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PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE

Notice of Meeting on **Wednesday, March 26, 2014, at 1:30 pm**

Board Room, 6th floor, 625 Fisgard Street, Victoria, BC

B. Desjardins (Chair)	L. Wergeland (Vice Chair)	L. Cross	T. Daly
V. Derman	D. Fortin	C. Hamilton	G. Hill
W. Milne	J. Ranns	L. Seaton	A. Bryson (Board Chair, ex officio)

AGENDA

1. Approval of Agenda
2. Adoption of Minutes of February 26, 2014
3. Chair's Remarks
4. Presentations/Delegations
5. 2014 Planning, Transportation and Protective Services Terms of Reference – Revised
6. Otter Point Official Community Plan Bylaw No. 1, 2014, Bylaw No. 3819
7. Regional Context Statement Amendment for the District of North Saanich
8. New Business
9. Adjournment

Next Meeting: April 23, 2014

To ensure quorum, please advise Nancy More at 250-360-3024 if you or your alternate cannot attend.



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Item 2

**Minutes of a Meeting of the Planning, Transportation and Protective Services Committee
Held Wednesday, February 26, 2014, in the Board Room, 625 Fisgard St., Victoria, BC**

Present: Directors: B. Desjardins (Chair), L. Wergeland (Vice Chair), J. Cullington (for C. Hamilton), T. Daly, V. Derman, D. Fortin, G. Hill, R. Kasper (for W. Milne), J. Ranns, L. Seaton, A. Bryson (Board Chair, ex-officio)

Staff: T. Whiting, Acting General Manager, Planning and Protective Services; S. Bagh, Senior Manager, Regional and Strategic Planning; A. Orr, Senior Manager, Corporate Communications; N. More, Committee Clerk (recorder)

Absent: L. Cross

The meeting was called to order at 1:32 pm.

1. Approval of Agenda

MOVED by Alternate Director Kasper, **SECONDED** by Director Wergeland,
That the agenda be approved as circulated.

CARRIED

2. Adoption of Minutes

MOVED by Director Derman, **SECONDED** by Director Wergeland,
That the minutes of the November 27, 2013, meeting be adopted as previously circulated.

CARRIED

3. Chair's Remarks: There were none.

4. Presentations/Delegations: There were none.

5. 2014 Planning, Transportation and Protective Services Committee Terms of Reference

The Committee discussed the following points:

- Section 4.0, bullet three, on committing matters to the Committee of the Whole
- relationship with the Roundtable on the Environment
- whether section 4.0 bullet 3 is the same as previous years

MOVED by Director Hill, **SECONDED** by Director Ranns,

That staff be directed to provide more information in the terms of reference on the relationship with the Roundtable on the Environment and report back with more information on bullet three under section 4.0.

CARRIED

Fortin, Kasper, Wergeland OPPOSED

6. Regional Sustainability Strategy 2014 Work Plan (PPS/RSP 2014-01)

S. Bagh spoke to the report and presented main points with the use of MS PowerPoint. The Committee discussed climate change, transportation, the Regional Urban Containment and Servicing Policy Area, energy and costs, industrial lands, and the potential for fulfilling the work plan.

On the motion, the Committee discussed the following points:

- Development and Planning Advisory Committee participation
- input could be received from the presentation "Vic Derman's Natural City: Three Lenses to Shape the Urban Future" at a future meeting
- Regional Growth Strategy still in place while Regional Sustainability Strategy under development
- timelines of the work plan in face of municipal elections
- topics to be considered such as rail mode of transportation, agriculture, health and well-being within the built environment, i.e. cell tower placement, transportation linked to generation of wealth

MOVED by Board Chair Bryson, **SECONDED** by Director Derman,
That the proposed Regional Sustainability Strategy (RSS) work plan for 2014 be endorsed and staff be directed to obtain stakeholder group input towards creation of a draft RSS for presentation to the Planning, Transportation and Protective Services Committee in June 2014.

CARRIED
Ranns **OPPOSED**

7. Regional Deer Management Strategy Implementation Update (PPS/RSP 2014-02)

T. Whiting spoke to the report. The Committee discussed the following points:

- public education and monitoring of public response
- staff to follow up letter previously sent to Ministry about female bag limit
- urban pilot projects that could potentially involve a cull depend on deer count and municipal decisions
- regulated rural culls have been in place for some time under provincial right-to-farm legislation

MOVED by Director Hill, **SECONDED** by Director Fortin,
That the report PPS/RSP 201-02 titled *Regional Deer Management Strategy Implementation Update* be received for information.

CARRIED

8. Correspondence: Town of View Royal re CRD Regional Crime Unit

On the motion, the Committee discussed that policing and information does not stop at boundaries.

MOVED by Director Seaton, **SECONDED** by Alternate Director Cullington,
That the correspondence from Town of View Royal re CRD Regional Crime Unit be received
for information.

CARRIED

9. New Business: There was none.

10. Adjournment

MOVED by Director Derman, **SECONDED** by Board Chair Bryson,
That the meeting be adjourned at 3:02 pm.

CARRIED

CHAIR

RECORDER



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**REPORT TO PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 26, 2014**

**SUBJECT 2014 PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES
COMMITTEE TERMS OF REFERENCE – REVISED**

ISSUE

To revise the terms of reference for the 2014 Planning, Transportation and Protective Services Committee to reflect the relationship with the CRD Roundtable on the Environment.

BACKGROUND

Section 795(2) of the *Local Government Act* allows the Chair to establish standing committees “for matters the chair considers would be better dealt with by committee and may appoint persons to those committees”. In addition, section 26(1) of the CRD Board Procedures Bylaw allows the Chair to “establish a Board Standing Committee as a regular permanent committee whose mandate will be in relation to a CRD service or potential service”.

In accordance with the above, the Board Standing Committees for 2014 have been established as follows:

- Committee of the Whole
- Core Area Liquid Waste Management
- Electoral Area Services
- Environmental Services
- Finance
- Governance
- Planning, Transportation and Protective Services
- Regional Parks

At a meeting held February 26, 2014, the Planning, Transportation and Protective Services (PTPS) Committee considered the terms of reference for the 2014 PTPS Committee and directed staff to amend the terms of reference to reflect the relationship with the Roundtable on the Environment.

In addition, staff was also requested to provide clarification regarding the following bullet under section 4.0 of the terms of reference:

“With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration.”

This is a standard clause in all of the Board standing committee terms of reference. It allows for some flexibility in the process so that items of an urgent or time sensitive nature can be forwarded directly to the Board rather than having to go through the Committee first which could add considerable delay to the consideration of an item of this nature. It is the practice of the CRD to have all items appear before the appropriate standing committee before proceeding to

the Board with the exception of items that fall into the above category following the approval of the Committee Chair and Board Chair.

The revised terms of reference for the 2014 Planning, Transportation and Protective Services Committee (Appendix A).

ALTERNATIVES

1. That the Committee recommend to the Capital Regional District Board that the revised terms of reference for the 2014 Planning, Transportation and Protective Services Committee as attached in Appendix A be approved.
2. That the terms of reference be referred back to staff for further review.

IMPLICATIONS

The terms of reference that have been developed for each committee identify the mandate/purpose of the committee, its establishment and authority, the composition, procedures and staff resources. For the most part, the committees are structured around specific service areas and the terms of reference identify the primary staff liaison(s) for each committee.

CONCLUSION

The terms of reference for the 2014 Planning, Transportation and Protective Services Committee have been revised to reflect the relationship with the Roundtable on the Environment.

RECOMMENDATION

That the Committee recommend to the Capital Regional District Board that the revised terms of reference for the 2014 Planning, Transportation and Protective Services Committee as attached in Attachment 1 be approved.



Sonia Santarossa, MA
Senior Manager
Legislative & Information Services



Robert Lapham, MCIP
Chief Administrative Officer
Concurrence

ss

Terms of Reference



PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE

PREAMBLE

The Capital Regional District (CRD) **PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE** is a standing committee established by the CRD Board and will oversee and make recommendations to the Board regarding matters related to planning, transportation, protective services, emergency management, health facilities, and housing.

The Committee's official name is to be:

PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE

1.0 PURPOSE

The mandate of the Committee includes overseeing and making recommendations to the Board regarding the following functions:

- Regional planning
- Regional Sustainability Strategy
- Regional transportation planning
- Protective services – including 911, fire dispatch and hazmat
- Emergency Preparedness
- Health facilities – capital planning and financing for Capital Regional Hospital District
- Community health planning and regulations
- Housing

The Committee may also consider matters referred by the CRD Roundtable on the Environment. A copy of the terms of reference are attached as Appendix A.

2.0 ESTABLISHMENT AND AUTHORITY

- The committee will make recommendations to the Board for consideration; and
- The Board Chair will appoint the Committee Chair, Vice Chair and committee members.

3.0 COMPOSITION

- The Chair, Vice Chair and members are appointed annually by the Chair of the Board.

4.0 PROCEDURES

- The committee shall meet on a monthly basis, except August and December, and have special meetings as required;

- The agenda will be finalized in consultation between staff and the Committee Chair and any committee member may make a request to the Chair to place a matter on the agenda;
- With the approval of the Committee Chair and the Board Chair, committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for consideration; and
- A quorum of 50% plus one of the committee membership is required to conduct committee business.

5.0 RESOURCES AND SUPPORT

- The General Manager of the Planning and Protective Services Department will provide administrative support; and
- Minutes and agendas are prepared and distributed by the Legislative & Information Services Department.

CAPITAL REGIONAL DISTRICT ROUNDTABLE ON THE ENVIRONMENT

TERMS OF REFERENCE

PURPOSE AND ROLE

The purpose of the Roundtable on the Environment (RTE) is to provide support to the Capital Regional District (CRD) through the Environmental Sustainability Committee in pursuing its strategic direction related to environmental protection and climate action.

Specifically, the role of the RTE will be to:

- a) provide advice to staff and decision-makers on future-oriented, long-term, strategic environmental sustainability issues; and
- b) within the broad mandate of the CRD, bring forward its own views on emerging issues and new strategies that could be initiated to meet the CRD's overall sustainability goals and strategic priorities.

The RTE will function as an independent advisory body consisting of residents of the CRD with comprehensive experience in environmental management and its application to regional sustainability initiatives. Without limiting the scope of the RTE mandate, the CRD, through the General Manager, Environmental Sustainability, will request RTE submissions in such areas as strategic priority planning, business planning, and the Regional Sustainability Strategy.

RELATIONSHIP TO THE CRD

The RTE will typically report through the Environmental Sustainability Committee. That committee may refer matters on to other standing committees of the CRD Board and to the CRD Board. In those cases, the RTE may report directly back to those committees as necessary. The Environmental Sustainability Committee, the Board or the General Manager of Environmental Sustainability may also refer matters to the RTE.

The General Manager of Environmental Sustainability, or delegate, will act as staff liaison to attend RTE meetings, represent the CRD and provide effective communication between the RTE and the CRD.

MEMBERSHIP AND SELECTION

RTE membership will be nine to 12 members at any time. The CRD will solicit expressions of interest from the community each year, as positions become available. The General Manager of Environmental Sustainability will solicit and recommend RTE members for approval by the Environmental Sustainability Committee and the CRD Board.

The CRD Environmental Sustainability Committee will nominate a Director from the committee to act as a non-voting liaison to the RTE.

Chairs, and/or their delegates, of the Planning, Transportation and Protective Services Committee and the Regional Parks Committee may also act as a liaison to the RTE on relevant matters.

Members of the RTE will serve a term of two years, renewable to a maximum period of six years.

The RTE will elect its own chair annually to a maximum term of three years.

Members are to serve without remuneration.

PROCEDURE

The RTE will meet approximately four to six times per year. Dates of meetings will be set at the beginning of the year based on recommendations of the General Manager of Environmental Services and the Chair. Any additional meetings will be at the call of the Chair.

The CRD Rules of Procedure will apply.

BUDGET

Subject to CRD Board approval, an annual budget will be available to cover costs related to the administration and logistical support for convening meetings through the year.

Approved by CRD Board on April 14, 2010
Revised by CRD Board on March 19, 2011



**REPORT TO PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 26, 2014**

**SUBJECT OTTER POINT OFFICIAL COMMUNITY PLAN BYLAW NO. 1, 2014,
BYLAW NO. 3819**

PURPOSE

This report responds to a request from the Juan de Fuca Electoral Area for the Capital Regional District (CRD) to consider proposed Otter Point Official Community Plan (OCP) (Bylaw No. 3819), as it pertains to the Regional Growth Strategy (RGS).

BACKGROUND

Juan de Fuca Local Area Planning staff, in conjunction with the Otter Point community, has undertaken a review of the Otter Point OCP (Attachment 1). Pursuant to the Juan de Fuca Development Procedures Bylaw No. 3110, the proposed OCP Bylaw (Attachment 2) must be referred to the full CRD Board for determination of consistency with the RGS. Prior to forwarding the OCP to the CRD Board, Regional and Strategic Planning staff must advise the Planning, Transportation and Protective Services Committee of the proposed bylaw's alignment with the RGS.

A related report was considered by the Planning, Transportation and Protective Services Committee on February 27, 2013 which summarized proposed changes to the Otter Point OCP direction regarding Settlement Containment Areas and extension of community water service and sought CRD Board direction. On March 13, 2013 the CRD Board endorsed the proposed amendments to the Otter Point OCP as described in Report No. PPS/JP 2013-01 on the basis:

- 1) *That the proposed amendment to the settlement areas is in keeping with the over-arching policies of the RGS pertaining to the Rural/Rural residential policy area, the Renewable Resource policy area and the Unprotected Green Space policy area.*
- 2) *That the proposed amendment to the water servicing policy provides a policy framework for consideration of future water service extension, subject to RGS amendments prior to any actual extension, and therefore does not conflict with the current growth strategy.*

The Otter Point OCP (Proposed Bylaw No. 3819) has undergone extensive community consultation including 19 Citizens' Committee meetings, four Advisory Planning Commission meetings and four community events. A draft OCP was referred to external agencies and First Nations on April 8, 2013 as well as to CRD legal counsel for a general technical review. The Citizens' Committee and staff considered comments and concerns raised through these consultations when drafting the proposed Bylaw. The draft bylaw was referred to 32 referral agencies including CRD departments, provincial agencies, municipalities and First Nations for comment. To date comments have been received from 13 agencies and overall the comments support the OCP provisions. A few agencies including the Ministry of Forests, Lands and Natural Resource Operations, the Agricultural Land Commission and the Ministry of Agriculture suggested revisions which will be incorporated into a revised draft should the OCP proceed for approval. The changes suggested are in keeping with the overall direction of the OCP policies. Attachment 3 provides further details on agency comments.

ALTERNATIVES

That the Planning, Transportation and Protective Services Committee recommend to the CRD Board:

1. That the proposed Otter Point Official Community Plan (Bylaw No. 3819) be reviewed as it relates to the RGS and deemed consistent with the RGS.
2. That the proposed Otter Point Official Community Plan (Bylaw No. 3819) be reviewed and deemed inconsistent with the RGS for the reason that the Official Community Plan does not adhere to RGS provisions regarding extension of urban water services.

REGIONAL GROWTH STRATEGY IMPLICATIONS

Regional Planning staff is comfortable that the proposed direction of Bylaw No. 3819 is not inconsistent with the principles and philosophy of the RGS. The overall density and development potential enabled by the OCP is consistent with that which has been provided for in the RGS.

The Otter Point OCP proposes changes to land use designations. The changes will, however, maintain the 2007 OCP residential development potential. The changes provide additional protection to the RGS Renewable Resource policy area lands by reallocating residential parcel development potential within a more defined area. These changes are deemed to be in keeping with RGS Rural/Rural Residential policy.

The proposed OCP also provides for the possibility of expanding community water service to the Settlement Areas. The uptake on this opportunity would depend on financial viability and resident demand.

It should be noted that a RUCSPA has never been in place for this part of the region as historically the RGS has been silent on this matter. The Board has, however, after the RGS was adopted, approved a previous OCP (2007) that included Settlement Containment Areas with a higher density and to be served by a public water system. Given that there is no RUCSPA in this area, it is challenging to assert that providing for growth potential presents an inconsistency with the RGS. This creates some vulnerability from a policy perspective. The completion of the Otter Point OCP presents an opportunity to address the historical quirk of there being no RUCSPA in place for this area and allows for the filling of the associated policy vacuum.

The Otter Point OCP has been assessed against the RGS (2003) which is now in force. The RGS is currently being updated as the Regional Sustainability Strategy (RSS). At this point, policies relating to growth management and water servicing are still under active discussion and it is too early to ascertain what that policy will be by the time the RSS is adopted. It is possible that the direction being proposed in the Otter Point OCP will be at odds with the yet-to-be-adopted RSS. If that were to be the case, then the Otter Point OCP would need to be brought into alignment with the RSS within two years.

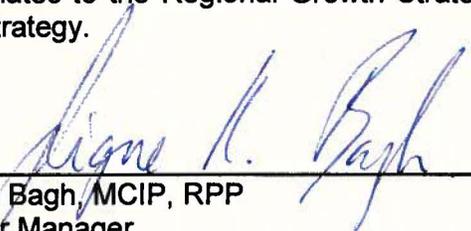
CONCLUSION

On balance, Regional Planning staff considers the proposed Otter Point OCP to not be inconsistent with the RGS (2003). It is noted that there has been significant community discussion within the Otter Point area regarding the proposed changes and that the OCP amendments that are the subject of this report are supported by the residents that participated in the numerous Citizens Community and Advisory Planning Commission meetings. Board determination that the Otter Point OCP is consistent with the RGS would allow for adoption of an OCP that better reflects the community's priorities as they exist today while aligning with the focussed growth approach of the RGS and not increasing overall development potential. Adoption of the Otter Point OCP presents an opportunity to address the historical issues relating to the absence of a RUCSPA in this part of the region, thereby strengthening the policy foundation of the RGS.

RECOMMENDATION

That the Planning, Transportation and Protective Services Committee recommend to the Capital Regional District Board:

That the proposed Otter Point Official Community Plan (Bylaw No. 3819) be reviewed as it relates to the Regional Growth Strategy and deemed consistent with the Regional Growth Strategy.



