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# **CAPITAL REGIONAL DISTRICT BYLAW NO. 3109**

A Bylaw to Adopt an Official Community Plan and a Land Use  
Bylaw for Port Renfrew

**COMPREHENSIVE COMMUNITY DEVELOPMENT PLAN FOR**

## **PORT RENFREW**

**BYLAW NO. 1, 2003**

**CONSOLIDATED FOR PUBLIC CONVENIENCE**

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Capital Regional District  
Bylaw No. 3109

**A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN AND  
A LAND USE BYLAW FOR PORT RENFREW**

**Consolidated for Public Convenience Only**

For Reference to Original Bylaws or for Further Details Please Consult  
Juan de Fuca Local Area Planning Services

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This bylaw is for reference purposes only and is not to be relied upon in making financial or other commitments. Copies of the original bylaw and amendments may be viewed at the Juan de Fuca Local Area Planning Services office or on the CRD website: [www.crd.bc.ca](http://www.crd.bc.ca)

## AMENDING BYLAWS CONSOLIDATED

Bylaw No.	Type	Date Adopted	Purpose
3588	Map	June 10, 2009	Delete from CU and add to CR-1 (Z-06-08)
3716	Map	March 13, 2013	Delete from CU and add to CU-1 (Z-02-11)
3929	Text	September 10, 2014	Define medical marihuana production facilities as Intensive Agriculture – Medical Marihuana on lands within the Agricultural Land Reserve
3986	Text/Map	July 8, 2015	Amend Section 17, add to the Tourism Commercial designation, delete from CR-1, delete from TC-1 and add to TC-1A (Z-04-14)

**A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN AND  
A LAND USE BYLAW FOR PORT RENFREW**

**WHEREAS** the Capital Regional Board wishes to adopt an Official Community Plan under Division 1 of Part 26 of the *Local Government Act* and a Land Use Regulation Bylaw under Division 7 of Part 26 for the Port Renfrew region of the Capital Regional District;

**AND WHEREAS** under sections 794(5) and 259.1 of the *Local Government Act*, the Board may exercise some or all of its powers under the Act by the adoption of a comprehensive general bylaw and the Board wishes to do so with respect to the Port Renfrew Official Community Plan and Land Use Regulation Bylaw;

**AND WHEREAS** the Board of the Capital Regional District considered that the residents of Port Renfrew, various provincial and federal agencies, the Pacheedaht First Nation and the Sooke School Board may be affected by the Port Renfrew Official Community Plan and have therefore provided opportunities for consultation to those persons and bodies;

**AND WHEREAS** this community plan has been considered in conjunction with the Capital Regional District's Financial and Capital Expenditures programme;

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

**SECTION 1 GEOGRAPHIC AREA OF THE BYLAW**

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

**SECTION 2 SEVERABILITY**

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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 portions of the Bylaw, or remaining schedules or maps.

**SECTION 3 INCORPORATION OF SCHEDULES AND MAPS**

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Schedules A and B and Maps numbered 1 to 4 attached hereto are hereby made a part of this bylaw.

**SECTION 4 TITLE**

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This bylaw may be cited for all purposes as the "Comprehensive Community Plan for Port Renfrew Bylaw No. 1, 2003

**SECTION 5 IMPLEMENTATION**

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READ A FIRST TIME THIS 10<sup>th</sup> day of December, 2003  
Public Hearing Advertisements placed this 21<sup>st</sup> day and this 28<sup>th</sup> day of  
January, 2004  
Public Hearing held this 5<sup>th</sup> day of February, 2004  
READ A SECOND TIME THIS 10<sup>th</sup> day of March, 2004  
Second Public Hearing Advertisements placed this 17<sup>th</sup> day and this 24<sup>th</sup> day of March,  
2004  
Second Public Hearing held this 31<sup>st</sup> day of March 2004  
READ A THIRD TIME THIS 12<sup>th</sup> day of May, 2004  
SCHEDULE 'A' OF THIS BYLAW WAS APPROVED BY THE MINISTER OF COMMUNITY, ABORIGINAL  
AND WOMEN'S SERVICES this 6<sup>th</sup> day of August, 2004  
ADOPTED THIS 11<sup>th</sup> day of August, 2004

Original signed by Don Amos

Original signed by Carmen Thiel

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CHAIR

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SECRETARY

**Port Renfrew Comprehensive Development Plan  
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*Bylaw No. 3986*

Map 1: Port Renfrew Official Community Plan - Location Map

Map 2: Port Renfrew Official Community Plan - Land Use Designations

Map 3: Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109 - Zoning

Map 4: Port Renfrew Official Community Plan - Development Approval Information Area



## **1.0 INTRODUCTION AND BACKGROUND INFORMATION**

### **1.1 Purpose of the Plan**

The *Local Government Act*, the act that governs the development of Official Community Plans describes an Official Community Plan in the following manner;

"An Official Community Plan is a statement of objectives and policies to guide decisions on planning and land use management, within the area of the plan, respecting the purposes of local government".

This definition suggests that an Official Community Plan (OCP) is a local community-planning tool, developed with input from the community, to assist the land use decision makers in their various goals. Speaking in general terms, an Official Community Plan (OCP) or a community plan has two tasks. The first goal of the Community Plan is to help coordinate community development in order to keep the costs of services to residents living within the plan to a minimum. The second goal of a Community Plan is to inform the residents of the plan area about the type of land use activities that are likely to occur in their neighbourhood.

This information allows residents of the planning area to play a role in determining how and when their community will develop or not.

### **1.2 History, Location, Climate and Population**

#### **1.2.1 History**

Port Renfrew is an association of neighbourhoods spread out along the seashore, river estuary and Highway 14. Most of Port Renfrew's residents live in the Beach Camp area, which was once a one-time logging rail yard and log dump. This site was converted into a timber company town site after the logging railroad was rendered obsolete by truck logging.

Prior to this and for hundreds of years, the Pacheedaht First Nations members lived and travelled up and down the west coast and throughout the San Juan Valley. Evidence of their use of this area and possibly other First Nation's use, is confirmed by the presence of archaeological sites which occur within the plan area. The first residents of this area used the various waterways as a method for travelling to other First Nation territories. One of the first contacts between the local First Nations people and Europeans occurred on July 13, 1798 when the crew from the British ship, HMS *Iphigenia* engaged the local residents in a dispute.

Pioneering European settlers began to move into the Port Renfrew area after the founding of Fort Victoria in 1859. References to Port San Juan began to show up in the 1850's and more so in the 1860's and 70's as some gold was found in the local rivers and creeks. This promoted the construction of a road from Sooke to Port Renfrew, which was finally constructed in the 1950's. Prior to 1950, a series of waterway routes, logging roads and trails connecting Port Renfrew to Cowichan Lake, was the only land base route out from Port Renfrew.

Direct access to Port Renfrew by water started on a regular basis around the 1890's and continued through to the 1950's. The water route was considered dangerous, which is evident through the large number of shipwrecks being recorded in the vicinity of San Juan Harbour. Within San Juan Harbour itself, it is home to one or two shipwrecks.

As time passed, other economic activities such as logging and fishing, and to a lesser extent farming, were recognized and became prominent in the San Juan Valley. Logging eventually became the mainstay of economic activity throughout the San Juan Valley. This is evident as the main residential area known as "Beach Camp" can be attributed to the logging industry around Port Renfrew.

It is not known exactly where the name Port Renfrew came from, although it is thought locally that it comes from the Prince of Wales, Baron of Renfrew, who visited Canada in 1860. Many of the familiar names for street names and land formations originate from the early pioneers. For example, Parkinson Road, which is the main road through the village, is named after an earlier homesteader who built a three and one-half (3.5) mile boardwalk from the main wharf in the harbour to his farm homestead. Other significant activities in the area include the establishment, at the turn of the century, of the Botanical Beach research station by the University of Minnesota, as a place to study rare and not so rare sea plant and animal life.

### 1.2.2 Location

Port Renfrew lies on the southern tip of Vancouver Island and is part of the Capital Regional District. The community is located on the south side of Port San Juan Harbour, near the confluence of Port San Juan Harbour and San Juan River. Port Renfrew is located approximately (2.5) two and one-half hours west of Victoria along Highway 14. Port Renfrew can also be reached by travelling through Lake Cowichan over logging road via Harris Creek and the San Juan River Valley. To the northeast, situated on the broad low floodplain of the San Juan River, lies the Pacheedaht First Nations community, as well as a small cluster of properties next to the reserve known as "Elliottville".

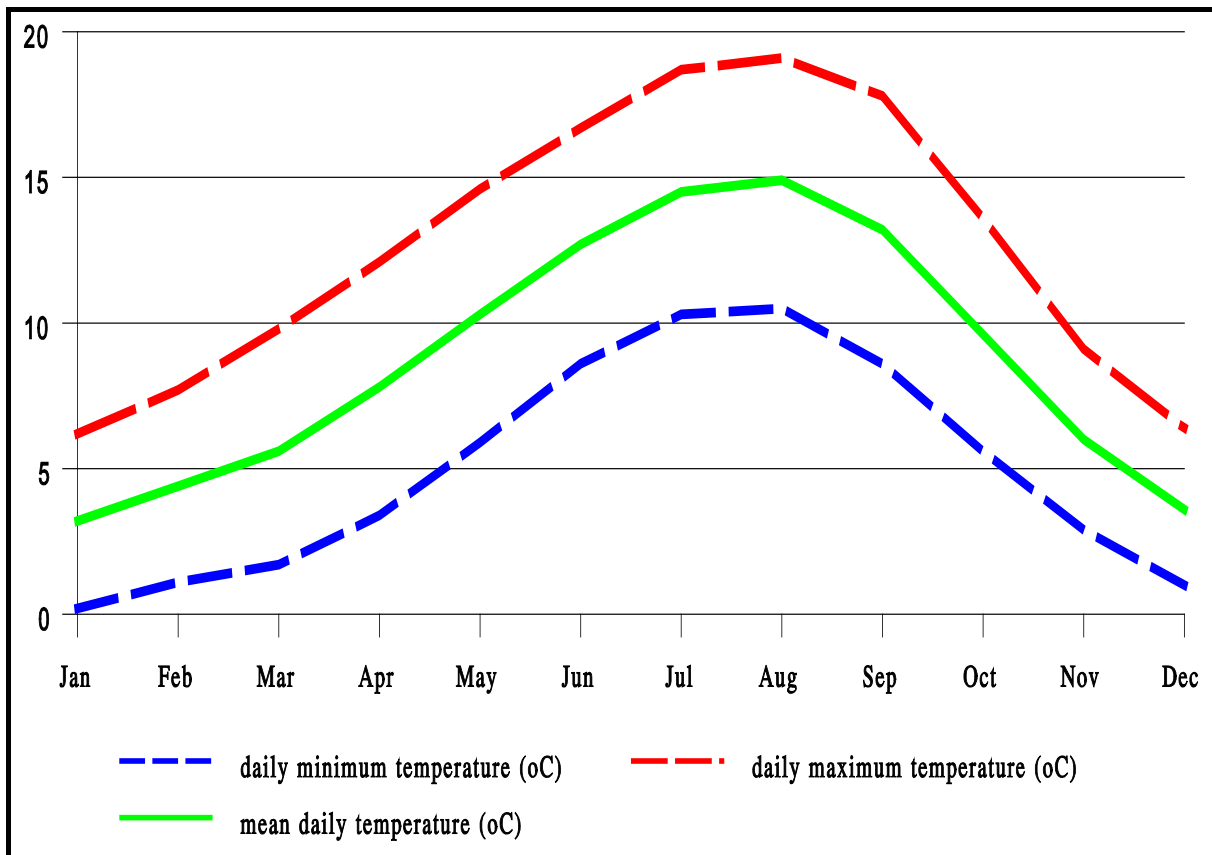
The world-renowned West Coast Trail, which extends north through Pacific Rim Park to Bamfield on the Alberni Inlet, is accessed through Port Renfrew. Also of regional significance is the Juan de Fuca Marine Trail, which runs through the new linear provincial park stretching along the shore from Botanical Beach towards Jordan River. Map 1 shows the approximate location of Port Renfrew relative to the rest of the Capital Region.

