

# Electoral Area H

## Official Community Plan Review



## Draft Version 2 Explained: Property-Specific Development Requests

June 19, 2017

### Introduction

Several requests for property-specific changes to the OCP were made through this OCP Review project. This document summarizes the requests, community and Working Group input so far, and a recommended approach to address them. Further community input is sought. More detailed information on each of the proposals can be found in a “Companion Reading to Draft Version 2 - OCP Section 5” for the [Working Group meeting of April 26, 2017](#).

There were eight development requests for properties in different land use designations, as follows:

#### Rural Lands

1. *Horne Lake Intersection with Highway 19*
2. *Two Faye Road lots near Bowser Elementary*
3. *Crosley Rd Realignment*
4. *Baynes Sound Investments / Deep Bay Southwest – draft policies in Attachment A*
5. *Lot Adjacent to Arrowsmith Golf Course*

#### Resource Lands

6. *Deep Bay Lot 13*

#### Resort Commercial Lands

7. *Qualicum Landing*

#### Recreation Lands

8. *Horne Lake Strata*

The draft OCP proposes a number of general changes that apply to some or all land use designations, and that are intended to respond to community input during this OCP Review or further the regional goals of sustainable development.

- *Temporary Use Permits (5.11)* new ability for a property owner to obtain a temporary use permit for a commercial or industrial use on a property that is not permitted in the zoning, on a temporary basis without the need to rezone. *Applies to all designations.*
- *Alternative Forms of Rural Development (5.10)* new section supporting flexibility in minimum lot size and transfer of dwelling unit potential where the overall number of potential dwelling units does not increase outside village centres. This facilitates moving future development from sensitive and/or

important areas to other areas more suited to development. Proposals must include protection of important or sensitive lands for conservation or community use. *Applies to Rural and Rural Residential Lands, and to Resource lands where dwelling unit potential is transferred out of that designation to Rural or Rural Residential.*

- *Support for rezoning to Tourist Commercial or Service Commercial Use (Rural Policies 4 and 5):*

A property owner in the Rural designation can apply to rezone to tourist commercial or service commercial use if the proposal meets a number of criteria aimed at keeping the use small-scale so as not to detract from growth of Village Centres, and non-disruptive to the surrounding neighbourhood.

## 1. HORNE LAKE INTERSECTION WITH HIGHWAY 19

The owners of the 32-acre property in the Rural designation that includes the four corners of the Horne Lake Road and Highway 19 intersection have asked that the OCP support mixed-use commercial development on their lot. Their vision is that “the development of the Horne Lake Road Intersection will enhance businesses within Bowser/Qualicum Bay, support the travelling public and promote economic diversity...”

Desired uses mentioned by the owners or community members include such things as: boat storage, mini storage, gas station, or light industrial / service commercial development. Public washrooms and tourist information signage were considered important components of any new development.

### **Current Development Potential:**

Can be subdivided into 5 lots for residential use.

### **Community and Working Group feedback:**

The concept as presented by the property owner was generally well received by at the Community Development Forum and by the Working Group, with the caveat that some kind of welcome signage to “Lighthouse Country”, tourist information, and public washrooms be provided. Input from some have expressed concern that any commercial development at this location would take away from growth of Bowser, an identified community goal.

### **Recommendation:**

Designating this property specifically in the OCP for future mixed-use commercial development does not follow established growth objectives for the region as it could detract from growth and viability of the existing Growth Containment Boundary and contribute to a sprawling pattern of development.

However, the type of potential uses mentioned by the property owner and community members could be supported through the new policies that support rezoning in the Rural designation to tourist commercial or service commercial use, at a less-intensive scale.

**Note:** it was previously mentioned in supporting documents for this OCP Review that all uses requested except for a gas station could be supported in the new Rural policies 4 and 5, but this document now clarifies that a gas station could be supported in this policy. Other factors would be taken into consideration at the time of rezoning such as the Vancouver Island Highways Agreement between the RDN and Ministry of Transportation and Infrastructure regarding keeping the Highway 19 corridor in a “predominately natural, green, “parklike” state”.



