donation.

9) Rezoning to permit additional density and uses on two lots adjacent to the developed area near Deep Bay Harbour, legally described as LOT A, DISTRICT LOTS 1 AND 86, NEWCASTLE DISTRICT, PLAN 48840 EXCEPT PART IN PLANS VIP56846, VIP70719, VIP79699, EPP34061 AND EPP41048, and LOT B, DISTRICT LOT 86, NEWCASTLE DISTRICT, PLAN 38643, is supported subject to the following:

Refers to BSI Lots A and B.

This policy is a list of the requirements for additional density on these lands.

Additional requirements being considered for addition include some provision of land for aquaculture related industry, and accommodation for VIU.

- a) Amendment to the Regional Growth Strategy
- b) Public Road access to Gainsburg Road and through to Island Highway 19A are constructed with a separated footpath on one or both sides of the road.
- c) an area for boat trailer parking as near to the Deep Bay Harbour as possible is provided and donated to the RDN
- d) the development compliments the Vancouver Island University Deep Bay Marine Station
- e) the development contributes to or enhance the viability of the aquaculture industry
- f) the development is not expected to detract from the growth of Bowser as a commercial and service centre for the area
- g) demonstration of a high regard for archaeological sites, both recorded and potential, and explanation how they will be protected
- h) preservation of remaining natural sections of coastal areas and demonstration of how the impact of any proposed development in coastal areas will be minimized including consideration of future sea level rise
- i) proof that the quality of drinking water, surface water and marine waters will not be negatively impacted
- j) proof that there is sufficient drinking water quantity for the development
- k) use of high a high standard of sewage disposal in order to avoid any future impact on the water quality of Baynes Sound due to failing septic systems due to poor maintenance.

Below are two options for a policy regarding density of development on BSI lots A & B. These are presented for community review and discussion.

Note for draft

BSI Policy Option #1

In addition to Rural Lands Policy 9, the maximum density supported through rezoning of the lands legally described as LOT A, DISTRICT LOTS 1 AND 86, NEWCASTLE DISTRICT, PLAN 48840 EXCEPT PART IN PLANS VIP56846,

Placeholder for BSI policy option

VIP70719, VIP79699, EPP34061 AND EPP41048, and LOT B, DISTRICT LOT 86, NEWCASTLE DISTRICT, PLAN 38643, is xxx subject to:

a)

BSI Policy Option #2

In addition to Rural Lands Policy 9, the maximum density supported through rezoning of the lands legally described as LOT A, DISTRICT LOTS 1 AND 86, NEWCASTLE DISTRICT, PLAN 48840 EXCEPT PART IN PLANS VIP56846, VIP70719, VIP79699, EPP34061 AND EPP41048, and LOT B, DISTRICT LOT 86, NEWCASTLE DISTRICT, PLAN 38643, is xxx subject to:

Placeholder for BSI policy option

a)

Rural Land Advocacy Policies

- 9) All development on Ruralesource Lands ~~will be~~ is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings and property to fire. ~~use best practice interface forest fire mitigation techniques for building and landscaping.~~

Updated language to reflect current terminology

5.4 Rural Residential Lands

The Rural Residential designation recognizes the existing pattern of smaller lots primarily along the coastal areas on the ocean-side of Highway No. 19A. The density of development in this area is established at 5 units per hectare provided that community water services are available through the following water systems: Deep Bay Water District, Bowser Water District, and Qualicum Bay Horne Lake Water District.

This land use designation applies to lands less than 2.0 hectares in size. While many of the parcels are already subdivided to 1 hectare in size or less, there remains in-fill potential in this land use designation. However, the potential of some of the larger parcels may be constrained due to ground and soil conditions. It is essential that further infilling be provided in compliance with Ministry of Health regulations. ~~The 1.0 hectare minimum permitted parcel size is the smallest parcel generally allowed under current health policies for parcels with on-site water and sewage disposal and this parcel size is supported for unserviced Rural Residential lands.~~

There are no unserviced Rural Residential lands, all have community water.

