

Capital Regional District
Bylaw No. 3719

A BYLAW TO ESTABLISH AN OFFICIAL COMMUNITY PLAN FOR OTTER POINT

A **WHEREAS** the Capital Regional Board wishes to update the Community Plan for the Otter Point area of the regional district;

B **AND WHEREAS** the residents of Otter Point, the adjacent municipality and various external provincial and federal government agencies have reviewed this Community Plan;

C **AND WHEREAS** this Community Plan has been considered in conjunction with the Capital Regional District's Financial and Capital Expenditures programme and the Capital Regional District's Regional Growth Strategy;

D **AND WHEREAS** Sections 876, 877, 919.1 and 920.01 of the *Local Government Act* allow the Capital Regional District to develop a bylaw to address all of the following issues:

- The development of an Official Community Plan
- The establishment of Greenhouse Gas reduction targets
- Designation of Development Permit Areas
- Designation of Development Approval Information Areas

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

SECTION 1 GEOGRAPHIC AREA OF THE BYLAW

This bylaw covers the area referred to as Otter Point, which is a part of the Capital Regional District, as outlined on Map No. 1, which is attached to and forming a part of this bylaw.

SECTION 2 SEVERABILITY

If any section, subsection, sentence, paragraph, schedule, or map forming part of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, paragraph, schedule, or map may be severed from the bylaw without affecting the validity of the bylaw or any portion of the bylaw or remaining schedules or maps.

SECTION 3 INCORPORATION OF SCHEDULES AND MAPS

Schedule "A" and Maps Numbered 1 to 6 attached hereto are hereby made a part of this bylaw.

**Schedule “A” of Capital Regional District Bylaw No. 3719
Otter Point Official Community Plan**

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PART 1.0 COMMUNITY BACKGROUND INFORMATION

1.1 2001 Population Profile and Estimates for 2006 and 2011

Based upon the 2001 Census Canada information, the Otter Point population was estimated to be approximately 1,415. The age breakdown of the population was as follows:

Table 1: 2001 Population Breakdown

Age	Otter Point
0 - 4	75
5 - 9	85
10 - 14	80
15 - 19	85
20 - 24	65
25 - 29	75
30 - 34	70
35 - 39	130
40 - 44	145
45 - 49	150
50 - 54	125
55 - 59	105
60 - 64	70
65 - 69	45
70 - 74	40
75 - 79	35
80 - 84	25
85 - 89	5
90 - 94	10
95 - 99	0
100 +	0
Total - All Ages	1415

The estimated population for 2006 is 1760, an increase of 345 people. A 24% increase from 2001. This was based on building permit statistics and the average annual population growth rate. Given the average annual population growth of approximately 2.67% in the Juan de Fuca

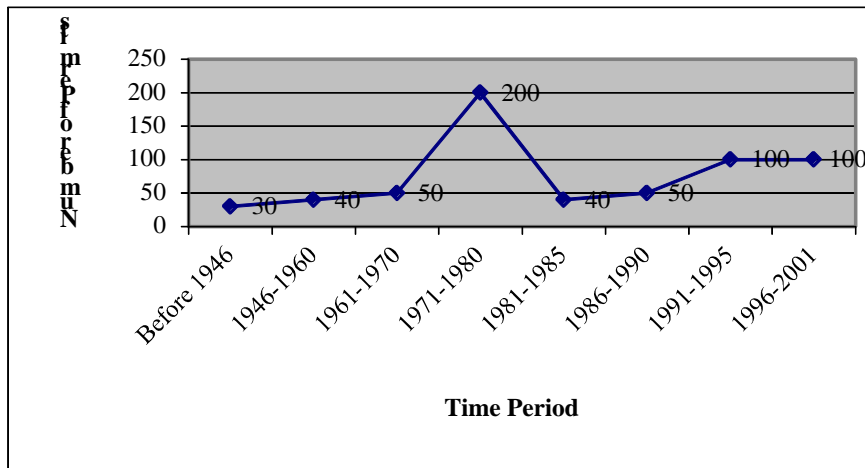
Electoral Area the estimated population for 2011 is 2005. This is based on growth remaining constant. It is known that this may not be the case given the recent interest in some large tracts of land for residential development in the area.

Notes: 1/. Total community population 1,415

1.2 Building Permit Trends

The predominant type of dwelling in Otter Point is a single-family dwelling unit. The number of building permits issued in the area is as follows:

Figure 1: Period of Issuance of Permits for Private Dwellings



Source: Capital Regional District 2001

Notes:

- The data have been classified over ten-year intervals from 1946 to 1980 and five-year intervals since 1980. As identified in Table 2 the number of permits issued is on the increase, but not represented in this figure.

Table 2: Building Permits 2001 - 2006 for the Past Five Years

	2001	2002	2003	2004	2005	2006	Total
Building Permits Issued	9	16	18	15	15	41	144

The period between 1971 and 1981 saw a rapid number of homes being constructed; the following years saw an increased growth from the pre-1971 years but at a slower rate. In 1981 to 1990, 90 homes were built; 1991 to 2001 saw growth similar to that found in the peak years of 1971 to 1981 with 200 homes being constructed. For the past five years (2001-2006) the number of building permits issued each year has increased to be almost 50% more than the previous five years. This suggests that there will be sustained demand for housing in the Otter Point area.

1.3 Physiography of the Area

Based upon a review of a report entitled, *An Introduction to the Ecoregions of British Columbia*, the study area is a part of the Georgia Depression Ecoprovince, the Georgia-Puget Basin Ecoregion and the Juan de Fuca Strait Ecosection. This suggests the following:

- The ocean and the Strait of Georgia modify temperatures throughout the area.
- The southern parts of this ecoprovince, which includes Otter Point, have the highest annual amounts of sunshine in the province.

1.3.1 General Topographical Information and Main Topographical Features

Most soils in the Otter Point area are well- to rapidly drained soils and the general topography could be characterized as moderately rolling to hilly. Elevation above sea level will range from 0-150 metres in areas nearer the coast and could reach as high as 200-300 metres in more northern areas, such as near Broom Hill. See Map No. 43, which shows areas with steep slopes. In addition, many beach areas have steep slopes associated with them (see section 1.7 for a discussion of the potential constraints of developing public beach access points). Rock outcrops are also common throughout the area.

1.3.2 Geological Setting and Soil Characteristics

The following soil associations have been identified in the Otter Point area.

Table 3: Soil Units of the Otter Point Area

Soil Units	Drainage Rating	Usual Texture	Slope Range in Percent (Degrees)	Developed in	General Topographical Characteristics
Coastal Beach (CB)	-	-	-	Marine deposits	-
Dashwood (D)	Well	Very gravelly loamy sand to gravelly sandy loam	9-15 (5-8)	Fluvial, fluvio-glacial and/or marine deposits	Moderately rolling; Normally less than one meter over compact morainal deposit
Fairbridge (F)	Imperfect to moderate	Silt loam	2-9 (1-5)	Deep silty and/or clayey marine deposits	Undulating to gently rolling; Minor gullied areas may be present; Perched water table in winter

Soil Units	Drainage Rating	Usual Texture	Slope Range in Percent (Degrees)	Developed in	General Topographical Characteristics
Hawarth (HA)	Rapid	Very gravelly to gravelly loamy sand	5-15 (3-8)	Fluvial, fluvioglacial and/or marine deposits	Moderately rolling with some areas of gentle rolling
Qualicum (Q)	Rapid	Very gravelly to gravelly loamy sand	2-5 (1-3)	Fluvial, fluvioglacial and/or marine deposits	Undulating
Quinsam (QN)	Well	Gravelly, sandy loam	5-15 (3-8)	Morainal (till) deposits	Moderately rolling with some areas of gentle rolling
Robertson (RB)	Rapid	Cobbly, gravelly, sandy loam to cobbly gravelly loam	15-30 (8-17)	Colluvial or morainal deposits	Strongly rolling
Rock Outcrop (RO)	-	-	-	Bedrock	-
Rosewall (RL)	Rapid	Cobbly, gravelly sandy loam or cobbly, gravelly loam (some areas can be very gravelly sand)	9-60 (5-33)	Colluvial or morainal deposits	Moderately rolling to hilly; Often between 10-50 cm over bedrock (some areas are very hilly)
Shawnigan (S)	Well	Gravelly, sandy loam or gravelly loamy sand	5-15 (3-8)	Morainal (till) deposits	Gently rolling to moderately rolling
Squally (SL)	Rapid	Gravelly loamy sand or gravelly sandy loam	9-60 (5-33)	Colluvial or morainal deposits	Moderately rolling to hilly

Source: Soils of Southern Vancouver Island, MOE Technical Report, 1985

Many of the soil types identified here have developed in morainal deposits, suggesting that the area may have several gravel deposits.

1.3.3 Gravel Pits

Table 4: Gravel Pits

Pit Number	Pit Name	Owner	Date Evaluated
6260A	Tugwell	Private	1979
6279A	Otter Point Road	MOT	1986

Source: Thurber Engineering 1990

Local information indicates that there is also a private gravel pit situated on "Randy's Place", which is operated by a local construction company. See Map No. [32](#), which shows the general locations of these gravel pits.

1.4 Dominant and Sensitive Ecosystems

The Otter Point area is located outside the study area for the Sensitive Ecosystems Inventory carried out by the Canadian Wildlife Service. However, the rural and mostly natural setting of the area provides good habitat for wildlife, as well as containing marine habitat. There is abundant second-growth forest in the area, which is important not only in socio-economic terms for its contribution to the forestry industry but also in terms of providing the following products and uses:

- Wildlife corridors for connecting habitat patches
- Buffers around more sensitive areas such as wetlands or streams
- Habitat for a broad range of wildlife
- Non-timber forest products such as salal, wild mushrooms, and wild berries
- Greenspace

In addition, many streams in the Otter Point area are important salmon-spawning streams and support a variety of riparian biota including native plants, amphibians, and other fish and wildlife (see Map No. [34](#), which shows environmentally sensitive areas within Otter Point).