### 1.2.3 Climate

In contrast to the relatively dry climate of the heavily-populated Georgia Strait region of the Capital Regional District, Port Renfrew is located within the exceptionally wet and mild rainforest climate region found in Tofino, Ucluelet and that of the Olympic Peninsula found in Washington State. Overall Port Renfrew is within the coastal western hemlock zone as outlined on the province's 1992 Biogeoclimatic Map.

#### a. Temperature

Based on measurements gathered over the past thirty years, Port Renfrew's climate is remarkably mild by comparison with virtually any other settlement in Canada, with the mean daily minimum temperature remaining above zero degrees Celsius year-round. Port Renfrew experiences an average of approximately 12 days of snowfall and only 15 days of snow cover, over the year. However, cool summers go with the mild winters, with temperatures rising only to a mean high of 19.1 degrees Celsius in August. Mean average daily temperatures range from a low of 3.2 degrees in January to 14.9 degrees in August.



#### 1.2.4 Population Characteristics

The total population within the planning boundary is approximately 180 persons, with an additional 100 First Nations members living immediately adjacent to the village. This figure has remained relatively unchanged over the last 30 years.

#### 1.2.5 Local Governance – Land Use Planning

Governance in the area with regard to land use planning is regulated by the following CRD Bylaws:

- 1) Bylaw No. 2945 – A Bylaw to Establish Advisory Planning Commissions in the Juan de Fuca Electoral Area
- 2) Bylaw No. 2975 – A Bylaw to Establish Development Approval Information Requirements and Procedures
- 3) Bylaw No. 3110 – A Bylaw to Establish Fees and Procedures to Amend an Official Community Plan, a Zoning Bylaw, to Issue a Permit Under Part 26 of the *Local Government Act*, and to Apply for a Building Conversion Subdivision Application in the Juan de Fuca Electoral Area.

### **1.3 The Economy**

There is little information available on the employment characteristics of Port Renfrew due to its small population base. Based upon discussions with the local community-planning group, most of the employed persons in the area either worked in or work in forestry related enterprises or similar resource based activities. Some employment exists in the tourism service sector such as bed and breakfast operations, hotel, pubs, restaurants and small retail outlets. A majority of the business activities are small in scale or home based and will continue to be so until the tourist potential of the area is developed.

Throughout the seventies and eighties a large portion of the community worked for B.C. Forest Products, which later became Fletcher Challenge. This situation changed in 1990 when Fletcher Challenge shifted its centre of forest operations to Lake Cowichan. This shift caused a hardship for the local economy and stimulated a drive to diversify the community's economic base. Community and business leaders recognizing the need to refocus the community's economic base has resulted in a number of projects that have been developed to take advantage of the natural setting and the proximity to Victoria and it's large tourism market. Through these efforts the community has started to diversify its economy, although it still retains close links to the forest industry through employment in the logging operations of TimberWest. However, the dominance of this forestry relationship has been reduced and is being slowly replaced by activities such as fishing charters and other tourist related service activities.

Apart from its logging heritage Port Renfrew is known, internationally, as the southern starting point of the West Coast Trail. Other than the West Coast Trail, Port Renfrew also offers a number of other excellent outdoor recreation opportunities, such as but not limited to sport fishing, access to Botanical Beach Provincial Park, the Juan de Fuca Marine Trail and related nature walks as well as the tallest Douglas fir tree in Canada, measured at 241 feet.

### **1.4 Existing Community Services**

The Port Renfrew Local Services Committee has been delegated the administrative authority by the Capital Regional District Board, through Bylaw 2566, with respect to the provision of services as authorized in CRD Bylaws Numbered 1743, 1744, 1745, 1746 and 1747. These services are summarized below:

Bylaw 1743 – allows for the establishment and operation of a fire prevention and suppression service and to provide assistance in response to automobile and industrial accidents that may cause harm to persons or their property for the Local Service Area within the boundaries of the area;

Bylaw 1744 – allows for the collection, treatment and disposal of sewage for the local service area within the boundaries of the area. The CRD operates a secondary sewage treatment plant and disposal outfall for the Beach Camp area under permit from the Ministry of Environment.

Bylaw 1745 – allows for the removal and disposal of waste and noxious substances for the Local Service area within the boundaries of the area. The CRD maintains a transfer station at Port Renfrew for use by the local service area and for visitors for a fee. All refuse and recyclable products are transferred to Victoria for further processing or disposal. Recycle bins are provided at the site for most products and are heavily supported by the community.

Bylaw 1746 – to establish and operate a street lighting system for the local service area;

Bylaw 1747 – allows for the supply, treatment, conveyance, storage, and distribution of water for the Local Service area. The CRD has recently completed a feasibility study to develop a new water local service area to service the Snuggery Cove area of Port Renfrew. The Port Renfrew Local Services committee has supported this initiative and has agreed to the joint use of existing water area infrastructure including a pumping station, a significant length of water main, and a storage reservoir. The Local Services Committee has also supported the construction of a replacement water reservoir. The CRD has submitted an application through the Local Government Infrastructure Grants program for assistance in funding the infrastructure required for the Snuggery Cove water system and a separate application for assistance in the replacement of the existing water reservoir.

## **1.5 Physiography of the Area**

Based upon a review of a report entitled, An Introduction to the Ecoregions of British Columbia, the Port Renfrew area is a part of the Coast and Mountains Ecoprovince, the Western Vancouver Island Ecoregion and the Windward Island Mountains Ecoregion. This suggests the following:

- The major climate processes involve the arrival of frontal systems from the Pacific Ocean and the subsequent lifting of those systems over the coastal mountains.
- Within this ecoprovince there is a strong estuarine gradient across this ecoprovince, from the various freshwater discharges into the fjords.

### **1.5.1 General Topographical Information**

Speaking in general terms the topography consists of the following features:

- Gently rolling features – in the 5 to 15-percent range (2.7 to 8-degrees)
- Nearly level to undulating features – in the 0 to 5-percent range (0 to 2.7-degrees)
- Steeply sloping features – in the 30 to 100-percent range (16.6 to 55.5-degrees)

Overall the landscape of this region varies from seashore regions to nearly flat, featureless plains to regions of protruding and steeply sloped bluffs.

Upon a review of the Soils of Southern Vancouver Island report, the following soil associations, with a brief description of each, are located within the study area:

Soil Units of the Port Renfrew Region

Soil Unit	Drainage Rating	Usual Soil Texture	Slope Range in Percent (Degrees)	Developed in	General Topographical Features
Snuggery (SG)	Imperfect	Clay loams and silty	<5 (0 to 2.7)	Silty fluvial soils which normally overlies sandy or gravel deposits	Nearly level to undulating (Please note that these soils may be subject to varying degrees of flooding)
Nookta (NT)	Rapidly drained	Loamy sands	<5 (0 to 2.7)	These soils are generally developed in deep sandy fluvial or other marine deposit areas	
Hatzite (HT)	Well drained	Gravelly loam	10-100 (5.5 to 55.5-degrees)	They have developed in gravelly fine colluvial or morainal deposits, less than 1 metre thick and overlying schist bedrock	Rolling and hilly topography
Hoarder (HR)	Well drained	Gravelly loams	2-50 (1 to 27-degrees)		Very steep slopes to extremely steeping slopes
Holford (HO)	Well to moderately well drained	Very gravelly loamy sand or gravelly loamy sand	<5 (0 to 2.7)		Gently to strongly rolling
Sarita (SR)	Moderately well to well	Gravelly sandy loam to gravelly loam	1/. Usually <50 (27-degrees) 2/. May sometime range up to 100 (55.5-degrees)	They have developed in deeply gravelly sandy morainal till deposits associated mainly with extrusive (volcanic rock) bedrock areas	

Source: Soils of Southern Vancouver Island, MOE Technical Report 17, 1985.

## **2.0 ADMINISTRATIVE STRUCTURE OF THIS PLAN**

This comprehensive community plan is broken down into the following schedules:

- Schedule A                   The Official Community Plan for Port Renfrew
- Schedule B                   The Land Use Zoning Bylaw for Port Renfrew

### **2.1 Application of the Plan**

The land use policies and zoning regulations as outlined in this comprehensive community development plan do not apply to any lands controlled by the Federal government or its agencies, the Provincial government or its agencies or the Pacheedaht First Nations government.

Notwithstanding any other provision of this comprehensive community development plan, all lands within the Agricultural Land Reserve (ALR), as outlined on Map No. 2 and 3 which are attached to and forms a part of this bylaw, are subject to the provisions of the *Agricultural Land Reserve Act*, regulations and orders of the Provincial Agricultural Land Commission.

It is not the intention of the Capital Regional District in adopting the Port Renfrew Comprehensive Community Plan to create a conflict with provincial or federal enactments.

### **2.2 Community and Development Policies**

The residents of Port Renfrew 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 Comprehensive Community Development Plan has two policy sections for that purpose: development policies in Section 4.0, to be addressed at the development stage and community policies in Section 5.0 which can be collectively refined by the community over the long term.