Signe Bagh, MCIP, RPP
Senior Manager
Regional and Strategic Planning

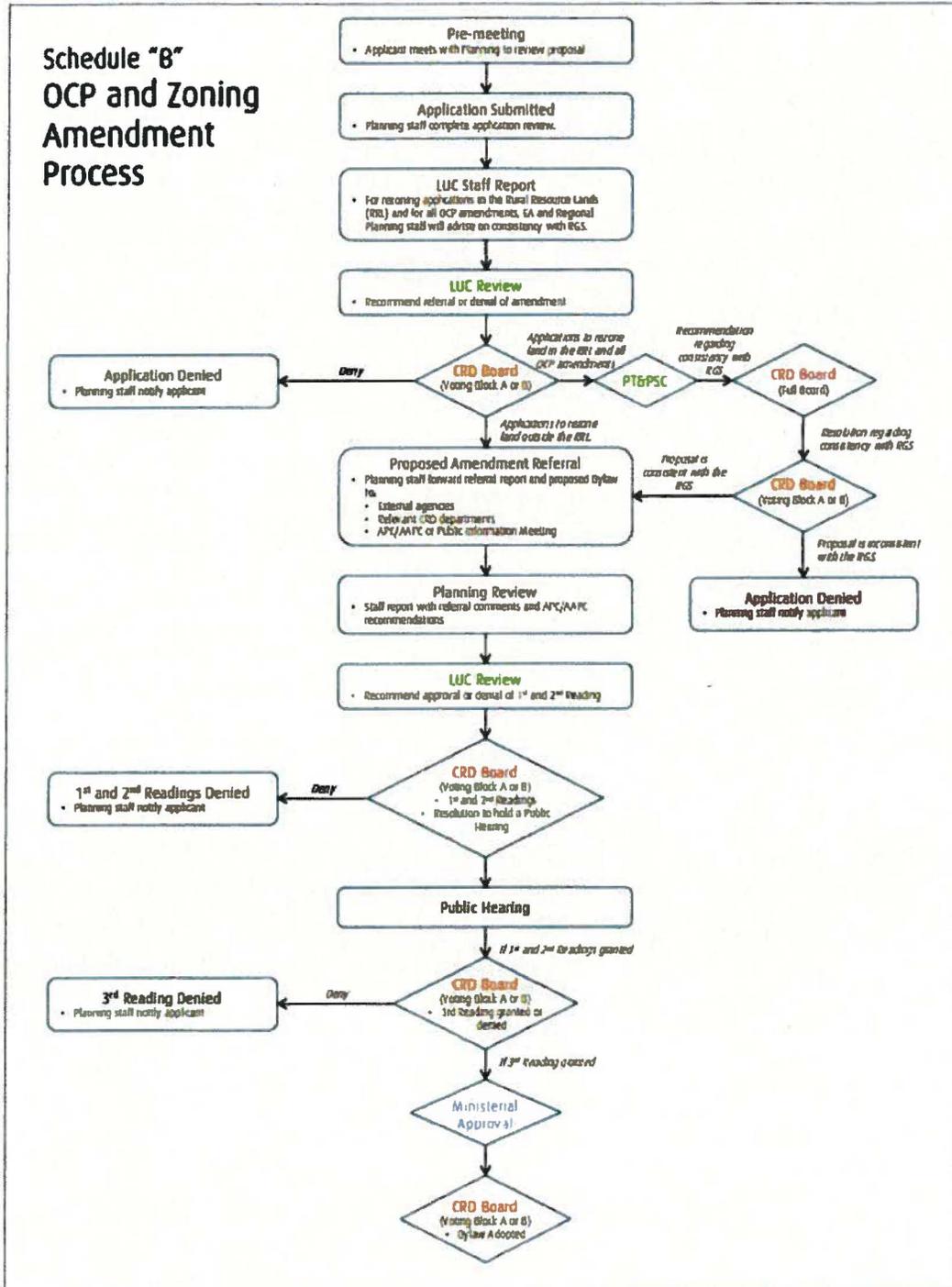


Travis Whiting
Acting General Manager
Planning and Protective Services
Concurrence



Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence

Attachment 1: Otter Point OCP Bylaw No. 3819 Adoption Process



**OTTER POINT
OFFICIAL COMMUNITY PLAN**

Bylaw No. 3819

November 2013

Acknowledgements

This Official Community Plan (OCP) was developed through a collaborative effort which involved a broad cross-section of Otter Point residents and stakeholders. This OCP would not have been possible without the hard work and dedication of those involved. The CRD would like to acknowledge and thank all those who participated in the OCP review. Special thanks go out to the Otter Point OCP Review Citizens' Committee and the team from Golder-HB Lanarc, to the Otter Point Advisory Planning Commission, and to the Sooke Region Museum historian, who all devoted a significant amount of time and energy to produce this document.

Otter Point OCP Review Citizens' Committee:

Arnie Campbell, Chair
Marlaina Elliott, Vice-Chair
John Brohman
Gordon Cameron
Paul Clarkston
Bud Gibbons
Sid Jorna
Frank Limshue
Les Monnington
Sandy Sinclair
Wally Vowles

Golder-HB Lanarc:

David Read
Tracy Vaughn
Daryl Harrison

Sooke Region Museum:

Elida Peers

Otter Point Advisory Planning Commission:

Sid Jorna, Chair
Sandy Sinclair, Vice-Chair
Bud Gibbons
Anne Miller
Al Wickheim

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The preparation of this sustainable Community Plan was carried out with assistance from the Green Municipal Fund, a Fund financed by the Government of Canada and administered by the Federation of Canadian Municipalities. Notwithstanding this support, the views expressed are those of the Capital Regional District. The Federation of Canadian Municipalities and the Government of Canada accept no responsibility for them.

**Schedule "A" of Capital Regional District Bylaw No. 3819
Otter Point Official Community Plan**

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3819**

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 program and the Capital Regional District's Regional Growth Strategy;
- D** AND WHEREAS Sections 876, 877, 919.1, 920, 920.01 and 920.2 of the *Local Government Act* authorize 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 Green House Gas reduction targets
 - The designation of Development Permit Areas
 - The designation of Development Approval Information Areas
 - The designation of Temporary Use Permit 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 Juan de Fuca Electoral Area within the Capital Regional District, as outlined on Map 1 – Plan Area, which is attached to and forms 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" , Appendix 1 and Maps numbered 1 to 6 attached hereto are hereby made a part of this bylaw.

SECTION 4 REPEAL OF BYLAWS

The following bylaw is hereby repealed:

The Capital Regional District Bylaw No. 3719, cited as the "Official Community Plan for Otter Point Bylaw No. 1, 2010".

**Schedule "A" of Capital Regional District Bylaw No. 3819
Otter Point Official Community Plan**

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**Schedule "A" of Capital Regional District Bylaw No. 3819
Otter Point Official Community Plan**

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- Map 5d – Sensitive Ecosystems Development Permit Area
- Map 5e – Commercial and Industrial Development Permit Area
- Map 6 – Development Approval Information Area

**Schedule "A" of Capital Regional District Bylaw No. 3819
Otter Point Official Community Plan**

PART 1.0 COMMUNITY BACKGROUND INFORMATION

1.1 Introduction

As shown on Map 1, the Otter Point area is located within the Juan de Fuca Electoral Area and is adjacent to the District of Sooke, bound on the north by the Rural Resource Lands, to the west by the Shirley/Jordan River area and to the south by the Strait of Juan de Fuca. The area is comprised of approximately 3,344 hectares. It is primarily a rural community with large tracts of forest and Agricultural Land Reserve lands, and single-family rural residential parcels. There are 2 commercial parcels, 41 industrial parcels, most of which are located at the Sooke Business Park, a large Scouts Canada facility located at Camp Barnard, and 2 institutional parcels including the Otter Point Fire Hall and the Juan de Fuca Electoral Area Services building.

1.2 Demographics

Based upon the 2006 Census Canada information, the Otter Point population was estimated to be approximately 1,650. The age breakdown of the population was as follows:

2001 to 2006 Population Breakdown

Age Group	2001	2006
0 to 4 years	55	60
5 to 9 years	85	60
10 to 14 years	75	120
15 to 19 years	85	105
20 to 24 years	60	70
25 to 29 years	80	50
30 to 34 years	60	70
35 to 39 years	120	125
40 to 44 years	145	125
45 to 49 years	140	155
50 to 54 years	120	180
55 to 59 years	90	170
60 to 64 years	90	130
65 to 74 years	110	85
75 + years	90	90
TOTAL	1415	1650

Note: Total population varies due to rounding

The population increase for 2001 to 2006 was 235 persons, or a growth of 17%. The population in 2011 was 1,810 which indicates there is a declining rate of growth for 2006 to 2011 with 160 persons or a growth of 9%. The average annual population growth for 2006-2011 was approximately 1.8%. Using this annual average, the population of Otter Point in 2018 is estimated at 2,050.

2001 to 2006 Household Size

	2001	2006
Total number of private households by household size	600	680
1 person	140	180

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2 persons	265	290
3 persons	70	75
4 to 5 persons	115	125
6 or more persons	10	15
Average number of persons in private households	2	2.3

The total number of private households has increased by 13.3% since 2001 with the majority being two person households. The average number of persons per household in Otter Point has risen due to the increase in multiple person households.

2001 to 2006 Family Structure

	2001	2006
Total couple families by family structure		
Total	370	455
Married couples	305	355
Without children at home	175	220
With children at home	130	135
1 child	55	40
2 children	60	65
3 or more children	20	25
Common-law couples	65	95
Without children at home	60	55
With children at home	0	40
1 child	0	25
2 children	0	15
3 or more children	0	0
Total lone-parent families by sex of parent	70	60
Female parent	55	55
1 child	35	30
2 children	10	20
3 or more children	15	0
Male parent	10	10
1 child	10	0
2 children	10	0
3 or more children	0	0

The family structure in Otter Point continues to be predominately married or common-law couples without children but the number of families with children is increasing. There has been a decline in the number of lone parent families, and the number of children in these families.

2001 to 2006 Occupations

Occupation	2001	2006
Total	735	980
Occupation - Not applicable	20	10
All occupations	715	970
A Management occupations	45	130

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B Business, finance and administration occupations	90	115
C Natural and applied sciences and related occupations	25	65
D Health occupations	45	40
E Occupations in social science, education, government service and religion	20	100
F Occupations in art, culture, recreation and sport	40	35
G Sales and service occupations	205	185
H Trades, transport and equipment operators and related occupations	145	180
I Occupations unique to primary industry	50	75
J Occupations unique to processing, manufacturing and utilities	40	30

The major occupation increases, over 66%, were in A - Management and in E- Social sciences, education and government services. There was growth, about 30%, in occupations in C - Natural sciences and in H - Trades and transport. There were losses in D - Health, F - Art, recreation and sport, in G - Sales and J -Manufacturing. Primary industry occupations such as agriculture, forestry and fishing grew by 10%.

Total Employed Labour Force by Place of Work

Total employed labour force 15 years and over by place of work status	2001	2006
Total	660	950
Usual place of work	420	680
In census subdivision of residence (Juan de Fuca but not home)	25	95
In different census subdivision	390	590
In same census division (in CRD)	390	570
At home (Otter Point)	110	115
Outside Canada	0	0
No fixed workplace address	130	155

Most of the jobs are located at a fixed place and are located outside Juan de Fuca Electoral Area but remain within the region. The proportion of those working at home, about 12% in 2006, declined between 2001 and 2006.

Total Employed Labour Force by Mode of Transportation

Total employed labour force 15 years and over by mode of transportation to workplace not at home	2001	2006
Total	550	835
Car, truck, van, as driver	470	670
Car, truck, van, as passenger	45	70
Public transit	10	60
Walked	25	20
Bicycle	0	10
Motorcycle	0	0
Taxicab	0	0
Other method	0	10

The single occupant vehicle remains the main mode of travel for workers in Otter Point, with about 80% of work trips in 2006. This was a decline of about 5% from 2001. About 8% of workers continue to travel as passengers. This dependence on private vehicles reflects the fact that most of the jobs are located outside the Juan de Fuca Electoral Area and the limited transit service to the area. There was an

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increase in the public transit riders from 2% in 2001 to 7% in 2006. This may reflect the impact of the Otter Point community bus service.

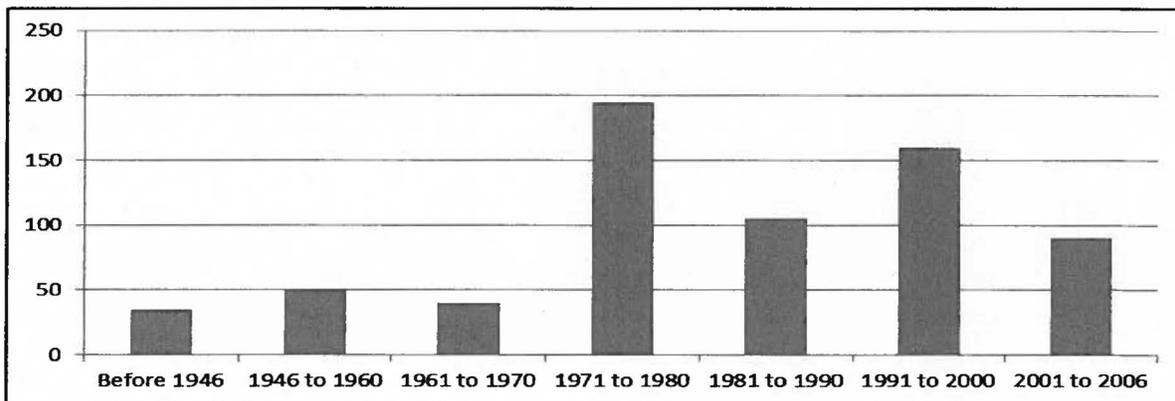
1.3 Building Permit Trends

The predominant type of dwelling in Otter Point is a single-family dwelling unit at about 88% of all dwelling dwellings. The other dwelling types are apartments and mobile homes.

Occupied Dwellings 2001 to 2006

Number of occupied private dwellings by structural type of dwelling	2001	2006
Total	600	685
Single or Duplex	485	615
Apartment or Movable	110	65

Occupied Private Dwellings by Year of Construction



New Dwelling Unit Permits 2006 – 2012

	2006	2007	2008	2009	2010	2011	2012	Total
Building Permits Issued	44	16	21	8	20	25	10	144

Permits issued for Otter District includes single family, two-family, multi-family and mobile homes

The building permit record indicates a wide annual variation from 2006 to 2012 with an average of 20 permits per year.

1.4 Housing Demand

Given that the population by 2018 is estimated at 2,050 and using the 2006 average persons per household of 2.3, a total of 892 dwellings are needed to accommodate population growth. There is sufficient housing capacity in the Otter Point area for the next five years.

1.5 Development Potential

The 2007 OCP designated the Otter Point area as Agricultural Land Reserve, Settlement Area and Settlement Containment Areas. The Settlement Containment Areas had a desired parcel size in the 1 ha range and the Settlement Area had a desired parcel size of 2 ha or greater. To calculate the development potential of the 2007 designations the desired parcel size for each designation was used. As the Agricultural Land Reserve area did not have a desired parcel, the Agricultural zone minimum parcel size was used. This approach provides a high estimate of potential as site specific characteristics

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such as topography and public access and development permit requirements which can significantly reduce this potential are not considered.

The potential of the 2007 OCP Land Use Designations for rural residential development is approximately 2,000 parcels. The community supports maintaining the development potential below the 2007 OCP level.

2007 OCP Land Use Designations	Development Potential
Agricultural Land Reserve	108
Settlement Area	1144
Settlement Containment Areas	748
Total	2000

1.6 Physiography of the Area

Based upon a review of a report titled *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 Ecoregion. 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.

General Topographical Information and Main Topographical Features

Most soils in the Otter Point area are well to rapidly drained soils and the general topography can be characterized as moderately rolling to hilly. The elevation above sea level will range from 0-150 metres in areas nearer the coast and reaches as high as 200-300 metres in more northern areas, such as near Broom Hill. In addition, many beach areas have steep slopes associated with them. Rock outcrops are also common throughout the area.

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Geological Setting and Soil Characteristics

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

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, fluvioglacial and/or marine deposits	Moderately rolling; Normally less than one meter over compact morainal deposit
Fairbridge (F)	Imperfect moderate	to 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
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 deposits (till)	Moderately rolling with some areas of gentle rolling
Robertson (RB)	Rapid	Cobbly, gravelly, sandy loam to cobbly gravelly loam	15-30 (8-17)	Colluvial morainal deposits	or Strongly rolling
Rock Outcrop (RO)	-	-	-	Bedrock	-
Rosewall (RL)	Rapid	Cobbly, sandy loam or gravelly, cobbly, gravelly loam (some areas can be very gravelly sand)	9-60 (5-33)	Colluvial morainal deposits	or 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 deposits (till)	Gently rolling to moderately rolling
Squally (SL)	Rapid	Gravelly loamy sand or gravelly sandy loam	9-60 (5-33)	Colluvial morainal deposits	or 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.

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Sand and Gravel

The Province is responsible for management of mineral and aggregate resource extraction, and the CRD's role is limited to provisions under the Juan de Fuca Electoral Area Soil Removal or Deposit Bylaw. Gravel extraction sites within Otter Point are indicated on Map 2.

1.7 Dominant and Sensitive Ecosystems

A Sensitive Ecosystem Inventory was conducted for the Otter Point area by Raincoast Applied Ecology/HB Lanarc using the same methodology as the Sensitive Ecosystems Inventory carried out by the Canadian Wildlife Service for other CRD communities. The purpose of the Otter Point Sensitive Ecosystems Inventory (SEI) was to identify, classify and map remnants of rare and fragile terrestrial ecosystems. Conserving sensitive ecosystems is important as they provide ecosystem services for a healthy economy and for social well-being. They help maintain clean water, prevent erosion, support fish and wildlife, and help define Otter Point's rural character and natural beauty. Conservation planning for sensitive ecosystems and other ecological features will be integrated with a variety of land use planning decisions as part of the OCP.

Map 4 illustrates the locations of the seven classes of sensitive ecosystems occurring in the study area, and these were broken down into subclasses that describe their physiognomy and/or plant community composition: Woodland Ecosystems; Herbaceous Ecosystems (coastal herbaceous, spit and shrub-dominated); Riparian Ecosystems (medium and high bench floodplains, fringe, gully and river); Wetland Ecosystems (fen, marsh, swamp and shallow water); Freshwater Ecosystems (pond subclass); Cliff Ecosystems (inland cliff subclass); and Sparsely Vegetated Ecosystems (rock outcrop and shrub dominated subclasses). Two other important ecosystems are mapped in SEIs: Mature Forests (coniferous subclass) and Seasonally Flooded Agricultural Fields. The SEI also identified five marine shoreline habitat types including Bedrock, Mixed Gravel-Cobble Substrate, Sparsely-Vegetated, Wetland, and Developed.

There were 370 SE polygons mapped in the study area. They range from 0.02 ha to 85.6 ha in size (mean of 4.8 ha). Most polygons represent a single class and subclass, while the remainder were mapped as complexes containing two or three ecosystem types (e.g. 80% woodland mixed with 20% sparsely vegetated). In total, there were 429 occurrences of sensitive ecosystem types and 63 occurrences of other important ecosystems. Riparian Ecosystems (126 occurrences accounting for 388 ha) and Woodland Ecosystems (114 occurrences accounting for 394 ha) were the most common sensitive ecosystems found. Of the riparian ecosystems, the most common type was Riparian Fringe (72% of riparian ecosystems by area), as it can be found along most streams and lake or pond edges. The third most common sensitive ecosystem class was Sparsely Vegetated Rock Outcrop (184 ha across 76 occurrences). Approximately 70 ha of Wetland Ecosystems were mapped, 77% of which were swamp ecosystems, and the remainder marsh, fen or shallow open water ecosystems. Deeper Freshwater Ponds accounted for 39 ha of the study area. Cliff and Herbaceous Ecosystems were the most rare, totaling roughly 3 ha each. While some older trees were found, no Old Forest stands found in the study area.

These sensitive areas will be protected through a Watercourses, Wetlands and Riparian Development Permit Area and a Sensitive Ecosystems Area Development Permit Area. Any proposed land use change will require the identification of the impacts the proposed development will have on the environment and the mitigative measures recommended to offset the impacts or remediate the area.

The rural and mostly natural setting of the Plan 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;

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- non-timber forest products such as salal, wild mushrooms, and wild berries; and
- green space.

Watercourses, Wetlands and Lakes

Map 4 shows the general locations of streams and water bodies within Otter Point based upon provincial TRIM data. 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.

Most of these streams and water bodies are important fish bearing watercourses and support sculpin, trout and salmon. The Sooke Salmon Enhancement Society operates the Jack Brooks hatchery on Rocky 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.

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

- store water, and retain storm water 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.

1.8 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. Map 2 indicates the service area.

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. Many 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 and a few households depend on water licenses. This Official Community Plan stresses the need to protect the groundwater supply 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 water storage and filtration for the Otter Point area.

Residences in the Otter Point area are serviced by private septic systems and which regulated under the provincial *Sewerage System Regulation*.

1.9 Local Community Parks

There are several local community parks in the Plan area totaling 18.65 ha (0.54% of Plan area). See Map 2, which shows the general locations of local parks in Otter Point. The following list provides the names of the parks. Details on each park can be found in the Juan de Fuca Electoral Area Community Parks Strategic Plan.