Rural Residential Objectives

1. *Protect and enhance* the characteristics of the Rural Residential neighbourhoods.
2. *Ensure* that the rural residential areas with natural hazards along the coastal shore of the Plan Area are identified and the guidelines are provided to protect properties and lives from these hazards, as outlined in Section X - Appendix A Development Permit Areas.
3. *Ensure* that an Environmentally Sensitive Development Permit Area be established for all Rural Residential parcels on the coastline and adjacent to existing watercourses, as outlined in Section X~~Appendix A~~ Development Permit Areas.
4. Encourage alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.
5. ~~Direct development that is compatible with the Community Values and Development Guideline Criteria Statements.~~

DPA's are being moved out of an appendix for ease of reference.

New, to implement RGS Policy 5.13

Section 5.1 Development Guideline Criteria adequately addresses this objective. Removed to reduce repetition.

Rural Residential Policies

1. ~~Lands within the Rural Residential Lands designation are shown on Map No. 4.~~
2. The Rural Residential designation maintains the existing single family residential and neighbourhood characteristics of the area.
3. Residential development on Rural Residential designated lands shall be permitted at a maximum density of 1 dwelling unit per 2000 m² (5

units per hectare) with community water and/or community sewer service.

4. Secondary suites are supported in the Rural Residential Lands designation and regulated by the zoning bylaw. Secondary suites are not included in the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
5. Existing small scale commercial uses in Rural Residential areas shall be recognized for their benefits including accessibility and social contribution to the character of their neighbourhoods. In the Deep Bay area additional small scale commercial uses are supported where they contribute to marine, aquaculture or tourism services.
6. ~~Any development application must have written confirmation from the local water utility that sufficient quantity and quality of potable water is available for the development before the Regional District Board will consider the application.~~

Secondary suites were permitted in some Rural Residential zones in the zoning bylaw in 2014.

New text to reflect vision for Deep Bay as a unique area from other Rural Residential lands.

Moved to section 5.1 as applies to all land use designations.

Rural Residential Advocacy Policies

- 10) All development on Rural Residential Lands ~~will be~~ is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings and property to fire. use best practice interface forest fire mitigation techniques for building and landscaping.

Updated language to reflect current terminology

5.5 Village Centres

There are three Village Centres within the Plan Area: Qualicum Bay, Dunsmuir and Bowser. ~~These lands are designated as Village Centres.~~ This Plan encourages a mix and concentration of uses within their Village Centre boundaries. It is anticipated that future residential growth in the Plan Area will be accommodated within the Village Centres, and will include a range of housing types. The objectives and policies below are intended to guide the development of these centres as strong community focal points. The Bowser Village Centre Plan (Schedule B) should be referred to for objectives and policies for that Village Centre.

Reflects adoption of Bowser Village Centre Plan in 2011.

The Bowser Village Centre Plan is the principal guiding document for all land use decisions within Bowser Village Centre boundary. The Bowser Village Centre Plan forms a part of this OCP and has been adopted as an amendment to the Electoral Area 'H' OCP.

Where a particular issue is not covered by the Bowser Village Centre Plan, the Area 'H' OCP will be consulted for direction. Where a conflict exists between the OCP and the Bowser Village Centre Plan, the designations and/or policies of the Bowser Village Centre Plan will take precedence within the designated Bowser Village Centre Plan Area.

The three Village Centres are the mixed-use 'focal points' of Electoral Area 'H', and are intended to support a variety of commercial, recreational, community and professional services, as well as residential development. For Qualicum and Dunsmuir Village Centres, the Village Centre land use designation encourages further commercial zoning of land as part of comprehensive development of the centres. Existing local commercial sites may require redevelopment to benefit the viability, character and form of the Village Centres.

This is where further description of unique characteristics of each village centre could go. This has been requested by some public comments but not yet drafted.

Village Centres Objectives

1. *Concentrate* compatible uses within the Village Centres.
2. *Promote* the provision of full community services (sewer, water ~~and storm~~) to parcels within the Village Centre Comprehensive Development Areas.
3. ~~Provide~~ *Encourage* ~~controlled~~ development of mixed commercial uses in the ~~Plan Area~~-Village Centre designation.
4. *Avoid* conflicts between residential and commercial uses.
5. *Ensure* that the type and scale of commercial development follows community preferences.
6. *Reorient* the location of commercial development and services to

RDN not supporting community storm service, but DPA will require on-site rainwater management.

"controlled development" doesn't appear to reflect attitudes of today's community.

