

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3755**

**A BYLAW TO AMEND BYLAW NO. 3602 "LAND USE BYLAW FOR THE RURAL RESOURCE
LANDS, BYLAW NO. 1, 2009"**

- A. WHEREAS THE Capital Regional District wishes to amend Bylaw No. 3602 "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009";
- B. AND WHEREAS Section 903(1) of the *Local Government Act* allows the Capital Regional District to establish boundaries of zones and regulate within a zone;
- C. AND WHEREAS a new zone is required to permit the establishment of a tourist resort in the Rural Resource Lands described in Bylaw No. 3602 "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009";

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

- 1. Schedule "A" of Bylaw No. 3602 being the "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009" is hereby amended:

- A. By creating a new zone, Marine Trail Resort (MTR) to be inserted as Article 4.7, and to read as follows:

"4.7 MARINE TRAIL RESORT ZONE (MTR)

This zone is intended to provide for a destination tourist resort complex comprised of:

- a) 257 Cabins;
- b) One Resort Lodge Building;
- c) Two Resort Recreation Buildings; and
- d) Six Caretaker Residences.

4.7.1 Permitted Uses

The following uses and no others shall be permitted in the MTR zone:

- a) 257 Cabins;
- b) One Resort Lodge;
- c) Two Resort Recreation Buildings;
- d) Six Caretaker Residences; and
- e) Public Park.

For the purposes of the MTR zone, the combined total floor area of all accessory buildings and structures shall not exceed 2,600m²;

Home-Based Businesses, Bed and Breakfast Use, Detached Accessory suites and secondary suites are not permitted in the MTR zone.

4.7.2 Regulations

Density Provisions

The following areas on the land in the MTR zone will have the following maximum permitted densities:

Development Area "A1", located on the Westerly Portion of District Lot 564, Renfrew District Except Part in Plan VIP63203, PID: 009-593-730 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 47 Cabins
- b) One Caretaker Residence

Development Area "A2", located on the Central Portion of District Lot 564, Renfrew District Except Part in Plan VIP63203, PID: 009-593-730 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 36 Cabins
- b) One Caretaker Residence
- c) One Resort Recreation Building

Development Area "A3", located on the Easterly Portion of District Lot 564, Renfrew District Except Part in Plan VIP63203, PID: 009-593-730 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 18 Cabins
- b) One Caretaker Residence

Development Area "A4", located on District Lot 565, Renfrew District Except Part in Plan VIP63203, PID: 009-593-781 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 18 Cabins

Development Area "A5", located on the Westerly Portion of District Lot 567, Renfrew District Except Part in Plan VIP63204, PID: 009-593-837 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 29 Cabins
- b) One Caretaker Residence
- c) One Resort Lodge

Development Area "A6", located on the Easterly Portion of District Lot 567, Renfrew District Except Part in Plan VIP63204, PID: 009-593-837 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 70 Cabins
- b) One Caretaker Residence
- c) One Resort Recreation Building

Development Area "A7", located on District Lot 568, Renfrew District Except Part in Plan VIP63205, PID: 009-593-896 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 15 Cabins
- b) One Caretaker Residence

Development Area "A8", located on District Lot 569, Renfrew District Except Part in Plan VIP63205, PID: 009-593-926 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 15 Cabins

Development Area “A9”, located on District Lot 570, Renfrew District Except Part in Plan VIP63205, PID: 009-593-942 as shown on the plan in Schedule A attached to and forming part of this Bylaw, no more than:

- a) 9 Cabins

Maximum Size of Each Principal Use Building

The maximum total floor area for the following types of principal use buildings in the MTR zone, are permitted:

- a) Cabin – 90m²;
- b) Caretaker Residence – 180m²;
- c) Resort Lodge – 400m²; and
- d) Resort Recreation Building– 400m².

Maximum Height of Principal Use Buildings

The maximum height of the following types of principal use buildings in the MTR zone, are permitted:

- a) Cabin or Caretaker Residence – 9m;
- b) Resort Lodge or Resort Recreation Building – 13m.