### **3.0 GOALS AND OBJECTIVES OF THE PLAN**

Broad environmental, social and economic goals as stated in this community plan can help the people of Port Renfrew work towards the betterment of their community. These goals are derived from the wishes of residents of Port Renfrew as expressed throughout the planning process.

#### **3.1 Goals of the Plan**

For the purpose of this community plan the plan's goals have been broken into three categories as identified below:

##### **3.1.1 Environmental Goals**

1. Protection and preservation of the natural eco-system, which impacts upon the special character of Port Renfrew.
2. Harmonization of any urban development regions with the natural environment at the interface regions.

##### **3.1.2 Social Goals**

1. Enhancement of the quality of life in Port Renfrew.
2. Development of a community suitable for the population of Port Renfrew.

##### **3.1.3 Economic Goals**

1. To assist with the general improvement of the current economic conditions.
2. To assist with the establishment of a healthy tourism sector.

#### **3.2 Plan Objectives**

Based upon the above referenced goals the plans objectives are as follows:

1. Preserve the natural amenities of the major watercourses and their tributaries, wetlands areas, steep hillsides and the marine foreshore areas.
2. Protect and enhance fish habitats.
3. Prevent pollutants from entering into any watercourses, wetland regions and the ocean.
4. Promote compatible land uses in those areas subject to the natural hazards of flooding, rapid water run-off, erosion of soils, landslides and seismic activities.
5. Increase the supply of residential products that are demanded by the residents.
6. Harmonize the existing residential uses with possible commercial uses.



7. Accommodate the long-term residential needs of the community.
8. Create a vital and well-designed town centre in the community.
9. Identify potential land sites for industrial activities.
10. Support the Provincial Agricultural Land Commission and their objectives.
11. Support an improvement of the tourism infrastructure in Port Renfrew.
12. Diversify the community economic base as much as possible.
13. To provide for a system of organized or unorganized parks for either active recreation uses or for passive recreational pursuits. The major thrust of this objective is to ensure that there is a continuous network of open spaces linking parks with the other community land uses, which can be used by the residents of and visitors to Port Renfrew.
14. To improve the public's access to Port San Juan Harbour through the use of beach trails and other access right-of-ways.
15. To encourage growth and development based upon the capacity of the community's infrastructure capabilities.
16. To encourage the adequate provision of protective services.

### **3.3 Land Use Inventory Statistics**

- A. Residential Lands (See map No. 2 for the approximate location of the Residential Lands)  
  
The current amount of land designated for Residential use is 184.47 Ha (455.83 AC) or approximately  
42-percent of the plan area.
- B. Marine Protection Area (See map No 2 for the approximate location of the Marine Protection Area)  
  
The current amount of land designated as Marine Protection is 94.46 Ha (233.40 AC) or approximately  
21-percent of the plan area.
- C. Industrial Land (See map No. 2 for the approximate location of the Industrial Area)  
  
The current amount of land designated for Industrial Use is 62.21Ha (153.72 AC) or approximately  
14-percent of the plan area.
- D. Tourism Commercial (See map No. 2 for the approximate location of the Tourism Commercial Area)

The current amount of land designated for Tourism Commercial Use is 98.67 Ha (243.83 AC) or approximately 23-percent of the plan area.

## **4.0 DEVELOPMENT POLICIES**

The policies in this section apply to the areas designated on Map No. 2, which is attached to and forms a part of this bylaw.

### **4.1 Residential (R) Policies – Beach Camp and Snuggery Cove areas**

#### Preamble

The Residential designation signifies that the predominant land use is for residential purposes. The primary focus of this policy is to ensure that the housing stock available in the plan area meets the needs and requirements of the market place for at least five (5) years. This includes 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 business and mixed commercial/residential/tourism commercial uses may be considered as a venue for additional economic development activities for the individuals situated in an area with the residential designation.

#### 4.1.1 Development (R) Policies

- 1) The development of any residential lot or lots may be supported subject to the following:
  - a) The site will have minimal impacts on the existing man-made and natural physical features of the area;
  - b) The site offers an attractive residential setting;
  - c) The development of the site supports clustered or infill development and it is compatible with the adjacent uses;
  - d) The on-site or community sewage disposal system can function adequately with the various soil types and topography of the plan area.
- 2) The preferred development pattern is low to medium density clustered growth.
- 3) The development must respond to the physical constraints of the site.
- 4) Community sponsored activities that serve to complement or enhance the residential lifestyle may be considered.
- 5) Multiple family residential development may be allowed in the area, if the design of the new proposal is compatible with the form and character of the surrounding residential uses.

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

- 6) 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 impacts 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 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.

**NOTE:**

- 1/ The general development policies in section 4.6, of this Comprehensive Community Development Plan, also apply to development under this section 4.1.

**4.2 Marine-Protection (M) Development Polices**

Preamble

The shoreline adjacent to the study area is under the jurisdiction of the Province of British Columbia. However, the policies of this Official Community Plan and the Land Use Bylaw regulations will apply to the use by non-government persons for non-government purposes. From a land use planning perspective this area offers the following: views of Port San Juan Harbour and various passive or active recreational opportunities. This area consists of two regions: a beach/rock foreshore area and various confluence areas.

- The beach/rocky area consist 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 or rivers and the saltwater of Port San Juan Harbour meet.

This Marine Protection zone extends out from the Port Renfrew Community Plan area across Port San Juan Harbour for a distance of 300 metres from the foreshore area.

Development (M) Policies

- 1) There shall be no log booms operations allowed in this areas.

### 4.3 Industrial Land (IND) Development Policies

#### Preamble

Land designated for industrial purposes are intended for industrial, manufacturing or storage purposes. This includes but is not limited to:

- a) forestry related activities; and
- b) manufacturing and storage

Overall the industrial designation means that the predominant land use will be for industrial purposes.

#### 4.3.1 Development (IND) Policies

- 1) Access to a primary or secondary highway system is essential. The access points to the industrial site must not be through a residential area.
- 2) On-site parking spaces must be made available.
- 3) On-site loading and unloading space is required.
- 4) The development should be on land with grades in the 0 to 15-degree range.
- 5) Any proposed site must be able to carry heavy loads and be in areas that are well drained. The preferred soil type of the site is well-graded, well-compacted clay-sands or gravel.
- 6) Buffering by the use of berms, screens, fences or trees shall be required where any development is adjacent to any primary or secondary highways.
- 7) Industrial development should not be located immediately adjacent to any residential or tourism commercial areas. Any proposed development must be designed to minimize potential land use conflicts with adjacent uses.
- 8) The development must respond to the unique characteristics of the site's physical constraints.

#### NOTES:

- 1/ All lands located within the Land Commission's jurisdiction will require approval of the Provincial Agricultural Land Commission before the development can proceed.
- 2/ The general development policies in section 4.6, of this Comprehensive Community Development Plan, also apply to development under section 4.3.

#### 4.4 Tourism Commercial (TC) Policies

##### Preamble

Due to its unique geographic location, the tourism commercial area provides a wide range of services to the travelling public and the local residents. The primary focus of the tourism commercial designation is upon a mix of commercial activities, providing services to the travelling public and the local residents. This includes but is not limited to the following:

- a) recreational vehicle storage areas and parks
- b) pubs
- c) restaurants
- d) hotels/motels
- e) vacation sites
- f) various commercial activities that caters to visitors
- g) guest cabins
- h) residential uses
- i) related activities for any of the above

*Bylaw No. 3986*

##### 4.4.1 Development (TC) Policies

- 1) Access to a primary or secondary highway system is essential.
- 2) On-site parking spaces must be made available.
- 3) On-site loading and unloading space is required.
- 4) The development should be on land with grades in the 0 to 30-degree range.
- 5) Any development must be designed to minimize potential land use conflict with adjacent land uses.
- 6) Mixed residential/commercial uses will be considered.

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 shall 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 impacts from 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 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.

**NOTE:**

- 1/ The general development policies in section 4.6, of this Comprehensive Community Development Plan, also apply to development under section 4.4.

**4.5 Temporary Commercial Use Permits**

- 1) The Regional Board, in consultation with the residents of Port Renfrew, hereby designates the entire community planning area, as a designated area for the issuance of temporary commercial use permits. Permits are issued by a resolution of the Regional Board pursuant to the *Local Government Act*.

**4.5.1 Temporary Commercial Use Permits**

The Regional Board may issue a temporary commercial use permit if the following conditions have been met:

- a. The impacts to any of the existing land uses are kept to a minimum.
- b. It does not involve the construction or erection of a new building.
- c. It does not involve numerous delivery trucks travelling to the site on a daily basis, to either pick up or drop off freight or other materials.
- d. The activity serves the needs of the community or is a part of the tourism sector.
- e. The activity will be carried out wholly within the principal building.
- f. There must be no on street parking.

**4.6 General Development Policies – applicable to all land use designations**

- 1) Stream crossings shall be so located as to minimize the disturbance of banks, channels and vegetation cover. With regard to roadway construction, the Ministry of Transportation, developers and property owners should not the following:
  - a. Stream crossings should be so located as to minimize disturbance of banks, channels and vegetation cover; and
  - b. Bridges are preferred, where possible, to culverts for crossings of fish-bearing watercourses.

- 2) Fire vehicle access to water sources for emergency purposes should be provided. Development proposals will incorporate designs that reduce forest fire risks, for homes within, and at the edge of forested lands.
- 3) The Capital Regional District will assist the Provincial Ministry of Water Land and Air Protection, the Federal Department of Fisheries and Oceans in protecting the ecosystem along the foreshore area and estuaries in the planning area with regards to:
  - a. Prohibit the construction of and the placement of habitable buildings or structures along the marine foreshore area or any riparian setback area;
  - b. Prohibit the removal or the fill of gravel, sand and soil, or any other material in the marine foreshores area; and
  - c. Encourage the retention of natural vegetation foreshore area.
- 4) In the development of parks and recreation facilities, buffering should be placed between residential areas and recreation activity areas and associated traffic and parking areas, in order to eliminate adverse effects. With regards to the development of the overall Park and Open Space System, consideration should be given to the development of pedestrian and bicycle paths along publicly owned property, in order to provide convenient and safe access to park and recreation areas.
- 5) In new residential areas, consideration should be given to locating urban parks and recreational facilities as centrally as possible to their respective service areas.
- 6) Where an application is made for development along creeks or the foreshore region, the Capital Regional District may ask the Approving Officer of the Ministry of Transportation to require the dedication of public rights-of-way to the waterfront.
- 7) Prior to the approval of any development on land on which there is a designated heritage site or a registered archaeological site, the comments and approval, if required, of the Heritage Branch or Archaeology and Forests Branch should be obtained. All attempts should be made for the conservation of sites or structures deemed to be historical/cultural significance. Where development may impact archaeological impact assessment before development can go ahead.
- 8) When property is developed alongside any major roads and no suitable pedestrian facility exists, the provision of sidewalks will be encouraged.
- 9) Separate pedestrian walkways should be provided, wherever possible, as part of the development of residential areas, to give access to open space, recreational areas, neighbourhood centres and the school.
- 10) The provision of convenient pedestrian facilities within any commercial development will be encouraged in order to create, wherever possible, separation between pedestrians and vehicles.