## 2. TWO FAYE ROAD LOTS NEAR BOWSER ELEMENTARY

The owner of Lots 6 and 7 at the end of Faye Road of approximately 2 ha each, has asked that the OCP be amended to allow a residential “conservation development” of 16 lots. The owner proposes a subdivision design that protects a wetland on the property, and would contribute cash to the RDN for construction of a trail and pedestrian rail crossing to connect Faye Road (and Bowser Elementary) with the Ocean Trail / Jamieson road areas. The owner also proposes that the housing would be affordable home ownership and is interested in a condition of rezoning being registration of a housing agreement that would set an affordable purchase price for some of the homes.

### **Current Development Potential:**

These two lots cannot currently be subdivided but each could have 4 dwelling units for a total of 8 dwellings on the two lots, as follows:

- 4 principal dwelling units of any square footage
- 2 dwellings limited in square footage as secondary suites but detached
- 2 secondary suites limited in square footage and within a principal dwelling unit

### **Community and Working Group feedback**

This proposal was presented at the Deep Bay Workshop and Community Development Forum and discussed by the Working Group and was met with support. Community members found that the location next to the school was a logical place for more residential density, and that the construction of the trail would be a significant community asset allowing school children living in areas to which it would connect, to walk or bike to school on quiet roads and trails. It was also felt that this community wanted to encourage the initiatives of local residents such as the owner of these lots.

### **Recommendation:**

A site specific designation for this property to increase the number of principal dwellings from 4 to 16 does not follow established growth objectives for the region as it would be an increase in the number of potential dwellings outside the Growth Containment Boundary. However, the new (draft) Alternative Forms of Rural Development policies aim to provide new opportunities for rural subdivisions such as proposed by the owner. These new policies allow residential lot sizes to be smaller so they can be clustered over a smaller area to protect another important area, and for efficiency of servicing. They also allow potential dwelling units to be transferred from another lot or lots in the Plan Area. For development under these new Alternative Forms of Rural Development policies to be supported, it must not result in an overall increase in the number of potential dwellings outside the Growth Containment Boundary.

On these Faye Road lots 6 and 7, the draft policies for Alternative Forms of Rural Development for clustering would support rezoning to 4 lots, one for each of principal dwellings currently permitted, each with a secondary suite. This doubles the subdivision potential without increasing the overall number of dwellings. The policies would also allow for smaller lot sizes so they could be clustered closer to one another to achieve the conservation design desired by the owner.

These draft policies would also support the transfer of potential dwellings from another lot or lots to reach the desired total of 16, and this location has obvious community value in establishing a trail to connect with Thompson Clark - Ocean Trail.

While relying on the Alternative Forms of Rural Development policies does not immediately provide the owner with the number of units they asked for, it provides a path forward to transfer potential units from another lot or lots, without compromising the regional growth objectives.

### 3. CROSLEY RD REALIGNMENT

The owner of Lot 14 directly adjacent to and south-east of the intersection of Crosley Rd and Highway 19A is pursuing a road realignment and land exchange with the Ministry of Transportation and Infrastructure in order to provide road access to the two Crown lots leased by the RDN and where the Bowser Seniors Housing Society plans to construct a seniors supportive living complex. The new road access would be constructed at the owner's cost, who in exchange has requested that his Lot 14 be added to the Bowser Village Centre commercial mixed-use designation.

***Current Development Potential:***

This property could have 4 dwelling units: 2 principal dwellings and two suites, and cannot be subdivided.

***Community and Working Group Feedback:***

This proposal received strong support from the Working Group and at the Community Development Forum.

***Recommendation:***

In consideration of:

- The road access being created and constructed for Bowser Seniors Housing Society's proposed seniors supportive housing complex and
- The logical location for addition of land to Bowser Village Centre (it is within the designated "future use area")

a site-specific OCP amendment for this property is recommended. The OCP amendment to include the lot in the Bowser Village Centre mixed use commercial designation would be subject to the construction of the new road access to the future Seniors Housing site.