The CRD Natural Areas Atlas has mapped occurrence of rare species and the following species have been identified as blue, red, or special listed species within the Otter Point area*:

*Please note the following definitions:

Red-listed species are extirpated, endangered, facing extinction or threatened.

Blue-listed species are vulnerable, sensitive or at risk.

Special-listed species are particularly sensitive to human activities and natural events but are not endangered or threatened.

Source: Ministries of Sustainable Resource Management and Water, Land and Air Protection

- Ermine, anguinae subspecies, (*Mustela erminea anguinae*) is a blue-listed mammal that occurs immediately east of Muir Creek and may be found throughout a substantial portion of the Otter Point area

- The Pacific yew tree (*Taxus brevifolia*), listed as "special", is found in areas near the northern portion of Muir Creek
- Tracy's romanzoffia (*Romanzoffia tracyi*) is a blue-listed plant species which may occur on Otter Point
- Slimleaf onion (*Allium amplexans*) is a blue-listed plant species which may occur on Otter Point in the grassy pockets of sea cliffs
- *Thuretellopsis peggiana* is a red-listed marine algae which occurs off the beach area near the intersection of West Coast Road and Kemp Lake Road
- Common bluecup (*Githopsis specularioides*) is a blue-listed plant species found north of Young Lake and occurs in seepy or seasonally wet areas
- Macoun's groundsel (*Senecio macounii*) is a blue-listed plant species which also occurs north of Young Lake

Source: CRD Natural Areas Atlas

1.4.1 Local Streams and Waterbodies

The names of the major streams or waterbodies including those that provide fish habitat in the Otter Point area are as follows*. See Map No. [34](#), which shows the general locations of streams and waterbodies within Otter Point.

- Kemp Lake
 - Prickly Sculpin
 - Sculpin (General)
 - Cutthroat Trout
 - Rainbow Trout
 - Threespine Stickleback
- Poirier Lake
 - Brown Bullhead
 - Prickly Sculpin
 - Rainbow Trout
 - Steelhead
- Young Lake
 - Cutthroat Trout (Anadromous)
 - Prickly Sculpin
 - Sculpin (General)
 - Coho Salmon
 - Cutthroat Trout
 - Rainbow Trout
 - Smallmouth Bass
 - Unidentified Species
 - Steelhead
- McKenzie Lake
 - Cutthroat Trout
 - Rainbow Trout
- Boneyard Lake

- DeMamiel Creek
 - Local information indicates that this creek is salmon (coho, chum) bearing
- Rocky Creek
 - The Sooke Salmon Enhancement Society operates the Jack Brooks hatchery on this creek. The Society works to raise Chinook Salmon, Coho Salmon and Steelhead and releases the fish into local spawning streams, including DeMamiel Creek, to enhance survival of these species.
- King Creek
- Orveas Creek
 - Local information indicates that this creek is salmon bearing
- Wetland (marsh) located between Surf Lane and Razzo Road
- Tugwell Creek
 - Chinook Salmon
 - Chum Salmon
 - Coho Salmon
 - Cutthroat Trout
 - Steelhead
- Kemp Stream
 - Cutthroat Trout
 - Rainbow Trout
- Muir Creek
 - Chinook Salmon
 - Chum Salmon
 - Coho Salmon
 - Cutthroat Trout
 - Steelhead

Source: Ministry of Sustainable Resource Management, FISS and Otter Point OCP Review Committee

* The above information regarding fish species reflects existing information from Ministry of Sustainable Resource Management databases although more information is periodically being added. The absence of fish in the above list does not imply that there are no fish present.

There are several other potentially ephemeral streams located throughout the area as well as several wetland areas. Wetlands are important due to their capacity to

- store water, and retain stormwater runoff;
- maintain water quality by reducing the levels of sediment, nutrients, and toxic chemicals in outflow water;
- provide excellent habitat for a wide variety of biota; and
- provide additional greenspace and recreational value.

Source: SEI, 2000

1.5 Community Water Systems and Sewage Disposal

The only known community water system is that of the Kemp Lake Waterworks District, which currently provides chlorine treated water to approximately 410 households in the area as identified by the Kemp Lakes Waterworks Improvement District.

The Kemp Lake Waterworks Improvement District manages the distribution of water, maintains the current infrastructure, and works to inform residents and visitors to use caution in the watershed in order to maintain a safe water supply. Recently, the Kemp Lake Waterworks District undertook a watershed risk assessment. The Waterworks District anticipates that it would have the capacity to service approximately 100 new connections and currently has no plans for future expansion of servicing but continues to investigate alternative water sources. Since many households rely on water from Kemp Lake as their primary source of water, it is important to maintain the quality of water within the lake and to minimize the amount of pollutants entering the watershed.

In addition to the Kemp Lake Waterworks Improvement District, there may be some private waterlines associated with strata development. Some residents in Otter Point, outside the Kemp Lake Waterworks Improvement District, use wells to access groundwater; the use of cisterns for additional water storage is also quite common. The current Community Plan stresses the need to ensure that the groundwater supply is protected and that any additional wells should not interfere with the water supply of current residents. As such, the maintenance of wetland ecosystems may be particularly important for the services they provide in storage and filtration for the Otter Point area (please see section 1.4).

Residences in the Otter Point area are serviced by private septic systems.

1.6 Local (Community) Parks

There are several local (community) parks in the area. See Map No. 32, which shows the general locations of local parks in Otter Point. The following list provides the names of the parks with a brief description and assessment of each as recommended by SEAPARC and as provided by the SEALRP (Sooke Electoral Area Long Range Plan), a report commissioned by the Sooke Electoral Area Parks and Recreation Commission (SEAPARC).

- Carpenter Road Park
 - 0.97 Ha. (2.4 acres)
 - There is some adjacent area marked in Bylaw 2040 as park associated with the nearby strata development
 - Undeveloped Nature Park
 - Accessible via Dalrae Place
 - SEALRP has identified this park as having very good potential accessibility
 - The park is significant for the following reasons:
 - The presence of a large man-made pond
 - It contributes to tree cover of area
 - In May the pond hosts "extensive drifts of Yellow Pond Lily"
 - The pond supports a variety of wetland invertebrates

- Corby Park
 - 1.68 Ha. (4.17 Acres)
 - Undeveloped Nature Park
 - Accessible via Beau Ridge, however there is no legal point of entry
 - SEALRP has recommended that this park be linked with the wetland areas situated within the adjacent proposed sub-division referred to as Taylor Place

- The park is significant for the following reasons:
 - Good wildlife habitat
 - Good view points
 - Undeveloped forest (Cedar, Fir and Alder)
- Eagle Crest Park
 - 1.42 Ha. (3.5 Acres)
 - Undeveloped Nature park
 - Accessible via Eagle Crest Drive located off Otter Point Road, however there is no legal point of entry. SEALRP recommends retaining the park as wildlife habitat with no increased public access
 - The park is significant for the following reasons:
 - Good wildlife habitat
 - Presence of a seasonal creek
 - Contributes to tree cover of area (Cedar and Alder)
- Elrose Park
 - 1.01 Ha. (2.5 Acres)
 - Developed Athletic Park/Passive Park
 - Accessible via West Coast Road with panhandle link to Otter Ridge Drive
 - Defined access point is located off West Coast Road
 - The park is significant for the following reasons:
 - This is the only park west of Sooke that provides active sports facilities
 - Excellent viewpoint from existing picnic table site
- Otter Point Park
 - 1.83 Ha. (4.52 Acres)
 - Undeveloped Nature Park/Passive Park
 - Accessible via West Coast Road
 - Access for pedestrians is off Otter ~~Point Road~~Ridge Drive; at present there is no vehicle access
 - SEALRP has recommended that public access be a priority and that parking spots be created on site
 - Sensitive flora and the petroglyph would require some form of protection from the public
 - Sheer edges present safety concerns
 - This park is significant for the following features:
 - The Petroglyph situated in the park
 - Water-side location and attractive beach
 - Excellent views of the Strait of Juan de Fuca and the Olympic Mountains
 - Good wildlife habitat and abundant ground flora
 - This is an established angling location for Salmon

Source: Sooke Electoral Area Long Range Plan: Public Open Space 1995

1.7 Beach Access Points/Right-of-Way

A report commissioned by the CRD through the Economic Development Commission, "Juan de Fuca Electoral Area Foreshore Access Report 2003", outlines various constraints and

opportunities associated with the development of public beach access point. Listed below is a summary of the findings.