- Amanda Place
- Brotherstone Park

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- Carpenter Road Park
- Corby Park
- Eaglecrest Park
- Elrose Park
- Elrose Park II
- Otter Point Park
- Otter Point Access Park
- William Simmons Memorial Park
- Demamiel Park

1.10 Public Access to Water/Right-of-Way

A report titled *Juan de Fuca Electoral Area Foreshore Access Report 2003*, commissioned by the CRD through the Economic Development Commission, outlines various constraints and opportunities associated with the development of Ministry of Transportation and Infrastructure public road right-of-way for water access pursuant to Section 75 of the *Land Title Act* and this information was incorporated into the Juan de Fuca Electoral Area Community Parks Strategic Plan. The following is a list of the public access locations in Otter Point. Details on each location is provided in the Juan de Fuca Electoral Area Community Parks Strategic Plan. The Juan de Fuca Electoral Area Parks and Recreation Advisory Commission is not responsible for these accesses. However, the CRD, through consultation with the Juan de Fuca Electoral Area Parks and Recreation Commission Advisory Commission, may consider acquiring MOTI permits for selected recreational sites. The accesses are noted on Map 2. Additional public access to water will be considered when new development applications adjacent to lakes, streams and the ocean are submitted.

- Blackfish Road
- Blue Jay Way
- Breakers Place
- Carpenter Road
- Chisholm Road
- Fillippo Road
- Ford Lane
- Orveas Bay Road
- Poirier Lake
- Razzo Road
- Romeo Lane
- Shoemaker Road
- Surf Lane
- West Coast Road #1 (Name unknown)
- West Coast Road #2 (Name unknown)
- West Coast Road at King Creek

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1.11 Otter Point Heritage Sites and Areas of Historical Interest

There is a long history of settlement in the Otter Point area. To capture and retain this history, a report titled *Otter Point Heritage Sites and Areas of Historical Interest* was prepared as background to the OCP review. This report identifies many of the historic dwellings and areas of historical interest in Otter Point. However, First Nation archaeological sites have not been identified due to their sensitive nature. Many sites have been identified by the Archaeological Branch of the Ministry of Forests, Lands and Natural Resource Operations and information can be obtained from the Ministry.

This historical information involved a review of materials at the Sooke Region Museum and meetings and conversations with older residents of the Otter Point area. This information is provided to raise awareness of the rich history of the Plan area and for consideration of protection of these resources.

1.12 Archaeological Sites

Part of the Plan area's heritage includes archaeological sites - the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years. The Plan area contains recorded archaeological sites and has the potential to contain more. The Province protects these sites, whether known or unrecorded, through the *Heritage Conservation Act*. This protection applies to both private and Crown land and means that applicants must have a provincial heritage permit to alter or develop in proximity to an archaeological site. Archaeological site locations are not identified in this OCP due to their sensitive nature.

1.13 Other Land Use

Agricultural Land Reserve (ALR)

There are several parcels designated as ALR in the Otter Point area. See Map 3, which shows the locations of parcels of land within the ALR.

Camp Barnard

Camp Barnard is a Scouts Canada facility that has operated in Otter Point since 1945. The Camp includes about 101 ha of lake, forest and wetlands. A Camp Ranger and a part-time grounds-keeper live on the property year round. Residential style camping facilities include two lodges accommodating about 75 persons and two kitchen/dining buildings with adjoining sleeping cabins accommodating 96 campers. In addition, there are several semi-cleared wilderness camping areas. There has been a significant increase in the number of camper nights from about 7,000 in 2003 to 12,000 in 2010. Campers are primarily scouting groups but other outdoor programs and youth groups access the camp as well. See Map 2.

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PART 2.0 ADMINISTRATIVE STRUCTURE OF THE PLAN

2.1 Purpose

This Official Community Plan (OCP) sets out the long-term vision for the Otter Point community within the Juan de Fuca Electoral Area and provides goals and policies that guide land use decisions. Once adopted, further bylaws adopted by the Capital Regional District (CRD) Board or works of the CRD must be consistent with the Plan. This includes decisions about land use, density, other regulatory bylaws and the installation of services.

This Plan is an update of the previous OCP approved in 2007. It reflects community values and addresses new issues. The Plan acknowledges the concept of sustainability and the key issues of environmental protection and climate change. A Sensitive Ecosystems Inventory was completed and provides a sound foundation to the Plan.

Issues identified through community consultation include:

- amenity provisions;
- groundwater protection;
- provision of community water;
- watershed protection;
- archaeological and First Nations cultural site policies; and
- food security.

This OCP is intended to guide land use and development decisions, provide detailed planning direction with respect to community development and establish regulatory functions for the Otter Point area. It is the intention of the community to maintain this area for rural residential and resource use. In adopting the Otter Point OCP, it is not the intention of the CRD to create conflicts with provincial enactments.

2.2 Scope

An OCP is authorized by the *Local Government Act (LGA)* and is a statement of objectives and policies to guide decisions on planning and land use management in the area covered by the OCP.

This OCP includes statements and Land Use Designations for:

- approximate location, amount, type and density of residential development to meet anticipated housing needs over a period of at least five years, required by the *LGA*;
- approximate location, amount and type of commercial, industrial, institutional, agricultural, recreational, and public utility land required to meet anticipated needs;
- approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- establishment of objectives for development to meet water conservation, energy conservation and Green House Gas reduction targets;
- restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development;
- establishment of objectives for the form and character of proposed multi-family residential, commercial and industrial development;
- approximate location and phasing of any major road, sewer and water systems;
- approximate location and type of present and proposed public facilities such as schools, water treatment, waste treatment, parks, trails, and disposal sites; and

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- housing policies of the local government that affect affordable housing, rental housing and special needs housing.

The Plan includes policy statements, including social policies, agricultural policies and policies regarding the protection and restoration of the natural environment.

This OCP designates Development Permit Areas. These Development Permit Areas allow that development in such areas is given extra care and attention to address issues relating to safety, sustainability or aesthetic quality.

This OCP designates a Development Approval Information Area. This Development Approval Information Area allows the thorough analysis of environmentally sensitive features to be completed prior to development taking place.

This OCP also establishes a Temporary Use Permit designation. This designation allows the CRD to issue temporary commercial or industrial use permits throughout the Plan area, subject to the policies of this Plan, enabling entrepreneurs to respond to temporary, short-term business opportunities in keeping with the rural character of the area, in areas where commercial or industrial zoning does not exist.

2.3 Plan Area and Time Frame

This OCP applies to the Otter Point area as shown on Map 1, which is attached to and forms a part of this bylaw. The intent of this OCP is to provide direction on how the area may change over the next five to ten years while also looking further forward. Periodic updates and amendments may be undertaken as required. It is also recognized that the Plan may require amendment in response to future changes in legislation, changing community values and the adoption of the new Regional Sustainability Strategy.

2.4 Goals, Objectives and Policies

Most sections within the OCP include goals, objectives and policies.

Goals represent the long term vision for the community and are a broad statement of what each section seeks to achieve. All goals are based on community values and shape the objectives and policies for each section.

Objectives are measurable and tangible expressions of the OCP goals. They serve as the mechanism to translate broad goals into policies. In instances where objectives are beyond the jurisdictional scope of the CRD, this OCP states the broad objectives of the Otter Point community. There is no hierarchy as to the importance of each objective listed in each section.

Policies provide guidance for subsequent CRD decision making in order to accomplish the goals and objectives of the Plan.

2.5 Public Consultation

This OCP update was a collaborative process that involved extensive community consultation and technical analysis. A consultation plan was approved by the Juan de Fuca Land Use Committee which outlined a consultation framework, roles and responsibilities of participants, and addressed First Nation consultation. The consultation approach was based upon a series of meetings and workshops with an appointed Citizens' Committee, the Otter Point Advisory Planning Commission and public events for Otter Point residents. An extensive list identified federal, provincial and regional agencies that were consulted on Plan development.

The initial consultation was undertaken by Golder-HB Lanarc working with the Otter Point Citizens' Committee to develop recommendations for changes to the OCP. The Otter Point Advisory Planning Commission worked with CRD Planning staff to review and revise the draft OCP bylaw. In addition, the CRD Juan de Fuca Electoral Area website provided information on the planning process, gave access to draft versions of the Plan and to background information, and solicited public comments.

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The draft Plan was referred to federal, provincial and regional agencies and First Nations with an interest in the area, as well as numerous stakeholder groups. Referral comments were considered and many were incorporated into the final Plan.

2.6 First Nations

The Otter Point area is within the traditional territory of the T'Sou-ke First Nation. In addition, other First Nations and Treaty Groups have identified an interest in the Otter Point area: these include the Pacheedaht, Scia'new, Halalt, Lake Cowichan, Lyackson, and Stz'uminus First Nations, the Cowichan Tribes, the Penelakut Tribe, and the Hul'qumi'num and Te'Mexw Treaty Groups. The area has been used for settlement, hunting, fishing, foraging and cultural activities. First Nations are in treaty negotiations with the Province and have interest in some of the Crown lands within the OCP area. The OCP has recognized Crown lands as Otter Point Rural Lands due to their being under provincial control and their being considered as part of the treaty process. The Province signed an agreement in 2013 which will see the T'Sou-ke Nation acquire two 60 hectare parcels (Lots 40 and 41, Sooke Land District). One parcel has been transferred to the T'Sou-ke Nation at the signing of the Incremental Treaty Agreement. The other parcel will be transferred when the T'Sou-ke Nation signs the agreement-in-principle. Due to the long use of the area by First Nations, significant archaeological resources exist in the area. Policies for the identification and preservation of these resources are addressed in Section 5.5 of the OCP.

2.7 Regional Growth Strategy Consistency

The CRD adopted a Regional Growth Strategy (RGS) in 2003. Section 849 (1) of the *LGA* 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."

Section 865 of the *LGA* requires that since the RGS has been adopted, all bylaws adopted by the Board must be consistent with the RGS.

Therefore, this OCP was prepared to comply with the initiatives and actions of the RGS as they relate to protecting the integrity of rural communities, protecting regional green/blue spaces, managing natural resources and the environment sustainably, and strengthening the regional economy. The RGS states that OCPs for the Juan de Fuca Electoral Area will be updated in a manner that maintains a long-term rural vision. The development policies of this OCP work towards the goals of the RGS. The following paragraphs outline how this OCP supports these goals.

The RGS has eight goals 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.

Firstly, in order to keep settlement compact, this OCP designates both Rural Lands and Settlement Areas. The goal is to have smaller rural residential parcels contained within Settlement Areas, and larger parcels in the Rural Lands. The Rural Lands maintain the integrity of rural communities through preservation of large parcels. Additionally, this OCP protects the environment by identifying environmentally sensitive areas and by designating these as Development Permit Areas.

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To the extent possible, as permitted through the *LGA*, Development Permit Areas will assist the CRD in managing the environment of Otter Point in a sustainable manner.

Island Health governs the *Sewerage System Regulation*, which is responsible for all daily domestic sewage flows of less than 22,700 liters/day and disposals greater than this flow are governed by the Ministry of Environment under the *Waste Management Act*. The CRD supports these agencies in controlling and regulating waste discharge in a sustainable manner.

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

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 supports the development of home based business, agriculture, and tourism within the Plan area and the establishment of a community centre. Housing affordability is improved by including secondary suites, detached accessory suites and manufactured homes in the types of housing accepted within the Plan area.

Lastly, in order to increase transportation choice, the OCP encourages the Ministry of Transportation and Infrastructure (MOTI) to provide cycling lanes on West Coast Road, Otter Point Road and Kemp Lake Road, and encourages BC Transit to increase the frequency and expand the service areas for community bus service. The OCP also supports the creation of a network of trails for pedestrians, cyclists and equestrians to link key land uses, parks, and recreation sites within Otter Point and to connect to the Rural Resource Lands and the District of Sooke. It permits the use of amenity bonusing, as opportunities arise, to acquire land for parks, trails, and park-and-ride sites. It is also anticipated that, with increasing local economic opportunities, fewer car trips may be generated.

The RGS also outlines three land use policy designations in the Growth Management Concept Plan that affect the Otter Point area:

1. Renewable Resource Lands Policy Area;
2. Rural/Rural Residential Policy Area; and
3. Unprotected Green Space Policy Area.

The Renewable Resource Lands Policy Area refers to lands where the intent is to support the long-term use of the lands as renewable resource working landscapes such as agricultural and forestry lands. The 2007 OCP designated these lands as ALR or as Settlement Area. This Plan has designated these lands as Rural Lands to reflect the resource use and larger parcel size. This change in designation provides a 56% reduction in the 2007 development potential of these lands.

In the Rural/Rural Residential Policy Area, it is proposed that lands identified as rural/rural residential should remain rural in character. The 2007 OCP designated these as Settlement or Settlement Containment Areas with a density of 2 ha and 1 ha respectively. This OCP has designated these lands as Settlement Areas 1, 2 and 3 where rural residential use is proposed but having differing densities.

The Unprotected Green Space Policy Area designation applies to a small portion of the Plan area that was identified in the Regional Green/Blue Spaces Strategy as unprotected and that may have ecological, recreational or scenic values that were not fully inventoried and not included in the Capital Green Lands Policy Area. These lands have been designated to the Rural Lands Area primarily due to their potential consideration in treaty negotiations with First Nations.

The existing community features of Otter Point are maintained. The primary goal of this Plan is to maintain the rural character and protect the environment of the Otter Point area in the context of resource

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and economic uses. The Plan accommodates rural residential, agricultural, industrial, resource extraction, tourism, and recreational uses in appropriate locations. Furthermore, the community has expressed a desire for community water service, reflecting the vulnerability of potable water from groundwater and surface water in much of the area. The provision of community water service is predicated upon maintaining the residential density provisions of the 2007 OCP.

2.8 Transportation

The Ministry of Transportation and Infrastructure (MOTI) is responsible for road development and maintenance in the Juan de Fuca Electoral Area.

The community supports increasing transportation options through integrating land use and transportation policies, enhancing alternatives to driving alone, managing transportation systems to maximize mobility and safety, and managing transportation investments in a fiscally responsible and strategic manner. Another important strategy in rural areas is providing travel alternatives by means of providing attractive linkages of cycling networks in order to minimize auto dependence. Such policies are outlined in the CRD's TravelChoices document, the Regional Pedestrian and Cycling Master Plan and the Regional Transportation Corridor study.

There is also a request for MOTI to develop different road classifications for roadways in Otter Point. There is specific interest in lower standard for roads in small subdivisions similar to the private roads that serve the separate dwellings in building stratas.

In addition, due to the risk of a natural disaster such as an earthquake closing Highway 14 access to the community, MOTI and CRD Emergency Services are requested to establish an alternate emergency access using existing forestry roads so that supplies and resources can be provided to the community.

2.9 Regional and Agency Collaboration

The CRD will strive to work in collaboration and partnership with First Nations, the Agricultural Land Commission (ALC), provincial ministries, Island Health, the District of Sooke and other nearby communities and all other necessary agencies and groups to address infrastructure, transportation, energy and emissions management, and environmental concerns. In this regard, the CRD and the District of Sooke have signed a Memorandum of Understanding which provides a framework for reaching agreements on the provision of services, land use planning, development and environmental concerns, shared and cross-boundary issues and economic opportunities.

2.10 External Agency Authorities

The community supports the efforts of the provincial Approving Officer and other public agents to work with landowners to maintain public access to beaches, riparian areas, streams and other waterbodies, scenic viewpoints and the backcountry.

Acknowledging the jurisdiction of the Ministry of Transportation and Infrastructure, the community supports the placement of paths along road right-of-ways.

2.11 Working Boundaries with Shirley/Jordan River

Muir Creek identifies the boundary between the Otter Point and the Shirley/Jordan River OCP areas. There is significant potential benefit to both areas in collaborating on future land uses around this common boundary, particularly in regard to the establishment of park land and the protection of ecosystems. The Otter Point community supports the sharing of information and working towards complementary land use policies affecting Muir Creek and its foreshore area.

2.12 Green House Gas Reduction

Green House Gas (GHG) emissions are generated within a community by electricity and fossil fuel energy use, transportation and the quantity and composition of waste and disposal methods. The provincial government does not prescribe types of targets or levels of targets, but looks to local governments to demonstrate leadership and take aggressive action on tackling climate change by establishing meaningful and achievable targets in their communities. The Province is actively developing ways to provide

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information to communities regarding their energy use and GHG emission in order to support local governments in setting targets, policies and objectives and monitoring their progress. The Province has created a Community Energy Emissions Inventory which will provide baseline community-wide energy and emissions information. Information is available for the Juan de Fuca area as a whole and may not be for individual communities.

For the purpose of Section 877 of the *LGA*, the target for the reduction of GHG emissions in the Region is 33% below 2007 levels by 2020. That is consistent with the provincial target. The CRD has established a Climate Action Program which acts as a regional hub and facilitator on climate change issues. It works with local governments, non-profit societies, public institutions, and the private sector to help reduce emissions today and plan for future climate change. The Otter Point community will work to reduce GHG emissions within the Plan area by 3% below 2007 levels by 2020, as its contribution to the CRD target.

This target will be met by the CRD as follows:

1. Developing a carbon reduction plan for the CRD operations in the Otter Point area; and
2. Undertaking the following:
 - a. Educating residents, businesses and tourists about climate change as it relates to community priorities.
 - b. Implementing policies and objectives within the OCP to:
 - promote use of green building techniques and materials;
 - preserve agricultural and forestry lands;
 - promote cycling and transit use;
 - preserve environmentally sensitive areas;
 - c. 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 and compostable 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 Otter Point's Rural Character

Otter Point is a rural community adjacent to the more urban centre of Sooke towards the south-east, the rural communities of Shirley and Jordan River to the west and the Rural Resource Lands to the west and north. Significant community features such as gravel quarries, community parks and beach access points are denoted on Map 2. The Rural Resource Lands provide much of the economic activity in the region; this includes forestry, fishing, mining, wildcrafting, recreation and tourism.

Residents of Otter Point value the rural character of their community, including its tranquility and privacy and the prevalence of green space. While they value the quiet, they also desire the freedoms associated with rural living. They do not mind the noises associated with a farm, or the occasional chainsaw or use of machinery. They place a high value on the natural environment and connections to parks and trails. They have expressed a strong desire to protect the Rural Resource Lands for the purpose of sustaining the economy and to provide access to the land. They are concerned with the protection of forest, wetland and fish habitat. They engage in salmon enhancement activities.

Recreation is important to the residents of Otter Point. Typically this includes horseback riding, hiking, fishing, mountain biking and motorized sports, where appropriate. Community trails offer the opportunity for daily walking and cycling. Citizens value their "Wild West Coast" and proximity to regional assets such as the Kludahk Trail and the Juan de Fuca Marine Trail, the Sea to Sea Green/Blue Belt, the Sooke Potholes and other excellent parks and trails.

Residents of Otter Point typically earn their living from the Rural Resource Lands, in the more urban communities, or from home based business. Many are retired with their income base outside the region.

Farming and the provision of locally grown food are increasingly important. Internet related employment is a growing economic niche requiring access to high-speed internet and cellular service throughout Otter Point. Residents depend on the municipalities to the east for shopping, cultural events, health care and administration, and see this continuing into the future. The automobile with its inherent flexibility will continue to be their primary mode of transportation; however, improvements to public transportation, and pedestrian and cycling facilities are expected to reduce automobile use.

Citizens have expressed a desire for limited development with an emphasis on protecting the environment, providing parks and trails, and preserving green space, and the rural character of Otter Point. This Official Community Plan is designed to protect these values. Residents also value their property rights and seek to protect these rights.

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3.2 Goals of the Plan

Otter Point's vision is encapsulated in the following principles, which should guide decision-making arising from this Plan:

- retain both the rural and natural character of the area;
- protect and enhance the natural environment, its ecosystems and biological diversity;
- protect and enhance community recreation parks and trails;
- manage residential development in conjunction with agricultural, forestry, commercial, tourism, industrial and recreational activities;
- consider and protect aboriginal lands and resources and;
- preserve the existing land use and density rights of land owners.

The community has identified the following issue specific goals and objectives. Reference to directly related policies is noted.

3.2.1 Environment and Habitat Goal and Objectives

The Otter Point community honours and wishes to protect the natural environment and give priority to supporting ecosystem health through the preservation of indigenous species, vital wildlife corridors and waterways.