Setbacks

For the purposes of the MTR zone, no building or structure shall be located within:

- a) 30m of the Juan de Fuca Provincial Park boundary as it exists on the date of adoption of this Bylaw;
- b) 150m of the Juan de Fuca Marine Trail; and
- c) 30m of West Coast Road.

Distances between buildings and structures shall be in accordance with the BC *Building Code*.

Parking – Motor Vehicles

Notwithstanding section 2.13(2), the onsite parking requirements for the MTR zone are set out in this paragraph 4.7. If more than one function is on the parcel then the combined sum of the parking requirements will be required.

- a) Cabin – no less than one stall per Cabin plus 1 visitor stall for every five Cabins
- b) Resort Lodge:
 - i) retail use – no less than one stall per 15m² total floor area;
 - ii) restaurant use – no less than one stall per three seats plus one stall per employee, to a maximum of 20 stalls;
 - iii) no less than one accessible parking space.
- c) Resort Recreation Building:
 - i) no less than one stall per 30m² total floor area;
 - ii) no less than one accessible parking space.

For the purpose of the MTR zone, accessible parking spaces shall be provided as follows:

- a) Each accessible parking space shall be a minimum of 3.6 metres in width and shall access the nearest parking space to a building entrance that accommodates a wheelchair or other similar mobility device;
- (c) A drop curb shall be provided on any curb between an accessible parking space and the building entrance.

Parking – Bicycles

- a) Resort Lodge and Resort Recreation Building – an equivalent number of bicycle parking stalls to those required for vehicles under this paragraph 4.7.2.

Definitions

For the purposes of the MTR zone the following definitions apply:

- RESORT LODGE means a building used to provide resort services and may include a retail store, restaurant (does not include fast food or drive in facilities), spa services, art gallery and meeting rooms, but shall not be used for accommodation.
- RESORT RECREATION BUILDING means a building for recreational activities and may contain meeting rooms, playrooms, TV entertainment room, communal kitchen and outdoor patios.
- CARETAKER RESIDENCE means a One Family Dwelling to be used exclusively by management or maintenance staff of the resort.
- ACCESSIBLE PARKING SPACES means a parking space reserved for people whose mobility is limited as a result of a permanent or temporary disability that makes it difficult or impossible to walk.