- Shoemaker Road
 - Partially developed road right-of-way extending from West Coast Road to the coast of the Strait of Juan de Fuca
 - Development of the site is not recommended for the following reasons:
 - Lack of parking space along West Coast Road and lack of turnaround area
 - Recreation potential is decreased due to the sometimes hazardous ocean conditions
- Carpenter Road
 - Undeveloped L-shaped portion of Carpenter Road that extends south from West Coast Road to Sooke Bay
 - Development of the site is not recommended for the following reasons:
 - Lack of parking space
 - Adjacent 5.23 ha. water lease
- West Coast Road #1 (Name unknown)
 - Small undeveloped road right-of-way extending from West Coast Road to the Strait of Juan de Fuca
 - Features of the park include
 - Salmon berry bushes
 - Coniferous trees approximately 20-35 years in age
 - A 75-100 year old Douglas Fir tree at the north side of the site
 - Several factors detract from the site due to the following:
 - Garbage dumping at the site
 - Lack of parking on West Coast Road
 - The site is vegetated by Himalayan Blackberry, which would require removal
- West Coast Road at King Creek
 - This is a 120 metre long stretch along West Coast Road running adjacent to the Strait of Juan de Fuca and located at the mouth of King Creek
 - This site is significant for the following features:
 - King Creek is a sensitive fish habitat
 - Second-growth coastal rainforest surrounds the site
 - Riparian vegetation along King Creek
 - Development of the site is not recommended for the following reasons:
 - West Coast Road provides adverse vehicular access and the right-of-way is too small to provide any space for parking. These factors may contribute to potential conflicts with the traffic flow in the area
- West Coast Road #2 (Name unknown)
 - Undeveloped road right-of-way extending southeast from West Coast Road to the Strait of Juan de Fuca
 - Development of the site is not recommended for the following reasons:
 - Adverse parking conditions on West Coast Road
 - The steep grade of cliff at the site which is also high in organic material and sloughs down the slope when disturbed by foot traffic; in addition, this area would be vulnerable to erosion
 - Some residences are located very near to the shore and are not secured by

- fences and may be vulnerable if access is improved
- Beach provides little opportunity for recreational activities because of its small size.
- Ford Lane
 - Undeveloped road right-of-way extending from West Coast Road to the Strait of Juan de Fuca
 - Development of the site is not recommended for the following reasons:
 - Extremely steep sections and rough terrain of the road right-of-way would require the construction of a staircase to provide safe access to the beach
 - The size of the beach, 100 metres in length between headlands, provides little opportunity for any recreational activities
 - Parallel parking along West Coast Road is unsafe at this site and may present a conflict to the existing traffic pattern
 - Close proximity to Otter Point Park which provides established beach access
- Blue Jay Way
 - Undeveloped road right-of-way extending from West Coast Road to the Strait of Juan de Fuca
 - Development of the site is not recommended for the following reasons:
 - A staircase would be required to provide safe access through the extremely steep sections and rough road right-of-way
 - The beach area is small and as such would provide little opportunity for recreational activities
 - Parallel parking along West Coast Road is unsafe and may present a conflict with the current traffic flow
 - Situated approximately 300 metres from Otter Point Park which provides established beach access
- Otter Point Park and Chisholme Road
 - Otter Point Park is an undeveloped nature park situated off West Coast Road with Chisholme Road acting as the park's eastern boundary
 - Significant features at the site include
 - excellent views of the Strait of Juan de Fuca and the Olympic mountains
 - the coastal rainforest dominated by mature Sitka spruce and native shrubs (Salal)
 - the Petroglyph within Otter Point Park
 - headlands at Otter Point Park are important locations for salmon angling
 - Site has exceptional potential to be developed as a public beach access but requires some consideration of the following site-specific issues as identified below:
 - Restoration of the damage to sensitive ground flora by foot traffic and mitigation (by placing trails in less sensitive areas, improving signage, and integrating trails from the beach access with those in Otter Point Park)
 - Parking may be provided at Chisholme Road or another site could be located
 - Provision of park infrastructure including garbage receptacles, signage and benches
- Romeo Lane
 - Undeveloped road right-of-way extending from West Coast Road to the Strait of

Juan de Fuca

- Right-of-way provides the only legal access to the beach west of the right-of-way, however development of the site is not recommended at this time due to the following:
 - Rough and steep topography
 - Beach to the west is a high-energy beach and headlands west of the beach are treacherous, several unstable sinkholes and caves are located at these headlands
 - Based upon site visits, there is evidence to suggest that residential waste has been dumped at the site
- Fillippo Road
 - Partially developed road right-of-way extending from West Coast Road to the Strait of Juan de Fuca
 - Significant features at the site include
 - small cleared area that could provide parking for 3-4 vehicles
 - cobble beach at the east end of "Gordon's Beach", which provides exceptional opportunities for recreational activities
 - the site is used by local sport fishers
 - Other issues related to development of the site include
 - road right-of-way would need to be expanded to accommodate vehicle movement
 - possibility that high tides may flood the parking area
 - boat launching should be discouraged at this site due to the adverse water conditions, for example the strong wave activity at Gordon's Beach
- Orveas Bay Road
 - Partially developed road right-of-way extending from West Coast Road to Orveas Bay to an area known as "Gordon's Beach"
 - The adjacent lot to the northwest is managed by a housing cooperative, "Orveas Bay Estates", which hosts small cabins and residences
 - Significant features at the site include
 - expansive cobble beach, which provides exceptional opportunity for recreational activities
 - excellent views of the Strait of Juan de Fuca and the Olympic Mountains
 - Gordon's Beach is already used as a public beach
- Breakers Place
 - Undeveloped road right-of-way extending from West Coast Road at the intersection of Otter Point Road to the shores of Orveas Bay
 - This right-of-way is currently occupied by a cabin and a fenced yard
 - Sooke Region Historic Society has placed a sign at the site indicating its importance as the location of a fishtrap circa 1904-1958
- Surf Lane
 - Undeveloped road right-of-way extending from West Coast Road to Orveas Bay
 - Development of the site is not recommended for the following reasons:
 - Ecologically sensitive wetlands located onsite which provide important habitat to plant and animals, including salmonid fish species
 - Water periodically floods the site and limits any pedestrian access

- Razzo Road
 - Partially developed road right-of-way extending from West Coast Road to Orveas Bay
 - Situated within 250 metres of the mouth of Tugwell Creek and the creek's associated sensitive riparian and marine habitat
 - Many residential/recreational properties, which are part of the Tugwell Estates, surround the site
 - Significant features at the site include
 - site is popular for windsurfers
 - Tugwell Creek provides salmon habitat, and as such, any development should take this issue into consideration
 - Other site-specific issues include
 - the site is located on the outer side of a sharp corner on West Coast Road, which has an adverse effect on the sight line
 - there is limited space for parking

- Blackfish Road
 - Southwest end of Blackfish Road is an undeveloped right-of-way extending from the paved portion of Blackfish Road to Orveas Bay
 - Development of the site is not recommended for the following reasons:
 - Extremely steep slope that is vulnerable to erosion
 - Located within 150 metres of Tugwell Creek, which is a salmon-bearing watercourse

Source: Bourhill, 2003

1.8 Potential Heritage Sites

There are several sites within Otter Point that may have significant heritage value. First Nations heritage sites have been identified by the Ministry of Sustainable Resource Management, Archaeological Branch and are not identified in this report due to their sensitive nature. However, any proposed development may be subject to an archaeological search conducted by CRD Planning staff. As a result, the applicant may be required to contact the Ministry of Sustainable Resource Management, Archaeological Branch in order to satisfy their requirements.

The Sooke Region Museum has highlighted many post-colonial sites of heritage value, which will be summarized in the following sections.

Archaeological Sites

Part of the plan area's heritage includes archaeological sites – evidence of the past and how people lived. These represent the only component 'written' history of the area that exist today and deserve protection. There are four recorded archaeological sites in the plan area with the potential for the area to contain additional ones. Whether recorded or not the Heritage Conservation Act protects archaeological resources on both private and on Crown land. A heritage permit is required from the province to alter an archaeological site.

The OCP notes there are heritage sites within the Plan area and where development might encounter archaeological sites. It is recommended that when development occurs the developer engage a qualified archaeologist to determine if archaeological studies of the

proposed development site are required. The Ministry can provide further information concerning archaeological information for the area.

1.8.1 Gordon's Beach

The Sooke Region Historical Society has identified Gordon's Beach as an area with some heritage value because of its long use as a fishtrap location from approximately 1904 to 1958. The adjacent hillside was the location of the Tugwell farm during the 1860's and was subsequently home to the Ted Gordon family in the 1880's until well into the 20th century.

1.8.2 Potential Heritage Buildings

This section describes buildings that have been identified by the Sooke Region Museum as being sites of high heritage value within the Otter Point area. It is important to note that these buildings have not been officially designated, by bylaw, as heritage sites.

Oscar Scarf House - 3642 Otter Point Road

"Located just east of the junction of Otter Point Road and Kemp Lake Road, this house has long been a local landmark. It is believed that the original log cabin was built by Edward Farrell in 1887, and his history is not known. The building is now faced with green painted cedar shingles" (Sooke Region Museum 1985). Since the 1890's, Oscar Scarf has been associated with the house and from 1911-1920 he used the house as a stage shop and boarding house for travellers and local schoolteachers. From 1911-1917 he operated a post office and store across the road from his house. The house has since been occupied by a variety of families and has undergone many renovations; however the original log construction remains intact.

Emerson House - 2666 Kemp Lake Road

At the intersection of Otter Point and Kemp Lake Roads stands the Emerson house; built in 1895 by M. Emerson, the house is in quite good condition today and remains one of the few examples of a "pre-emptor's" home. This building has been home to many families over the years. The barn located on the site built by the Emersons is also in good shape; the character and design of the original barn have been maintained although some improvements have been made, particularly the addition of a new, steep gable shaked roof.

Emerson - Otter Point School - Otter Point Road

A schoolhouse was built on the Emerson property and was used from 1908 until 1913. It was referred to as the Emerson school and later referred as the "old Otter Point school". There was an earlier school in Otter Point, and this was built in 1899 at the far western end of Ted Gordon's property near Tugwell Creek. In 1913, the new Kemp Lake Road school was built and the log building (Emerson school) was no longer used as a school but continued to host social events. The remains of the schoolhouse consist of several logs that have been partially hidden by the surrounding undergrowth.