#### **4.7 Urban Design – General Guidelines that are applicable to all land use designations**

- 1) The design plans for the proposed structures should complement the natural landscape.



- 2) The layout and design of any development should complement the landscape, and the form of the established community and neighbourhood.
- 3) Plans for large buildings or developments should include public space and allow for the penetration of sunlight into the public space as well as into their neighbouring properties.
- 4) Distracting, unnecessary or unattractive elements such as large exposed parking areas or large and numerous signs, will not be allowed in any new development sites.
- 5) The visual appeal of residential properties should be protected from the intrusion of new buildings, which may be incompatible in height, bulk or design.
- 6) The planning and subdivision of land, the siting and design of buildings should incorporate the principles of crime prevention through environment design principles (CPTED).

#### **4.8 Park Land and School Site Dedication Policies**

##### Park Land

- 1) The provision of parkland must help the community achieve their quality of life goal objective. 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, the size and location of the parcel being subdivided, the form of parkland will be determined by the Capital Regional district through input with either the Juan de Fuca Electoral Area Director and/or the Sooke Electoral Area Parks and Recreation Commission (SEAPARC). The provision of parkland must be in the form of:
  - a) trails,
  - b) tot lots,
  - c) community parks,
  - d) sports fields,
  - e) regional parks,
  - f) interpretative parks, or
  - g) 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 per 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 Port Renfrew.

##### School Site Dedications

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

#### **4.9 Roads and Servicing**

##### Preamble

The provision of roads and services plays a major role in shaping the land use development patterns in the Port Renfrew plan area. No major roads or a community sewer system are planned for the Port Renfrew area, at the time of the preparation of this plan. A community water system is currently being planned for the Port Renfrew area. The intent of this waterline is to hook the Beach Camp and Snuggery Cove parts of Port Renfrew with a community water line.

##### 4.9.1 Road Development Policies

- 1) The Ministry of Transportation road standards and requirements shall be adhered to.

#### **4.10 Public Facilities**

##### Preamble

The location of public facilities plays a major role in shaping the land use development patterns in the Port Renfrew plan area. No public facilities are planned for the Port Renfrew area, at the time of the preparation of this plan.

#### **4.11 Sand and Gravel Deposits**

##### Preamble

The location of any sand and gravel deposits plays a major role in shaping the land use development patterns in the Port Renfrew plan area. There are no known sand and gravel deposits within the Port Renfrew area, at the time of the preparation of this plan.

#### **4.12 Location of Additional Land Uses**

##### Preamble

The location of additional land uses, for commercial, industrial, institutional, recreation, public utilities and agricultural activities plays a major role in shaping the land use development patterns in the Port Renfrew plan area. All current land uses known, at the time of the preparation of this plan are within the Port Renfrew Comprehensive Community Development Plan.

#### **4.13 Development Approval Information**

##### **Designation**

A portion of the Port Renfrew Official Community Plan area is designated as a Development Approval Information Area, as shown on Map 4 which is attached to and forms a part of this bylaw.

## Justification

No community plan can accurately predict the various types of land use activities that a community may require or face in the future. As a result community plans and zoning bylaws are periodically amended or temporary permits are issued to address this issue.

Included within any development approval process is the knowledge that a decision is made with respect to whether or not a development will precede or not. One way to determine whether or not the development should proceed is to have sufficient information available to assist the decision makers through their decision making process. The Port Renfrew study area merits this designation for the following reasons:

- Highway 14 is currently the only public highway access route into Port Renfrew. Information on the impacts that a development may have on this access point is critical to the overall development of Port Renfrew;
- As the area has a small local service area that is supplying community water to certain residents, information is required to understand how any development may impact this or any other community water system;
- With a small elementary school, information is needed on how the development may impact the school's operation;
- Information on how the development may impact the provision of any protective or other community services is required prior to any decision being made; and
- Given the topography of Port Renfrew, information on how the development may impact the natural environment is required.

## Exemptions

- 1) If the development consists of less than a total of two lots then the development is exempt from the Development Approvals Information requirements. This does not include any phased development concepts.

### 4.14 Development Permit Areas

- 1) No Development Permit Areas are designated in this Official Community Plan as of the date of its initial adoption.
- 2) If an application for rezoning is made for land that in the opinion of the Capital Regional District, requires protection of:
  - a. the natural environment, its ecosystems and biological diversity, or
  - b. development from hazardous conditions,

the rezoning may be made conditional on the prior designation of the land as a Development Permit Area for one or more of the purposes.

**5.0 COMMUNITY POLICIES**

**– long-term community development issues to be worked on by members of the community**

**5.1 Transportation Issues**

**– not under the jurisdiction of the Capital Regional District**

1. The Ministry of Transportation is strongly encouraged to upgrade the existing road between Port Renfrew and Lake Cowichan to provincial highway standards and complete the proposed "Circle Route", connecting Port Renfrew, Duncan and Victoria.
2. The Ministry of Transportation is strongly encouraged to develop an alternative access route into the community to the easterly end of Cerantes Road.

**5.2 Hiking Trails**

1. A network of community walkways and hiking trails in conjunction with provincial and regional trail systems should be developed, and eventually tied in with the West Coast Trail, Breakwater Trail, the Juan de Fuca Marine Trail and the proposed Kludahk Trail.
2. The shoulders of right-of-ways of Cerantes, Mill Bay, Parkinson Road and West Coast Roads should be left in place for future public trail alignments.
3. Motor bikes should be excluded from using the trail system.

**5.3 Port Facilities**

**– not under the jurisdiction of the Capital Regional District**

1. From a long-term community economic development perspective, a breakwater should be constructed to protect the port facilities from stormy water and to provide shelter for transient vessels.
2. Senior levels of governments are requested to provide technical and funding assistance for the continual improvement of the port facilities.

**PART I ADMINISTRATION OF THE LAND USE REGULATIONS**

This part of the bylaw constitutes the zoning and other regulations authorized by Division 7 of Part 26 of the *Local Government Act*.

**SECTION 1 DEFINITIONS**

In this bylaw, which includes Schedules A and B, unless the context otherwise requires:

**ACCESSORY or ACCESSORY USE**

means a use, building or structure that is incidental or subordinate to, and exclusively devoted to and located on the same parcel as a principal use, building or structure;

**CARETAKER'S QUARTERS**

means sleeping and cooking facilities that may be provided for the use of one person and their immediate family, who is provided security services for the site.

**COMMUNITY SEWAGE SYSTEM**

means a system of sewage collection and disposal serving two or more parcels or two or more principal buildings on a parcel of land;

**COMMUNITY USE SERVICES**

means the use of land, a building, a structure or facilities for one or more of the following:

- a) recreational and social activities for local community purposes;
- b) community sponsored and publicly funded educational activities;
- c) community safety or emergency response activities, including fire, police, ambulance and first responder services; and
- d) any government services.

**COMMUNITY WATER SYSTEM**

means a system for the distribution of fresh potable water serving two or more parcels or two or more principal buildings on a parcel of land;

**BED AND BREAKFAST**

means a home-based business that offers sleeping accommodation and a morning meal to the travelling public;

**DAY CARE CENTRE**

means a facility, which is licensed where required by law, that provides day and after school supervision with or without an educational program;

**DERELICT VEHICLE**

means any vehicle which has not been licensed pursuant to the *Motor Vehicle Act* for a period of more than twelve (12) months and which is not housed in a garage or carport;

**DWELLING UNIT**

means one or more rooms, used or designed for use as a residence, which contains sleeping, cooking and sanitary facilities and has its own entrance from outside of the building or from a common hallway inside the building in which the dwelling unit is located;

**ECOLOGICAL RESERVE**

means land used or intended to be used for the preservation of the environment or for scientific research and education pertaining to studies in the inter-relationships between species and the behaviour of unique flora and fauna;

**EXTERIOR SIDE PARCEL LINE**

means a side parcel line that abuts a highway. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);

**FLOOR AREA**

means the aggregate of the area of all floors in a building, measured between the inside surface of the exterior walls of the building, excluding any area used for parking vehicles;

**FRONT PARCEL LINE**

means a front parcel boundary that abuts a highway, and in respect of a corner parcel is the shortest parcel boundary abutting a highway. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);

**GOVERNMENT SERVICES**

means the use of land, a building, structure, facilities or other works by a level of government, improvement district, a public utility regulated under the *Utilities Commission Act*, an incorporated non-profit society or by a corporation providing a service to a municipality or regional district pursuant to a partnering agreement under the *Local Government Act*;

**HEIGHT - average**

means the average vertical dimension of a building or structure calculated by averaging the vertical dimensions of the building or structure at each building elevation by dividing the area of all building surfaces shown on a drawing of the building elevations as being above the natural grade, by the greatest horizontal dimension of that elevation of the building. (For illustrative purposes please see the Setback/Height Definition Diagram No. 2 on Page 35);

**HOME-BASED BUSINESS (Cottage Industries)**

means an occupation or profession carried out in a dwelling unit, by the residents of the dwelling unit, where such occupation or profession is incidental or secondary to the residential use of the subject property;

**HOUSEHOLD**

means:

- a) a person, or
- b) two or more persons related by blood, marriage or adoption; or associated through foster care, or
- c) a group of not more than five persons including boarders, who are not related by blood, marriage adoption or associated through foster care; and
- d) in addition to the above, up to one housekeeper, nanny or other person who resides in the building in which the dwelling unit is located and who is employed for the purpose of providing services to the other members of the household or in relation to the residence itself;

**INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION**

means a use related to the growing, production, possessing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119*, on lands within the Agricultural Land Reserve or where the use is expressly permitted by a zone; *Bylaw No. 3929*

**INTERIOR SIDE PARCEL LINE**

means a side parcel line that is not common to a highway other than a lane or walkway. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);

**KENNEL**

means a commercial establishment for the keeping, breeding, or training of domestic pets;

**MANUFACTURING FACILITIES**

means a building, structure or a parcel of land used for the making of articles or products by either physical labour or with machinery or a combination of the two;

**MEDICAL MARIHUANA LICENSED PRODUCER**

means a licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes; *Bylaw No. 3929*

**OFFICE USES**

means the occupancy or use of a building for the purpose of carrying out business, financial or professional activities, and includes accessory retail; *Bylaw No. 3716*