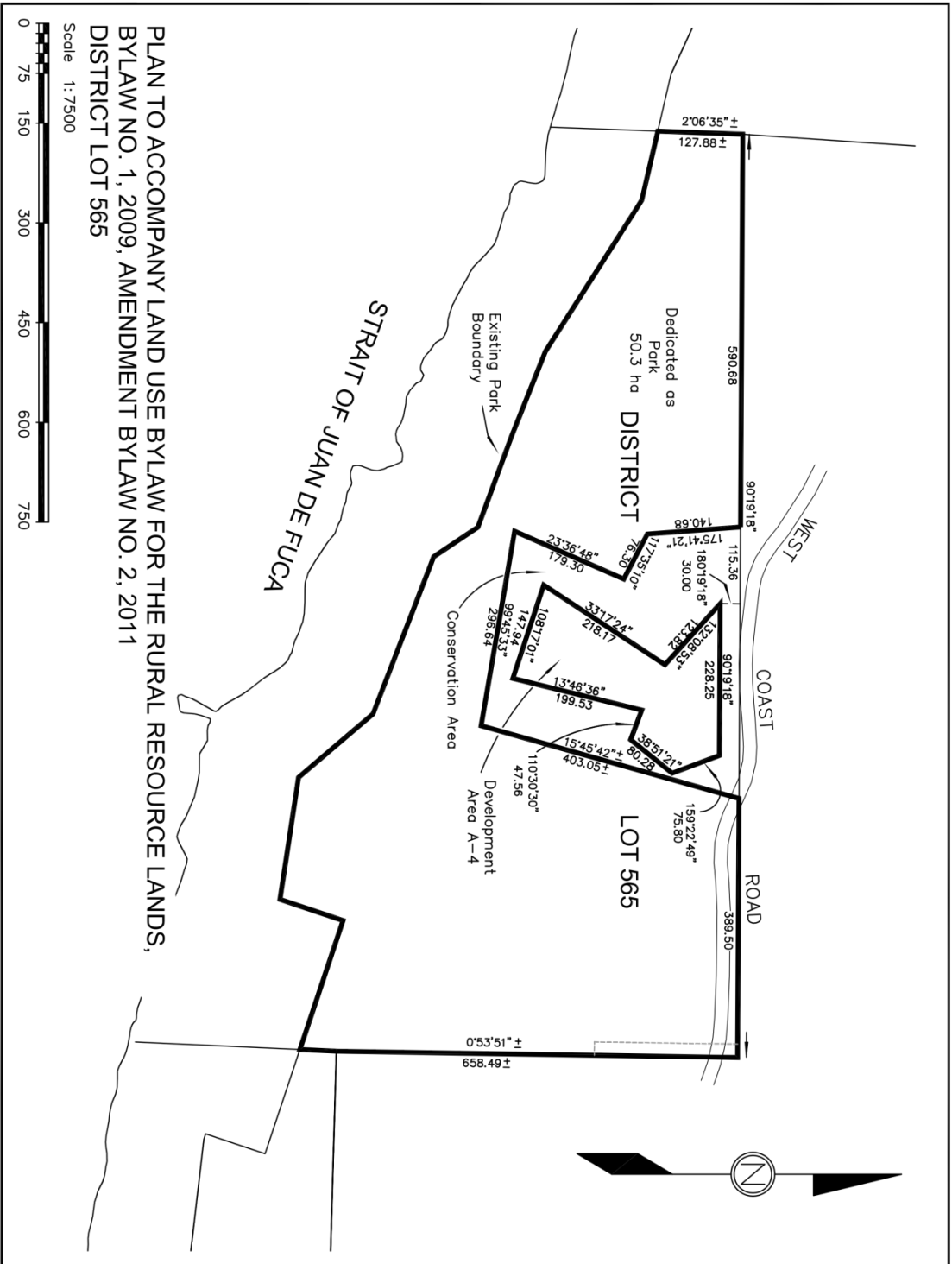
- B. By removing from the Resource Lands zone and adding to the Marine Trail Resort (MTR) zone: District Lots 564 and District Lot 565, Renfrew District Except Part in VIP63203; and District Lots 566 and 567, Renfrew District Except Part in Plan VIP63204; and District Lots 568, 569 and 570, Renfrew District Except Part in Plan VIP63205, as shown on plans in Schedule A attached to and forming part of this Bylaw.