Poirier House - 2263 Kemp Lake Road

This house is estimated to have been built in 1895 and was originally situated in Sooke village. In 1902 Joseph Poirier Jr., member of one of the earliest families of the Sooke area, purchased the house and floated it in sections from the village out along the coast. It was put together in two days at the current location. In the 1940's the land was subdivided and a portion of the property was given to each of his children; the house remains in the Poirier family (1984).

Seaton house - Otter Point Road

This house was built in 1912 for the Harry Seaton family and has since housed many families. Mrs. Seaton died one year after it was built and it was sold in 1922 by the eldest son.

Henry Clark house - Clark Road

Construction of the house commenced in 1912 and was completed in 1914; lumber for the home was bought from William Anderson of Malahat Farm and the house is quite typical of early housing in the region. This property is likely one of very few in the region to not have been subdivided and to still be owned by the members of the original family (1984).

Harris house - 3680 Otter Point Road

This two-storey house was built in 1914 and often boarded loggers and teachers from the Otter Point school, in addition to serving as a minor stage stop. One of the sons, Frank Harris, stayed and maintained the home and kept a sort of "open house" for young people of the area who came and went and who helped with chores and groceries. Several families have since lived in the house.

Malahat Farmhouse - Anderson Road

This farmhouse was completed in 1914 and was named Malahat Farm because it is situated just inside the boundary of the Malahat Land District. Three hundred apple trees as well as ornamental trees and a grove of holly were planted on the property. Granddaughters of the Andersons recall when the Andersons operated a guest resort, from about 1914 until the late 1920's, and visitors included Emily Carr and Reverend Robert Connell. Much of the farmhouse was maintained and has been restored to its original character.

Malahat Cottage - Anderson Road

Located near Muir creek on the property of the Malahat Farm, this house was built by Herbert Anderson in 1919 for his new bride Margaret. Many features of the cottage are similar to the Malahat Farmhouse and have not been altered much over the years. The cottage housed family members and later was rented to men working in logging camps.

Berger Cabin - Otter Point District

This cabin is believed to have been built around 1892 by Henry Berger. The cabin has been unaltered and remains in quite good condition. Although the cabin has not been lived in since Berger's time, it has been used more recently for storage (1984).

Source: Sooke Region Museum, 1985

1.9 Other Land Use

1.9.1 Agricultural Land Reserve (ALR)

There are several lands designated as ALR in the Otter Point area. See Map No. 2, which shows the locations of parcels of land with the ALR designation.

PART 2.0 ADMINISTRATIVE STRUCTURE AND APPLICATION OF THE PLAN

2.1 Administrative Structure of this Plan

An Official Community Plan (OCP) or “Plan” is authorized by the *Local Government Act*, which defines an OCP as:

“ . . . a general statement of the broad objectives and policies of the local government respecting the form and character of existing and proposed land use and servicing requirements.”

The key to developing a Community Plan is that it is a community-driven exercise that reflects the community's values with respect to growth and development.

2.2 Application of the Plan

This Official Community Plan applies to the Otter Point area as shown on Map No. 1, which is attached to and forms part of this Bylaw. It is not the intention of the Capital Regional District in adopting the Otter Point Official Community Plan to create a conflict with provincial enactments.

2.3 Community and Development Policies

The residents of Otter Point understand that the development and protection of their community takes an effort from both the future residents through the development process and the current residents by collectively working towards their community goal. This Community Plan has two policy sections for that purpose: development policies in Part 4.0 to be addressed at the development stage, and community policies in Part 5.0, which can be refined by the community over the long-term.

2.4 Regional Growth Strategy Consistency

Section 849 (1) of the *Local Government Act* states that “the purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources.”

The eight goals of the Capital Regional District's Regional Growth Strategy, which was adopted in August 2003, are as follows:

- 1/. Keep urban settlement compact
- 2/. Protect the integrity of rural communities
- 3/. Protect regional green/blue spaces
- 4/. Manage natural resources and the environment sustainably
- 5/. Build more complete communities
- 6/. Improve housing affordability
- 7/. Increase transportation choices
- 8/. Strengthen the regional economy

As the development policies of this Official Community Plan should work towards the goals of the Regional Growth Strategy, the following paragraphs will outline how this Official Community Plan supports these goals.

Firstly, in order to keep settlement compact this Official Community Plan outlines a number of settlement containment areas. The goal of which is to have smaller lots contained within these areas, and larger lots outside the containment areas. The settlement containment areas also strive to maintain the integrity of rural communities through preservation of large lot

development. The integrity of rural communities is supported through the use of a protection of farming Development Permit Area, the objective of which is to regulate development in such areas in a manner that protects the viability of agriculture for present and future generations. Additionally, this Plan strives to protect the environment by identifying environmentally sensitive areas and by designating these as Development Permit Areas.

To the extent possible as permitted through the *Local Government Act*, Development Permit Areas will assist the Juan de Fuca Electoral Area in managing the environment in a sustainable manner. The Electoral Area, realizing that the Vancouver Island Health Authority is the main agency responsible for the control of sewage disposal and other health related issues with respect to land development, supports the Vancouver Island Health Authority in controlling and regulating waste discharge in a sustainable manner.

Management of natural resources is regulated and controlled through respective federal and provincial agencies, and the Electoral Area will comment on referrals within the context of sustainable development in order to assist these external agencies in managing the natural environment in a sustainable manner. While the Electoral Area does not have direct jurisdiction over the management of any natural resources, aside from agriculture activities, within the planning area it anticipates working cooperatively with other external decision-making agencies to ensure that all decision-making gives priority to options that maintain the ecological integrity of local ecosystems.

Additionally, residents are encouraged to participate in local initiatives and any regional programs that promote the principles of reducing, reusing and recycling.

In order to build more complete communities and strengthen the regional economy, as envisioned by the Regional Growth Strategy, the Plan encourages the development of home-based business and agricultural, tourism or neighbourhood commercial activities within settlement areas. To improve housing affordability, the desired type of housing within the settlement containment areas includes not only low-density single-family dwellings but also special needs, rental and affordable housing.

Lastly, in order to increase transportation choice the Plan permits the use of an amenity bonusing provision to, as opportunities arise, potentially acquire land for park-and-ride sites. It is also desired that by increasing local economic opportunities fewer car trips may be needed.

As outlined above, this Community Plan has been prepared in a manner consistent with the goals of the Capital Regional District's Regional Growth Strategy.

2.5 Greenhouse Gas Reduction Targets

The Capital Regional District will work to reduce greenhouse gas (GHG) emissions within the plan area shown on Map No. 1 by 3% below 2007 levels by 2020.

This target will be met by:

- a. Developing a carbon reduction plan for the Capital Regional District operations in the Otter Point area; and
- b. Undertaking the following:
 - 1) Educating residents, businesses and tourists about climate change as it relates to community priorities.
 - 2) Reviewing existing policies and objectives within the OCP and/or establishing new policies and objectives with the intent of reducing energy use and protection of valuable carbon sinks.

3) Collaborating with other governments in examining and implementing GHG reduction strategies on a regional basis through one or more of the following:

- development of GHG reduction standards for buildings by addressing each issue such as energy performance, local material, orientation and density;
- development of additional infrastructure for cycling, walking, transit and carpooling as alternatives to single occupant vehicle use;
- waste reduction including enhanced waste diversion of recyclable materials;
- protection of ecosystems through the conservation and enhancement of forested areas;
- development of a renewable energy generation plan;
- development of programs and policies that increase local food security and local food supply options.

PART 3.0 GOALS AND OBJECTIVES OF THE PLAN

3.1 Goal of the Plan

The overall goal of the Plan is the implementation of a settlement and land use pattern that:

- retains both the rural and natural character of the area;
- protects and enhances the natural environment, its ecosystems and biological diversity; and
- supports planned community development in conjunction with residential, agricultural, forestry, commercial, tourism and recreational activities.

Additionally, as outlined through section 2.4 of this Plan and through the *Local Government Act*, the Official Community Plan should work towards the goals of the Regional Growth Strategy.

3.1.1 Implementation of the Plan

The desired settlement and land use pattern consists of:

- clustering future residential growth into designated settlement containment areas;
- maintaining limited industrial, commercial and apartment uses; and
- maintaining agricultural, forestry and other residential land uses on larger lot sizes.

This settlement and land use pattern will be supported through strategies that:

- consider environmental factors in all land use planning decisions;
- establish mitigation strategies to limit or minimize any potential impact that new development may have upon the natural environment;
- promote land uses that protect the natural environment;
- ensure that development does not contribute to soil erosion, water pollution or increased water runoff;
- protect the marine ecosystems;
- support compatible land uses and lot sizes within a zone;
- support practical measures to prevent and/or reduce forest and wild fires; and
- support agriculture and forestry

3.1.2 Land Use Inventory Statistics

Table 5: Land Use Inventory Statistics

Land Use Area	Approximate Land Area	Percentage of Plan Area
Settlement Area	2985.5 ha (7377.4 acres)	87.7
Existing Park and Open Space	8.6 ha (20.5 acres)	0.3
Agricultural Land Reserve	307.0 ha (758.7 acres)	9.0
Roads	104.3 ha (245.9 acres)	3.1
Total Land Area (Not including Marine Shoreline¹)	3405.4 ha (8,414.6 acres)	100
Marine Shoreline Area	240.1ha (593.3 acres)	
Settlement Containment Areas	685.1 ha (1692.9 acres)	
Crown land	634 ha (1566 acres)	

Note: ¹ **Does not include lakes which have not been classified.**

See Maps No. 2 and 3, which are attached to and forms a part of this bylaw, for approximate locations of the land uses identified above.