Objectives

- Reduce Green House Gas emissions.
- Support green building practices.
- Improve wildfire interface precautions.
- Protect watersheds with recognition of watershed purpose and source area.
- Protect groundwater resources.
- Manage use in the offshore (300m).
- Protect marine and foreshore areas.
- Protect the environment, ecosystems and biological diversity.
- Protect forest ecosystems, with different standards for working forests and rare or endangered forest types.
- Protect species at risk.
- Protect wildlife corridors.

Related Policies

Sections 5.3, 5.6, 6.4, 6.5, and 6.6

3.2.2 Sense of Place Goal and Objectives

Otter Point residents are passionate about the community's rural and natural character and the protection of archaeological and preservation of heritage sites and buildings.

Objectives

- Protect archaeological sites.
- Preserve heritage buildings.
- Retain rural and natural character.

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- Support retail business in the District of Sooke rather than creating a commercial shopping or service hub in Otter Point.
- Preserve significant viewscales.
- Establish a multi-functional community centre/emergency shelter.

Related Policies

Sections 5.5 and 5.7.2

3.2.3 Residential Types and Location Goal and Objectives

Maintaining the character of rural housing character is a top priority. Planning for sustainable growth is focused on achieving the goals for protecting the environment, sense of place and water supply.

Objectives

- Support planned development to protect viewscales, avoid hillside grading scars, and preserve rural character and natural settings.
- Site buildings to maintain rural appearance by encouraging vegetative buffers and minimizing environmental impact by clustering and siting to protect sensitive areas.
- Create a mixed residential area with a variety of parcel density, and minimum parcel sizes to maintain a rural character and avoid development that results in unappealing uniformity of houses in the same location on the same size lots.
- Encourage achievable alternatives to "4 on 10" building stratas: in other words, make bare land strata or fee simple parcels a preferred option.
- Support rural forms of affordable housing e.g., manufactured homes, two-family dwellings, secondary suites and detached accessory suites.
- Use parcel averaging and amenity bonus approaches to encourage provision of trails, open space and amenities.

Related Policies

Section 4.1 and 4.2

3.2.4 Drinking Water and Infrastructure Goal and Objectives

The Otter Point community's safe and clean supply of water is always top of mind. The community wants to protect the watersheds and practice water conservation to reduce water use.

Objectives

- Separate the provision of community piped water from Land Use Designations. Make careful land use choices to maintain rural character, but make community water supply choices a separate discussion.
- Identify alternative water sources to Kemp Lake.
- Pursue rainwater capture, water conservation, and groundwater and wellhead protection.
- Future development should not deplete or contaminate existing wells.

Related Policies

Sections 5.6 and 5.8.2

3.2.5 Economic Development Goal and Objectives

Small industry, home based business, agriculture, forestry and recreational tourism contribute to environmental goals and support self-reliant lifestyles. Local networks promote economic success.

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Objectives

- Accommodate limited industrial and commercial development with a focus on the Sooke Business Park.
- Recognize and support Camp Barnard.
- Support home based business.
- Support forestry, agriculture, wildcrafting, apiaries and local food production.
- Support tourism.
- Support multiple dwellings on farm properties for relatives and farm workers.

Related Policies

Sections 4.2.1, 4.4 and 6.7

3.2.6 Parks, Trails and Transportation Goal and Objectives

Otter Point residents prioritize an extensive network of multi-use trails that support recreation and connect to bus stops, parks and to the District of Sooke. Safety is a primary focus for these connections, separating motorized vehicles from horses, pedestrians and cyclists.

Objectives

- Develop a system of linked parks and trails.
- Support a regional or private licensed motorized recreation park in the Rural Resource Lands separate from Otter Point.
- Improve recreational access to fresh and salt water.
- Expand community public transit in Otter Point.
- Encourage local organizations to develop community forest and community farming areas.
- Consult with public and private landowners of the Rural Resource Lands to identify opportunities for public access.
- Develop customized rural road standards applicable to certain local road classes in Otter Point such as narrower lanes and gravel surfaces in smaller subdivisions.
- Develop roadside amenities such as bus stop pull-offs, cycling lanes and jogging paths and "slow water" infiltration ditches.
- Use amenity bonusing to provide trails, parks and other community amenities.
- Encourage an alternative emergency access route to/from Otter Point.

Related Policies

Sections 5.1, 5.2 and 5.8.1

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PART 4.0 LAND USE DESIGNATIONS

The policies in this section apply to the areas designated on Map 3 which is attached to and forms a part of this bylaw. Land Use Designations include:

- Settlement Areas 1, 2 and 3
- Rural Lands Area
- Marine Area

The Settlement Areas designate lands primarily for rural residential uses. The Rural Lands Area is designated primarily for renewable resource use. A Marine Area designation is established to recognize use of the surface of the Juan de Fuca Strait and integration with the foreshore uses.

Land Use Designation Statistics

Land Use Designations	Number of Parcels	Approximate Land Area (Hectares)	Approximate Land Area (Acres)	Percentage of OCP Area
Settlement Area 1	640	779	1925	23%
Settlement Area 2	124	417	1030	12%
Settlement Area 3	3	239	590	7%
Rural Lands	118	1700	4201	49%
Other Lands	114	312	771	9%
TOTAL	999	3447	8518	
Agricultural Land Reserve		305	754	
Crown Land		402	993	
Marine Shoreline		240	593	

Three Settlement Area designations are proposed, specifically Settlement Area 1, Settlement Area 2 and Settlement Area 3 as shown on Map 3. Settlement Areas 1 and 2 have an average parcel size of 1 ha and Settlement Area 3 has an average parcel size of 2 ha. They are intended for rural residential uses and account for 42% of the area.

The Rural Lands Area includes land designated as Renewable Resource Lands in the Regional Growth Strategy. These lands have an average parcel size of 4 ha. They are intended for long-term agriculture or forestry use and account for 49% of the area.

Other lands include common property, commercial, institutional and industrial parcels.

To calculate the development potential of the Land Use Designations, the average parcel size was used. This approach provides a high estimate of potential as site specific characteristics such as topography, public access and Development Permit requirements which can significantly reduce this potential are not considered.

Although there is a significant increase in the lands with an average parcel size of 1 ha, it is offset by the increase in parcel size from 2 ha to 4 ha for the Rural Lands Area. The development potential resulting from the Land Use Designation is below the 2007 OCP level.

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Land Use Designations	Development of Potential Parcels
Settlement Area 1	948
Settlement Area 2	417
Settlement Area 3	119
Rural Lands	446
TOTAL	1930

This land use pattern will be supported through strategies that:

- consider parcel averaging;
- consider an increase in density through a reduction of 20% in the average parcel size through rezoning when amenities are provided;
- consider environmental factors in all land use planning decisions;
- establish mitigation strategies to limit or minimize any potential impact that new development may have on the natural environment;
- promote land uses that protect the natural environment;
- minimize soil erosion, water pollution or increased water runoff or negative impacts on existing groundwater sources;
- protect the marine ecosystems;
- support compatible land uses and parcel sizes within a zone;
- support practical measures to prevent and/or reduce forest and wild fires; and
- support agriculture and forestry.

4.1 Settlement Area Designation

The Settlement Area designation signifies that the predominant land use is rural residential; however, agriculture, resource extraction, commercial, industrial, tourism and park and trail uses are also permitted. This designation also includes Kemp Lake, Poirier Lake and McKenzie Lake. The OCP 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 years. These needs can readily be accommodated according to current population projections. The Settlement Area designations are shown on Map 3.

Residential housing may include but is not limited to private ownership, special needs housing, and rental housing. As well, housing may be provided as single-family, two-family, or multi-family dwellings, homes, mobile homes, secondary suites or detached accessory suites. The housing stock may or may not be occupied on a full-time basis. Home based businesses are considered as opportunities for additional economic activity for residents within the Settlement Areas.

Additional uses within the Settlement Areas include the following:

- a. neighbourhood commercial uses on lands zoned commercial; and temporary commercial uses with a valid Temporary Use Permit on non-commercial zoned lands;
- b. tourism development activities, such as but not limited to, bed and breakfasts and agri-tourism uses;
- c. industrial uses on lands zoned industrial and temporary industrial uses with a valid Temporary Use Permit on non-industrial zoned lands;

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- d. home based business uses that are ancillary to the primary residential use and are compatible with the community's character (e.g., having minimal traffic, parking, noise or nuisance impacts);
- e. parks and trails;
- f. institutional uses such as fire halls and community centres; and
- g. agricultural uses on non-ALR lands.

4.1.1 Settlement Area Policies

- 1. More intensive development such as rural residential subdivisions should locate within Settlement Areas where development is currently more concentrated and new development conforms to the settlement policies, goals and objectives of this Plan.
 - a. The desired average parcel size for residential development within Settlement Area 1 is one hectare with a minimum parcel size of 0.5 hectare;
 - b. The desired average parcel size for residential development within Settlement Area 2 is one hectare with a minimum parcel size of 0.8 hectare;
 - c. The desired average parcel size for residential development within Settlement Area 2 is two hectare with a minimum parcel size of 1 hectare;
 - d. Parcels with multiple dwellings constructed or building stratas registered prior to adoption of this Plan, may be considered for rezoning to permit subdivision to create the equivalent number of parcels which may not meet the average parcel size; however, park and road dedication may be required.
- 2. Affordable housing is encouraged in the community and shall conform to the following policies:
 - a. Two-family dwellings are permitted in all Settlement Areas subject to the Land Use Bylaw.
 - b. Multiple-family dwellings are permitted in all Settlement Areas subject to the Land Use Bylaw.
 - c. One secondary suite or one detached accessory suite shall be permitted in all Settlement Areas where permitted by the Land Use Bylaw.
 - d. Mobile homes shall be permitted as the principal dwelling unit in Settlement Areas.
 - e. Home based business shall be a permitted use in Settlement Areas as defined by the Land Use Bylaw.
 - f. Subdivisions under Section 946 of the LGA are permitted if approved by the provincial Approving Officer.
- 3. Development may be supported subject to the following:
 - a. The development of the site will have minimal impact on the existing man-made and the natural physical features of the area.
 - b. The development is designed to control surface runoff.
 - c. The development is designed to prevent the depletion or contamination of existing wells.
 - d. 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.

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- e. All residential development should endeavor to protect the natural native vegetation cover.
4. In any consideration of an application for rezoning, CRD Planning and community support for the rezoning is more likely where it can be demonstrated that community values and features can be protected subject to the following criteria:
 - a. there is evidence from a Qualified Professional, or it is determined by CRD Planning staff, that the land is suitable for the intended use, there is an assessment of geotechnical and environmental constraints, there is evidence that potable water and sewage disposal can be supported on the parcel, and that development will not deplete or contaminate existing wells;
 - b. the scale of the proposal supports the rural character of the community;
 - c. the proposal demonstrates protection and preservation of the integrity of natural features and sensitive environmental features and includes adequate setbacks and vegetated buffers;
 - d. a means of protection is provided for lands that are considered regionally or locally significant; this includes natural features that are valued by the community or provide public access to points of interest; protection will be provided as an amenity, and may be done by such means as transfer to the CRD, statutory right-of-way, covenant, or stewardship agreement with a conservation society;
 - e. construction using the best "green" techniques and materials is proposed; and
 - f. works, services or community benefits required to mitigate the impact of development are proposed.
5. Community-sponsored facilities and buildings, programs and activities that serve to enhance the community's lifestyle may be considered.
6. Density bonusing can be considered if a proposal provides community amenities such as the conservation of natural features, the provision of trails or funding dedicated towards a community centre;
7. Development of land adjacent to any ALR designated parcel shall be carried out with consideration of the *Landscape Buffer Specifications* publication produced by the Agricultural Land Commission and the Ministry of Agriculture's *Guide to Edge Planning*.
8. Roads that provide "access to lands beyond" should not abut the Agricultural Land Reserve areas.
9. For parcels assessed as farm by the BC Assessment Authority or zoned Agriculture under the Land Use Bylaw, the community supports additional temporary dwellings for farm family members and farm workers. However, the ALC does not support additional dwellings for family members except as provided under Part 2.3 (1) (b) of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002* and may support additional dwellings for farm workers where a clear long term need has been substantiated for full-time farm help and the dwelling has been approved by the ALC.
10. Developers who propose a mixed commercial/residential use must adhere to the following policies:
 - a. any mixed-use development must be compatible with the form and character of neighbouring land use;
 - b. adequate parking space is to be provided for the required commercial use and the residential use.

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- c. the commercial parking spaces are to be physically separated from the required residential parking spaces;
 - d. the residential use must be protected from any adverse impact from the commercial activities;
 - e. 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 parcel but in two separate buildings. Preference will be given to mixed-use developments that are in a single building or structure; and
 - f. adequate and well-designed off-street parking, loading and service areas are provided on the site of each mixed-use development with consideration given to:
 - i. safe movement of vehicular and pedestrian traffic on the site;
 - ii. design of a safe access and egress point; and
 - iii. type and design of signs in relation to commercial uses.
11. Private or public docks may be considered on the surface of Kemp Lake, Poirier Lake and McKenzie Lake.

4.2 Rural Lands Designation

The Rural Lands accommodate larger rural residential parcel sizes with a density of one parcel per four hectares. The primary use for the Rural Lands Area is to protect renewable resources.

4.2.1 Rural Lands Policies

- 1. The desired average parcel size within Rural Lands designation is 4 hectares with a minimum parcel size of 2 hectares, subject to the provisions of 4.2.1.5 with respect to land within the ALR.
- 2. Private or public docks may be considered on Young Lake.
- 3. Continued use of Young Lake for a fish hatchery is supported.
- 4. Affordable housing is encouraged in the community and shall conform to the following policies:
 - a. Two-family dwellings are permitted on Rural Lands subject to the Land Use Bylaw.
 - b. Multiple-family dwellings are permitted on Rural Lands subject to the Land Use Bylaw.
 - c. One secondary suite or one detached accessory suite is permitted on Rural Lands subject to the Land Use Bylaw.
 - d. Mobile homes shall be permitted as the principal dwelling unit on Rural Lands.
 - e. Home based business shall be a permitted use in Rural Lands as defined by the Land Use Bylaw.
 - f. Subdivisions under Section 946 of the *LGA* are permitted if approved by the provincial Approving Officer.
- 5. Development may be supported subject to the following:
 - a. The development of the site will have minimal impact on the existing man-made and the natural physical features of the area.
 - b. The development is designed to control surface runoff.

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- c. The development is designed to prevent the depletion or contamination of existing wells.
 - d. 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.
 - e. All residential development should limit the removal of and endeavor to protect the natural native vegetation cover.
6. In any consideration of an application for rezoning, CRD Planning and community support for the rezoning is more likely where it can be demonstrated that community values and features can be protected subject to the following criteria:
- a. there is evidence from a Qualified Professional, or it is determined by CRD Planning staff, that the land is suitable for the intended use, there is an assessment of geotechnical and environmental constraints, there is evidence that potable water and sewage disposal can be supported on the parcel, and that development will not deplete or contaminate existing wells;
 - b. the scale of the proposal supports the rural character of the community;
 - c. the proposal demonstrates protection and preservation of the integrity of natural features and sensitive environmental features and includes adequate setbacks and vegetated buffers;
 - d. a means of protection is provided for lands that are considered regionally or locally significant; this includes natural features that are valued by the community or provide public access to points of interest; protection will be provided as an amenity, and may be done by such means as transfer to the CRD, statutory right-of-way, covenant, or stewardship agreement with a conservation society;
 - e. construction using the best "green" techniques and materials is proposed; and
 - f. works, services or community benefits required to mitigate the impact of development are proposed.

4.2.1.1 Rural A Zoned Lands

- 1. An alternative to building strata development on Rural A zoned lands is supported. Accordingly, for Rural A parcels created prior to adoption of this OCP, the Plan supports consideration of rezoning to allow subdivision to permit a density of one parcel per hectare up to four hectares and one parcel per two hectares for each additional two hectare portion of the parcel.
- 2. Parcels with multiple dwellings constructed or building stratas registered prior to adoption of this Plan may be considered for rezoning to permit subdivision to create the equivalent number of parcels which may not meet the average parcel size; however, park and road dedication may be required.

4.2.1.2 Private Managed Forest Lands

- 1. Where forestry and forestry-related activities are practiced as a permitted use, such activities are supported and encouraged to continue.
- 2. Any privately-owned forest land that is assessed as Managed Forest under the *Private Managed Forest Land Act* should be retained and managed as long-term forestry land.
- 3. Residential uses, silviculture, aggregate extraction, agriculture, outdoor recreation, tourism including agri-tourism, parks and wilderness activities are permitted uses in this designation.

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4. Aggregate and forestry processing uses may be considered on lands within the Rural Lands designation subject to issuance of a Temporary Use Permit pursuant to Section 4.4 or through adoption of a rezoning bylaw, where the proposed uses are considered compatible with the objectives of the Plan.
5. The Ministry of Forests, Lands and Natural Resource Operations and the private forest companies are encouraged to allow for outdoor wilderness recreation including controlled use of private logging roads and areas during non-operating periods, except during times of high or extreme fire hazard.

4.2.1.3 Camp Barnard

1. Activities and development relating to Scout Canada objectives may be supported.

4.2.1.4 Crown Lands

1. Crown lands in the Otter Point area are under consideration in the treaty negotiations with First Nations. Due to the sensitivity of these negotiations, this OCP designates these lands as Rural Lands and maintains the parcel size in effect at the time this Plan is adopted.

4.2.1.5 Agricultural Land Reserve

1. Where agriculture and agriculture-related activities are practised as a permitted use, such activities are supported and encouraged to continue.
2. 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. a buffer between the proposed land use and the agricultural parcels of land should be considered.
3. The subdivision of any land with the Agricultural Land Reserve (ALR) designation can be supported for agricultural activities only, and must be approved by the ALC.
4. For land located within the ALR as outlined on Map 3, or as those boundaries may, from time to time, be amended by the Agricultural Land Commission, the application of this bylaw is subject to the *Agricultural Land Reserve Act* and the *Agricultural Land Reserve Land Use, Subdivision and Procedure Regulation 171/2002*.
5. It is a policy of the CRD not to support subdivision for a relative in any land designated Agricultural Land Reserve.
6. The CRD supports the preservation of agricultural land and encourages farming.
7. Development of land adjacent to any ALR designated parcel shall be carried out with consideration of the Landscape Buffer Specifications publication produced by the Agricultural Land Commission, and the Ministry of Agriculture's Guide to Edge Planning.
8. Roads that provide "access to lands beyond" should not abut the Agricultural Land Reserve areas.
9. For parcels assessed as farm by the BC Assessment Authority or zoned Agriculture under the Land Use Bylaw, the community supports additional temporary dwellings for farm family members and farm workers. However, the ALC does not support additional dwellings for family members except as provided under the Part 2.3 (1) (b) of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002* or may support additional dwellings for farm workers where a clear long term need has been substantiated for full-time farm help and the dwelling has been approved by the ALC.

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4.3 Marine Area Designation

The Marine Area extends out from the Strait of Juan de Fuca for a distance of 300 metres. The 2013 natural boundary of the sea is shown on Map 3. The Marine Area designated is under provincial ownership; however, the CRD does have jurisdiction over the use of this area by persons other than the Crown pursuant to the CRD's ability to regulate the use of land, which includes the surface of water.

This area consists of two regions: beach/rocky shore area and confluence areas. Beach/rocky areas generally consist of rock platforms or shelves overlain with beach veneers of boulders or gravel. 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.