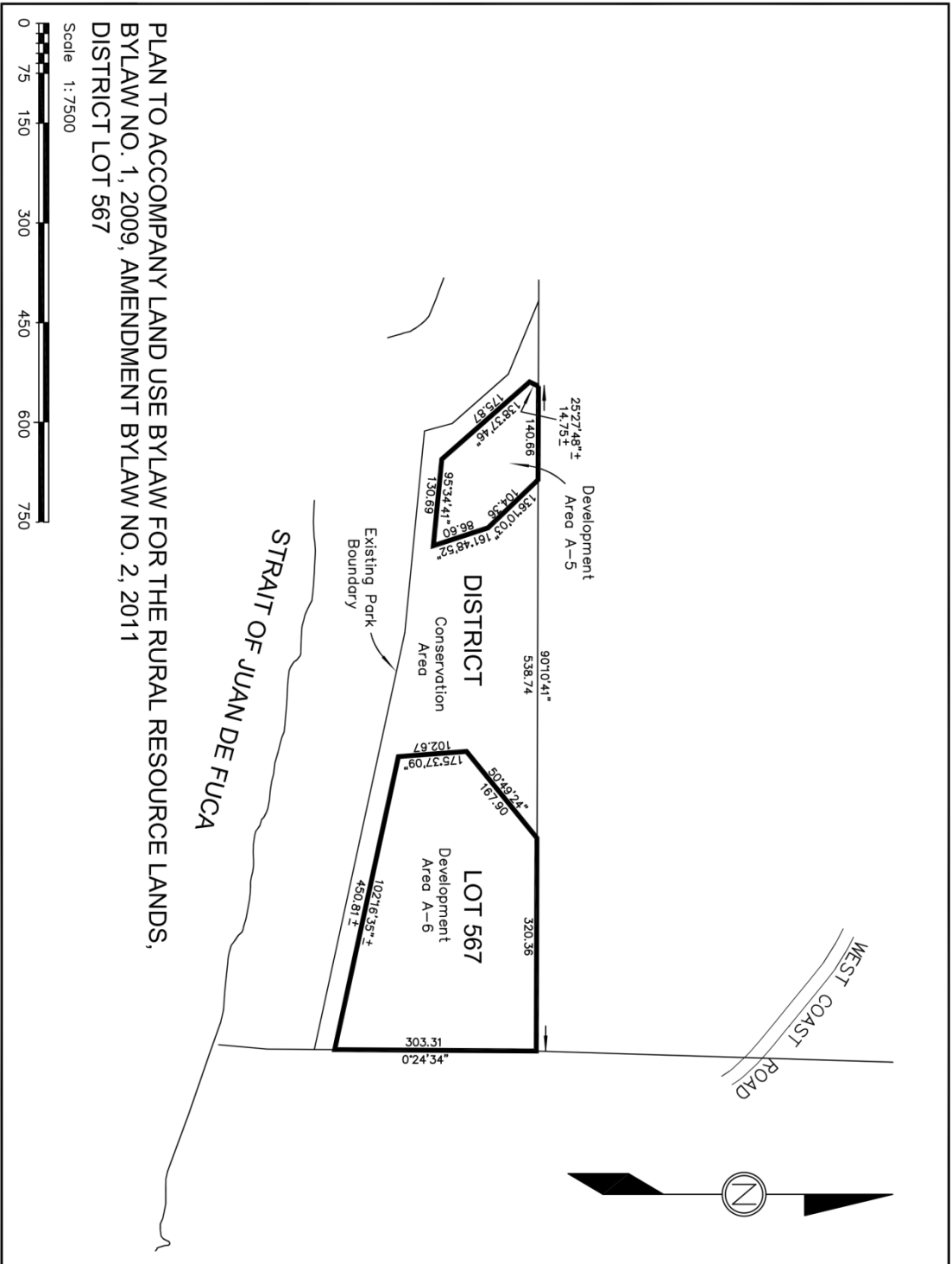
- 2. This Bylaw may be cited as “Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 2, 2011”.

READ A FIRST TIME	THIS	13 TH	DAY OF	JULY	2011
READ A SECOND TIME	THIS	13 TH	DAY OF	JULY	2011
READ A THIRD TIME	THIS		DAY OF		2011
APPROVED by the Minister of Transportation and Infrastructure	THIS		DAY OF		2011
ADOPTED	THIS		DAY OF		2011