The approximate land area figures were derived from the Capital Regional District's Geographic Information Systems (GIS) mapping system.

In estimating percentage of the Otter Point area occupied by a given land use, the total number of hectares of Crown land was not included in the calculation since Crown land often overlaps with land having the settlement designation or the ALR designation. The number of hectares of Crown land is presented for information purposes only.

PART 4.0 DEVELOPMENT POLICIES

4.1 General Development Policies - applicable to all land use designations

- 1] Any development, construction or alteration of land within an area designated as a Development Permit Area (DPA) is subject to the requirements of the relevant Development Permit (DP) policies contained in this bylaw.
- 2] With all development, care must be taken to minimize the impact on the natural environment, the existing neighbourhoods and any ALR designated land.
- 3] All development must respond to the physical constraints of the site and must be consistent with the retention of the visual landscape of natural areas, especially on or near hilltops and ridges.
- 4] All development must limit the removal of or damage to any of the natural vegetation cover.
- 5] All development must be designed to protect lakes, watercourses and their tributaries by not allowing sediments or other effluents into the water system as outlined through the Development Approval Information process in Section 4.5 of this bylaw.
- 6] Stream crossings will be located so as to minimize the disturbance of banks, channels and vegetation cover.
- 7] If any temporary watercourse alteration or diversion takes place, streams should be rerouted through their original channels.
- 8] The appropriate authorities should prohibit the unnecessary removal of gravel and soil from streambeds of the above-referenced watercourses, and should also ensure that there is no modification of these stream channels and banks without careful consideration of potential adverse environmental effects.
- 9] Access to lakes, rivers, streams, the sea and other water sources for emergency purposes must be provided.
- 10] Any development proposal must incorporate designs that reduce forest fire risk for homes within and at the edge of forested lands.
- 11] The development should be sited to allow emergency vehicle access.
- 12] Development proposals should address the requirements established in National Fire Protection Association (NFPA) Standards 1142 (Water Supplies for Suburban and Rural Fire Fighting).
- 13] There are several archaeological sites within the planning area; therefore, any proposed development may be subject to an archaeological search conducted by CRD Planning staff. As a result, the applicant may be required to contact the Archaeological Branch of the provincial government in order to satisfy their requirements.
- 14] Historic and archaeological sites are sensitive to human presence. Development proposals will be review in relation to existing and possible archaeological sites, and where sites are apparent, such proposals will be referred to the Heritage Conservation Branch of the provincial government for comment.

- 15] Where forestry and forestry-related activities are practiced as a permitted use, such activities are supported and encouraged to continue.
- 16] Any privately-owned forestland that is assessed as Managed Forest under the *Private Managed Forest Land Act* should be retained and managed as long-term forestry lands.
- 17] Where lands are assessed as Managed Forest under the *Private Managed Forest Land Act*, uses permitted under the *Act* and its regulations are permitted uses under this Plan.
- 18] Where agriculture and agriculture-related activities are practiced as a permitted use, such activities are supported and encouraged to continue.
- 19] Conformance with the guidelines in the provincial publication *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* and in the joint federal-provincial publication *Land Development Guidelines for the Protection of Aquatic Habitat* is encouraged.
- 20] It is acknowledged that there are environmentally sensitive areas within the Plan area that have not been mapped or identified in this Plan. In order to identify and protect these areas, all development proponents are encouraged to conduct a complete site terrain and inventory analysis to locate environmentally sensitive areas, sensitive ecosystems, rare and endangered species and habitat prior to planning development. The actual physical reality shall take precedence over its geographical representation on a map.

4.2 Land Use Designations

4.2.1 Settlement Area Designation

4.2.1.1 Preamble

The settlement designation signifies that the predominant land use is for residential purposes. The Plan is required by law to ensure that the housing stock available in the Plan area meets the needs and requirements for residential housing for at least five (5) years. This can readily be accommodated as outlined by the current population projections. Residential housing may include but is not limited to private ownership, special needs housing, rental and affordable housing. The housing stock may or may not be occupied on a full-time basis. Home-based businesses may be considered as an opportunity for additional economic development activities for the individuals situated in an area within the Settlement designation.

Additional uses within the Settlement designation include the following:

- a. Neighbourhood commercial activities;
- b. Tourism development activities, such as but not limited to bed and breakfasts and agro-tourism uses;
- c. Small-scale industrial uses, such as but not limited to auto repair and body shops, sawmills and outside storage facilities; and
- d. Non-ALR designated agricultural activities.

4.2.1.2 Settlement Area Policies

- 1]
 - a. Development may locate within the settlement area generally. More intensive development such as residential subdivisions should locate within settlement containment areas where development is currently more concentrated and shall conform to all polices, goals and objectives of this Plan.
 - b. The desired parcel size for residential development within settlement containment areas should be in the 1 ha. (2.5 acres) range.
 - c. Residential development outside the settlement containment areas should consist of parcels greater than 2 ha. (5 acres).
- 2] Development may be supported subject to the following:
 - a. The site will have minimal impact on the existing man-made and the natural physical features of the area;
 - b. The proposed development is designed to prevent pollutants from entering the water system. This includes surface water runoff channels, aquifers, ground water areas or wetland areas; and
 - c. Greenbelts, natural buffer areas and berms must be used to separate incompatible land uses.
- 3] Community-sponsored facilities, programs and activities that serve to enhance the community's lifestyle may be considered.
- 4] Any non-ALR designated land that is developed adjacent to any Agricultural Land Reserve (ALR) designated parcel must adhere to the Landscape Buffer Specifications publication produced by the Agricultural Land Commission.
- 5] In the settlement areas, there must be no road ends that abut the Agricultural Land Reserve areas that would suggest that either the road or development will proceed onto the designated lands at some further date.
- 6] This area may be subject to the amenity bonusing provision as outlined in the *Local Government Act* and as allowed through the applicable zoning district.

Developers who propose a mixed commercial/residential use must adhere to the following policies as well as to the foregoing:

- 7] Any mixed-use development must be compatible with the form and character of neighbouring land uses and must ensure that:
 - a. There is adequate parking space for the required commercial use and the residential use. The commercial parking spaces are to be physically separated from the required residential parking spaces;
 - b. The residential use must be protected from any adverse impact from the commercial activities;
 - c. The area to be used for residential purposes is to be physically separated from the commercial area. The residential use and commercial use may be either in the same building, and separated by either a wall or floor or on the same lot but in two separate buildings. The development must meet the BC Building Code and the BC Fire Code requirements. Preference will be given to mixed-use developments that are in a single building or structure; and

- d. Adequate and well-designed off-street parking, loading and service areas should be provided on the site of each mixed-use development with consideration given to:
 - i. safe movement of vehicular and pedestrian traffic on and off the site;
 - ii. design of a safe access and egress point; and
 - iii. type and design of signs in relation to commercial uses with traffic signs.
- 8] ~~The d~~Developers are is advised to ensure that they have reviewed the other development policies as outlined through this bylaw.

4.2.2 Marine Shoreline Designation

4.2.2.1 Preamble

Although the Province of British Columbia owns the shoreline adjacent to the ~~study-OCP~~ area, the Capital Regional District does have the jurisdiction in regard to the use of this area by persons other than the Crown pursuant to its ability to regulate the use of land, which includes the surface of water. This area consists of two regions: a beach/rocky shore area and confluence areas.

- The beach/rocky area generally consists of rock platforms or shelves overlain with beach veneers of boulders or gravel.
- The confluence areas consist of the regions where the freshwater of the various intermittent and permanent streams and the saltwater of Juan de Fuca Strait meet.

This Marine Shoreline area extends out from the [natural boundary to the](#) Otter Point Official Community Plan area across Juan de Fuca Strait for a distance of 300 metres from the foreshore area [as shown on Map No. 2](#).

4.2.2.2 Marine Shoreline Policies

- 1] In order to protect the marine shoreline and to ensure that it is not negatively impacted by development, shoreline areas as shown on Map No. 5b are designated as Development Permit Area. Policies for these areas are contained in section 4.4.5.
- 2] Except where otherwise permitted in the zoning bylaw or by a Development Permit, all uses, buildings and structures must be set back at least 15.0 metres (50 feet) from the natural boundary of the sea.
- 3] Any construction, development or alteration of land within 15.0 metres of the natural boundary of the sea is subject to the requirement for a Development Permit as set out in section 4.4.5.
- 4] Flood construction levels will be regulated by the applicable flood hazard management bylaw.
- 5] The protection, retention and restoration of natural shoreline vegetation, natural features and naturally occurring driftwood and rocks are encouraged.
- 6] Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.

- 7] Where shoreline protection is required, new and reconstructed protection structures should be constructed of rip-rap, large boulders or large wood material, rather than concrete walls.
- 8] Public recreational use of marine shorelands should be consistent with the suitability of each shore type for the proposed use, and users are encouraged to refrain from disturbing or polluting marine and related terrestrial habitats.
- 9] -Log booms, commercial marinas, related commercial facilities, sale or rental of docking space, services for boats or float planes will not be permitted in this area.
- 10] Any type of boathouse, wharf, pier, float or any other type of man-made structure that will be located on Crown land requires approval from the Province of B.C.

4.2.4 Agricultural Land Area-Reserve Designation

4.2.4.1 Preamble

Within the Otter Point area there are numerous areas designated as a part of the Agricultural Land Reserve (ALR), and it is imperative that this land be protected for current and future agricultural activities.