### 4. LOT ADJACENT TO ARROWSMITH GOLF COURSE

The owners of the Arrowsmith Golf Course also own another lot across the street. They requested to change the future land use designation from Rural to Tourist Commercial to allow for the expansion of facilities, amenities and uses in support of a destination golf resort. In particular they would like to develop an RV park to "diversify operations and create new business opportunities".

***Community and Working Group Feedback:***

This proposal was met with support at the Community Development Forum although it led to a discussion that the community did not want any new Resort Commercial developments approved with the 180-day occupancy clause that has led to difficult-to-enforce full time residential use instead. After the Community Development Forum, planning staff heard from residents of the local area with concerns about environmental sensitivity of the development, vehicle traffic, and other potential impacts on their neighbourhood.

***Recommendation:***

Given draft Rural Policy 5 that supports rezoning for Tourist Commercial uses in the Rural designation, there is no need for an OCP amendment to this specific property for the owners to accomplish their proposal through rezoning. Issues such as sensitive ecosystems and impact on the neighborhood would be addressed at the time of rezoning.

## 5. BAYNES SOUND INVESTMENTS “DEEP BAY SOUTHWEST”

The owners of three lots adjacent to and southwest of the developed portion of Deep Bay request that the following be supported in the OCP on Lot A:

- a residential development of 300 units; and
- tourist accommodation in the form of a lodge building and up to 20 small cabins and associated support services such as a restaurant and recreation facility.

They propose to provide the following access, service and amenities that would be a requirement of future rezoning to allow for this increased density and commercial use:

- a boat trailer parking area as near to Deep Bay Harbour as possible
- construction of public road with a separated walking trail from Highway 19A to Gainsburg Road
- a wastewater treatment facility that has the possibility of servicing lands outside the area
- public trail and park system that is connected to the rest of the Deep Bay trail system
- at least one public view park

The owners plan to consider a similar scale of development of Lot B in the future.

Some level of development on Lots A and B has been proposed by the owners since the beginning of this OCP Review project, and was subject of a 2011 zoning amendment / OCP amendment / Regional Growth Strategy amendment application.

In order to fit 300 units into the developable area after land is set aside for roads, park, trail, and sensitive ecosystems, and to create a compact residential development with different housing forms, there would be a combination of single family lots, townhouses and courtyard clusters. Single dwelling lots would be approximately 4,000 – 5,000 square feet, or approximately 80 x 50 ft to 100 x 50 ft.

### **Community and Working Group Feedback:**

Extensive conversation on this proposal resulted in a range of levels of support. Many if not most Working Group members are in support of this proposal as requested by the property owners. Some Working Group members are not in support of any change to the status quo, and others have indicated some build-out of less than 300 units but more than what is currently permitted would be more suitable. Some Working Group and community members feel the second road access to Deep Bay that would be provided with this development is essential, and others think that it is not, as there are many other neighbourhoods with only one way in and out.

### **Current Development Potential:**

Estimated OCP and Zoning Subdivision Potential for Deep Bay Southwest Lot A

	Lot size (ha)	Min lot size OCP (ha)	Gross Lots OCP	Net* Lots OCP	Min lot size zoning (ha)	Gross Lots Zoning	Net* Lots Zoning	Max lots without OCP amendment
<i>Lot A</i>	38.85	4.0	9	7	2.0	19	15	15

*\* This estimate deducts 20% of land that may be required for roads, parks, environmentally sensitive areas, septic fields etc. The actual number of lots possible is generally 80% of gross*

Under current zoning there is the net potential for approximately 15 lots. For each of the estimated 15 potential lots if each lot is greater than 2 ha, two dwelling units are permitted and up to two secondary suites are also permitted, one of which can be detached. This means that the total number of dwelling units is estimated at 60, on 30 lots:

**15 lots greater than 2 ha:**

**30 principal dwellings + 30 suites = 60 dwelling units/suites**

**Recommendation:**

Designating this property specifically in the OCP for future mixed-use commercial development does not follow established growth objectives for the region as it would be an increase in the number of potential dwellings outside the Growth Containment Boundary, which could detract from growth and viability of the existing Growth Containment Boundary. However, a new opportunity has been created for housing development through the draft Alternative Forms of Rural Development policies and the requested 300 units could be achieved through transfer of potential dwelling units from other lots. This way, the proposal becomes consistent with the establish growth objectives for the region as there would be no overall increase in the number of potential dwellings outside the Growth Containment Boundary.