**PARCEL AREA**

means the total area of a parcel of land taken in a horizontal line;

**PARCEL**

means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

**PRINCIPAL USE**

means a use, building or structure, which occupies the major portion of a parcel and constitutes the primary purpose for which the parcel is used;

**REAR PARCEL LINE**

means the boundary of a parcel that lies the most opposite to and is not connected to the front parcel line. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);

**REGIONAL BOARD**

means the Capital Regional District Board;

**RELIGIOUS CENTRE**

means a building or structure whose use is dedicated to religious worship and may include accessory uses such as a day-care centre, an assembly hall, a library, arts and craft sales, community suppers, sales of pre-owned goods and an accessory dwelling unit for a caretaker;

**RETAIL ESTABLISHMENTS**

means an activity carried out within a building or structure, that provides goods to the public for financial gain, such as but not limited to:

- a) a convenience store,
- b) a farmer's market,
- c) a local grocery store,
- d) arts and craft shops,
- e) a thrift shop, and
- f) a laundromat;

*Bylaw No. 3716*

*Bylaw No. 3716*

**SCREENING**

means a fence, wall, berm, vegetation or similar barriers or any combinations therefore, that effectively obstructs the view or denies physical access to a parcel or portion thereof;

**SECONDARY SUITE**

means an accessory dwelling located within the structure of a principal single-family detached dwelling;

**SETBACK**

means the minimum distance required under this Bylaw between a building or structure and a specified parcel line. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);

**SIDE PARCEL LINE**

means a parcel line other than a front or rear parcel line. (For illustrative purposes please see the Parcel Definition Diagram No. 1 on Page 34 and the Setback/Height Definition Diagram No. 2 on Page 35);



**STAFF ACCOMMODATION**

means a building or structure that is used to house staff members for the retail establishment, that is located on the same parcel of land as the retail establishment;

**TWO FAMILY DWELLING UNIT**

means a dwelling unit commonly referred to as a duplex or a semidetached dwelling unit and designed for and occupied by two households;

**TOURIST FACILITY**

Means a building or structure that is used to supply goods and services to a visitor and includes any of the following or combination thereof:

- a) a recreational vehicle store area and park;
- b) a pub;
- c) a restaurant with or without a liquor licence;
- d) a hotel or motel;
- e) a vacation resort site;
- f) various commercial activities that caters to principally to visitors; or
- g) guest cabins or campgrounds;

but does not include a theme park;

**VISITOR**

means an individual who is taking a trip whereby the individual returns to their starting point or their primary place of residence, outside of Port Renfrew. This trip may be for business, pleasure or educational purposes during which one or more places are visited;

**ZONE**

means a zone established under this bylaw.

Diagram No. 1  
 PARCEL DEFINITIONS

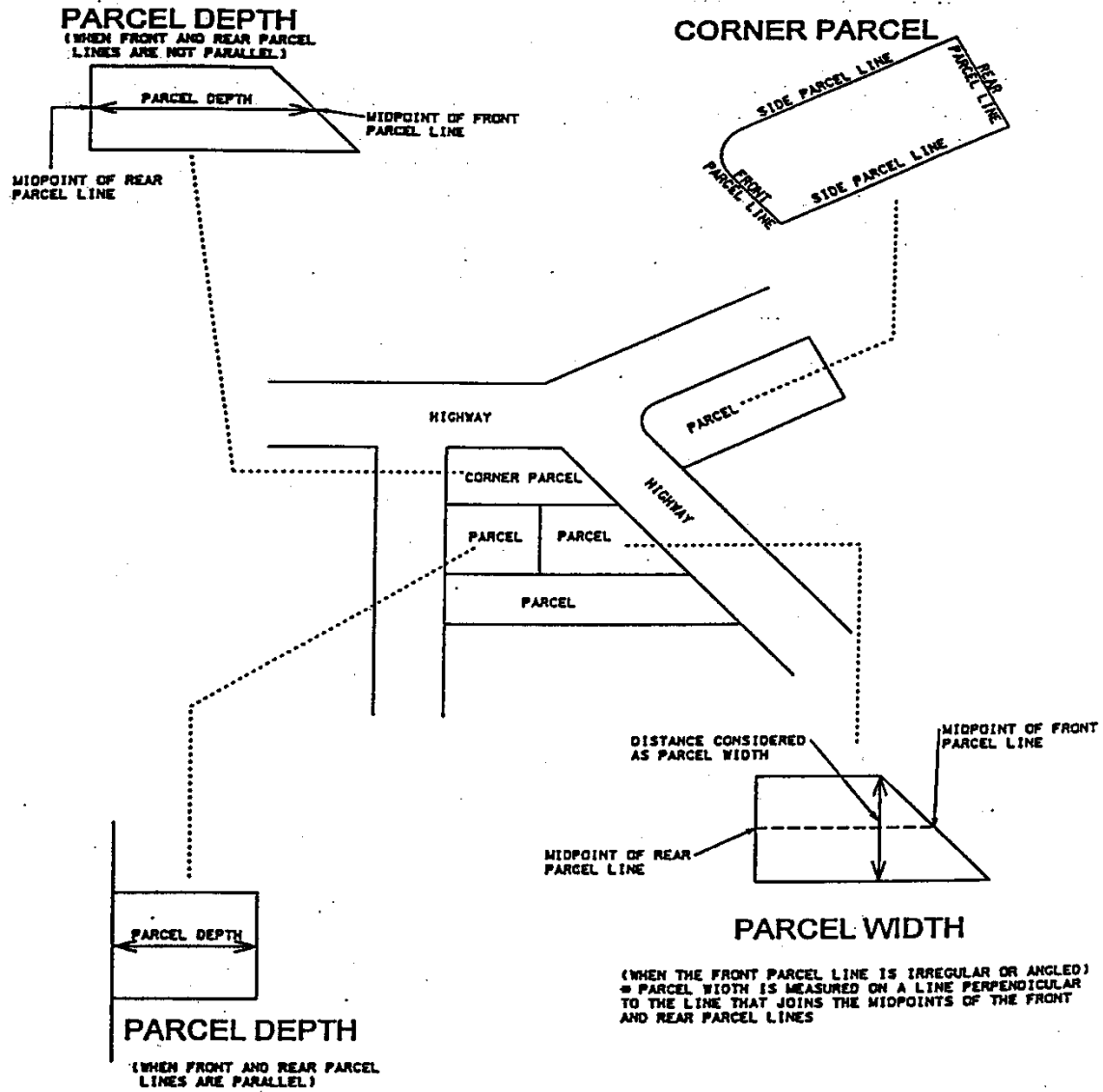
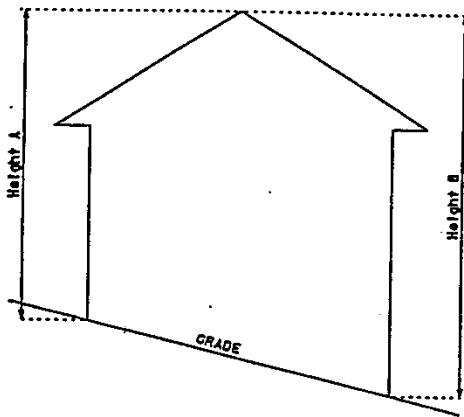
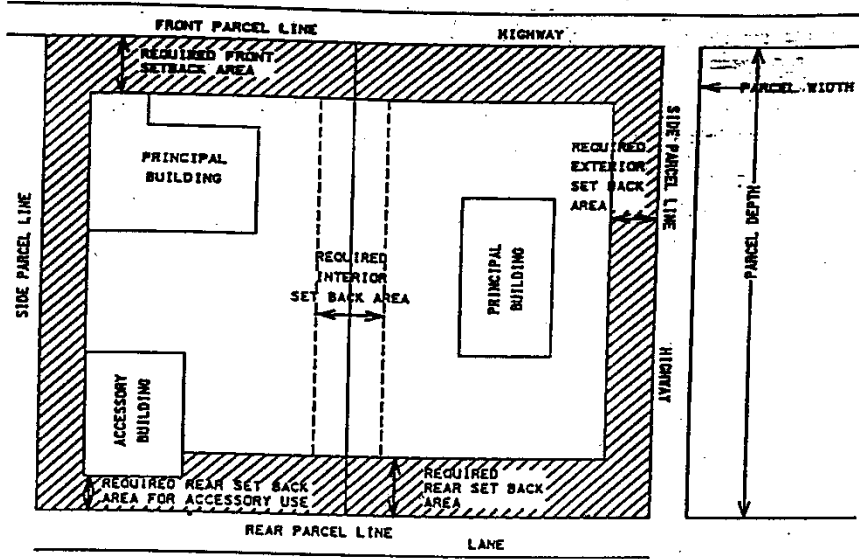
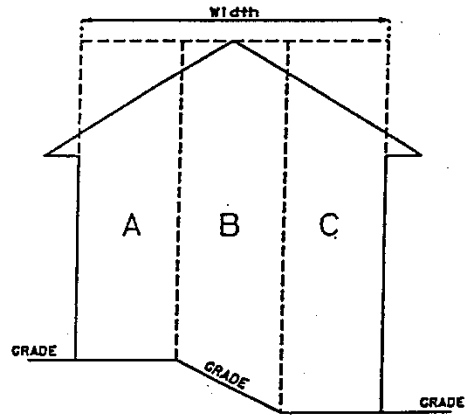


Diagram No. 2  
SETBACK/HEIGHT DEFINITIONS



$$\text{Average Height} = (\text{Height A} + \text{Height B}) / 2$$

EXAMPLE 1



$$\text{Average Height} = (\text{Area A} + \text{Area B} + \text{Area C}) / \text{Width}$$

EXAMPLE 2

**SECTION 2**     **APPLICATION**

1. This Bylaw and Schedule applies to all of the land, buildings and structure within the boundaries of the Port Renfrew region as shown on Map No. 3, which is attached to and forms a part of this bylaw.

**SECTION 3**     **CONFORMITY**

1. Land shall not be used and buildings, structures and signs shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.

**SECTION 4**     **NON-CONFORMING USES**

1. Non-conforming uses of land, buildings and structures, the current siting, size or dimensions of existing buildings or structures, off-street parking area and loading spaces shall be governed by the *Local Government Act*.
2. Lots in existence prior to the adoption of this bylaw do not have to comply with the minimum parcel size requirements.

**SECTION 5**     **ENFORCEMENT**

1. A Capital Regional District Bylaw Enforcement Officer and /or the Planner-Administrator is authorized at all reasonable times to enter onto real property that is subject to the bylaw to determine whether or not the regulations of this bylaw are being observed.