Need to consider how

support Village Centres and serve the needs of local residents and the traveling public.

this relates to new policies to support commercial development outside village centres.

~~7. Direct development that is compatible with the Community Values and Development Guideline Criteria Statements.~~

Section 5.1 Development Guideline Criteria adequately addresses this objective. Removed to reduce repetition.

Village Centres Policies

~~1. Lands designated Village Centre are shown on Map No. 5.~~

Not needed, Map No. 5 is now referenced in the section introduction

2. New commercial sites shall only be located in areas designated as Village Centres with the exception of Resort Commercial.

Added in order to remove barriers to new Resort Commercial (subject to rezoning). Need to consider how this relates to the new policy for commercial at the Horne Lake intersection.

3. Lands designated as Village Centres shall be within designated Development Permit Areas for revitalization of commercial areas and form and character of development.

Addition for clarity

~~4. Prior to considering proposals for comprehensive village development, the Regional District will provide opportunities for comprehensive public consultation as noted in the Community Values Statement in this OCP.~~

Does not need to be repeated here.

~~5. Prior to considering proposals for development the applicant must provide written confirmation from the local water utility that sufficient quality and quantity of potable water is available for the development.~~

Moved to 5.1 as it applies to all designations.

6. All land use decisions within the Bowser Village Centre boundary must refer to the Bowser Village Centre Plan.

5.6 Resort Commercial

Beyond the boundaries of the village centres, it is recognized that there are commercial uses that cater to the traveling public and are generally located along the Highway No. 19A corridor. These tourism-related commercial uses include a variety of facilities: marinas, cabins, boat launches, destination resorts, motels, and recreational vehicle parks. With improved access to the scenic and recreational resources, it is anticipated that the Plan Area will become even more popular as a tourist destination.

~~Development of the Qualicum Bay and Bowser Village Centres with a strong tourism orientation will increase the profile of the Plan Area as a resort commercial destination.~~

This statement is ambiguous and does not appear to add value.

Resort Commercial Objectives

1. *Recognize* existing resort commercial uses in the Plan Area.
2. *Encourage* the development of the coastal zone of the Plan Area as a resort commercial destination in a manner that does not detract from ~~with the~~ Qualicum Bay Village Centre and the Bowser Village Centre as the focus for resort services.
3. *Ensure* that the type and scale of new resort commercial development follows community preference as determined through public consultation.
4. ~~Direct~~ development that is compatible with the Community Values and Development Guideline Criteria Statements.

Revision for clarity.

Section 5.1 Development Guideline Criteria adequately addresses this objective. Removed to reduce repetition.

Resort Commercial Policies

1. ~~Lands designated Resort Commercial is shown on Map No. 5.~~
2. The OCP recognizes existing Resort Commercial uses in the Plan Area. These uses will be encouraged to continue and the Regional District ~~may~~ will consider rezoning applications for expansion of such facilities subject to Development Permit criteria.
3. Lands designated as Resort Commercial shall be within designated Development Permit Areas.
4. Subject to amendments to the Regional Growth Strategy, the RDN ~~may will consider amendment applications to this OCP for a~~ supports rezoning for new Resort Commercial land use designations in the Rural Designation and in the vicinity of Deep Bay Harbour. RDN support for rezoning will be based on individual merit, environmental considerations, archaeological site protection, provision of adequate

Not needed, Map No. 5 is now referenced in the section introduction

Additions to address constraints in the Deep Bay area, and changes to provide more clear support for new Resort Commercial designations without

parking particularly in the vicinity of Deep Bay Harbour, and the compliance of the proposal with the objectives and policies of this OCP. *an OCP amendment.*

5. The RDN shall not support strata conversion of resort commercial uses to residential uses where it would reduce opportunities for tourism. *Relates to Qualicum Landing request for full-time residential use. No change proposed for Qualicum Landing as part of this OCP Review although they can make application at any time.*

- ~~6. If a proposed development is within a local water utility area, the RDN will require written confirmation from the local water utility that sufficient quality and quantity of potable water is available before the application will be considered.~~ *Moved to section 5.1 as applies to all land use designations.*

5.7 Recreation Lands

The Plan Area includes various Recreation Land uses that may be distinguished from Resort Commercial Land uses by their orientation to recreational-type activities benefiting from rural environmental settings. Such uses may include golf courses, recreational campgrounds, or lakeshore cabin type developments. Such Recreation Lands uses provide regular seasonal use opportunities to a longer-term resort population than would normally be associated with hotels, motels, overnight campgrounds or RV parks.