Under Alternative Forms of Rural Development policies, approximately 56 residential units could be developed without transfer, and the remainder could be developed if transferred from other parts of the Regional District. There is a requirement that lands be protected for some public good purpose, and the owners have identified the general areas of parks, trails and conservation lands that would be likely candidates.

The proposed lodge building and tourist accommodation could be developed pursuant to new Rural Policy 5 supporting rezoning to these uses in the Rural designation. Further, while not currently proposed, service commercial uses could be developed pursuant to Rural Policy 4 supporting rezoning for service commercial uses.

A site-specific policy is required to secure the access, servicing and amenities desired by the community, and to support the use of several different supportive rezoning policies as part of the same development, which are generally only intended to be used individually. **The draft policies are included in Appendix A.**

## 6. DEEP BAY LOT 13

The owners of Lot 13 (54.7 ha) fronting Deep Bay propose that the OCP support rezoning to 0.5 acre lots to enable a conservation-designed development with possible uses relating to resort accommodations and eco-tourism activities intended to attract global tourism. They propose a large wetland conservation area and waterfront trail as community amenities. They originally presented their proposal in conjunction with adjacent Lot 14 to the west and included a trail through both properties to Cook Creek and to Rosewall Creek Provincial Park, however the proposal is now only for Lot 13. The lot is currently in the Agricultural Land Reserve (ALR) and before additional residential dwellings could be permitted by the RDN it would have to be removed.

The owners had applied for exclusion from the ALR in the Fall of 2016, but recently withdrew their application. A significant rationale stated by the owners for allowing increased development is that the land is not suitable for farming, and poor farm practices could lead to contamination of the waters of Baynes Sound, which would have a detrimental impact on the shellfish industry.

**Community and Working Group Feedback:**

This proposal originally received strong support at the Deep Bay Workshop, Community Development Forum and from the Working Group. Since the change noted above with only Lot 13 available for the proposed development, staff has recommended no change occur in the OCP at this time and there has been little Working Group discussion on it.

**Current Development Potential:**

The OCP supports subdivision as small as 8 ha. Subject to rezoning and approval of the Agricultural Land Commission, subdivision to 8 ha would result in approximately 5 – 6 lots.

Being in the ALR, if the land was to be actively farmed and classified as farm for tax assessment purposes, up to 10 tourist accommodation units would be permitted. There are numerous other potential agritourism uses given the lot's current inclusion in the ALR depending on the nature of potential farm operations.

**Recommendation:**

Designating this property specifically in the OCP for future development does not follow established growth objectives for the region as it could detract from growth and viability of the existing Growth Containment Boundary. As it is within the ALR, Alternative Forms of Rural Development policies would not support increased density, but would support potential dwelling units being transferred off this lot.

If farm operations on this lot follow best practices there is unlikely to be a negative impact on the waters of Baynes Sound. The idea that any farming activity on this lot is too risky given its adjacency to Baynes Sound is one with varying perspectives. Following the same logic, it could also be said that any residential development on this lot is too risky, with the potential for contamination from wastewater disposal, runoff from streets and driveways, or some unexpected contamination from residential use such as propane or chemical storage. Whatever future use is on this property it will be important to ensure measures are in place to reduce the likelihood of contamination of the waters of Baynes Sound.

A site-specific OCP amendment for this property is not recommended. If the lot is removed from the ALR through some future application, change in use and density of this property could be considered in a future OCP review, or by application to amend the OCP from the property owner at any time.

## 7. QUALICUM LANDING

The Qualicum Landing Strata Council request that full time residential occupancy be permitted by removing the maximum of 180-day occupancy covenant.