**SECTION 6**     **VIOLATION**

1. No person is to cause, suffer, or permit land to be used or any building or structure to be constructed, reconstructed, altered, moved, extended, or used in contravention of this bylaw and this Schedule or otherwise to contravene or fail to comply with this bylaw.
2. No person is to prevent or obstruct any official appointed under Section 5(1) from the carrying out his/her duties under this bylaw.

**SECTION 7**     **PENALTY**

1. A person who contravenes this bylaw is liable on summary conviction to a penalty of not less than \$200.00 and not more than the maximum prescribed under the *Offense Act* and to costs of prosecution.

**SECTION 8**     **METRIC UNITS**

1. Metric units are used for all measurements in this bylaw. The approximate equivalents of these units in imperial measure shown in brackets following each metric measurement are included for convenience only and do not form part of this bylaw.

**PART II GENERAL LAND USE ZONING REGULATIONS**

**SECTION 9 APPLICATION OF GENERAL REGULATIONS**

1. Except as otherwise stated in this schedule, Sections 9 to 20 apply to all zones established under this bylaw.

**SECTION 10 ACCESSORY BUILDINGS – PROXIMITY TO PRINCIPAL USE**

1. No accessory building or accessory structure shall be located within three (3) metres of any principal building on the same parcel.

**SECTION 11 GARAGES ATTACHED TO A PRINCIPAL BUILDING**

1. A garage or carport attached to a principal building is deemed to be a portion of the principal building.

**SECTION 12 HEIGHT EXCEPTIONS**

1. No building, structure or structural feature shall exceed the height limitations set out in Part III of this bylaw except:
  - a) Flag poles;
  - b) Monuments, Church steeples and spires;
  - c) Chimneys;
  - d) Communication towers, antennas or masts for the reception of communication signals.

**SECTION 13 HOME-BASED BUSINESS**

1. Home-based businesses shall comply with all of the following regulations:
  - a) The sign advertising the business must not exceed one (1) square metre in area;
  - b) The floor area of the home occupation must not exceed 50 percent (50%) of the entire floor area of the entire dwelling unit;
  - c) A Bed and Breakfast home-based business must be carried on completely within the primary residence of the operator and not more than four bedrooms per residence shall be used in the business.

**SECTION 14 MINIMUM PARCEL SIZE EXCEPTIONS**

1. Despite any other provision of this schedule there shall be no minimum parcel size requirements for any of the following uses:
  - a) Ecological reserves;
  - b) Fish and wildlife habitat areas;
  - c) Watershed protection and erosion control areas;
  - d) Government services.

**SECTION 15 PERMITTED USE EXCEPTIONS**

1. Despite the regulations set out in Part IV and Sections 23 to 28 of this bylaw, the following uses are permitted in all Zones:
  - a) Community use services and municipal services;
  - b) Ecological reserves;
  - c) Fish and wildlife habitat;
  - d) Watershed protection and erosion control.

**SECTION 16 SECONDARY SUITES**

1. Notwithstanding the regulations set out in Part IV of this bylaw, a secondary suite is permitted on every parcel where a single-family dwelling unit is permitted, subject to the following conditions:
  - a) A secondary suite shall comply with all statutory and bylaw requirements, such as but not limited to approval from the agency having the jurisdiction for the proposed means of sewage disposal;
  - b) The secondary suite shall not exceed ninety (90) square metres or forty (40) percent of the area of the principal single-family dwelling unit;
  - c) No more than one secondary suite shall be located on a parcel of land.

**SECTION 17 SETBACK AREA EXCEPTIONS**

1. Unless otherwise permitted in Part IV of this bylaw, only the following structures or structural features shall be located in a setback area: *Bylaw No. 3986*
  - a) Eaves, cornices, sills, bay windows, steps, stairs, chimneys and other similar features, provided such constructions do not extend more than one (1) metre into the setback area;
  - b) Signs and fences;
  - c) Open porches or canopies over entrances to buildings, provided such projections do not extend more than one point five (1.5) metres into the setback area. These projections into the interior setback area shall be limited to not more than zero point six (0.6) metres;
  - d) Communication towers and antennas for the reception of radio and television;
  - e) A patio or terrace without a roof provided that the patio or terrace does not extend more than one (1) metre into the setback area;
  - f) A fire escape provided that the fire escape does not extend more than one (1) metre into the setback area;
  - g) A display yard, storage yard, parking spaces or loading spaces, provided that the display yard, storage yard, parking space or loading space is not located within one (1) metre of any parcel boundary.

**SECTION 18    PARKING REGULATIONS**

1. Each parcel must have on-site parking, in all the Zones. There must be no on-street parking for any new parcel of land created, after the adoption of this bylaw.
2. The on-site parking requirements are as follows: - **if more than one function is on the parcel then the combined sum of the parking requirements will be required:**

<b>Class of Building/Use</b>	<b>Required Number of Spaces</b>
Bed and Breakfast	one space for every bedroom offered to patrons
Home Occupation	one space for every 40 square metres (430 sq.ft.) of area used for the home occupation
Retail Establishments	one space for every 45 square metres (484 sq.ft.) of floor area
Campground	two spaces per proposed campsite
Home Occupation	one space for every 40 square metres (430 sq.ft.) or area used for the home occupation
Pub – liquor licensed premises	one space for every three seats for the patrons
Restaurant – with or without a liquor licence	one space for every three seats for the patrons
Industrial Uses	10-percent (10%) of the industrial parcel must be used for on-site parking and for on-site unloading facilities, if the site is 4.0 Ha (10 acres) or greater. If the site is less than 4.0 Ha (10 acres) then three parking stalls per employee and one on-site unloading space for the first 500 square metres (5,380 sq. ft.) of the total floor area of principal and all the accessory buildings or structures or fraction thereof is required.

3. Each off street parking site must not be less than 2.5 metres (8 ft.) wide and 5.5 metres (18 ft.) long. Each site must have a vertical clearance of not less than 2.5 metres (8 ft.) in height.
4. Each on-site loading space must have a vertical clearance of not less than 10 metres (33 feet) in height.

**SECTION 19    LAND RESERVE COMMISSION POLICIES**  
– please see Map No. 2 and 3 for the location of this land

1. Any area of the community plan that is located within the Agricultural Land Reserve is subject to the terms, conditions, regulations and the pertinent Act under the jurisdiction of the Provincial Agricultural Land Commission. Any landowner or their agent within this area must first get approval from the Provincial Agricultural Land Commission and regardless of what is stated in this community plan the Provincial Agricultural Land Commission has the final authority on the use of land within their jurisdiction.
2. For land located within the Agricultural Land Reserve as outlined in Map 2 and 3, attached to and forming part of this bylaw, the bylaw is binding only insofar as it is not contrary to the *Agricultural Land Reserve Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation 171/2002*. All uses permitted in terms of Parts

Schedule "B" of  
Capital Regional District Bylaw No. 3109

2.2 (1) and 2.3 (4), (5) and (6) of regulation 171/2002 are expressly permitted and all uses falling under Part 2.3 (1) are prohibited.



**PART III CREATION OF ZONES**

**SECTION 20 DEFINITION OF ZONES**

1. Port Renfrew is divided into the Zones depicted on Map No. 3, which is attached to and forms a part of this bylaw and is known as the "Land Use Zones Map".

**SECTION 21 LOCATIONS OF ZONES**

1. The location of each zone is defined on "Map No. 3 Land Use Zones Map" of Comprehensive Bylaw No. 3109.
2. Where a zone boundary is shown on "Map No. 3" as following a highway or watercourse, the centre line of the highway or watercourse shall be the zone boundary.

## **PART IV ZONES**

### **SECTION 22 CR-1 (Community Residential – One) Zone**

#### **Permitted Uses**

1. The following uses and no others are permitted in this zone:
  - a) Dwelling unit;
  - b) Religious centres;
  - c) Bed and breakfasts;
  - d) Home based business;
  - e) Retail establishments.

Permitted accessory uses and buildings on any parcel includes the following:

- f) Any accessory buildings or structures to any of the above listed uses, including one or more dwelling units in the rear of or above a retail establishment;
- g) One-cottage in conjunction with the above permitted uses, provided that the cottage does not exceed 83 square metres (900 square feet).

#### **Regulations**

2. On a parcel of land located in this zone:

##### Minimum Parcel Size for Subdivision Purposes

- a) The minimum parcel size is 1.0 Ha (2.5 acres) when there is no community sewage or water system to hook into or the owner decides not to hook into both a community sewage and water system.
- b) The minimum parcel size is 0.1 Ha (0.25 acres) when the parcel is hooked up to a community sewer and water system.

##### Minimum Size of Accessory Dwelling Units and Cottage

- c) Not more than 30 percent (30%) of the principal building shall be used for an accessory dwelling unit or units in a retail establishment.
- d) The accessory cottage must not exceed 83 square metres (900 square feet).

##### Number and Type of Dwelling Units Allowed

- e) Despite paragraph (d) above, not more than the following types of dwelling units, not contained within a retail establishment, are allowed on a parcel in this zone;
  - i. One (1) single-family dwelling unit;
  - ii. One (1) two-family dwelling unit, if there is no retail establishment on the parcel.

Height

- f) No principal building or structure shall exceed 9.75 metres (32 feet) in height. No accessory building or structure shall exceed 4.8 metres (16 feet) in height.

Setbacks

- g) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres (20 ft) of a front parcel line;
  - ii. 1.5 metres (5 ft) of an interior side parcel line;
  - iii. 4.6 metres (15 ft) of an exterior side parcel line;
  - iv. 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

- h) The total floor area of all accessory buildings must not exceed 10-percent (10%) of the parcel area;
- i) An accessory building must not be located within 1.5 metres (5 ft) of a rear parcel line.

Parcel Area Coverage

- j) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 40 percent (40%).

## SECTION 23 TC-1 (Tourism Commercial-One) Zone

### Permitted Uses

1. The following uses and no others are permitted in this zone:

- a) Dwelling unit;
- b) Bed and breakfast;
- c) Home based business;
- d) Retail establishments;
- e) Tourist facilities.

Permitted accessory uses and buildings on any parcel includes the following:

- f) Staff accommodations;
- g) Any accessory buildings or structures to any of the above listed uses, including one or more dwelling units in the rear of or above a retail establishment.

### Regulations

2. On a parcel of land located in this zone:

#### Minimum Parcel Size for Subdivision Purposes

- a) The minimum parcel size is 4.0 Ha (10 acres) where there is no community sewage or water system or the owner decides not to hook into both the community sewage and water system.
- b) If the parcel is connected to a community sewer and water system, then there is no minimum parcel size.
- c) If the parcel is connected to either a community water or sewer system, but not both, then the minimum parcel size is 0.4 Ha (1 acre).