4.3.1 Marine Policies

1. A Development Permit Area for protection of the marine shoreline is established in Section 6.4 of this Plan. Any development within the Development Permit Area is governed by the guidelines.
2. Except where otherwise permitted in the Land Use Bylaw or by a Development Permit, all uses, buildings and structures must be set back at least 15 metres (50 feet) from the natural boundary of the sea as noted on Map 5b.
3. Flood construction levels will be regulated by the applicable flood hazard management bylaw. The level is generally established by a geotechnical report which should address the potential sea level rise risk. In some cases the shoreline may be within a tsunami hazard area and such risk should be assessed prior to any development.
4. The protection, retention and restoration of natural shoreline vegetation, natural features and naturally occurring driftwood and rocks are encouraged.
5. Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
6. Where shoreline protection is required, new or replaced protection structures should be constructed of rip-rap, large boulders or large wood material, rather than concrete walls.
7. 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.
8. Environmentally sustainable economic ventures such as seaweed collection are supported.
9. Log booms, commercial marinas, related commercial facilities, sale or rental of docking space, services for boats or float planes are discouraged in this area.
10. Ocean fish farms are not supported by the community.

4.4 Temporary Use Permits

Section 921 of the *LGA* enables local government to issue Temporary Use Permits to allow specific land uses to occur for a short period of time. The permit can contain detailed requirements such as indicating the buildings that can be used, the time frame of the permit and other conditions. Temporary Use Permits may be issued by the CRD throughout the Otter Point area subject to the policies of this Plan. The purpose is to provide for temporary approval of transitional uses, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide upon rezoning and long-term land use patterns. However, a Temporary Use Permit is not a substitute for a rezoning amendment.

4.4.1 Temporary Use Permit Policies

1. Land within all of the Land Use Designations in this Plan is designated under Section 920.2 of the *LGA* as an area in which Temporary Use Permits may be issued.

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2. No public health, public safety or negative environmental impacts shall result from the proposed activity.
3. In evaluating a Temporary Use Permit application, the CRD will consider the following:
 - a. the use must be clearly temporary or seasonal in nature;
 - b. compatibility of the proposal with adjacent uses;
 - c. impact of the proposed use on the natural environment;
 - d. intensity of the proposed use;
 - e. opportunity to conduct the proposed use on other land in the Plan area; and
 - f. remedial measures to mitigate any impact to the natural environment.
4. In issuing a Temporary Use Permit, the CRD may specify conditions including, but not limited to:
 - a. buildings to be used;
 - b. environmental protection measures;
 - c. siting;
 - d. hours of operation;
 - e. parking and traffic management;
 - f. on-site storage, buffers and screening;
 - g. external lighting, nuisance and dust and noise abatement;
 - h. waste management; and
 - i. a post-use site restoration plan and implementation strategy.
5. An applicant may be required to indemnify the CRD and to post security to ensure compliance with the conditions of a permit.
6. The CRD may expire a Temporary Use Permit if all the conditions established in the permit are not complied with by the user.

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PART 5.0 DEVELOPMENT POLICIES

In addition to the policies related to Land Use Designations, the Plan provides policy direction regarding both the natural environment and specific land uses.

5.1 Park and Natural Area Policies

The CRD is responsible for Community Parks and several trails within the Otter Point area. Community parks are developed for a range of active and passive uses, which can include largely protected natural areas to highly manicured recreational playgrounds and sport fields. As outlined in the Juan de Fuca Electoral Area Community Parks Strategic Plan, four types of community parks can exist. These are defined as: Special Preservation Parks, Nature Parks, Natural Area Recreation Parks and Intensive Recreation Parks. Each park type addresses a different management and use need as noted below.

Type	Characteristics	Examples	Activities	Facilities Permitted
Special Preservation	<ul style="list-style-type: none"> • Undeveloped park land • High ecological values 	<ul style="list-style-type: none"> • Difficult access • Unique habitat or species 	<ul style="list-style-type: none"> • Walk-in access 	<ul style="list-style-type: none"> • None Planned
Nature Park	<ul style="list-style-type: none"> • High natural values • Important species or habitats • undeveloped 	<ul style="list-style-type: none"> • Mature forests • Riparian shoreline • Limited disturbance • Ocean and lake shoreline 	<ul style="list-style-type: none"> • Nature viewing • Hiking 	<ul style="list-style-type: none"> • Trails/structures • Benches, viewpoints
Natural Area Recreation	<ul style="list-style-type: none"> • Good natural features • Often subject to past human disturbance • Informal trails • Multiple uses 	<ul style="list-style-type: none"> • Second growth forest • Open areas/fields 	<ul style="list-style-type: none"> • Nature viewing • Hiking • Cycling on trails • Equestrian use • Community uses 	<ul style="list-style-type: none"> • Trails/structures • Equestrian trails • Cycling trails • Benches/tables • Community flower gardens • Picnic area
Intensive Recreation	<ul style="list-style-type: none"> • Limited natural values • High recreational opportunities 	<ul style="list-style-type: none"> • Sport facilities • Play areas • Multiple uses • Highly manicured 	<ul style="list-style-type: none"> • Group and individual recreation • Multiple facilities 	<ul style="list-style-type: none"> • Tennis courts • Soccer/ball fields • Playgrounds • Boat launches

General objectives for the acquisition of lands for community parks are:

- The initial focus for new community park acquisitions will be west of the municipality of Sooke;
- Generally, park dedications will be preferred to cash-in-lieu in subdivision situations. In some instances, it may be more appropriate to seek cash-in-lieu than to pursue park dedication in marginal locations;
- The preservation of natural areas and the provision of community parks and trails should be considered as amenities during the rezoning process;
- Wherever possible, park dedications should be consolidated within and between subdivisions;
- To improve park accessibility by local residents, trail access should be included in park dedication or as an amenity in subdivision development.

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1. Provision of park land will help the community achieve its quality of life objectives. This can be accomplished through developers providing park land, without compensation, to the community pursuant to Section 941 of the *LGA*. Depending on the size and location of the parcel being subdivided and the number of parcels created, the size, location and form of park land will be determined by the CRD with input from the community through the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. At its discretion, the CRD may ask for cash-in-lieu as the requirement for compliance with Section 941 of the *LGA* for the future purchase of land for parks.
2. The provision and type of any park land must be in a location that is acceptable to the CRD.
3. With respect to the locations and types of future parks, policies of the CRD include:
 - environmentally sensitive areas and sensitive ecosystems will be given priority for protection and will be considered appropriate only as natural park land or green space when appropriate recreation opportunities may be permitted without damage to the area;
 - emphasis will be given to ensuring that every neighbourhood and community is served by appropriate public park land; and
 - a set of selection criteria will be used to assess potential or proposed park and trail sites for acquisition.
4. Park identification and selection criteria may include:
 - changing population and demographics;
 - gaps in the existing types of parks and trails needed;
 - trails that connect existing parks, other trails, green spaces and public areas;
 - areas that allow families the ability to spend time together pursuing a variety of activities such as hiking, swimming and picnicking in one location;
 - improvements required at the site;
 - maintenance and liability issues;
 - location, topography and features of the parcel;
 - sensitive ecosystems;
 - presence of wildlife and important habitat;
 - integrity of watershed areas;
 - accessibility and connectivity;
 - land ownership;
 - current and past land use;
 - surrounding land uses;
 - applicable OCP policies, and
 - potable water protection.
5. Park land and trails are permitted and encouraged under all Land Use Designations.
6. Park land is supported for the preservation of locally significant environmentally sensitive features and the protection of these features through parcel averaging and density bonusing should be in addition to the minimum 5% park land dedication provided under Section 941 of the *LGA*.

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7. In areas where park land is desired, developers are encouraged to dedicate more than 5% park land. Park land proposals must provide a benefit for the community and those lands with no benefit to the community should not be accepted.
8. Land being considered for park land should be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed park land is to be used for recreational purposes which require cleared lands or if the land can be remediated for park purposes.
9. Volunteer and non-profit assistance in the stewardship and management of community parks and trails is supported.
10. Public involvement early in the planning process and during acquisition and development of community parks is essential for the success of community parks.
11. CRD Planning staff and the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission will collaborate with CRD Regional Parks Department to implement the Juan de Fuca Electoral Area Community Parks Strategic Plan and the Regional Parks Strategic Plan, to acquire parks and trails in the Plan area and to ensure connectivity between community and regional parks and trails.
12. Provincial and federal Crown lands within the Plan area form a substantial portion of the green space enjoyed by residents and access to these lands is encouraged.
13. Private managed forest land owners are encouraged to continue to make their lands available for public recreation.
14. Environmentally sensitive areas and sensitive ecosystems will be considered appropriate only as natural park land or green space not intended for human disturbance. However, appropriate recreation activities that do no damage to the area may be permitted. All trails running parallel to a stream should be located outside the Streamside Protection and Enhancement Area (SPEA) unless a Qualified Environmental Professional identifies satisfactory mediation measures.
15. Potential or proposed park sites and trails will be identified through CRD Regional Parks and Trails plans and according to the criteria and objectives described in the OCP and in the Community Parks Strategic Plan. High potential park and trail opportunities within the Otter Point area include:
 - a. regional park and local community interests in a wildlife and recreational corridor along Muir Creek and Tugwell Creek;
 - b. protection of the bluffs overlooking the Sooke Pot Holes Regional Park;
 - c. regional trail connection between the Galloping Goose Regional Trail and the Juan de Fuca Provincial Park Marine Trail;
 - d. additional public access to the ocean, lakes and watercourses;
 - e. an inter-connected network of trails through the Plan area linking community parks and trails, access to water and to the District of Sooke. Key trails would provide access linking William Simmons Memorial Park, Young Lake, the Rural Resource Lands, the District of Sooke and the Galloping Goose Trail, and;
 - f. provision of paths using wide shoulders on road right-of-ways in new subdivisions, where possible, through the provincial subdivision approval process.
16. Encourage the acquisition of land for trails in conjunction with the park land dedication features of the LGA by such means as, but not limited to:
 - using bequests and donations;
 - setting up conditional gifts;

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- using management agreements;
- utilizing an option-to-purchase approach; and
- working with any local, provincial, or national land trust or similar organization.

5.2 Off-Highway Vehicle Recreation Areas

There is a demand for areas for the use of off-highway vehicles (e.g., ATVs and motorcycles) in the Electoral Area. However, these uses are not supported within community or regional parks or in the Otter Point Plan area generally due to the proximity to residences. This OCP supports off-highway vehicle uses being located in the Rural Resource Lands OCP area and on appropriate Crown or private lands with management agreements between the owners and self-insured recreational societies.

5.3 Environmentally Sensitive Areas

The Plan area contains environmentally sensitive areas as shown on Map 4, which is attached to and forms a part of this bylaw. It is an objective of the Plan to protect watercourses, wetlands, riparian areas, and sensitive ecosystems that provide habitat for rare and endangered species, and this is effected through the designation of Development Permit Areas in Part 6.0. The *Riparian Areas Regulation (RAR)* sets out the criteria for the determination of the riparian protection and streamside protection enhancement areas in connection with development in riparian areas.

As noted in Section 1.7, a Sensitive Ecosystem Inventory was completed in 2010 to identify, classify and map remnants of rare and fragile terrestrial ecosystems. Conserving sensitive ecosystems is important as they provide ecosystem services for a healthy economy and for social well-being. They help maintain clean water, prevent erosion, support fish and wildlife, and help define Otter Point's rural character and natural beauty. The following principles for environmentally sensitive areas include:

1. Retain a range of biodiversity to maintain and re-establish indigenous and endangered species.
2. Maintain water quality in surface water, groundwater and aquifers.
3. Encourage rehabilitation, restoration and enhancement of environmentally sensitive areas which have been disturbed.
4. Where a development proposal would adversely affect a sensitive ecosystem or species of concern as determined by a Qualified Environmental Professional, the CRD should only consider development applications where the identified impacts can be mitigated in a manner recommended by the Qualified Environmental Professional.

5.3.1 Watercourse, Wetland and Riparian Areas Policies

1. In order to protect streams and 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 streams and wetlands that are subject to the *Riparian Areas Regulation* are designated as Development Permit Areas and are shown on Map 5c.
3. Non-fish bearing streams and watercourses and watercourse ecosystems are also designated as Development Permit Areas and shown on Map 5c.

5.3.2 Sensitive Ecosystems Policies

1. In order to protect sensitive ecosystems and to ensure that they are not negatively impacted by development, areas as shown on Map 5d are designated as a Development Permit Area.
2. Where a development proposal would adversely affect a sensitive ecosystem or species of concern as determined by a Qualified Environmental Professional (QEP), the CRD

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should only consider development applications where the identified impacts can be mitigated in a manner recommended by the Qualified Environmental Professional.

3. Except where otherwise permitted by a Development Permit, all uses, buildings and structures should be located outside of sensitive ecosystem areas.

5.4 Natural Hazard Areas Policies

1. Areas with a slope exceeding 30% are designated as Development Permit Areas, as shown on Map 5a.
2. Areas that are potentially subject to flooding or erosion are designated as Foreshore Development Permit Areas and Watercourses Development Permit Areas and are shown on Maps 5b and 5c.
3. Areas considered to be at high risk of wildfire, as identified in the *Wildfire Risk Management System Otter Point Wildfire Protection Plan* prepared in July 2011 by Blackwell and Associates, are shown on Map 2. 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 forest land 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. Any development or structural improvements within or at the edge of forested lands should address the requirements established in National Fire Protection Association (NFPA) Standards 1142 (Water Supplies for Suburban and Rural Fire Fighting) and NFPA 1144 (Protection of Life from Wildfire), and the Ministry of Forests, Lands, and Natural Resource Operations Home Owners FireSmart Manual.

5.5 Archaeological Sites Policies

1. Protected archaeological sites include any site with physical evidence of human habitation or use that predates 1846, or any burial place or aboriginal rock paintings or carvings regardless of age. These definitions of protected sites include but are not limited to middens indicating temporary and permanent village sites, known ancient village sites, petroglyphs and individually found artifacts. Any development that occurs within the Plan area must not alter or damage a protected archaeological site unless a provincial heritage permit, as required by the Archaeology Branch, Ministry of Forests, Lands and Natural Resource Operations, has been issued.
2. Prior to a proponent submitting a development application, it is recommended that a proponent engage a Qualified Consulting Archaeologist to determine if detailed archaeological studies of the parcel are required. The proponent should also contact the relevant provincial ministry and the relevant First Nation regarding potential archaeological sites located on the subject parcel lands, with particular attention paid to areas within 500 metres of marine shore lines and river valleys.
3. It shall be the responsibility of any development proponent to have completed an archaeological study, conducted by a qualified consulting archaeologist, to identify the potential for archaeological resources on the proposed development site prior to any development occurring.

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5.6 Surface Water and Groundwater Supply Policies

A portion of the community relies on individual wells and water licenses for drinking water and is concerned about the impact of development on existing wells, water bodies used as water supplies, and groundwater recharge areas.

1. To protect groundwater recharge areas the OCP designates about 51% of the Plan area as Rural Lands to allow for low density development.
2. All subdivision applications must include a letter from a community water service stating the proposed development can be provided potable water or else proof of potable water from individual drilled wells.
3. All users that rely on groundwater are encouraged to conserve water.
4. All development should protect groundwater sources and not deplete or contaminate existing wells.

5.7 School Site Dedication and Community Centre Policies

5.7.1 School Site Dedication

School site acquisition charges are payable in respect of development in accordance with Division 10.1 of Part 26 of the LGA. However, no new school is anticipated in the Plan area.

5.7.2 Community Centre

The community has identified a need for a community centre to provide a venue for programs and activities. Establishing the community centre will require a sustainable funding source for land acquisition, building construction and centre operation. The centre could be administered through a community-based non-profit society that would raise funds to construct and operate the facility. Grants and other sources of funding may be available to assist with the project. The centre could be funded through taxation if a new recreation service was established and a specific tax allocation requisitioned. This would result in an overall tax increase.

5.8 Roads and Servicing

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. No major roads, sewer or water systems are planned for the Otter Point area at the time of preparation of this Plan.

5.8.1 Road Development Policies

1. The Ministry of Transportation and Infrastructure (MOTI) road standards and requirements will be adhered to.
2. MOTI is encouraged to improve the level of maintenance of the roads in the area.
3. MOTI is encouraged to provide a reduced right-of-way road standard for small rural residential subdivisions.
4. MOTI is encouraged to provide pedestrian and cycling facilities along West Coast Road, Otter Point Road and Kemp Lake Road, as either separate facilities or as extra-wide shoulders, to provide for alternative modes of transportation and to reduce Green House Gas emissions.
5. MOTI, with the support of the CRD and the forestry companies, is encouraged to provide an alternative emergency route from Otter Point through the forest lands to address closure of West Coast Road during a significant emergency event.
6. MOTI is encouraged to permit the use of undeveloped road right-of-ways for the development of pedestrian and cycling infrastructure.

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5.8.2 Servicing Development Policies

1. It is the intent of this OCP that, if not already serviced by a public water system, Settlement Areas designated on Map 3 of this bylaw may be serviced by a public water system in the future.
2. It is unknown when the Settlement Areas will be serviced. However, servicing of these areas should be provided in an efficient progression.
3. In accordance with the CRD's Regional Growth Strategy, water and sewer services will not be extended, nor hookup permitted, outside Settlement Areas identified on Map 3. 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 service, 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, and is 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 Juan de Fuca Land Use Committee;
 - c. the proposal, the supporting resolution of the Juan de Fuca 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 Planning, Transportation and Protective Services Committee which then makes a 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.

5.9 Public Facilities

The location of public facilities, such as schools, 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, there must be community infrastructure to support the proposed uses.

5.10 Sand and Gravel Deposits

Three sand or gravel pits were identified at the time of preparation of this Plan and are noted on Map 2. The location and operation of existing and future sand and gravel extraction activities are subject to the requirements of the *Mines Act*.

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PART 6.0 DEVELOPMENT PERMIT AREAS

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

- to protect the natural environment, its ecosystems and biological diversity;
- to protect of development from hazardous conditions;
- to establish the form and character of commercial, industrial or multi-family residential development; or
- to promote energy conservation, water conservation and the reduction of Green House Gas emissions.

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

- describe the conditions or objectives that justify the designation; and
- specify guidelines respecting the manner by which the special conditions or objectives will be addressed.

6.1 General Development Permit Policies

1. Where a development site lies within more than one Development Permit Area, all of the applicable permit guidelines must be met.
2. In accordance with the *LGA*, 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, including the preparation of covenants, requested by the CRD as outlined in the following sections will be provided at the applicant's expense.
4. A Development Permit is not required where it can be demonstrated that the proposed development is located outside the designated Development Permit Area. A Qualified Professional or Qualified Environmental Professional must submit a report or provide certification acceptable to the CRD that the proposed development is not within the designated Development Permit Area.

6.2 General Exemptions for a Development Permit

No Development Permit will be required for the following:

1. internal alterations to a building;
2. boundary adjustments between parcels when no new parcels are created and the boundary is not located within 30 metres of a watercourse or wetland;
3. external alterations, including adding a second storey, that are entirely within the building footprint;
4. landscaping, or constructing fences and not located within 30 metres of a stream or wetland;
5. structures which are not greater in area than 10.0 square metres (107 square feet) and are not located within 30 metres of a watercourse or wetland;
6. walkways, ramps and/or stairways, at-grade patios and retaining walls not requiring a building permit and not located within 30 metres of a watercourse or wetland;

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7. removal of hazard trees;
8. emergency actions for flood or erosion protection;
9. emergency works to repair or replace public utilities or infrastructure;
10. removal of invasive non-native vegetation from within 30 metres of a watercourse or wetland;
11. in-stream habitat development or restoration that complies with provincial and federal legislation and requirements.

6.3 Development Permit Area No. 1: Steep Slopes

6.3.1 Designation

That part of the Otter Point area shown on Map 5a, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Steep Slopes DPA", under Section 919.1(1)(b) of the *LGA*, for protection of development from hazardous conditions.

The "Steep Slopes DPA" boundaries include areas having slopes exceeding 30% or 16.7 degrees in slope over a minimum 10 metre run. Notwithstanding the areas identified on Map 5a, the actual Development Permit Area will in every case be verified.

6.3.2 Justification

The topography of the area, as well as the slope gradation and thin soil cover, renders the area highly susceptible to erosion 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, and to prevent destabilization of 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.

6.3.3 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 resulting from erosion, landslide and slope slippage.