4.2.4.2 Agricultural Land Area-Reserve Policies

- 1] Development adjacent to agricultural areas may be supported subject to the following:
 - a. The site will have minimal impact on the existing man-made and natural physical features of the area; and
 - b. There must be a buffer used between the proposed land use and the agricultural parcels of land.
- 2] The subdivision of any land within the Agricultural Land Reserve designation can be supported for agricultural activities only.
- 3] For land located within the ALR as outlined on Map No. 2, attached to and forming a part of this bylaw, this bylaw is binding only insofar as it is not contrary to the *Agricultural Land Reserve Act* and the *Agricultural Land Reserve Land Use, Subdivision and Procedure Regulation 171/2002*.
- 4] It is a policy of the Capital Regional District not to support any subdivision for a relative in any ALR area as designated by the Province of British Columbia.
- 5] The CRD supports the preservation of agriculture and encourages farming.

4.3 Development Policies

4.3.1 Environmentally Sensitive Area ~~Designation~~Inventory

4.3.1.1 Preamble

Any environmentally sensitive area identified on Map No. 4, which is attached to and forms a part of this bylaw, should be preserved in its natural state. In order to achieve this goal and to protect watercourses, wetlands, riparian areas, habitat, sensitive ecosystems, and rare and endangered species, these designated as Development Permit Areas, as indicated on Map No. 5b.

4.3.1.2 Watercourse, Wetland and Riparian Areas Policies

- 1] In order to protect fish habitat, fish-feeding and fish-supportive watercourses and watercourse ecosystems and in keeping with the intent of the *Riparian Areas Regulation*, the retention in their natural state of all streams and watercourses and the land within 30 metres of the high water mark on both sides of the streams is recommended.
- 2] The watercourses and wetlands that are subject to the *Riparian Areas Regulations* are designated as Development Permit Areas and are shown on Map No. 5b. Development Permit policies for these areas are contained in section 4.4.6.
- 3] For residential, commercial, and industrial development adjacent to any creek, stream, river, or lake proposed within the 30-metre setback requirement, the developer must follow the criteria for the determination of the riparian protection and streamside protection enhancement areas, as outlined in Section 4 of the *Riparian Areas Regulation*, B.C. Regulation 837/2004.
- 4] That when land in a watercourse, wetland and/or riparian area is being cleared for farm uses as defined in the Agricultural Land Commission Act, the required setback on both sides of a riparian area shall not be less than three (3.0) metres.

4.3.1.3 Natural Hazard Areas Policies

- 1] Areas with a slope exceeding ~~20~~30 percent are designated as Development Permit Areas, as shown on Map No. 5a. Policies for these areas are contained in section 4.4.4.
- 2] Areas that are potentially subject to flooding or erosion are generally included within the foreshore Development Permit Area and are shown on Map No. 5b. Policies for these areas are contained in section 4.4.5.
- 3] Areas that are considered to be at high risk of wildfire are shown on Map No. 3, ~~Wildfire Hazard Area~~Significant Features. Within these areas, it is recommended that a 10-metre buffer to provide a fuel-free zone for fire protection be maintained between buildings and forested areas in new subdivisions where these areas are adjacent to forestland and woodlots of 20 hectares or more.
- 4] Within wildfire hazard areas, all development activities, subdivision and rezoning applications should be planned and implemented in a manner that will reduce risks associated with wildfires.

- 5] Owners/applicants are responsible for reviewing all subdivision proposals and rezoning applications in accordance with relevant provincial fire protection guidelines and policies.
- 6] Property owners are encouraged to adhere to the guidelines contained in the publication entitled *FireSmart: Protecting Your Community from Wildfire*.

4.3.2 Parkland and School Site Dedication Policies

4.3.2.1 Parkland

- 1] Provision of parkland must help the community achieve their quality of life objectives. This can be accomplished through the provision of having the developer provide parkland, without compensation, to the community. Depending upon the number of parcels of land being created and the size and location of the parcel being subdivided, the size, location and form of parkland will be determined by the Capital Regional District pursuant to the requirements of the *Local Government Act* and with input from the community. The parkland provided must be in the form of:
 - (a) trails,
 - (b) tot lots,
 - (c) community parks,
 - (d) sports fields,
 - (e) regional parks,
 - (f) interpretive parks,
 - (g) waterfront parks,
 - (h) greenspace, or
 - (i) any combination of the above.

The provision and type of any parkland must be in a location that is acceptable to the Capital Regional District.

- 2] At its discretion the Capital Regional District may ask for cash-in-lieu, as the requirement for compliance with Section 941 of the *Local Government Act*, for the future purchase of land for parks or development of parks in Otter Point.
- 3] For information relative to the acquisition, development, operation, preservation and maintenance of parks in the Juan de Fuca Electoral Area, applicants shall refer to the ~~Parks Appendix of this Official Community Plan, the~~ Juan de Fuca Electoral Area [Community Parks Strategic Plan](#).

4.3.2.2 School Site Dedications

School site acquisition charges are payable in respect of development in accordance with Division 10.1 of Part 26 of the *Local Government Act*.

4.3.3 Roads and Servicing

4.3.3.1 Preamble

The provision of roads and services on the land could play a role in shaping the land use development patterns in the Otter Point Plan area. Currently, no major roads, sewer or water systems are planned for the Otter Point area, at the time of preparation of this Plan.

4.3.3.2 Road Development Policies

- 1] The Ministry of Transportation [and Infrastructure](#) road standards and requirements will be adhered to.

4.3.3.3 Servicing Development Policies

- 1] It is the intent of this Plan that, if not already serviced by a public water system, settlement containment areas as designated on Map No. 2 of this bylaw will be serviced by a public water system in the future.
- 2] It is unknown when the settlement containment areas will be serviced. However, servicing of settlement containment areas should be provided in the order presented on Map No. 2, beginning with settlement containment area No. 1.
- 3] In accordance with the CRD's Regional Growth Strategy, water and sewer services will not be extended, nor hookup permitted, outside the settlement containment areas identified on Map No. 2. To address extraordinary circumstances of risk to public and environmental health from water contamination, or from wildfire hazard, the CRD Board may permit the extension of water services only, beyond the designated settlement areas providing:
 - a) A proposal to extend water services is prepared that identifies and documents the extraordinary circumstances of risk to public and environmental health from water contamination or from wildfire hazard, supported by the appropriate public health and/or fire protection officials;
 - b) The proposal is submitted to the CRD's General Manager of Planning and Protective Services for review in concert with the General Manager of CRD Water Services, with a resolution of support from the Electoral Area Land Use Committee;
 - c) The proposal, the supporting resolution of the Land Use Committee and the recommendations of the General Manager of Planning and Protective Services and the General Manager of Water Services are reviewed and considered by the Board's standing committee responsible for the Regional Growth Strategy in making recommendation to the full CRD Board regarding either approval or refusal of the proposal to extend water services; and,
 - d) The full CRD Board passes a resolution giving approval for the extension of water services.

4.3.4 Public Facilities

The location of public facilities, such as schools, parks, water distribution systems and waste treatment and disposal sites could play a role in shaping the land use development patterns in the

Otter Point Plan area. No new public facilities are planned for the Otter Point area at the time of preparation of this Plan. When public uses are contemplated for an area, consideration needs to be given to community infrastructure to support the proposed uses.

4.3.5 Sand and Gravel Deposits

Three sand or gravel pits (two public, one private) were identified at the time of preparation of this Plan and are described in section 1.3.3 of this Plan. The location and operation of any existing and future sand and gravel extraction activities are subject to the requirements of the *Mines Act*.

4.4 Development Permit Areas

4.4.1 Preamble

Development Permits are a planning tool for sites, buildings and structures that warrant special protection or development control. These Permits must be approved by the Capital Regional District Board and may require some sort of security to ensure that the conditions in the Permit have been achieved. The guiding principle for the use of Development Permits is found within Section 919.1 of the *Local Government Act*. Development Permit Areas can be designated for purposes such as, but not limited to the following:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions;
- Protection of farming;
- Establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

With respect to areas designated as Development Permit Areas, the Community Plan must:

- Describe the conditions or objectives that justify the designation;
- Specify guidelines respecting the manner by which the special conditions or objectives will be addressed.

4.4.2 General Development Permit Policies

- 1] Where land lies within more than one Development Permit Area, all of the applicable permit requirements must be met.
- 2] In accordance with the *Local Government Act*, a Development Permit must be obtained prior to subdivision, construction, alteration of land, soil deposit or removal, or any other development or activity that would impact on any of the elements protected by a Development Permit.
- 3] Any additional information requested by the CRD as outlined in the following sections will be provided at the applicant's expense.

4.4.3 General Exemptions for a Development Permit

No Development Permit will be required for the following:

1. internal alterations to a building;

2. accessory buildings built after the main residential structure, but included in the original building permit plans;
3. structures which are not greater in area than 10.0 square metres (107 square feet) and are accessory to an existing residence. This may include, but is not limited to:
 - a. gazebos;
 - b. garden sheds;
 - c. tool sheds; and
 - d. decks.
4. walkways, ramps and/or stairways for providing pedestrian and/or wheelchair access to any structure exempted in paragraph 3 above;
5. removal of hazard trees;
6. emergency actions for flood or erosion protection;
7. emergency works to repair or replace public utilities or infrastructure;
8. removal of invasive non-native vegetation from riparian areas;
9. in-stream habitat development or restoration that complies with provincial and federal legislation and requirements.
10. subdivision and development applications on lands subject to steep slopes or watercourses, wetlands or riparian development permit, where a qualified professional submits a report or provides certification acceptable to the CRD that the parcel does not include slopes exceeding 30-percent or 16.7 degrees in slope over a minimum 10 metre run, or not to contain a watercourse or wetland (that is, no features requiring protection are located on the parcel);
11. development applications on lands subject to steep slopes or watercourse, wetlands or riparian development permit, where a qualified professional submits a report or provides certification acceptable to the CRD that the proposed development is located outside the steep slope or riparian assessment area, or the setback for non-fish bearing watercourses or wetlands (that is, no feature requiring protection will be affected). This exemption does not apply to subdivision applications.