#### Minimum Size of Accessory Dwelling Units and Staff Accommodations

- d) Not more than 30 percent (30%) of the principal building shall be used for an accessory dwelling unit or units in a retail establishment.
- e) The total floor space of the staff accommodations must not exceed 83 square metres (900 square feet).

#### Number and Type of Dwelling Units Allowed

- f) Despite paragraph (d) above the total number and type of dwelling unit that is allowed on a parcel in this zone is as follows:
  - i. One (1) single-family dwelling unit;

Height

- g) No principal building or structure shall exceed 9.75 metres (32 feet) in height.  
No accessory building or structure shall exceed 4.8 metres (16 feet) in height.

Setbacks

- h) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- i. 6 metres (20 ft) of a front parcel line;
  - ii. 1.5 metres (5 ft) of an interior side parcel line;
  - iii. 4.6 metres (15 ft) of an exterior side parcel line;
  - iv. 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

- i) No accessory building may be located closer than 1.5 metres (5 ft) to a rear parcel line.

Parcel Area Coverage

- j) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50-percent (50%).

Additional Requirements

- k) Buildings or structures used for any part of a retail establishment must be a minimum of 4.5 metres (15 ft) from any parcel line that is used or zoned residential.

**SECTION 23ATC-1A (Tourism Commercial 1A) Zone**

*Bylaw No. 3986*

**Permitted Uses**

1. The following uses and no others are permitted in this zone:

- a) Dwelling unit;
- b) Bed and breakfast;
- c) Home based business;
- d) Retail establishments;
- e) Tourist facilities.

Permitted accessory uses and buildings on any parcel includes the following:

- f) Staff accommodations;
- g) Any accessory buildings or structures to any of the above listed uses, including one or more dwelling units in the rear of or above a retail establishment.

**Regulations**

2. On a parcel of land located in this zone:

Minimum Parcel Size for Subdivision Purposes

- a) The minimum parcel size is 4.0 Ha (10 acres) where there is no community sewage or water system or the owner decides not to hook into both the community sewage and water system.
- b) If the parcel is connected to a community sewer and water system, then there is no minimum parcel size.
- c) If the parcel is connected to either a community water or sewer system, but not both, then the minimum parcel size is 0.4 Ha (1 acre).

Minimum Size of Accessory Dwelling Units and Staff Accommodations

- d) Not more than 50 percent (50%) of the principal building shall be used for an accessory dwelling unit or units in a retail establishment.
- e) The total floor space of the staff accommodations must not exceed 83 square metres (900 square feet).

Number and Type of Dwelling Units Allowed

- f) Despite paragraph (d) above the total number and type of dwelling unit that is allowed on a parcel in this zone is as follows:
  - ii. One (1) single-family dwelling unit;

Height

- g) No principal building or structure shall exceed 9.75 metres (32 feet) in height. No accessory building or structure shall exceed 4.8 metres (16 feet) in height.

Setbacks

- h) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- v. 4.55 metres (15 ft.) of a front parcel line;
  - vi. 1.5 metres (5 ft.) of an interior side parcel line;
  - vii. 4.6 metres (15 ft.) of an exterior side parcel line;
  - viii. 6 metres (20 ft.) of a rear parcel line.

Accessory Buildings

- i) No accessory building may be located closer than 1.5 metres (5 ft.) to a rear parcel line.

Parcel Area Coverage

- j) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50-percent (50%).

Additional Requirements

- k) Buildings or structures used for any part of a retail establishment must be a minimum of 4.5 metres (15 ft.) from any parcel line that is used or zoned residential.

## SECTION 24 TC-2 (Tourism Commercial-Two) Zone

### Permitted Uses

1. The following uses and no others are permitted in this zone:
  - a) Dwelling unit;
  - b) Hotels and motels;
  - c) Bed and breakfast;
  - d) Home based business;
  - e) Retail establishment
  - f) Tourist facilities and related amenities.

Permitted accessory uses and buildings on any parcel includes the following:

- g) Staff accommodations;
- h) Any accessory buildings or structures to any of the above listed uses, including one or more dwelling units in the rear of the above a retail establishment.

### Regulations

2. On a parcel of land located in this zone:

#### Minimum Parcel Size for Subdivision Purposes

- a) The minimum parcel size is 4.0 Ha (10 acres) where there is no community sewage or water system or the owner decides not to hook into both the community sewage and water system.
- b) If the parcel is connected to a community sewer and water system, then there is no minimum parcel size.
- c) If the parcel is connected to either a community water or sewer system, but not both, then the minimum parcel size is 1.2 Ha (3 acres).

#### Minimum Size of Accessory Dwelling Units and Staff Accommodations

- d) Not more than 30 percent (30%) of the principal building shall be used for an accessory dwelling unit or units in a retail establishment.
- e) The total floor space of the staff accommodations must not exceed 83 square metres (900 square feet).

#### Number and Type of Dwelling Units Allowed

- f) Despite paragraph (d) above the total number and type of dwelling unit that is allowed on a parcel in this zone is as follows:
  - iii. One (1) single-family dwelling unit.

#### Height



- g) No principal building or structure shall exceed 9.75 metres (32 feet) in height. No accessory building or structure shall exceed 4.8 metres (16 feet) in height.

Setbacks

- h) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres (20 ft) of a front parcel line;
  - ii. 1.5 metres (5 ft) of an interior side parcel line;
  - iii. 4.6 metres (15 ft) of an exterior side parcel line;
  - iv. 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

- i) No accessory building may be located closer than 1.5 metres (5 ft) to a rear parcel line.

Parcel Area Coverage

- j) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50-percent (50%).

Additional Requirements

- k) Buildings or structures used for any part of a retail establishment must be a minimum of 4.5 metres (15 ft) from any parcel line that is used or zoned residential.

## **SECTION 25 CU (Community Use) Zone**

### **Permitted Uses**

1. The following uses and no others are permitted in this zone:
  - a) Community uses.

Permitted accessory uses and buildings includes the following:

  - b) Accessory buildings or structures to any of the above uses.

### **Regulations**

2. On a parcel of land located in this zone:

#### Minimum Parcel Size for Subdivision Purposes

- a) There is no minimum parcel size.

#### Parcel Area Coverage

- b) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50 percent (50%).

#### Setbacks

- c) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres (20 ft) of a front parcel line;
  - ii. 1.5 metres (5 ft) of an interior side parcel line;
  - iii. 4.6 metres (15 ft) of an exterior side parcel line;
  - iv. 6 metres (20 ft) of a rear parcel line.

**SECTION 25.1 CU-1 (Community Use One) Zone**

*Bylaw No. 3716*

**Permitted Uses**

1. The following uses and no others are permitted in this zone:
  - a) Community uses, including post office and library uses;
  - b) Office uses;
  - c) Retail establishments;

Permitted accessory uses and buildings on any parcel include the following:

- d) Accessory uses to the permitted uses above;
- e) Any accessory buildings or structures to any of the above listed uses.

**Regulations**

2. On a parcel of land located in this zone:

Parcel Size for Subdivision Purposes

- a) There is no minimum parcel size.

Parcel Area Coverage

- b) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50 percent (50%).

Size of Office and Retail Use

- c) Not more than 60 percent (60%) of the principal building shall be used for office and retail uses.

Setbacks

- d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres of a front parcel line;
  - ii. 1.5 metres of an interior side parcel line;
  - iii. 4.6 metres of an exterior side parcel line;
  - iv. 6 metres of a rear parcel line.

## SECTION 26 IND (Industrial) Zone

### Permitted Uses

1. The following uses and no others are permitted in this zone:
  - a) Manufacturing facilities and storage areas for raw materials;
  - b) Caretaker's quarters.

Permitted accessory uses and buildings on any parcel includes the following:

- c) Any accessory buildings or structures to any of the above uses.

### Regulations

2. On a parcel of land located in this zone:

#### Minimum Parcel Size for Subdivision Purposes

- a) The minimum parcel size is 4.0 Ha (10 acres) where there is no community sewage or water system or the owner decides not to hook into both the community sewage and water system.
- b) If the parcel is connected to a community sewer and water system, then the minimum parcel size is 1.2 Ha (3 acres).
- c) If the parcel is connected to either a community water or sewer system, but not both, then the minimum parcel size is 2.0 Ha (5 acres).

#### Number and Type of Dwelling Units Allowed

- d) The only dwelling unit allowed on a parcel in this zone;
  - i. One (1) single-family dwelling unit, to be used as watchmen's caretaker's quarters.

#### Height

- e) No principal building or structure shall exceed 11.9 metres (50 feet) in height. No accessory building or structure shall exceed 5.9 metres (25 feet) in height.

#### Setbacks

- f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres (20 ft) of a front parcel line;
  - ii. 1.5 metres (5 ft) of an interior side parcel line;
  - iii. 4.6 metres (15 ft) of an exterior side parcel line;
  - iv. 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

- g) No accessory building may be located closer than 1.5 metres (5 ft) to a rear parcel line.

Parcel Area Coverage

- h) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 70 percent (70%).