Recreation Lands Objectives

1. *Recognize* existing recreation resort uses in the Plan Area.
2. *Ensure* that recreation resort uses are developed in a manner that does not have negative impact on the environment.
3. ~~Direct development that is compatible with the Community Values and Development Guideline Criteria Statements.~~

Section 5.1 Development Guideline Criteria adequately addresses this objective. Removed to reduce repetition.

Recreation Lands Policies

1. ~~Lands designated as Recreation Lands are shown on Map No. 5.~~
2. Lands designated as Recreation Lands shall be within designated Development Permit Areas in order to assure that the type and scale of future expansions or alterations to the recreational development does not impact on the environment or the character of surrounding neighbourhoods.
3. ~~If a proposed development is within a local water utility area, the RDN will require written confirmation from the local water utility that sufficient quality and quantity of potable water before the application will be considered.~~
4. Residential use of the Horne Lake Strata properties legally described in Strata Plan VIS5160 is supported if a high standard of environmental protection and public health is met; Horne Lake is within a significant watershed that includes the Big Qualicum River and supports salmon populations, and the existing recreational lots are located within a sensitive riparian area. The existing method of wastewater disposal and provision of potable water were established for seasonal occupancy; for year-round occupancy to be permitted, approval from the appropriate government agencies responsible must be obtained. As such, this plan supports amendment to the zoning bylaw to allow for residential use on these properties subject

Not needed, Map No. 5 is now referenced in the section introduction

Plan to remove Horne Lake from the DPA because all buildings are exempt.

Moved to section 5.1 as applies to all land use designations.

This policy would allow the Horne Lake Strata to apply for rezoning for full-time residential use of their property or properties, without also having to apply to amend the OCP and RGS.

to the following:

- a. Amendment to the Regional Growth Strategy.
- b. Demonstration that suitable measures will be implemented to mitigate anticipated impacts to the natural environment due to the intensification of residential use, and that these measures are to the satisfaction of the Ministry of Environment, Fisheries and Oceans Canada, and the Regional District of Nanaimo.
- c. Demonstration that potable water can be provided to the lot(s) on a year-round residential basis to the satisfaction of Island Health.
- d. Demonstration that the system of wastewater disposal proposed is supported by Island Health and that it is both safe for human health and does not negatively impact the riparian ecosystem and water quality of Horne Lake.

6.8 Park Lands

Lands that are designated as Park Lands in this OCP are all provincial parks, lands titled to the Regional District of Nanaimo as 'park', lands restricted for park use by covenant, and licenses to occupy for park purposes as held by the RDN. Also included are Crown Lands with environmentally sensitive features or which are located immediately over known unconfined aquifers.

Park Lands Objectives

1. *Recognize* the importance of regionally significant parks and natural features.
2. *Ensure* the protection of environmentally sensitive features and the Area's known unconfined aquifers through the Park Lands designation.
3. *Support* the development of access points to all waterfront areas, including the coast, watercourses, rivers, streams and lakes.
4. ~~*Direct* development that is compatible with the Community Values and Development Guideline Criteria Statements.~~

*Section 5.1
Development Guideline
Criteria adequately
addresses this
objective. Removed to
reduce repetition.*

Park Lands Policies

1. ~~Lands designated as Park Lands are shown on Map No. 5.~~
2. Although all existing parks are included in the Park Land designation, future parks obtained through subdivision or by other means are permitted in any land use designation without amendment to this OCP.
3. This OCP designates all Provincial/Crown lands above known unconfined aquifers as Park Lands to protect finite groundwater resources into the future.
4. This OCP designates Department of Fisheries and Ocean owned properties along the Big Qualicum River, at Horne Lake, and that part Block 40, plan 1339R, Alberni Land District as Park Land to protect this important river and regional park area.
5. Partnerships among residents, landowners, business owners, and government agencies to improve Park Lands are encouraged and supported by this Plan.
6. The designation of Park Land ~~shall~~ may also protect those lands that are noted as environmentally sensitive in the Plan Area.