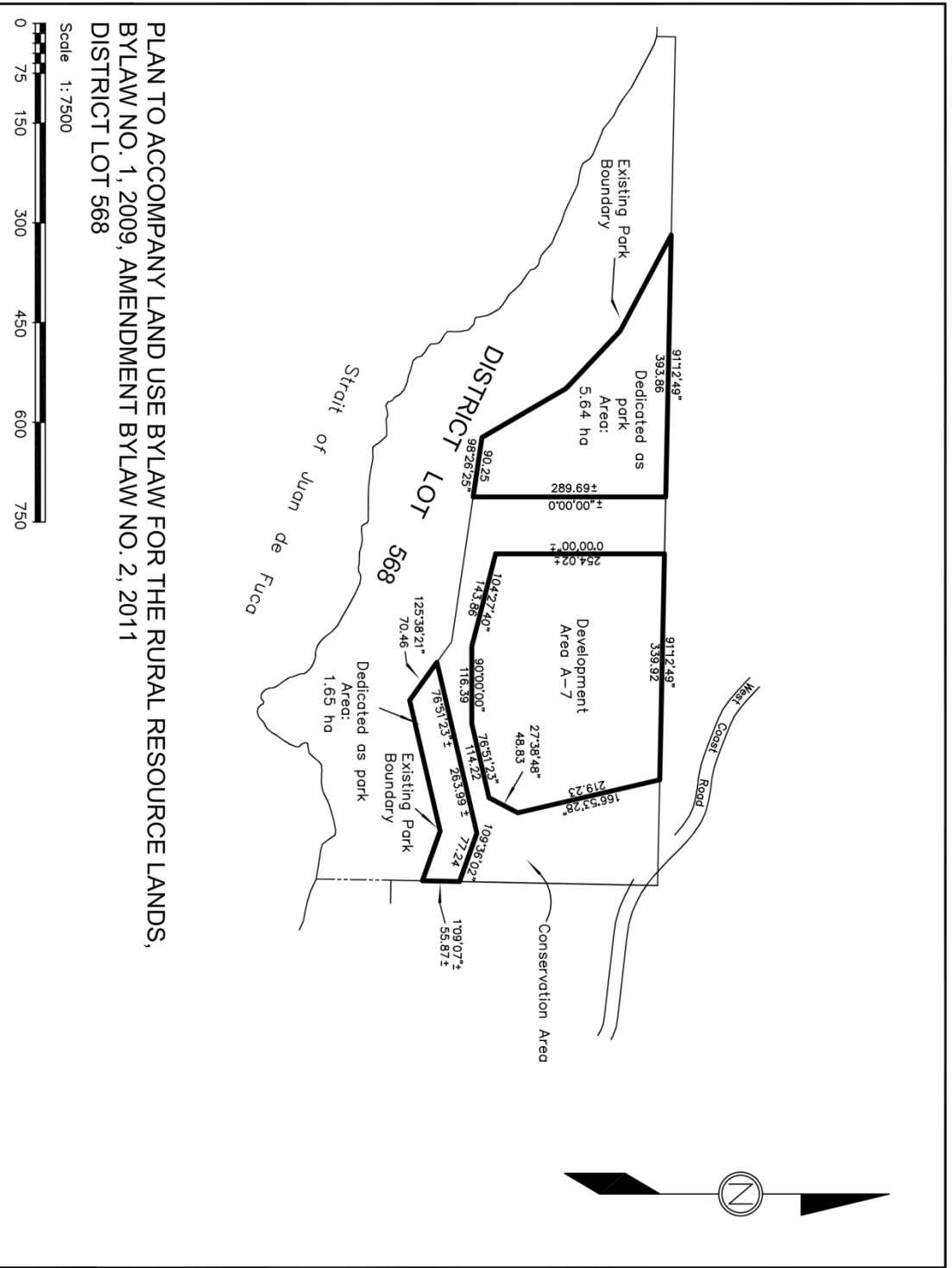
CHAIR

CORPORATE OFFICER

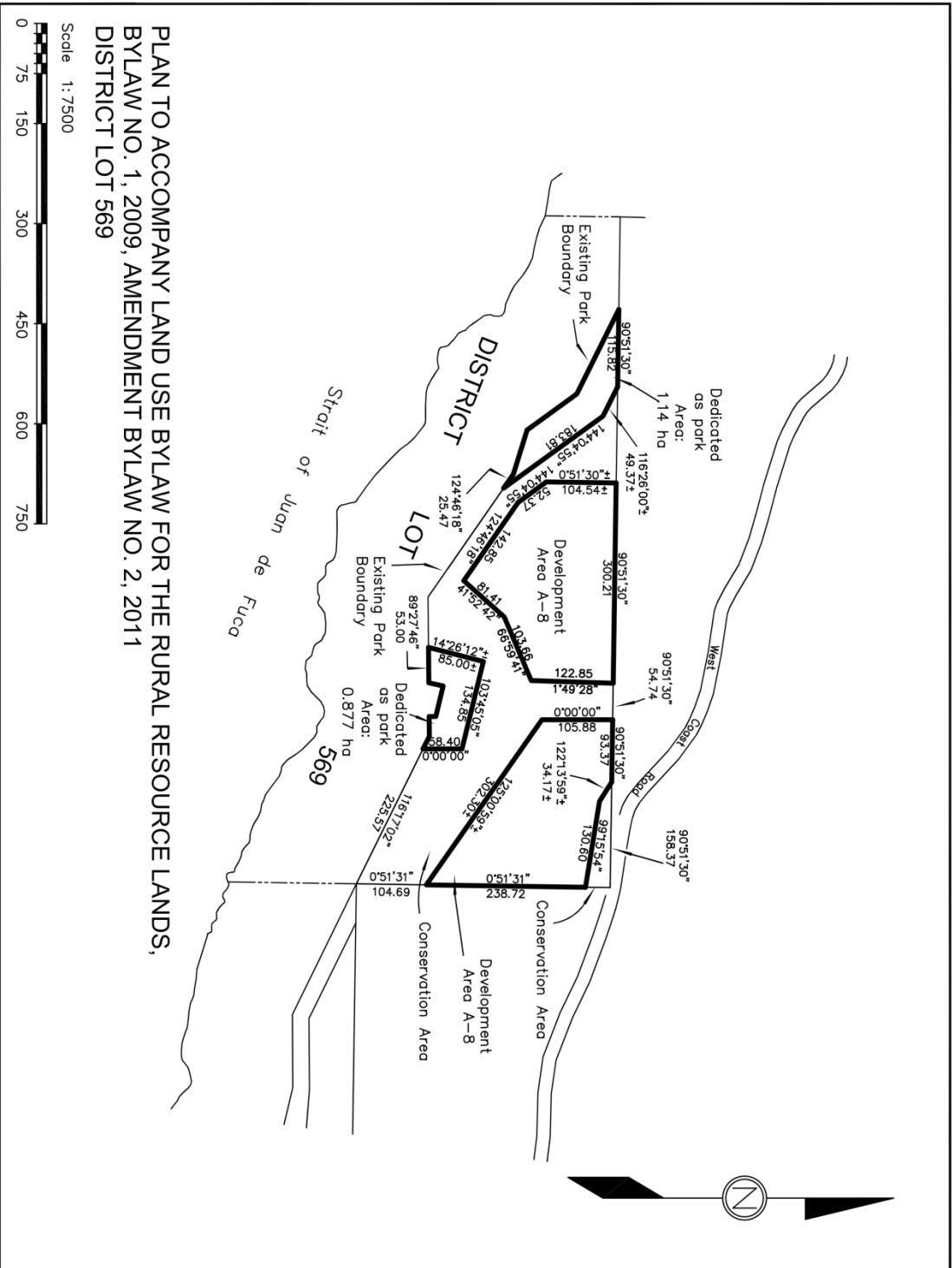




PLAN TO ACCOMPANY LAND USE BYLAW FOR THE RURAL RESOURCE LANDS,
 BYLAW NO. 1, 2009, AMENDMENT BYLAW NO. 2, 2011
 DISTRICT LOT 567



PLAN TO ACCOMPANY LAND USE BYLAW FOR THE RURAL RESOURCE LANDS,
 BYLAW NO. 1, 2009, AMENDMENT BYLAW NO. 2, 2011
 DISTRICT LOT 568



PLAN TO ACCOMPANY LAND USE BYLAW FOR THE RURAL RESOURCE LANDS,
 BYLAW NO. 1, 2009, AMENDMENT BYLAW NO. 2, 2011
 DISTRICT LOT 569

Scale 1:7500