4.4.4 Development Permit Area No. 1: Steep Slopes

Designation

That part of the Otter Point area shown in blue hatching ~~and red outline~~ on Map No. 5a, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1(1)(b) of the *Local Government Act*.

All areas having slopes exceeding ~~20-30~~ percent or ~~14-16.7~~ degrees in slope over a minimum ~~6~~ 10 metre run are designated as Development Permit Areas and are shown on ~~Hazardous Protection Steep Slopes~~ Development Permit Area Map No. 5a, which is attached to and forms a part of this bylaw.

Justification As pursuant to S 919.1(1)(b) of the *Local Government Act*
(Protection of development from hazardous conditions)

The topography of the area, as well as the slope gradation and thin soil cover, renders the area highly susceptible to erosion and high windthrow hazard. Careful control of development or other alteration of these slopes is needed to reduce the risk to life and property, to prevent erosion and potential risks to down-slope properties, to prevent destabilization of slopes, and to protect the visual quality of the slopes. Land clearing, road construction, changes in slope profiles, construction of buildings or roads or other site disturbance in these areas could increase risk to life and property and harm the environmental values of the slopes.

Objective

To regulate development in the area with a view to protecting the integrity of the slopes and reducing the risk of injury to persons or damage to property.

Guidelines

Development Permits issued in steep slope areas will be in accordance with the following:

- 1] There will be no site disturbances on a steep slope other than those allowed in a Development Permit or subject to a general exemption as outlined in section 4.4.3 of this Plan.
- 2] Excluding trees that present a safety hazard or those that a higher-level government has authorized to be removed, no disturbance of vegetation or movement of substrate will be allowed where there is any potential for erosion, other than that allowed in a Development Permit or subject to a general exemption.
- 3] Erosion control measures, during and after construction, will be specified in the permit application.
- 4] Any development must be designed to avoid stormwater runoff that could destabilize the slope or cause damage to neighbouring properties.
- 5] Removal of vegetation should be minimized to allow only for building sites, sewage disposal systems, driveways, landscaping and other permitted land uses.
- 6] A disturbed site should be revegetated using plant material indigenous to the site or other suitable non-invasive plants.
- 7] An applicant will be required to provide a Slope Stability Plan, certified by a qualified professional with relevant expertise, showing how the proposed development is to be designed and constructed so as to prevent any destabilization or erosion on the slope. The Slope Stability Plan must take account of, but is not limited to, whichever of the following factors are relevant to the proposed development:
 - a) Slope stability prior to development, identification of any areas subject to landslide, landslip, rockfall and windthrow;
 - b) Soil types, depths and conditions;
 - c) Siting of all buildings and other structures, services, driveways and parking areas;
 - d) Existing and proposed impervious surfaces;
 - e) Stream channelling and drainage systems;
 - f) Measures to safeguard neighbouring properties and structures from

hazards arising from the siting, the preparation of the site (including but not limited to blasting), and the construction of the proposed development;

- g) Design of mitigation measures, such as sediment traps, in areas subject to destabilization during land clearing, construction, and rehabilitation;
- h) Alternative vegetation and erosion control measures;
- i) Survey of tree cover and other major vegetation cover shown before and after the proposed development;
- j) Location of well, sewage disposal system and soil test sites;
- k) Anticipated removal or additions of soil, sand or gravel.

4.4.5 Development Permit Area No. 2: Foreshore and Marine Shoreline Areas Designation

That part of the Otter Point foreshore area, shown in a heavy ~~red-blue line and shaded yellow~~ on Map No. 5b, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1(1)(a) of the *Local Government Act*.

Justification As pursuant to Section 919.1(1)(a) of the *Local Government Act*

(Protection of the natural environment, its ecosystems and biological diversity)

All foreshore areas are considered fragile. A Development Permit will be required for any uses, buildings or structures proposed within 15.0 metres (50 feet) of the natural boundary of the sea.

Objective

To regulate development adjacent to foreshore and marine shoreline areas in order to maintain the ecological value of these areas and to guard against their contamination.

Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] No development, building, site disturbance or sewage disposal system will be permitted in a foreshore Development Permit area, as specified in the Justification above, except those allowed by a Development Permit or subject to the general exemptions as outlined in section 4.4.3.
- 2] An assessment by a qualified professional and a B.C. land surveyor's certificate will be conditions of the Development Permit for shoreline protection ~~devises-devices~~ or works.
- 3] Vegetation appropriate, preferably indigenous, to the site may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality or stabilize slopes and banks.
- 4] Modification of banks or shores, which could result in environmental harm or significantly alter local hydrological conditions, will not be permitted.
- 5] All new developments or modifications to existing developments must be designed to avoid any increase in runoff.

- 6] A Development Permit application will include the following:
- A site plan, certified by a qualified, licensed professional with relevant expertise, drawn at a scale of 1:2,000, or, with approval of the Capital Regional District, at a scale of 1:5,000. The site plan must show:
 - a) the foreshore area on the site;
 - b) the proposed location of the principal dwelling or other buildings and any accessory structures, wells, sewage disposal systems, driveways, parking areas, impermeable surfaces, and direction and quantity of any surface water discharge, before and after any development;
 - c) any other feature of the development (including but not limited to alteration of the ground surface by removal, filling, or blasting) with the potential to affect the protected areas.

4.4.6 Development Permit Area No. 3: Watercourses, Wetlands and Riparian Areas

Designation

1. That part of the Otter Point area shaded blue, adjacent to the various creeks and streams as outlined on Map No. 5b, which is attached to and forms a part of this bylaw;
2. That part of the Otter Point area shaded pinkblue, adjacent to the various lakes and wetlands as outlined on Map No. 5b, which is attached to and forms a part of this bylaw, are designated as Development Permit Areas under Section 919.1(1)(a) of the *Local Government Act*; and
3. Notwithstanding the areas identified on Map No. 5b, the actual Development Permit Area No. 3: Water Courses, Wetlands and Riparian Areas will in every case be verified and measured on the ground.

Justification As pursuant to Section 919.1(1)(a) of the *Local Government Act*

(Protection of the natural environment, its ecosystems and biological diversity)

Riparian ecosystems occur adjacent to lakes, streams, creeks, wetlands and rivers, where the increased soil moisture supports and enhances plant communities distinct from the adjacent terrestrial areas. As a general rule, the protection of riparian systems is important for the following reasons: the protection of their biodiversity, the maintenance of water quality, the protection of aquatic habitat, and the retention of wildlife corridors.

The Development Permit Area established under this section for the watercourses, streams, wetlands and riparian areas includes:

1. all non-tidal water, such as watercourses, wetlands, lakes and all lands lying within 30 metres (100 feet) of these features; and
2. watercourse areas as identified on Map No. 5b, the extent of which will be partly determined through the *Riparian Areas Regulation* process for fish-bearing watercourses and by a Qualified Professional for non-fish bearing watercourses.

Objective

To regulate development adjacent to water features, watercourses and riparian areas in order to protect the community's water supply, to maintain the ecological value of these areas, and to guard against their contamination.

Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] Development or alteration of land or vegetation should be planned to avoid intrusion into Development Permit Areas and to minimize the impact of any activity in these areas.
- 2] No development, building or other structure, subdivision of land, sewage disposal system or site disturbance (alteration of land or vegetation) will be permitted in the Development Permit Areas, as indicated on Map No. 5b, except as allowed by a Development Permit or as exempted in section 4.4.3.
- 3] Development activities or proposals that have addressed the requirements of the *Riparian Areas Regulation* will be deemed to have met the requirements of this Development Permit Area as it pertains to fish-bearing watercourses. There may be a need for additional requirements for habitat protection for wildlife/birds/amphibians and land management responsibilities of the Regional District for both fish and non-fish bearing watercourses.
- 4] Development Permit applications that affect a fish-bearing watercourse will include a report prepared by a Qualified Environmental Professional (QEP), as defined by the *Riparian Areas Regulation (BC Reg. 376/2004)*. The report should be prepared pursuant to the *Riparian Areas Regulations Assessment Methodology Guidebook*.
- 5] Development Permit applications that affect non-fish bearing watercourses will include a report/assessment prepared by a qualified professional (eg. RPBio, Environmental Engineer) outlining the following information:
 - a) a detailed site plan drawn at a scale of 1:2,000 (or with the approval of the Capital Regional District, 1:5,000) identifying the high water mark of a stream or top of a ravine bank and a line 15 metres from the high water mark or top of ravine bank;
 - b) any intermittent or permanent wetlands on the site;
 - c) an environmental assessment of the watercourse ecosystem;
 - d) an impact statement describing effects of proposed development on the natural conditions;
 - e) measures deemed necessary to protect the integrity of the watercourse ecosystem from the effects of development;
 - f) guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas;
 - g) habitat compensation alternatives, where compensation is approved.