*Not needed, Map No. 5
is now referenced in the
section introduction*

*Changed to "may" as
we do not want to
identify every little
polygon of a sensitive*

ecosystem as park.

7. Pursuant to the *Local Government Act*, at the time of subdivision, the RDN shall determine whether the owner of land being subdivided shall:

New. Provides option of land or cash which is advisable by the RDN.

- a) Provide park land equivalent to 5% of the parcel size in a location acceptable to the RDN;
- b) Pay to the RDN an amount that equals 5% of the market value of all of the land being subdivided; or
- c) Provide a combination of land and cash to the satisfaction of the Regional Board.

8. Known priorities for park acquisition must be considered and given priority at the time of park dedication such as those indicated in this Plan or by any other Plan of the RDN such as the Community Parks and Trails Plan or the Regional Parks and Trails Plan.

New. Could be flushed out further to add more criteria.

6.9

6.10 Institutional Lands

Lands designated as Institutional include schools, university lands, churches, service clubs, community centres, improvement districts offices, fire halls, and other facilities places that offer opportunities to learn, socialize, and celebrate, and provide government services.

New section

Bowser Elementary School is the only public school in the Plan Area, which is within School District No. 69. Students travel to Qualicum or Courtenay for high school and for special programs such as French Immersion. With current school enrollment and population trends, there is no anticipated need for additional school facilities over the next 10 years.

The RDN has leased land within the Bowser Village Centre for senior supporting housing and has an agreement with the Bowser Seniors Housing Society for them to construct housing on this land. The RDN supports provision of additional affordable housing.

Institutional Lands Objectives

1. Coordinate with School District 69 in planning for future school facility needs.
2. Establish a framework to assist in future planning of community, social and cultural services.

Institutional Lands Policies

1. Should a need for additional schools be projected, the RDN will work with School District 69 to secure appropriately located lands.
2. Establishment of a cemetery in the Plan Area is supported subject to rezoning.
3. Direct the location of new institutional facilities for public assembly for educational, religious, cultural and service organizations to Village Centres.
4. Support establishment of medical or dental service clinics, and seniors supportive housing within Village Centres.

In response to public request

6.11 Deep Bay

The Deep Bay Harbour is a focal point of the Plan Area with several existing properties designated as Resort Commercial. It is the only natural harbour in the Plan Area, and includes a marina operated by the Deep Bay Harbour Authority which is important to the aquaculture industry and for pleasure craft. It is an important local commercial area, and growth and development of the area is encouraged to support economic development including marine, aquaculture, tourism, and services for local residents.

New to reflect community comments regarding future vision of Deep Bay. Complimented by new objectives and policies below.

The Deep Bay area does not have its own land use designation but is made up of several different designations in this OCP. Boundaries of what is meant by Deep Bay in this OCP are not drawn on a map. The objectives and policies in this section are intended to be applied on a case by case basis.

Deep Bay Objectives

1. Support a diversity of businesses related to the marine, aquaculture and tourism industries.
2. Encourage growth of marine recreational opportunities.
3. Encourage resort commercial development of the area near the Deep Bay Harbour in a way that compliments and supports marine, aquaculture, and tourism activities, or provides services for local residents.
4. Recognize existing Village Centres as the primary centres for businesses and services in the area.
5. Maintain and enhance the sense of community, safe walking routes and trails, and natural environment.

Deep Bay Policies

1. Redevelopment of existing Resort Commercial Lands in the Deep Bay area is encouraged where it compliments and supports the marine, aquaculture and tourism industries centred around the harbour.
2. Proposals for redevelopment of existing Resort Commercial Lands in the Deep Bay area must include provision of sufficient off-street parking.
3. Rezoning of Rural Residential or Rural Lands to Resort Commercial Lands near the Deep Bay Harbour may be supported if the proposal compliments and supports the marine, aquaculture or tourism industries, and provides sufficient off street parking.

6.12 Alternative Forms of Rural Development

This Plan directs housing and commercial growth to Village Centres and values protection of rural character outside of them. In order to encourage and support more sustainable forms of rural development, this section provides opportunities for flexibility in minimum lot size and for transfer of density without increasing the overall residential density.