Qualicum Landing is an approximately 6.3 ha strata development of 62 detached residences, a clubhouse, an outdoor pool and a tennis court. It is in the Tourist Commercial OCP designation and is zoned for commercial use. It was redeveloped from the former Costa Lotta trailer park beginning around 2009. The development has its own wastewater treatment system and is served by the Qualicum Bay – Horne Lake Waterworks.

As described by the Strata Council, currently approximately half of the owners rent their units to vacationers, one quarter occupy their units for short periods and they remain otherwise unoccupied through most of the year, and one quarter are full time residents. The net effect of this is that during peak season half or more of the units are occupied and off season three quarters of the units are unoccupied. It was also noted by the Strata Council that many owners were not aware of the 180 day limit on residency when they purchased their unit.

This request was met with little support at the Community Development Forum. Comments from the audience indicated that if owners did not do their due diligence when purchasing the property that was not something that should be corrected through a change to the OCP. Others noted that changing the OCP and zoning to allow full-time residential use now amounts to a work-around, in that if the development had been created under residential zoning from the start, fewer units would have been permitted, and there would have been requirement for community amenities such as park dedication and public beach access.



### **Current Development Potential:**

The property is currently developed to its full potential for overnight accommodation units. When Qualicum Landing was redeveloped from the former Costa Lotta trailer park, the RDN required that a covenant be registered on the property titles with a limitation on occupancy of 180 days per year. The zone does not allow for residential use, and overnight accommodation is intended to be for seasonal or shorter-term use by the travelling public.

### **Community and Working Group Feedback:**

This request was met with little support at the Community Development Forum. Comments from participants indicated that if owners did not do their due diligence when purchasing the property that was not something that should be corrected through a change to the OCP. Others noted that changing the OCP and zoning to allow full-time residential use now amounts to a work-around, in that if the development had been created under residential zoning from the start, fewer units would have been permitted, and there would have been requirement for community amenities such as park dedication and public beach access.

### **Recommendation**

While Qualicum Landing requested simply that the 180 day limit on overnight stays is removed, in their presentation they indicated they had put some thought into potential for some kind of combination of use whereby a percentage of units would be allowed full time occupancy and a percentage would have to be available for short-term rental. They indicated that they found that having some owners living there year-round was valuable for maintenance and oversight of the development which is beneficial to the short-term rental component. These concepts have potential from a land use planning perspective, and the Strata Council may wish to further develop these concepts in discussion with the Regional District.

A rezoning proposal involving a combination of tourist accommodation and residential use could be supported within the OCP Tourist Commercial Policy 4: "The Regional District shall not support strata conversion of tourist commercial uses to residential uses where it would reduce opportunities for tourism".

A rezoning proposal involving a combination of tourist accommodation and residential use should include amenities such as public beach access and park dedication and consideration of any other requirements there would have been should the subdivision have been for residential use originally.

## **8. HORNE LAKE STRATA**

The Horne Lake Strata requests a change to the OCP to acknowledge the Horne Lake community as a node in Area 'H' and to support an application to amend the current zoning to permit full time occupancy. The Horne Lake Community consists of 400 bare land strata lakefront lots on approximately 280 acres and 3200 acres of private managed forest lands. Of the 400 strata lots, 374 have been sold and are occupied with cottages or RVs and the balance of the strata lots will be sold over time. The strata development is not serviced by BC Hydro or within a fire protection area, water is provided by water license for individual intakes from Horne Lake, and wastewater disposal is via pump-and-haul.

There is a long history of a cottage community at Horne Lake dating back to the 1920's. In 2001 a rezoning and subdivision were completed to formalize tenure and regulation for these cabin properties. For more information about this history of these policies and regulations, the RDN prepared a backgrounder document, which can be accessed [on the website](#). As a condition of the rezoning, the owners purchased approximately 280 acres at the west end of Horne Lake and donated it to the RDN for the Horne Lake Regional Park and campground.

**Current Development Potential:**

The property is currently subdivided to its maximum potential.