- 6] All Development Permit applications will also include a plan showing the following:
 - a) the proposed location of the principal dwelling or other buildings and any accessory structures, wells, sewage disposal systems, driveways, parking areas, impermeable surfaces, and direction and quantity of any surface water discharge, before and after any development;
 - b) any other feature of the development (including but not limited to alteration of the ground surface by removal, filling, or blasting) with the potential to affect the protected areas;
- 7] Any development must be designed so as to maintain the quality of any stormwater flowing toward or into the identified water features and to prevent any increase in volume and peak flow of runoff.
- 8] Vegetation appropriate, preferably indigenous, to the site may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality, or stabilize slopes and banks.
- 9] Modification of channels, banks, or shores, which could result in environmental harm or significantly alter local hydrological conditions, will not be permitted.
- 10] All new developments or modifications to existing developments must be designed to avoid any increase in runoff and to prevent pollutants from entering water features.
- 11] Gardening and other related residential activities should be sited so as to prevent nutrient-rich water from entering natural water features.
- 12] The Development Permit may designate and specify, where necessary, a buffer zone within which land alteration or structures will be limited to those compatible with safeguarding the characteristics of the water feature in accordance with a professional report.
- 13] Development Permits issued with regard to road and driveway construction in this area will ensure that:
 - a) watercourse crossings are located so as to minimize disturbance of water feature banks, channels, shores, and vegetation cover;
 - b) wherever possible, bridges are used instead of culverts for crossings of fish-bearing watercourses;
 - c) culverts are sited to allow unrestricted movement of fish in both directions. Where desirable, culverts may be designed to encourage in-stream storage of water.
- 14] That when land is being cleared for farm uses as defined in the Agricultural Land Commission Act, the required setback on both sides of a riparian area shall not be less than three (3.0) metres.

4.4.7 *Development Permit Area No. 4: Protection of Farming*
Designation

That part of the Otter Point area shown in purplebrown, which extends 15 metres from the Agricultural Land Reserve boundaries as outlined on Map No. 5e5d, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1 (1) (c) of the *Local Government Act*.

Justification As pursuant to Section 919.1 (1) (c) of the *Local Government Act* (Protection of Farming).

These areas are situated immediately adjacent to designated Agricultural Land Reserve areas. The *Farm Practices Protection Act* gives farmers the right to farm provided they are following normal farm practices; this Development Permit Area will ensure that adjacent land uses do not interfere with the functioning of normal farm operations and will help mitigate potential conflicts between adjacent uses. Retaining the viability of these lands for agriculture is important in terms of providing local food security and economic diversity but also in terms of preserving valuable rural landscapes for the community.

Objective

Regulate development in such areas in a manner that protects the viability of agriculture for present and future generations.

Guidelines

Development permits issued in agricultural areas will be in accordance with the following:

- 1] Require the siting of buildings or structures such that road access is oriented away from adjacent land used for farming.
- 2] The Development Permit may designate and specify, where necessary, a buffer zone within which land alteration or structures will be limited to those compatible with the characteristics of agriculture.
- 3] Areas within any designated buffer zone should be landscaped in such a way as to provide a physical barrier between the agricultural use and the adjacent uses. This could include the planting of trees or shrubs that are natural to the area.
- 4] If applicable, there will be no siting of buildings or structures, including structures associated with the development of a trail or linear park, inside the buffer area.
- 5] Drainage in the Development Permit Area will be designed and constructed so that there is no increase or decrease in the amount of surface water or ground water available to the agricultural lands.
- 6] A scale-drawn site plan, certified by a qualified professional, drawn at a scale of 1:2,000, or, with approval of the Capital Regional District at a scale of 1:5,000, must be prepared and provided to the Capital Regional District.

The site plan must show:

- a) The proposed location of the principal dwellings, any accessory structures, wells, sewage disposal systems, driveways, parking areas and impermeable surfaces;
- b) Identification of all other features of the development with the potential to affect the protected area, including but not limited to, the direction and quantity of any surface water discharge before

and after development.

4.4.8 Development Permit Area No. 5: Commercial and Industrial Development Area

Designation

The area of land shown shaded [yellow](#) on Map No. [5d5c](#), which is attached to and forms a part of this bylaw, is designated as a Development Permit Area for the form and character of commercial and industrial development.

Justification As pursuant to Section 919.1 (1) (f) of the *Local Government Act* (Establishment of objectives for the form and character of commercial, industrial or multi-family residential development)

The various commercial and industrial areas in Otter Point merit designation as Development Permit Areas for the form and character of commercial and industrial development due to their unique location and their relationship to surrounding land uses.

Objective

To encourage a building design theme that is complementary to and respectful of the natural setting.

Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] Design buildings to take advantage of natural contours and features of the landscape so that buildings and structures fit into the natural surroundings.
- 2] Cluster buildings to reduce and minimize disturbance of the natural vegetative cover.
- 3] Design buildings in a form which can make best use of the natural environment, which allows for retention of natural vegetative cover and which reinforces existing aesthetic and natural advantages of the area.
- 4] Retain existing second-growth forest and native understorey plants in areas where there are no buildings, structures, parking areas or other constructed features.
- 5] Minimize outdoor storage and screen outdoor storage and loading/unloading facilities from neighbouring properties through the retention of trees and native understorey plants or the planting of native or complementary species.
- 6] Screen parking areas to the greatest extent possible, with existing and new landscaping as described in subparagraph (5).
- 7] Install outdoor lighting which is of low intensity and pedestrian-oriented or which is directed down and away from surrounding residential areas so as to reduce and minimize glare into the environment.

4.5 Development Approval Information Area

Designation

Part of the Otter Point study area as shown on Map No. 46, which is attached to and forms a part of this bylaw, is designated as a Development Approval Information area.

Justification

1. The natural environment of the Otter Point area supports an ecosystem of great diversity, including rare species of flora and fauna, and supports human habitation. All of the living things in Otter Point depend on the quantity and quality of the available groundwater. Any development with the potential to deplete the groundwater or otherwise interfere with the wetlands in one region also has the potential to diminish the quantity and quality of available groundwater in one or more of the other groundwater regions. In particular, the extent to which a new well is likely to interfere with an existing well cannot be reliably inferred except from actual interference testing of the affected wells.

2. Any new large-scale development* will increase the traffic flow along the various roads within Otter Point. Information is required in reviewing the potential impact that the larger traffic flows may have upon these various roads.

3. New development may affect the provision of fire and police protection in Otter Point. Information is required on the possible impact that development may have upon the provision of fire and police protection.

4. Given the topography and the rich biodiversity of Otter Point, the Plan area has numerous environmentally sensitive features that require a thorough analysis to be completed prior to development taking place. This also includes an analysis of any liquid waste, to ensure that it has no adverse effect on human health or the natural environment.

Objective

Information relating to the following matters is required whenever an application is made for either a zoning change or a Development Permit:

- a. the natural environment;
- b. traffic flows;
- c. the provision of community services; including but not limited to schools, fire protection, policing and similar services; and
- d. the local infrastructure, which means water service, sewage disposal, and other utilities.

Guidelines

1] As a part of applications for a zoning change or the issuance of a Development Permit, applicants must provide, at their expense, an assessment by an qualified professional, as outlined in the Development Approval Information Bylaw, of the impact that the proposed development may have on any of the above-referenced matters.

* In terms of traffic flow, large-scale development is defined as the creation of 20 or more lots. This includes phased approaches or one time application for all the new lots.

PART 5.0 DEVELOPMENT OF COMMUNITY POLICIES

5.1 Assembling of Land for Trails

5.1.1 Preamble

Walking, cycling and riding trails play a significant part in the lifestyle of Otter Point residents. These trails are used for recreational pursuits, educational purposes or for access to significant scenic and ecological features. As such, the OCP review committee encourages the Juan de Fuca Electoral Area Parks [and Recreation](#) Commission to acquire, over time, a network of trails for the community's enjoyment. When development occurs within the Plan area, trails that are established should connect various components of the existing community as well as adjacent areas.

5.1.2 Policies

1. The following are to be used in conjunction with the parkland dedication features of the *Local Government Act*. Encourage the acquisition of land for trails by such means as but not limited to:
 - using bequests and donations;
 - setting up conditional gifts;
 - using management agreements;
 - utilizing an option-to-purchase approach;
 - working with any local, provincial, or national Land Trust organization.

5.2 External Agency Authorities

1. The community supports the efforts of the approving officer and other public agents to work with the landowners to maintain public access to beaches, riparian areas, streams and other waterbodies, scenic viewpoints and mountains.
2. In consideration of external agencies such as the Ministry of Transportation, the community supports the placement of bike paths along road right-of-ways.

5.3 Working Boundaries with Shirley/Jordan River

5.3.1 Preamble

The Otter Point and Shirley/Jordan River areas share a common boundary, namely Muir Creek and its foreshore area. There is significant potential benefit to both areas in collaborating about future land uses around this common boundary, particularly in regard to the establishment of parklands and the protection of environmental ecosystems.

5.3.2 Policies

1. The Otter Point and the Shirley/Jordan River OCP committees agree that the Muir Creek boundary is considered to be a working boundary. As such, the OCP planning boundary issue will be reviewed after one year from the date of adoption of the respective bylaws to determine whether or not the boundary should be moved in either an easterly or westerly direction.
2. The Otter Point OCP review committee supports the establishment of a joint mechanism between Otter Point and Shirley/Jordan River with a mandate to share information and recommend complementary land use policies affecting their shared boundary.

5.4 Working Boundaries with Sooke

5.4.1 Preamble

The Otter Point area and the municipality of Sooke also share a common boundary. There is significant potential benefit to both parties in collaborating about future land uses around their common boundary.

5.4.2 Policies

1. The Otter Point OCP review committee supports the establishment of a joint mechanism between Otter Point and Sooke with a mandate to share information and recommend complementary land use policies affecting their shared boundary.