6.3.4 Guidelines

Development Permits issued in "Steep Slope DPA" will be in accordance with the following:

1. No development, building or other structure, subdivision of land, site disturbances (alteration of land or vegetation), or sewage disposal system will be permitted in a "Steep Slopes DPA", as specified in the Justification above, except as allowed by a Development Permit or subject to a general exemption as outlined in Section 6.2 of this Plan.
2. Development or alteration of land or vegetation should be planned so as to avoid intrusion into Development Permit Areas and to minimize the impact of any activity in these areas. Development shall generally only be supported in the Development Permit Areas if the applicant can provide compelling reasons supported by a Qualified Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances may be considered in order to minimize encroachment into the "Steep Slopes DPA".
3. Development or subdivision of land should be designed to comply with the policies in Section 5.4 of the Plan.
4. Prior to approval of a subdivision, construction or alteration of land (including tree removal) in an area designated a "Steep Slopes DPA" on Map 5a, the Development Permit shall require an assessment of the slope conditions on the proposed development site by a geotechnical engineer, and recommendations on the suitability and stability of

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the soil for the proposed development. The assessment should include recommendations for vegetation protection, enhancement or retention, where applicable. A British Columbia Land Surveyor's certificate may be a condition of the Development Permit.

5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Professional may be required.
6. A Development Permit shall not be issued without confirmation by the Qualified Professional regarding the safety of proposed development and assurances that the development will not have detrimental impact on the environment or adjoining properties. No development or alteration of land shall occur where the geotechnical engineering report indicates that a hazardous condition may result.
7. An applicant may be required to provide a sediment and erosion plan with recommendations for implementation. Erosion control measures, during and after construction, may be specified in the permit.
8. Any development must be designed to avoid storm water runoff that could destabilize the slope or cause damage to neighbouring properties. An applicant may be required to provide a drainage plan with recommendations for implementation.
9. Removal of vegetation should be minimized to allow only for building sites, sewage disposal systems, driveways, landscaping and other permitted land uses.
10. A disturbed site should be re-vegetated using plant material indigenous to the site or other suitable non-invasive plants. An applicant may be required to provide a re-vegetation plan with recommendations for implementation.
11. An applicant may be required to register a covenant under Section 219 of the *Land Title Act* to secure the geotechnical report to ensure owners are aware of the provisions for long term protection of the slope.
12. Where the Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

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

6.4.1 Designation

That part of the Otter Point foreshore area, shown on Map 5b, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Foreshore DPA", under Section 919.1(1)(a) and (b) of the *LGA*, for protection of the natural environment, its ecosystems and biological diversity and for protection of development from hazardous conditions.

The "Foreshore DPA" boundaries include lands within 15 metres (50 feet) of the natural boundary of the sea.

6.4.2 Justification

The foreshore is a coastal sensitive area for aquatic life and has high ecological and aesthetic values and may contain unstable slopes subject to erosion and land slip. Due to their physical and biological characteristics and situation, development on the upland must be managed in order to avoid potential negative impacts to the foreshore.

An emerging concern is a rise in sea level. While the exact rise is unknown, it is expected that the sea level on the west coast of Vancouver Island will rise somewhere in the vicinity of one metre by the year 2100. Any development along the coastline must take this into consideration in an attempt to anticipate and minimize any negative impacts that rising sea levels may have on the built environment and the safety of residents.

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6.4.3 Objective

To protect the ecological integrity and the stability of the marine foreshore slopes and shoreline, alteration of adjacent lands must be regulated.

6.4.4 Guidelines

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

1. No development, building or other structure, subdivision of land, site disturbance (alteration of land or vegetation), or sewage disposal system will be permitted in a "Foreshore DPA", as specified in the Justification above, except those allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. 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. Development shall generally only be supported in the Development Permit Areas if the applicant can provide compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances may be considered in order to minimize encroachment into the Development Permit Area.
3. Development or subdivision of land should be designed to comply with the Marine policies in Section 4.3.1 of this Plan.
4. Prior to approval of a subdivision, construction or alteration of land (including tree removal) in areas designated a "Foreshore DPA" on Map 5b, the Development Permit shall require an assessment by a Qualified Environmental Professional on the environmental conditions, and an assessment by a Qualified Professional on the shoreline conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment should include proposals for vegetation protection, enhancement or retention, where applicable. A British Columbia Land Surveyor's certificate may be a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional or Qualified Professional may be required.
6. A Development Permit shall not be issued without confirmation by the Qualified Professional regarding the safety of proposed development and assurances that the development will not have detrimental impact on the environment or adjoining properties. No development or alteration of land shall occur where the geotechnical engineering report indicates that a hazardous condition may result.
7. An applicant may be required to provide a sediment and erosion plan with recommendations for implementation. Erosion control measures, during and after construction, may be specified in the permit.
8. Indigenous vegetation 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. An applicant may be required to provide a re-vegetation plan with recommendations for implementation.
9. Where a shoreline stabilization device is proposed, the applicant may be required to provide a report from a Qualified Professional assessing the risk of erosion and the suitability of the parcels for such a device. The report must also assess the impacts on adjacent parcels as a result of installing or not installing the proposed device. Shoreline stabilization devices are not supported on parcels that are not subject to active erosion.

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10. The use of marine retaining walls and other hard surfaces such as rip-rap shall only be supported where a Qualified Professional has determined that alternative approaches to shoreline stabilization such as vegetation enhancement, upland drainage control or gravel placement are not appropriate given site specific conditions.
11. Shoreline stabilization measures near the natural boundary that obstruct pedestrian access to and along the public foreshore area are not supported.
12. All new developments or modifications to existing developments must be designed so as to avoid any increase in storm water runoff. An applicant may be required to supply a drainage plan with recommendations for implementation.
13. An applicant may be required to register a covenant under Section 219 of the *Land Title Act* to secure the report prepared by the Qualified Environmental Professional or Qualified Professional to ensure owners are aware of the provisions for long term protection of the foreshore.
14. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

6.5 Development Permit Area No. 3: Watercourses and Wetlands Areas

6.5.1 Designation

That part of the Otter Point area adjacent to watercourses, streams, lakes and wetlands as outlined on Map 5c, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Watercourses DPA", under Section 919.1(1)(a) of the *LGA*, for protection of the natural environment, its ecosystems and biological diversity.

The "Watercourses DPA" applies to all streams subject to the provincial *Riparian Areas Regulation* as well as mapped lakes, wetlands, ponds and other watercourses which are not subject to the *Riparian Areas Regulation*. The "Watercourses DPA" boundaries include all lands lying within 30 metres (100 feet) of watercourses, wetlands, lakes. For a stream, the assessment area as defined by the *Riparian Areas Regulation* and the provincial *Water Act*.

6.5.2 Justification

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.

The Province of British Columbia's *Riparian Areas Regulation*, under the *Fish Protection Act*, aims to protect riparian areas for the protection of fish habitat. This regulation requires that an assessment by a Qualified Environmental Professional be conducted for all proposed development in a Riparian Assessment Area. The purpose of this assessment is to ensure the protection of the natural environment in accordance with the *Fish Protection Act* by protecting the features, functions, and conditions critical to support fish processes and ensuring appropriate measures are in place for the protection of the natural environment.

In addition to protecting the features which are required to support fish, this DPA is also intended to address other important values associated with aquatic and riparian ecosystems such as the maintenance of the natural hydraulic regime, and the role that aquatic and riparian ecosystems play in supporting plant and animal species.

6.5.3 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.

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6.5.4 Guidelines

General Guidelines

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

1. No development, building or other structure, subdivision of land, site disturbance (alteration of land or vegetation), or sewage disposal system will be permitted in a "Watercourses DPA", except those allowed by a Development Permit.
2. Development or alteration of land or vegetation should be planned so as to avoid intrusion into Development Permit Areas and to minimize the impact of any activity in these areas. Development shall generally only be supported in the Development Permit Areas if the applicant can provide compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances may be considered in order to minimize encroachment into the Development Permit Area.
3. Development or subdivision of land should be designed to comply with the policies in Section 5.3.1 of the Plan.
4. Prior to approval of a subdivision, construction or alteration of land (including tree removal) in areas designated a "Watercourses DPA" on Map 5c, the Development Permit shall require an assessment by a Qualified Environmental Professional on the environmental conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment should include recommendations for vegetation protection, enhancement or retention, where applicable. A British Columbia Land Surveyor's certificate may be a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required.
6. Construction at a time of year and using construction methods that minimize the impacts on rare and sensitive species may be required.
7. Any development must be designed so as to maintain the quality of any storm water flowing toward or into the identified water features and so as to prevent any increase in volume and peak flow of runoff. An applicant may be required to provide a drainage plan with recommendations for implementation.
8. Indigenous vegetation 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. An applicant may be required to provide a re-vegetation plan with recommendations for implementation.
9. Modification of channels, banks or shores which could result in environmental harm or significantly alter local hydrological conditions will not be permitted.
10. Landscaping and other related residential activities should be sited so as to prevent nutrient-rich water from entering natural water features.
11. 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 the professional report.
12. Development Permits issued with regard to road and driveway construction in these areas will ensure that:
 - a. watercourse crossings are located so as to minimize disturbance of water feature

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- banks, channels, shores, and vegetation cover;
- b. wherever possible, bridges are used instead of culverts for crossings of fish-bearing watercourses; and
 - c. culverts are sited below the water level to allow unrestricted movement of fish in both directions.
13. 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 be as established by the Agricultural Land Commission.
 14. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.
 15. In order to ensure unnecessary encroachment does not occur into the Development Permit Area at the time of construction, permanent or temporary fencing measures may be required.
 16. Development should be designed to minimize stream crossings.
 17. If any temporary stream alteration or diversion takes place, streams should be rerouted through their original channels.
 18. The removal of gravel and soil from streambeds of streams is prohibited unless provincial or federal approval is received.
 19. Access to lakes, rivers, streams, the sea and other watercourses for emergency purposes may be required.

Guidelines Applicable to All Streams Subject to the RAR:

1. For all development within the riparian assessment area of all streams subject to the *Riparian Areas Regulation*, a report prepared by a Qualified Environmental Professional and submitted to the Ministry of Environment pursuant to the *Riparian Areas Regulation* is required.
2. An applicant may be required to provide an explanatory plan of the Streamside Projection and Enhancement Area (SPEA) including the registration of a covenant prohibiting development and use in the SPEA and securing the measures required to protect it.
3. The owner shall implement all measures necessary to maintain the integrity of the SPEA as specified in the Qualified Environmental Professional's report and such measures may be included as conditions of the Development Permit.
4. In addition to implementing the measures contained in the Qualified Environmental Professional report, to ensure future encroachment into the SPEA is reduced, the land owner may consider the following:
 - a. dedicating back to the Crown Provincial or CRD all or part of the SPEA;
 - b. gifting to a nature conservation organization (tax receipts may be issued) all or part of the SPEA; or
 - c. registering restrictive covenant(s) or conservation covenant(s) securing the measures prescribed in the Qualified Environmental Professional assessment report;
5. Developers are encouraged to exceed the minimum standards set out in the RAR.
6. Development Permits may include requirements for environmental monitoring where riparian areas must be protected, remediation must be completed or where construction requires environmental controls. Environmental monitoring reports, when required, must be prepared by the Qualified Environmental Professional.

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Guidelines Applicable to Lakes, Wetlands, Ponds, and Other Watercourses Not Subject to the RAR:

1. Before development is permitted in a "Watercourses DPA" not subject to a RAR, the applicant may be required to supply an assessment, prepared by a Qualified Environmental Professional. The report must inventory the site to identify existing environmentally sensitive feature(s) and assess the environmental impact of the proposed development. The report must provide recommendations for construction, mitigation, and protection of environmentally sensitive features and sensitive habitat, to ensure that the impacts of development are minimized and to preserve and/or restore the natural ecosystem components and processes which are important to maintain ecosystem function and health.
2. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required.
3. The CRD shall consider the site-specific natural features, ecological processes that support riparian function, wildlife ecology, and unique ecosystems. These include, but are not limited to:
 - a. maintenance of an effective visual and sound (natural vegetated) buffer around nesting trees or other sensitive features;
 - b. vegetation, trees, snags, and root systems;
 - c. rare and uncommon species and plant communities;
 - d. soils and soil conditions (moisture, nutrients and permeability);
 - e. birds and other wildlife species and their habitats, such as shelter, nesting trees, perch trees, and breeding areas;
 - f. maintenance of linkages with adjacent riparian ecosystems to minimize fragmentation;
 - g. topography and relative orientation of features on neighbouring properties; and,
 - h. appropriate timing of construction.

6.6 Development Permit Area No. 4: Sensitive Ecosystems Areas

6.6.1 Designation

That part of the Otter Point area shown on Map 5d, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Sensitive Ecosystems DPA", under Section 919.1(1)(a) of the LGA for the protection of the natural environment, its ecosystems and biological diversity.

The "Sensitive Ecosystems DPA" boundaries include Seasonally Flooded Agricultural Fields and the following ecosystems identified in the Sensitive Ecosystem Inventory prepared in July 2011 by Raincoast Applied Ecology/HB Lanarc: Herbaceous, Mature Forest, Sparsely Vegetated and Woodland.

6.6.2 Justification

These are important vegetation communities that have been identified by the Sensitive Ecosystem Inventory. Maintaining this vegetation is important to the protection of habitat and the natural environmental character of Otter Point. Land clearing, tree cutting, construction of buildings or roads, or other site disturbance in these areas could harm their functions and value to the community.

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6.6.3 Objective

The primary objective of this Development Permit Area designation is to minimize the impact of development on the natural environment. The natural environment provides essential habitat and corridors for plants, fish, birds and other organisms. Furthermore, as concerns over climate change grow, it should be recognized that functioning ecosystems are more efficient at consuming carbon dioxide as well as carbon storage.

Sensitive ecosystems support a number of provincially Red and Blue-listed species (extirpated, endangered, threatened, and vulnerable) and federally listed species at risk. This Development Permit Area is intended to protect habitat for rare and endangered species of native vegetation or wildlife and to provide wildlife corridors and secondary habitat within Otter Point.

6.6.4 Guidelines

1. No development, building or other structure, subdivision of land, site disturbance (alteration of land or vegetation) or sewage disposal system will be permitted in the Sensitive Ecosystems DPA, except as allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. Development or alteration of land or vegetation should be planned so as to avoid intrusion into Development Permit Areas and to minimize the impact of any activity in these areas. Development shall generally only be supported in the Development Permit Areas if the applicant can provide compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances may be considered in order to minimize encroachment into the Development Permit Area.
3. Development or subdivision of land should be designed to comply with the policies in Section 5.3.2 of the Plan.
4. Prior to approval of a subdivision, construction or alteration of land (including tree removal) in an area designated a "Sensitive Ecosystems DPA" on Map 5d, the Development Permit shall require an assessment by a Qualified Environmental Professional on the environmental conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment should include recommendations for vegetation protection, enhancement or retention, where applicable. A British Columbia Land Surveyor's certificate may be a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required.
6. Disturbance to existing vegetation that is not directly affected by the footprint of building, ancillary uses, and driveways must be minimized. Any disturbed areas shall be rehabilitated with appropriate landscaping and habitat compensation measures. Loss of natural habitat shall be minimized.
7. 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 the sensitive ecosystems, or those that can be mitigated in a manner recommended by a Qualified Environmental Professional.
8. In order to ensure unnecessary encroachment does not occur into the Development Permit area at the time of construction, permanent or temporary fencing measures may be required.
9. Environmentally sensitive areas and the habitat requirements for wildlife species at risk as defined in the federal *Species at Risk Act* should remain in their natural state and should not be developed or disturbed.

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10. Where possible, large tracts of wildlife habitat or continuous habitat corridors should be preserved, in order to facilitate movement of wildlife. In addition, where possible, landscape plans should enhance, expand or create wildlife habitat such as ponds, wetlands, native aquatic and terrestrial plants.
11. Planting of invasive species adjacent to or within designated Sensitive Ecosystems Development Permit Areas will not be permitted.
12. Changes in the land surface which could affect the health of vegetation or the biodiversity of any plant communities and disturbance of mature vegetation and under-storey plants will be minimized.
13. Any development must be designed to avoid storm water runoff. An applicant may be required to provide a drainage plan with recommendations for implementation.
14. Removal of gravel, sand, soil or peat in Sensitive Ecosystems Areas will be strictly limited and only permitted if impacts can be mitigated in a manner recommended by a Qualified Environmental Professional.
15. Development should generally conform to *Develop with Care 2012: Environmental Guidelines for Urban and Rural Land Development in British Columbia*.
16. Development should incorporate environmentally sound building practices where appropriate, such as natural drainage, or use of permeable paving materials.
17. The creation of parcels less than the minimum parcel size supported by this Plan and located within a smaller footprint of the parent parcel may be supported, in order to protect and enhance an environmentally sensitive feature without an amendment to this Plan. However, the overall number of parcels must be consistent with the Land Use Designation and the environmentally sensitive feature must be permanently protected.
18. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

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

6.7.1 Designation

That part of the Otter Point area shown on Map 5e, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Commercial and Industrial DPA", under Section 919.1(1)(f) of the LGA for the form and character of commercial and industrial development.

The "Commercial and Industrial DPA" boundaries include lands zoned commercial or industrial under the Land Use Bylaw.

6.7.2 Justification

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.

6.7.3 Objective

To encourage a building design theme and form that is complementary to and respectful, as possible, of the natural setting and the rural character of Otter Point.

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6.7.4 Guidelines

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

1. No development, building or other structure, subdivision of land, site disturbance (alteration of land or vegetation) or sewage disposal system will be permitted in the Commercial and Industrial Development Permit Area, as specified in the Justification above, except as allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. Design buildings to take advantage of natural contours and features of the landscape so that buildings and structures fit into the natural surroundings.
3. Design buildings in a form which can make best use of the natural setting, 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 through the planting of native or complementary species, or by using fencing.
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.
8. The range of building materials used for new buildings should be complementary to existing buildings. The front entrances should be designed to use a combination of exterior surface textures.
9. Where parcels are located adjacent to a trail established by the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission, buildings should be set back from the property line to prevent the trail being in constant shadow, and landscaping provided to screen the commercial or industrial use from the trail.
10. Storm water management measures such as use of rain gardens and vegetated swales, and redirecting water from drain pipes into vegetated areas are supported.
11. Mature trees shall be preserved, where possible, and integrated with new landscaping which may be required to create an engaging rural character.
12. The design of landscaped areas should consider:
 - a. using native and/or non-invasive drought-resistant species;
 - b. designing the landscaping to moderate the effect of wind and to provide shade in summer;
 - c. allowing natural drainage to occur throughout the site;
 - d. allowing daylight into buildings;
 - e. redirecting water from rooftop runoff and downspouts into vegetated areas or into rain barrels for later irrigation use;
 - f. incorporating rain gardens and vegetated swales into parking lot landscaping to increase the natural absorption of rainwater runoff from paved areas into the ground; and

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- g. maximizing the amount of landscaped areas and minimizing the amount of impermeable paved surfaces to increase the natural absorption of rainwater on a site.
- 13. Roof-top equipment should be kept to a minimum and integrated into the overall building design.
- 14. Parking, loading, and access and egress areas should be designed to accommodate commercial vehicles and ensure safe vehicular movement.
- 15. To ensure that all landscaping requirements and/or site remediation works of the Development Permit Area are undertaken, applicants may be required to provide a detailed landscape estimate. Prior to issuance of any permit, the applicant may be required to provide a security deposit.

6.8 Development Approval Information Area Designation

6.8.1 Designation

Most of the Otter Point OCP area (parcels greater than two hectares) as shown on Map 6, which is attached to and forms a part of this bylaw, is designated as a Development Approval Information Area.