**Community and Working Group Feedback:**

This proposal was met with support at the Community Development Forum and from the Working Group. While there are similarities to the request from Qualicum Landing which did not receive support, it was noted that the OCP designation is different, and although the Horne Lake community is subject to a similar restriction on seasonal occupancy, it was never intended to provide short-term rental accommodation to the travelling public, so converting to full-time residential use would not take away from that tourist commercial rental stock.

**Recommendation:**

Designating this property specifically in the OCP for future development does not follow established growth objectives for the region as it could detract from growth and viability within the existing Growth Containment Boundary. While this proposal does not request an increase in the number of cabins, the change to allowing the existing recreational cabins and lots to become full-time residences could have an impact on growth management in the region. The Regional District's growth management policies aim to concentrate growth in the Growth Containment Boundary where services such as transit, retail, and community facilities already exist or are more economically feasible to create. By converting 400 cabins to the ability to be full time homes to an existing housing stock of under 2,500, there could be a negative impact on the ability to attract residential growth to the Village Centres.

There are a number of practical considerations for changing the use from recreational (where owners can only occupy the cabins for part of the year) to full-time residential. These considerations relate to environmental protection, as the strata lots are in a significant riparian area that is part of a watershed that includes the Big Qualicum River and supports salmon populations, and to public health and safety.

In consideration of the unique nature of this development, a site-specific OCP amendment for the Horne Lake Strata property is included in Section 5.7 of the draft OCP that includes conditions under which a re-designation to residential use in the OCP would be supported. The study referred to in that policy could be conducted as part of a rezoning application by the Horne Lake Strata, and if all conditions of the study are met to the satisfaction of the RDN Board, a rezoning could proceed. This change is contingent on the Regional Growth Strategy first being amended.

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## APPENDIX A

### DRAFT DEEP BAY SOUTHWEST POLICIES

These policies would be added to the end of draft OCP Section 5.8. The numbering starts at policy 9, to following policy 8 of the existing draft section.

#### DEEP BAY SOUTHWEST

“Deep Bay Southwest” is a land use designation of this Plan comprised of two lots totalling 75 hectares. This Plan envisions Deep Bay Southwest as a mixed-use development focused on residential, tourist commercial and service commercial uses and meeting the objectives of the Deep Bay section 5.8 of this Plan and pursuant to the following policies 9 to 18 of this section as well as all other relevant policies in this Plan.

#### RESIDENTIAL POLICIES FOR DEEP BAY SOUTHWEST

9. In the Deep Bay Southwest designation, up to 300 residential dwelling units may be supported pursuant to Alternative Forms of Rural Development Policies in section 5.10 of this Plan through transfer of dwelling unit potential and reduction of minimum lot size, and consistent with the following:
  - a) Dwelling units must include a mix of housing choices including single-family, townhouses to a maximum of a four-plex, and courtyard housing.
  - b) Secondary suites are only permitted within single-family dwelling units.
  - c) Residential building height is limited to 2 storeys and 11 metres.
  - d) Residential development is designated a development permit area for establishment of objectives for the form and character of intensive residential and multi-family residential development Area in accordance with Section 488.1 of the *Local Government Act*.
10. In the case of subdivision under the current zoning regulations, the following should be provided:
  - a) road access from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access; and
  - b) Emergency road access from Highway 19A.

#### TOURIST COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST

11. In Deep Bay Southwest, tourist commercial uses include:
  - a) small-scale, 2 storey lodge-type accommodations with up to 20 rooms and up to 20 small cabins not exceeding 50 m<sup>2</sup> in gross floor area, which provide temporary accommodation to the travelling public as well as students and researchers and the adjacent Vancouver Island University Deep Bay Marine Field Station; and
  - b) restaurant, small-scale recreation facilities, and other amenities related to tourism services and that are not expected to compete with Bowser as the commercial centre of the area.
12. In Deep Bay Southwest, tourist commercial development is designated a Development Permit Area for establishment of objectives for the form and character of commercial development in accordance with Section 488.1 of the *Local Government Act*.

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## *SERVICE COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST*

13. In Deep Bay Southwest, service commercial uses that complement and enhance the aquaculture industry, aquaculture research, and marine tourism and business are supported, pursuant to Rural Policy 4 of this Plan that supports rezoning for service commercial use.