Additional Requirements

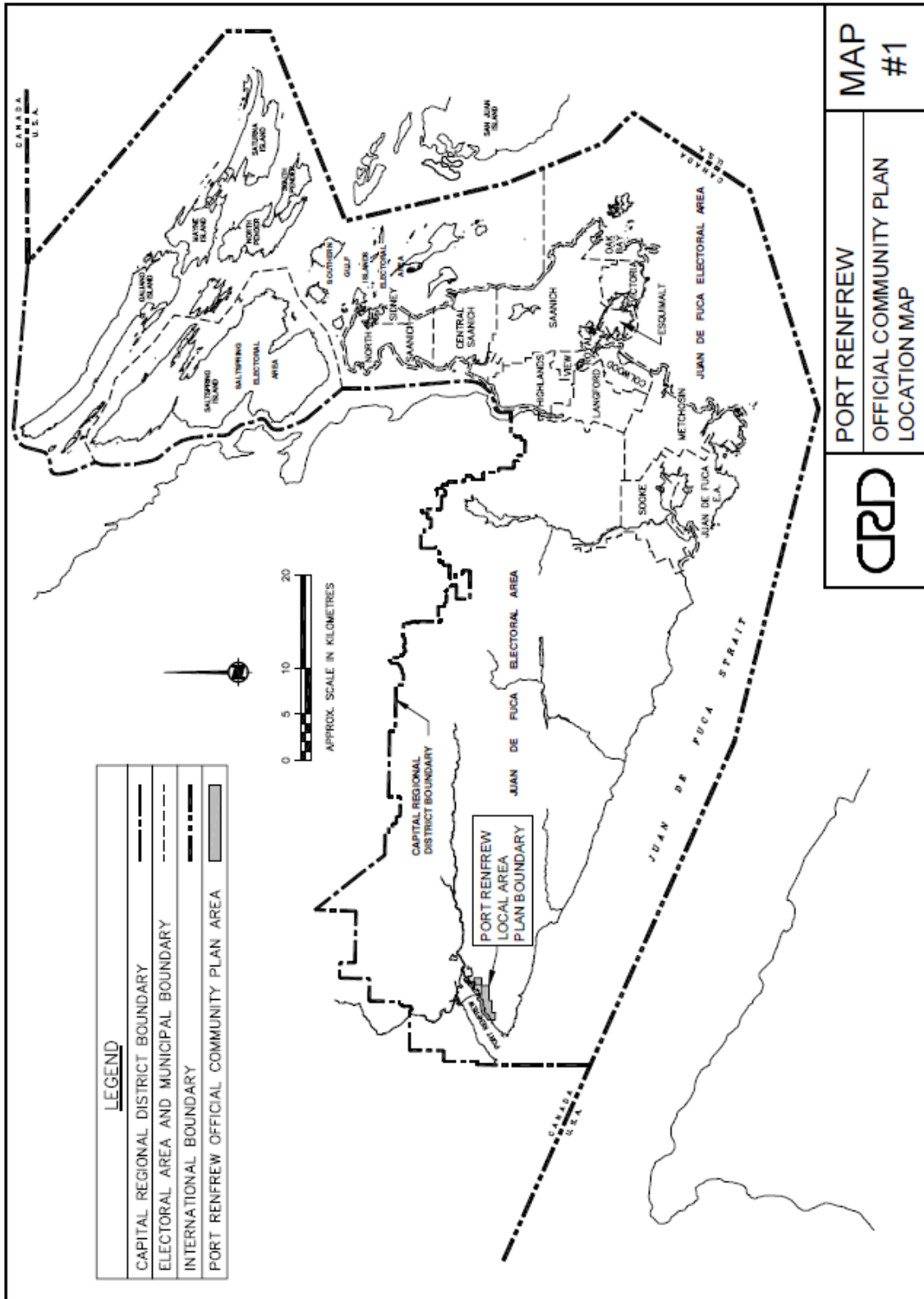
- i) All industrial areas that are adjacent to either a residential area or a highway must be screened by a solid fence or a vegetated landscaped berm that must not be less than 3 metres (10 ft.) in height from the grade to the top of the berm or fence.

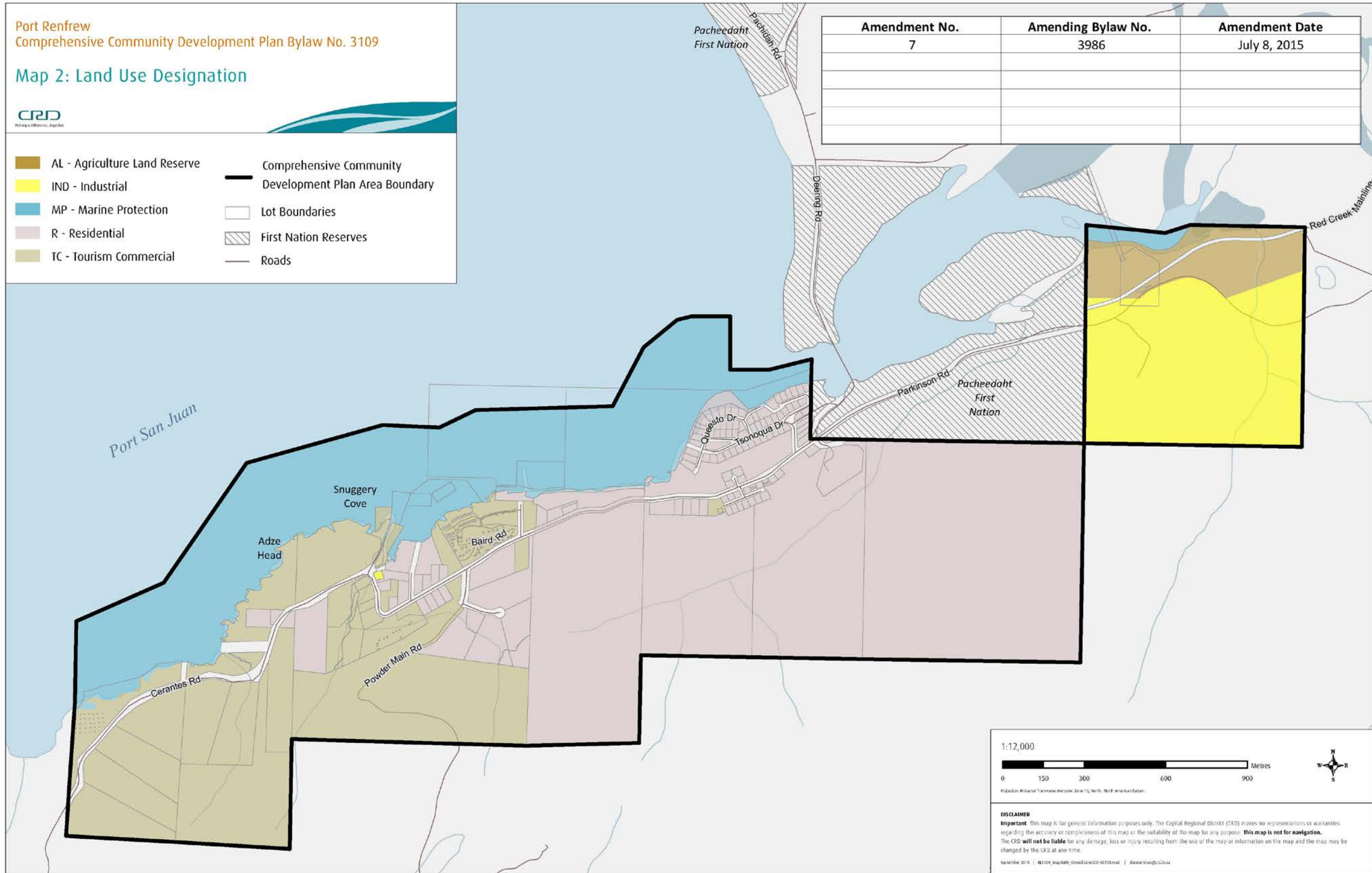
**SECTION 27 M (Marine) Zone**

**Permitted Uses**

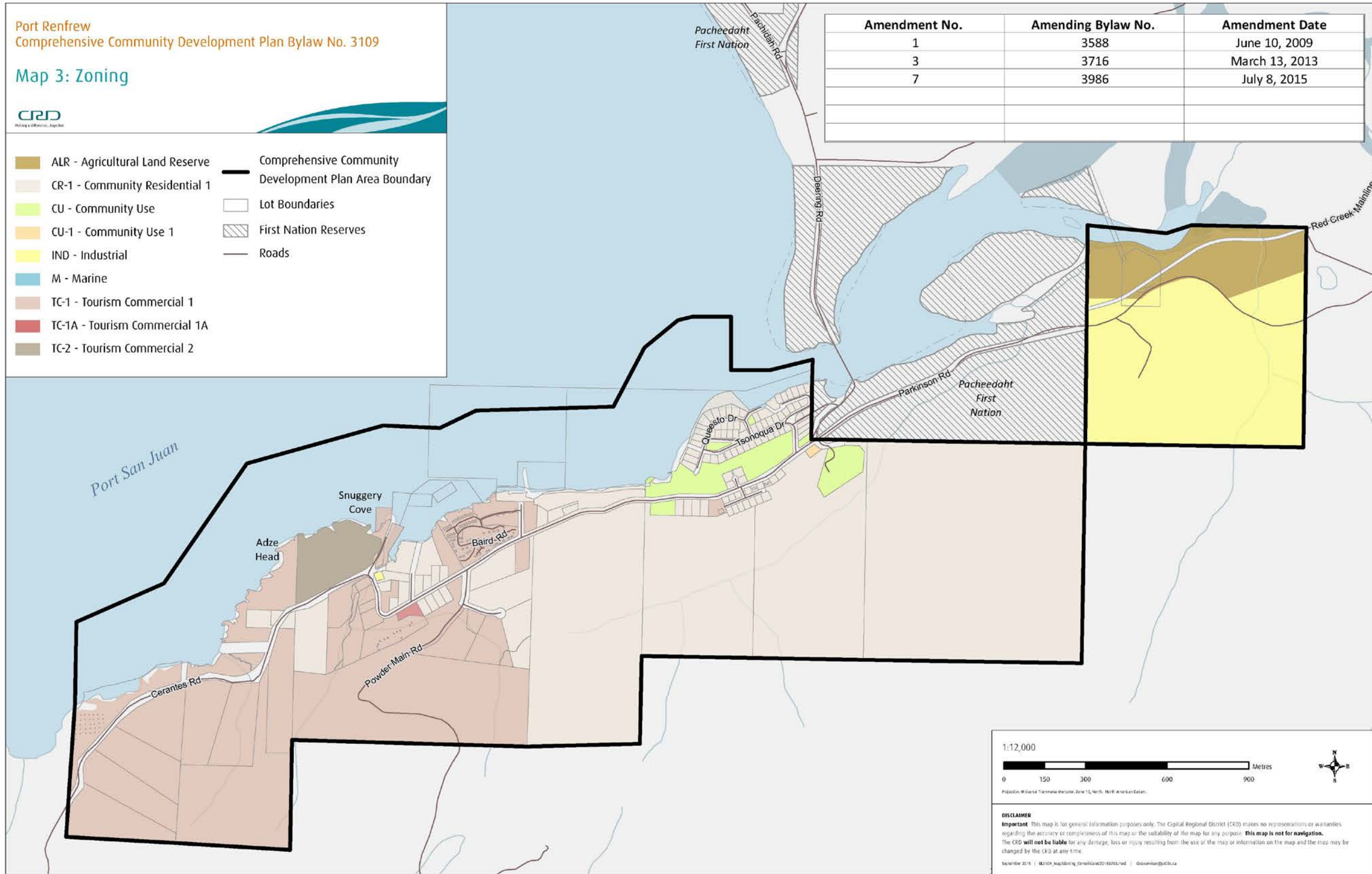
1. The following uses and no others are permitted in this zone:
  - a) Private boat docks.

DWG. No. 20-M129-1 DATE: NOVEMBER 19, 2003 FINAL









DWG. No. 20-M129-4 DATE: NOVEMBER 19, 2003 FINAL