6.8.2 Justification

1. The natural environment of the Otter Point Plan area supports an ecosystem of great diversity which includes 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 has the potential to deplete groundwater and otherwise interfere with wetlands. The extent to which a new well may have interfered with existing wells cannot be reliably judged except from actual interference testing of the affected wells.
2. Any new large-scale development creating 20 or more parcels will increase the traffic flow along the various roads within Otter Point. Information is required for reviewing the potential impact that the greater traffic flows may have on the 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 on 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 be completed prior to development taking place. This includes an analysis of any liquid waste, to ensure that it will have no adverse effect on human health or the natural environment.

6.8.3 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 includes water service, sewage disposal, and other utilities.

6.8.4 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 a Qualified Professional or Qualified Environmental 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 (6.8.3).

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APPENDIX 1: DEFINITIONS

In this bylaw, which includes Schedule "A", the following definitions apply:

A

ACCESSORY BUILDING means a building or structure, the use of which is ancillary to the principal building;

ACCESSORY USE means a use which is incidental or subordinate to the principal use;

AGRICULTURAL LAND RESERVE (ALR) means lands designated pursuant to the *Agricultural Land Commission Act* to be preserved for agricultural use or uses compatible with agricultural purposes;

AGRICULTURE means a farm use as defined in the *Agricultural Land Commission Act* in the Agricultural Land Reserve but, outside the ALR, does not include Intensive Agriculture or any manufacturing, processing, and storage and repairs;

AGRICULTURE BUILDING or **FARM BUILDING** means a building which is

- (a) associated with and located on land devoted to the practice of farming; and
- (b) used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds;

AGRI-TOURISM means a tourist activity, service or facility that provides an opportunity for visitors to experience agricultural life by participating in or watching farming activities or purchasing and consuming farm produce on a farm;

AMENITY means an item of benefit to the community that is determined through the development approvals process, and may include park land, community trails, infrastructure, special housing, parking areas, and community facilities or a natural feature that is a community benefit;

AMENITY BONUSING means an increase in the allowable density on a parcel of land in exchange for an amenity provided by the developer for the community to be implemented through density bonus provisions in the applicable bylaw under Section 904 of the *Local Government Act*;

ASSESSMENT REPORT means a report prepared in accordance with the *Riparian Area Regulations* assessment methods to assess the potential impact of proposed development in a riparian assessment area, which is certified by a Qualified Environmental Professional or any report prepared by a Qualified Professional in support of an application for a development approval or development approval information area requirements;

AQUIFER means an underground water body, which may be overlain with permeable material such as gravel or impermeable material such as clay.

B

BED AND BREAKFAST means a home based business which provides for temporary accommodation accessory to the principal residential use of a parcel, but which does not provide meals, other than breakfast, or kitchen facilities for guests;

BIODIVERSITY means the variety of life on earth in all its forms including genera, species and ecosystems and the natural processes that link and maintain them;

BOARD means the Board of Directors of the Capital Regional District;

BUFFER means an area of land separating adjacent land uses that is managed to mitigate impacts of one use on another;

BUILDING means any structure used or intended for supporting or sheltering any use or occupancy;

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C

CABIN means a structure or building with a floor area of not more than 90 m² which is used as temporary accommodation; and which may or may not include kitchen or sanitary facilities;

CAMPGROUND means a site operated as temporary accommodation for travellers in travel trailers, recreational vehicles or tents; but excludes mobile home parks, motels and hotels; the site may include sanitary and laundry facilities;

CATCHMENT AREA means an area from which rainfall flows into a stream.

COMMUNITY CARE FACILITY means housing units or facility licenced under the *Community Care and Assisted Living Act*;

COMMUNITY WATER SYSTEM means a system of waterworks which is owned, operated and maintained by a water users' community under the *Water Act*, by an improvement district, or by the Capital Regional District and is permitted by Island Health;

CONSERVATION COVENANT means a covenant under Section 219 of the *Land Title Act*, registered against the title to land, in which a land owner covenants and agrees to protect the land or amenities in respect of the land or amenities in respect of the land in specified ways;

D

DELETERIOUS SUBSTANCE means any substance that would degrade or alter the quality of the environment so that it becomes damaging to fish or fish habitat or other wildlife and flora, or becomes unsuitable for human consumption or any other use for which it is legally licensed;

DENSITY means a measure of development intensity on a parcel, measured in dwelling units per hectare for residential uses, or in parcels per hectare;

DESIGNATED FLOOD means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unrelated history flood records or by regional analysis where there is inadequate streamflow data available; where the flow of a large watercourse is controlled by a major dam, the designated shall be set a site specific basis;

DESIGNATED FLOOD LEVEL means the observed or calculated flood elevation for the designated flood, which is used in the calculation of the flood construction level.

DETACHED ACCESSORY SUITE means an accessory dwelling unit detached from the principal residential building;

DEPLETION OF EXISTING WELLS means to reduce the quantity of existing adjacent wells below the minimum flow requirements established by the Land Use Bylaw;

DEVELOPMENT means any of the following residential, commercial or industrial activities or ancillary activities:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) removal or deposit of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impermeable or semi-impermeable surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors; and

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(j) subdivision as defined in Section 872 of the *Local Government Act*;

DEVELOPMENT PERMIT AREA means an area that has been designated in the Official Community Plan pursuant to Section 919.1 of the *Local Government Act* as requiring issuance of a Development Permit prior to the commencement of development;

DISTURBANCE means a discrete force that causes significant change in the composition of soil or terrain through human-caused events such as cutting trees, or clearing land;

DUPLEX means **DWELLING, TWO-FAMILY**;

DWELLING UNIT means one or more rooms which comprise a self-contained unit used or intended to be used for habitation by one or more residents, including living and sleeping areas, sanitary facilities and a single kitchen; this includes mobile homes, modular homes or prefabricated dwellings meeting CSA-A277 or CSA-Z240 (mobile) standards or equivalent, but not recreational vehicles, tents, buses, travel trailers or other vehicles;

DWELLING, MULTI-FAMILY means a residential use in a building with three or more principal dwelling units;

DWELLING, SINGLE-FAMILY means a residential use in a building for one principal dwelling unit;

DWELLING, TWO-FAMILY means a residential use in a building which is divided into two principal dwelling units which are either placed one above the other or side-by-side, and share a common wall; specifically excludes dwelling units attached by carport, sundeck, breezeway or other similar structures and secondary suites;

E

ECOSYSTEM means a functional unit consisting of all the living (biotic) and non-living (abiotic) factors of a definable portion of the landscape, together with the processes that link and affect them including nutrient cycling and energy flow;

ENVIRONMENTALLY SENSITIVE AREA means any parcel of land or area that has environmental attributes worthy of retention or special care and for the purposes of this bylaw has been identified as Development Permit Area;

EROSION means a combination of processes by which materials of the earth's surface are loosened, dissolved or worn away, and transported from one place to another by natural or human agents;

F

FARM means an area of land used for agriculture or land classified as a farm under the *Assessment Act*, or both;

FISH means all stages of salmonids, game fish and regionally significant fish;

FLOOD CONSTRUCTION LEVEL means a designated flood level plus freeboard, or where a designated flood level cannot be determined: a specified height above the natural boundary, natural ground elevation, or any obstruction that could cause ponding;

FLOODPLAIN means an area susceptible to flooding from a watercourse, lake, or other body of water designated in Part 5 of the Land Use Bylaw;

FOOD SECURITY means a condition in which all the residents, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life;

FORESHORE means the area of the shore located below the natural boundary;

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G

GREEN BUILDING means a building that incorporates a variety of features such energy and water efficiency, natural storm water management, locally sourced materials, low site impact and healthy indoor environmental quality;

GREEN HOUSE GAS means any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and any other substance proscribed by regulation;

GROUND WATER means water below the surface of the ground;

GROUND WATER RECHARGE means the movement of rainwater down through the soil and into the aquifers beneath;

H

HABITAT means the natural home of a plant or an animal including all the associated biotic and abiotic elements;

HAZARDOUS TREE means a diseased or damaged tree that poses a danger to a person or property or is likely to cause harm to persons or property;

HIGH WATER MARK means **NATURAL BOUNDARY**;

HOME BASED BUSINESS means any occupational or professional use conducted for gain and secondary to the residential use of a parcel;

I

IMPROVEMENT DISTRICT means, as the context requires, either the public corporate body or the tract of land incorporated under the *Local Government Act* and includes an improvement district constituted under a former Act;

INDUSTRIAL USE means a use providing for the processing, fabricating, assembling, storing, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking or salvaging of goods, materials, or things, and heavy equipment sales/rentals, and retail sales accessory to a principal industrial use; and includes the operation of truck terminals, docks, railways, vehicle paint and body shops, and soil improvement operations; specifically excludes the burning of things salvageable;

INVASIVE SPECIES means a species that is non-native to the ecosystem under consideration and which, if introduced, may cause economic or environmental harm (including harm to human health);

L

LANDSLIP means the downward and outward movement of slope-forming material composed of natural rock, soils, artificial fills, or combinations of these materials, which movement may proceed by any one of three principal types of movement such as, or combination of, falling, sliding or flowing;

LOT means **PARCEL**;

M

MANUFACTURED HOME means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried;

MOBILE HOME means **MANUFACTURED HOME**;

MOBILE HOME PARK means any parcel on which are installed, or intended to be installed, for use as dwelling units, three or more mobile homes; and which is regulated by Capital Regional District Mobile Home Bylaw;

Schedule "A" of Capital Regional District Bylaw No. 3819
Otter Point Official Community Plan

N

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the natural boundary includes the edge of dormant or old side channels and marsh areas;

O

OUTDOOR RECREATION means a recreational use or activity undertaken where the outdoor setting and landscape is a significant element in the use or activity and includes: parks, trails, open space, playing fields, playgrounds, low-impact wilderness camping, fishing, and hunting;

P

PARCEL means any lot, block, parcel or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the *Bare Land Strata Regulations* pursuant to the *Strata Property Act*, but specifically excludes a building strata created pursuant to Section 241 of the *Strata Property Act*;

PARCEL, MINIMUM SIZE means the smallest size of a parcel created by subdivision;

PARCEL AVERAGING means the calculation of the number of parcels that may be permitted by dividing the gross area by the average parcel size;

PARK means a park established under the *Park Act* or the *Park (Regional) Act* or any land dedicated under the *Local Government Act* or *Land Title Act*;

POTABLE WATER means water which meets the standards in the *Drinking Water Protection Act and Drinking Water Protection Regulation*;

PRINCIPAL BUILDING means the building which contains the principal use;

PRINCIPAL USE means the chief or main purpose or function to which land, buildings and structures are designed, intended to be put, or put;

PRIVATE MANAGED FOREST means private land which has a management commitment and is classified as private managed forest land under the *BC Assessment Act* and regulated by the *Private Managed Forest Land Act*;

PROCESSING USE means the use of land, buildings or structures for the sorting, crushing, washing, screening, scaling, milling, processing, or storage of material;

Q

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) means an applied scientist or technologist, acting alone or together with another Qualified Environmental Professional if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and
- (b) the individual's area of expertise is recognized by the CRD in its assessment methods as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

Schedule "A" of Capital Regional District Bylaw No. 3819

Otter Point Official Community Plan

QUALIFIED PROFESSIONAL (QP) means an applied engineer or geotechnical scientist, acting alone or together with another Qualified Professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and
- (b) the individual's area of expertise is recognized by the CRD in its assessment methods as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

R

RECREATIONAL VEHICLE means any vehicle, trailer or combination of vehicles and accessories used or designed to be used primarily for accommodation during travel or recreation; does not include mobile homes;

REGIONAL BOARD means the Board;

REGIONAL GROWTH STRATEGY (RGS) means an agreement, developed and approved by the CRD and its member municipalities and electoral areas, in accordance with the provincial legislation contained under Part 25 of the *Local Government Act*;

RESIDENTIAL USE means the use of a building or part thereof as a dwelling unit;

RESOURCE EXTRACTION means the removal of resource products, such as but not limited to forest or mining products, by either physical labour or with machinery or by a combination of the two;

RESTRICTIVE COVENANT means a covenant between the landowner and the Province of British Columbia, a local government or another agency, registered under Section 219 of the *Land Title Act* which restricts certain activities that may occur on that land;

RIPARIAN AREA means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream;

RIPARIAN ASSESSMENT AREA means, as defined by the *Riparian Areas Regulation*:

- (a) for a stream, the 30 m strip on both sides of the stream, measured from the high water mark;
- (b) for a ravine less than 60 m wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 m beyond the top of the ravine bank; and
- (c) for a ravine 60 m wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 m beyond the top of the ravine bank;

S

SECONDARY SUITE means an accessory self-contained dwelling unit with cooking facilities, located in a single-family dwelling;

SILVICULTURE means all activities related to the production and harvesting of timber including the removal of harvestable timber stocks but specifically excluding the processing of wood or wood products;

STORM WATER MANAGEMENT means measures to control rainwater run-off where development has affected natural drainage systems or water quality;

STREAM includes any of the following that provides:

- (a) a fish habitat;
- (b) a watercourse, whether it usually contains water or not;

Schedule "A" of Capital Regional District Bylaw No. 3819

Otter Point Official Community Plan

- (c) a pond, lake, river, creek or brook;
- (d) a ditch, spring or wetland that is connected by surface flow to something referred to in (a) or (b);

STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA) means an area the size of which is determined according to the *Riparian Areas Regulation* on the basis of an assessment report provided by a Qualified Environmental Professional in respect of a development proposal;

STRUCTURE means anything which is constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, and includes a satellite dish, antenna or retaining wall;

SUBDIVISION means the division of land into two or more parcels, whether by plan, descriptive words, or otherwise, and includes a plan consolidating two or more parcels into the same or a lesser number of parcels but excludes a building strata;

SWALE means a shallow linear depression that accommodates water drainage;

T

TEMPORARY ACCOMMODATION means accommodation for not more than 60 consecutive days or a total of 185 days per calendar year;

TOP OF THE RAVINE BANK means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

TOURISM USE means a use for tourists including recreation, cabins, campgrounds, recreational vehicle sites, resorts and tourist lodges;

TSUNAMI HAZARD AREA means the upland area extending from the high tide line to an inundation zone elevation determined by Emergency Management BC;

W

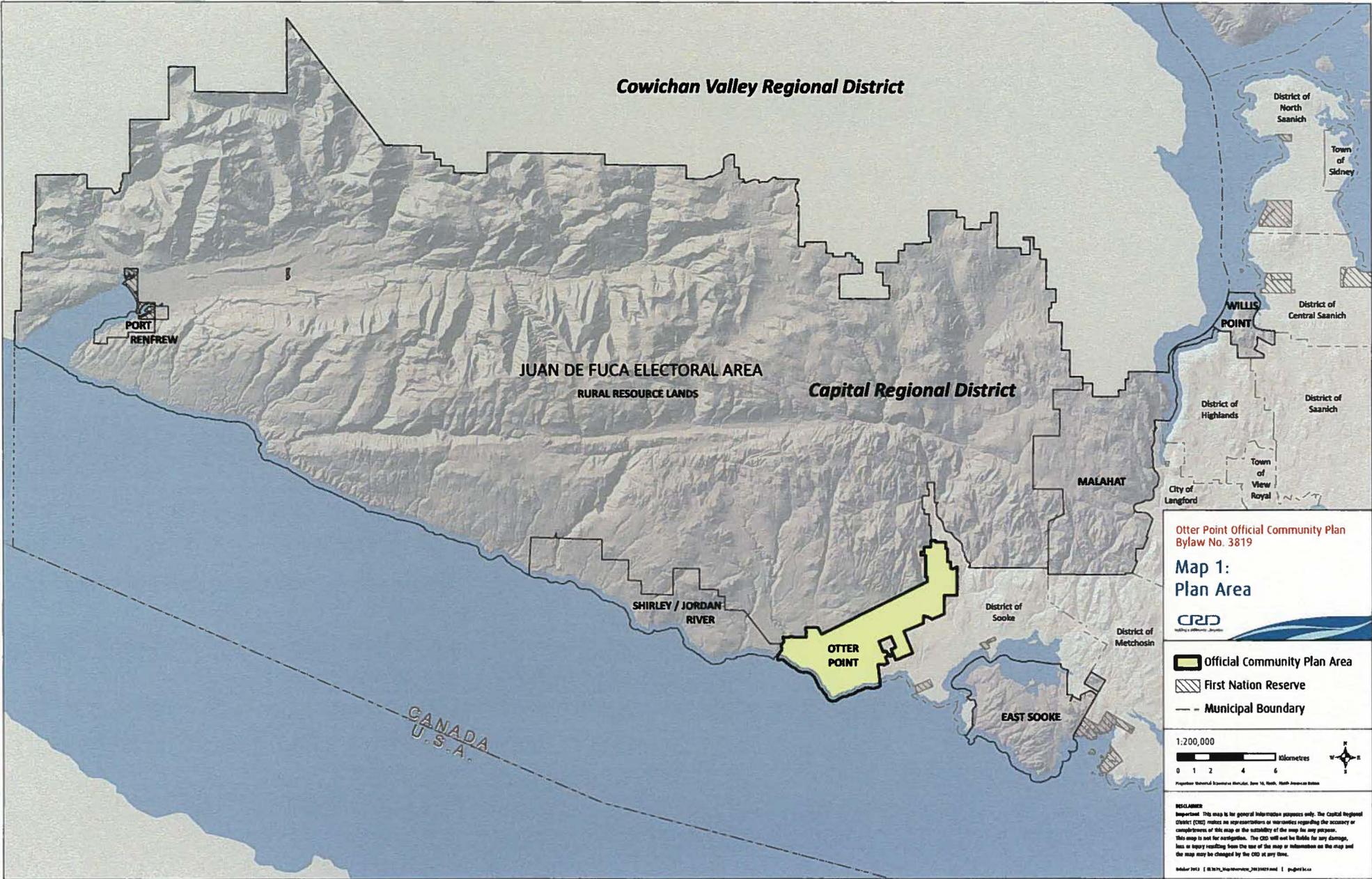
WATERCOURSE means a permanent or non-permanent (containing water at least six months of the year) source of water supply that is natural or man-made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man-made pond that does not connect to a stream;

WATERSHED means the geographic region where all watercourses and all of the land drains into a common catchment area;

WETLAND means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a watercourse;

WILDCRAFTING means the practice of harvesting plants from their natural or wild habitats, whether marine or land-based, for food, medicinal, or topical uses and applies to uncultivated plants wherever they may be found and is not necessarily limited to wilderness areas;

WILDFIRE INTERFACE means an area of land where residential and other types of development are found in close proximity to forested areas, where a forest fire is likely to become an interface fire capable of consuming developed and forested areas simultaneously;



Cowichan Valley Regional District

JUAN DE FUCA ELECTORAL AREA
RURAL RESOURCE LANDS

Capital Regional District

District of North Saanich
Town of Sidney
District of Central Saanich
District of Saanich
District of Highlands
Town of View Royal
City of Langford

MALAHAT

SHIRLEY / JORDAN RIVER

District of Sooke

District of Metchosin

OTTER POINT

EAST SOOKE

CANADA
U.S.A.