*New section.
Implements RGS policy
5.13*

Alternative Forms of Rural Development Objectives

1. Encourage creativity in forms of rural development without increasing the number of dwelling units permitted by zoning at the date of adoption of this Plan.
2. Support the transfer of residential densities in rural areas where residual lands are conserved in perpetuity for agricultural, forestry, environmental or ecological purposes or other public good purposes.

Alternative Forms of Rural Development Policies

1. Despite Rural Lands Policies 1 and 2 and Rural Residential Policy 3, rezoning to permit a subdivision with a smaller minimum lot size is permitted in the Rural Lands designation provided the proposal does not result in more dwellings than what is permitted at the time the application was made, where the proposal also meets the following criteria. Where more than one dwelling unit is permitted in current zoning, each dwelling unit can be counted as a lot where subdivision is designed pursuant to this policy.
 - a) An area of significance is protected in perpetuity for agricultural, forestry, environmental or ecological purposes or other public good purposes. No further subdivision of the protected parcel is permitted and this is ensured through rezoning and either covenant, transfer of ownership to a public body or both.
 - b) Where the protected parcel is intended as a park, rezoning is conditional on the relevant government agency agreeing to accept the parcel for a park and the RDN considering the parcel suitable for park purposes.
 - c) The subdivision is designed so that the residential lots are grouped away from the area of significance.
 - d) The minimum lot size of the residential lots is sufficient to provide for potable water and wastewater disposal in a manner that does not degrade from the environment or water sources. Shared provision of water and wastewater disposal is supported in order to allow for smaller lot sizes.
 - e) One dwelling unit is permitted per parcel.
2. *Insert Density Transfer policies here. Draft 1 of these was reviewed separately by the Working Group, and they will be amended and included*

*Similar to the OSCAR
design in "Alternative
Forms of Rural
Development" report*

in Draft 2.

6.13 Temporary Use Permits

To maintain and encourage a vibrant and sustainable economy and provide flexibility in zoning regulations, this plan supports the issuance of temporary use permits within the Plan Area as described below.

The RDN may issue a permit by resolution that allows commercial or industrial activities to take place under the conditions specified in the permit, including the posting of a security to ensure compliance with the terms of the permit. Notice of the intent to consider the issuance of a permit must be given. Under a temporary use permit the specified uses may be carried out for a period of up to three years and the permit may be renewed for up to a further three years. Applicants may be required to provide development approval information pursuant to sections 5.1.10 and 5.1.11 of this Plan.

New section. The Local Government Act enables a local government to issue temporary use permits, and this is proposed for addition to the OCP in response to the desire for the OCP to encourage and enable economic development and remove barriers.

Temporary Use Permit Objectives

1. Support appropriate commercial and industrial development both inside and outside Village Centres on a temporary basis.
2. Ensure that the integrity of an existing neighbourhood would not be adversely disrupted should an application for a temporary uses permit be approved.

Temporary Use Permit Policies

1. The RDN will consider issuance of temporary use permits on any parcel to temporarily allow a use not permitted by the relevant zoning bylaw. The following general conditions will guide the consideration of such applications. The RDN may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
 - a) The applicant demonstrates how any anticipated impact on the surrounding area will be mitigated (for example: noise, light, hours of operation, dust, odour, vibration, aesthetic impact, etc.).
 - b) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
 - c) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
 - d) The applicant provides a rationale for the suitability of the location and the inability to conduct the use in another area where the use is already permitted.
 - e) The RDN may specify conditions of within a permit including, but not limited to, environmental protection measures, odour abatement, hours of operation, buffering, and groundwater protection and may require the posting of a bond or other applicable security to ensure compliance with the conditions of the permit.
 - f) Submission of a satisfactory decommissioning and reclamation plan,

- which may require a security deposit to be held by the RDN until completion of the proposed works.
- g) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
 - h) Where the land is in the ALR, approval from the Provincial Agricultural Land Commission is required.
2. Notwithstanding any other policy in this plan, should a temporary use continue to prove satisfactory upon completion of the terms of the renewed permit, a rezoning to permit the continued use of the subject property for the use authorized by the temporary use permit may be supported without an amendment to this plan. Note that an amendment to the RGS may be required.
 3. The RDN may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.