## *ENVIRONMENTAL DESIGN AND CLIMATE CHANGE POLICIES FOR DEEP BAY SOUTHWEST*

14. In Deep Bay Southwest, in addition to meeting Development Guideline Criteria in section 5.1 of this Plan, development proposals must also demonstrate that:

- a) site design establishes areas to remain free from development and disturbance including the marine coastline, steep slopes, wetlands, ravines and watercourses, archaeological sites, and environmentally sensitive areas including eagle nest and perch trees;
- b) approximately 40% of the area of each lot in which development is proposed (Lot A or Lot B) is free from development for environmental protection and/or public use in perpetuity;
- c) the area described in 13b above is intended to meet the requirements of alternative forms of rural development policies in order to allow for smaller minimum lot sizes and/or transfer of potential dwelling units; and
- d) site design retains trees and vegetation where possible in and around the housing and tourist commercial development areas;

15. In Deep Bay Southwest, commercial and residential development is designated a development permit area for establishment of objectives to promote the reduction of greenhouse gas emissions, to promote water conservation and to promote energy conservation in accordance with section 488.1 of the *Local Government Act*.

## *ACCESS AND SERVICING POLICIES FOR DEEP BAY SOUTHWEST*

16. Development proposals for Deep Bay Southwest must meet Development Guideline Criteria in Section 5.1 of this Plan. In addition, a high standard of wastewater treatment must be met in order to protect the waters of Baynes Sound from contamination, which is to include a sewer collection and treatment system.

17. In Deep Bay Southwest, road layout and design must emphasize pedestrian and bicycle mobility over vehicles in order to promote active transportation, and all internal roads must include roadside paths or trails for safe walking and cycling.

18. Development in Deep Bay Southwest is likely to occur in phases, and access may also be developed in phases. The following lists access requirements for different thresholds of development:

- a) As a condition of any rezoning under Alternative Forms of Rural Development policies, or to permit tourist commercial or service commercial use:
  - road access must be constructed from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access;
  - a road must be dedicated from the development directly to Highway 19A and constructed to a level suitable for emergency access from the Deep Bay area; and

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- a road must be dedicated to the Vancouver Island University Deep Bay Marine Station property.
- b) As a condition of any rezoning to permit additional residential units that would take the total number of residential units in Deep Bay Southwest to greater than 50, the road access directly to Highway 19A must be constructed to a level suitable for service vehicle access during construction.
- c) As a condition of any rezoning to permit additional residential units that would take the total number of residential units in Deep Bay Southwest to greater than 150, the road access directly to Highway 19A must be constructed to Ministry of Transportation and Infrastructure standards as a public road, and must include a separated trail for active transportation.

## *COMMUNITY AMENITY POLICIES FOR DEEP BAY SOUTHWEST*

19. Several specific community amenities have been identified by the community as desirable in the Deep Bay area in general and on the Deep Bay Southwest properties specifically. In anticipation of a phased development of Deep Bay Southwest, desired community amenities will be phased with the scale of residential and commercial development:

- a) Provision of affordable housing or contribution to a Regional District affordable housing fund, should one be established.
- b) Construction of a comprehensive trail and park system that is connected to the rest of Deep Bay trail system, to the existing Deep Bay community, the Vancouver Island University Marine Research Station and waterfront viewing and picnic areas. The trail network must be publically owned or with legal public access. The trail network should be designed with areas along the trail in appropriate locations of a width suitable to be developed into playgrounds or meeting areas.
- c) An area for boat trailer parking located as near to the Deep Bay Harbour as possible. At the time of writing this Plan, the portion of Lot A approximately 0.65 ha in area between Gainsburg Road and a portion of Deep Bay Creek 2 Community Park is identified as a suitable location. Other potential locations can be explored at the time of rezoning application.
- d) Development of the parking area indicated in Policy 18c above including clearing, grading, surfacing, and any other associated improvements to create a trailer parking area.
- e) A small scale, community accessible recreational building as part of the potential lodge development.