Otter Point Official Community Plan
Bylaw No. 3819

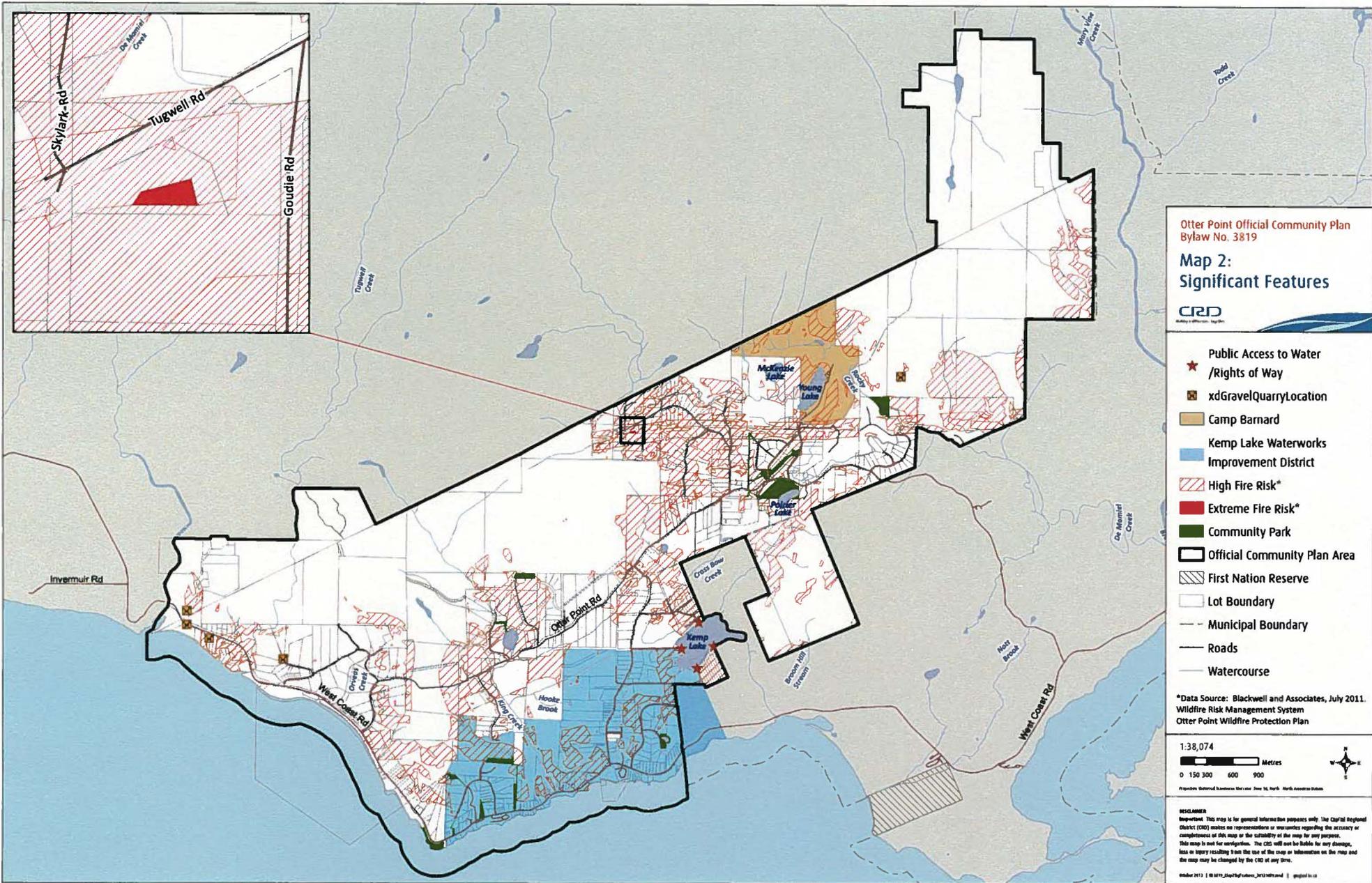
**Map 1:
Plan Area**



- Official Community Plan Area
- First Nation Reserve
- Municipal Boundary



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Otter Point Official Community Plan
Bylaw No. 3819

Map 2: Significant Features



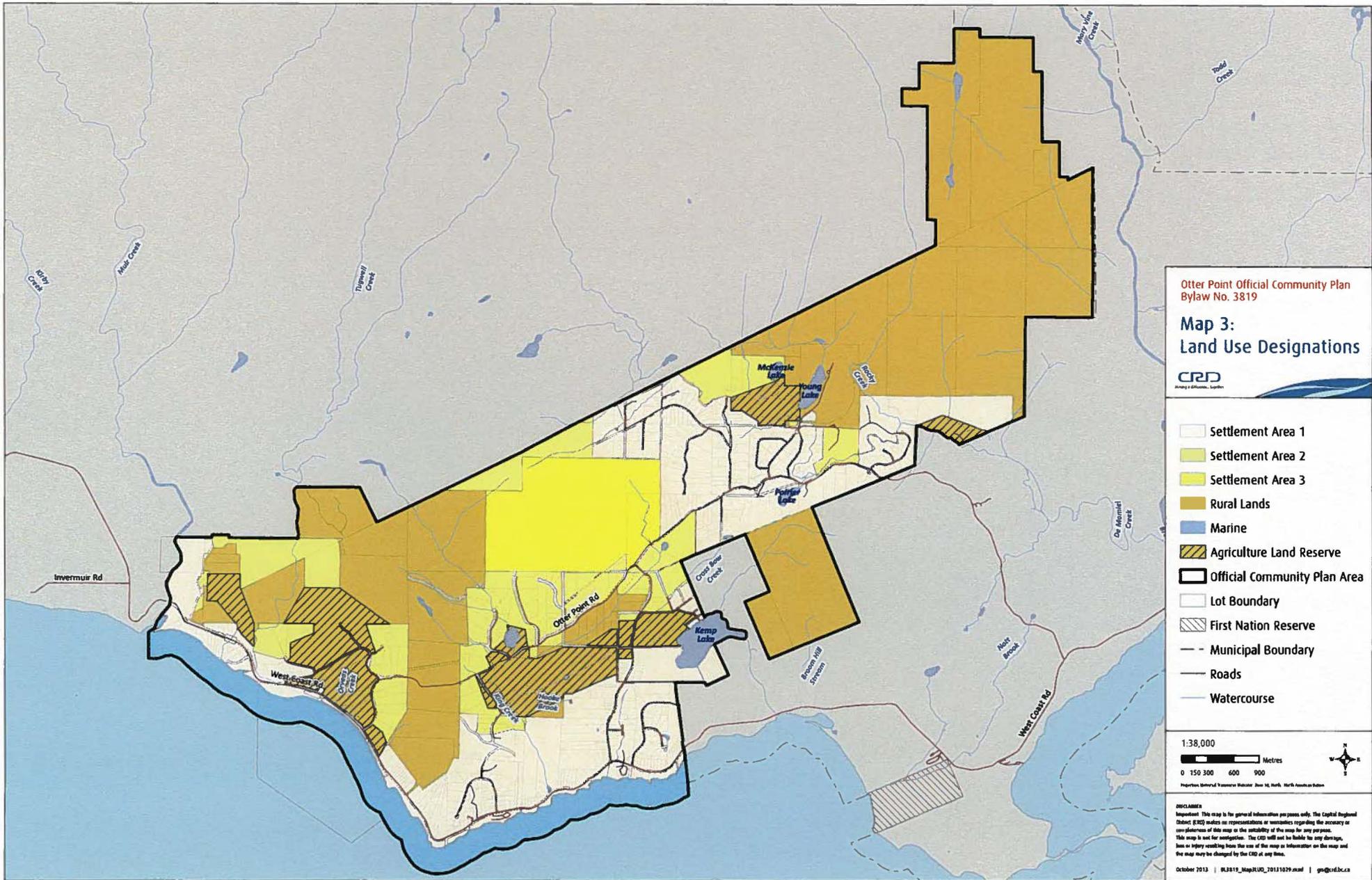
- ★ Public Access to Water /Rights of Way
- xd Gravel Quarry Location
- Camp Barnard
- Kemp Lake Waterworks Improvement District
- High Fire Risk*
- Extreme Fire Risk*
- Community Park
- Official Community Plan Area
- First Nation Reserve
- Lot Boundary
- Municipal Boundary
- Roads
- Watercourse

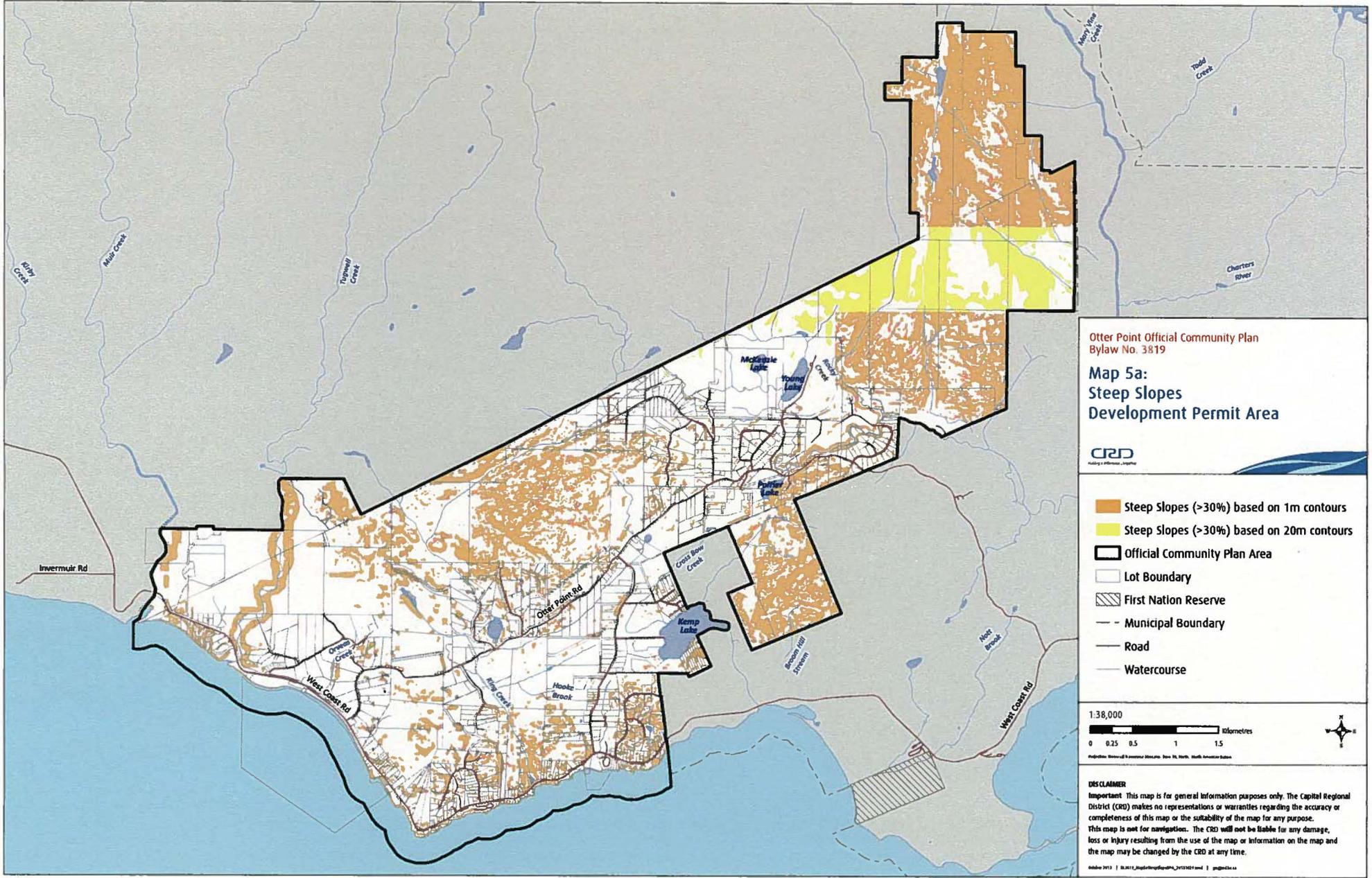
*Data Source: Blackwell and Associates, July 2011.
Wildfire Risk Management System
Otter Point Wildfire Protection Plan

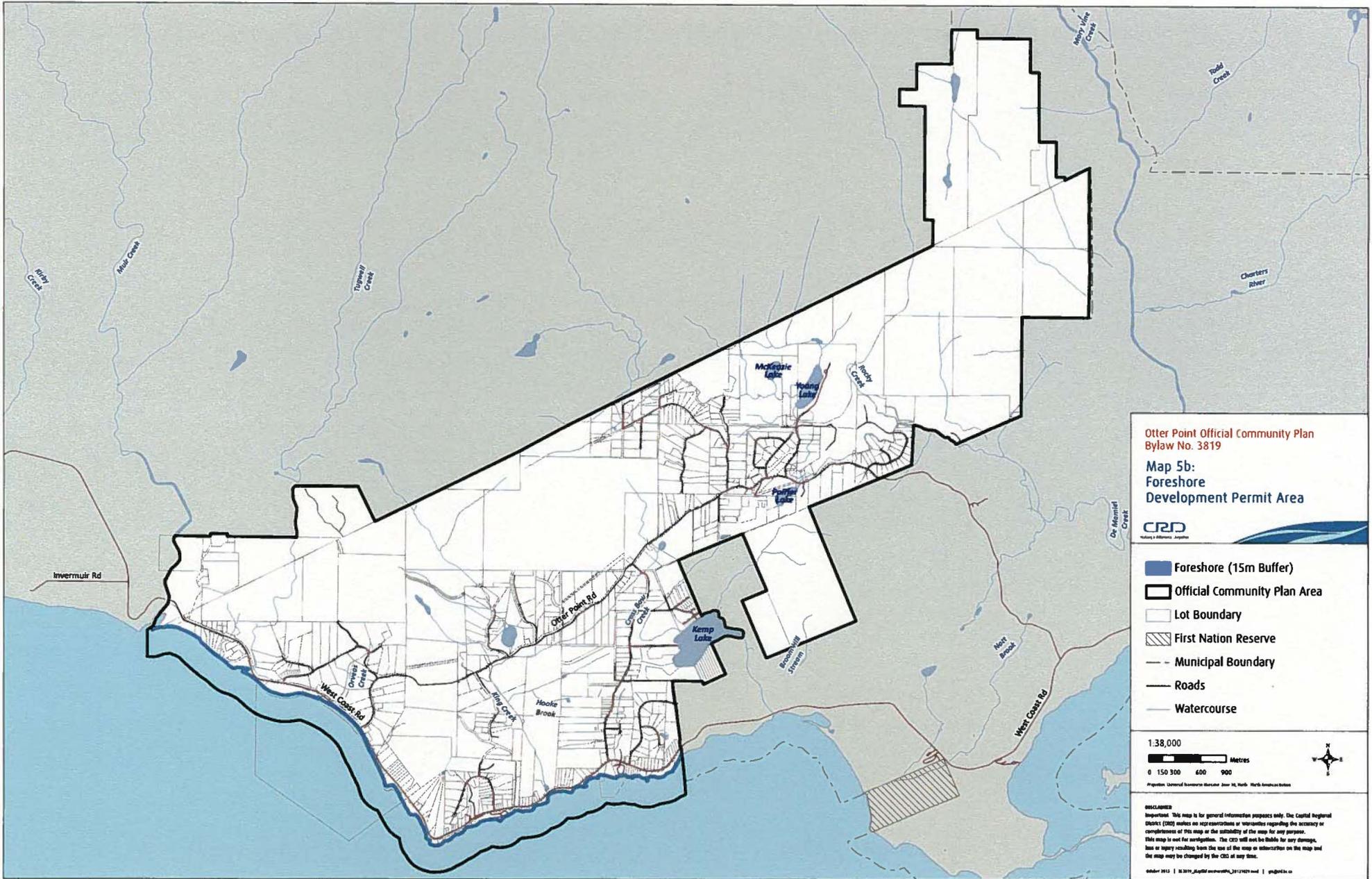
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**Otter Point Official Community Plan
Bylaw No. 3819**

**Map 5b:
Foreshore
Development Permit Area**

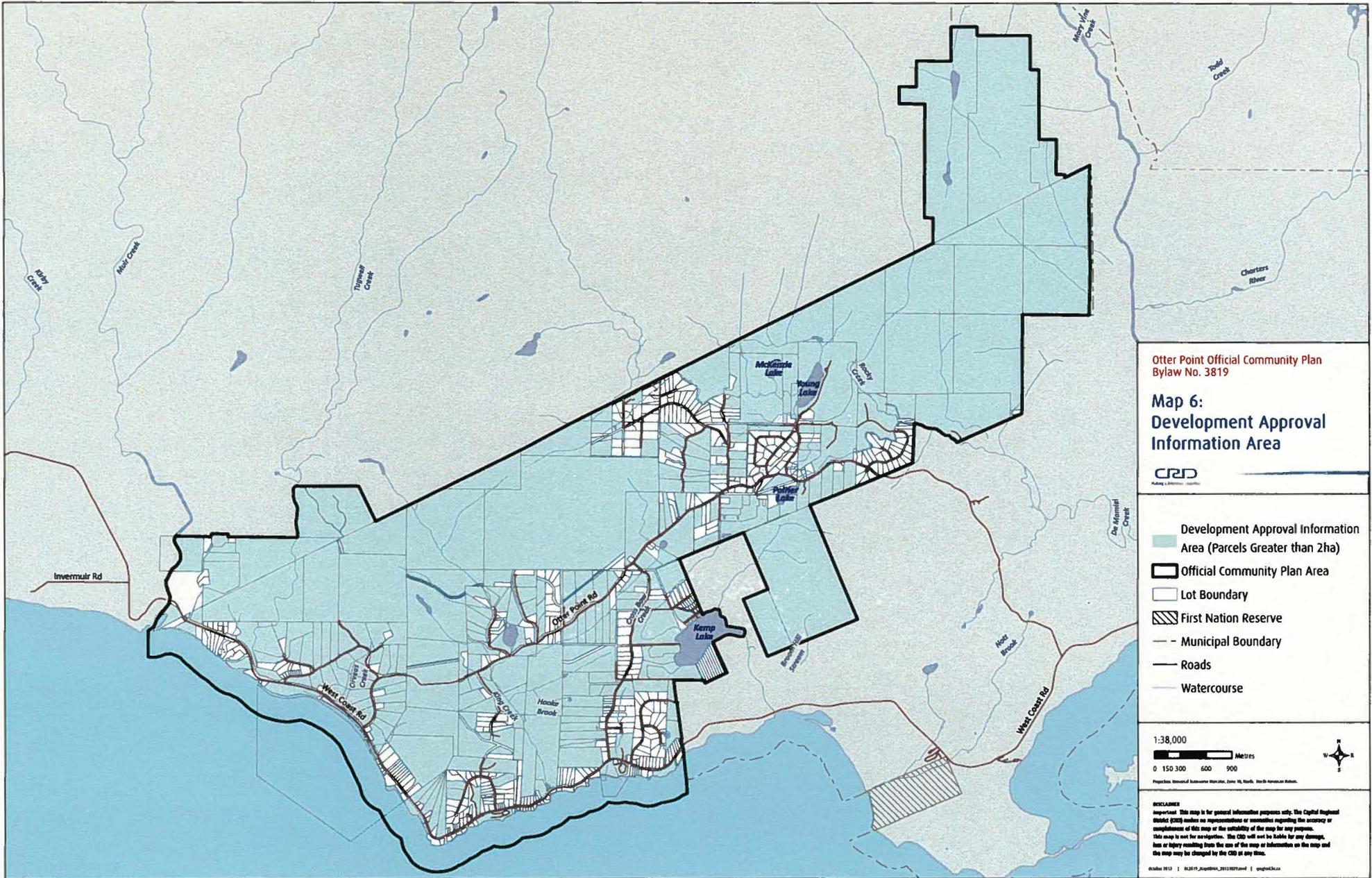


- Foreshore (15m Buffer)
- Official Community Plan Area
- Lot Boundary
- First Nation Reserve
- Municipal Boundary
- Roads
- Watercourse

1:38,000

0 150 300 600 900 Metres

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Otter Point Official Community Plan
Bylaw No. 3819

**Map 6:
Development Approval
Information Area**



- Development Approval Information Area (Parcels Greater than 2ha)
- Official Community Plan Area
- Lot Boundary
- First Nation Reserve
- Municipal Boundary
- Roads
- Watercourse

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**REPORT TO PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 26, 2014**

**SUBJECT REGIONAL CONTEXT STATEMENT AMENDMENT FOR THE DISTRICT OF
NORTH SAANICH**

PURPOSE

This report responds to a request from the District of North Saanich (District) for the Capital Regional District (CRD) to consider proposed Bylaw No. 1352 (2014), an amendment to the District's Official Community Plan (OCP) Bylaw No. 1130 (2007), as it pertains to the District's Regional Context Statement (RCS) and the Regional Growth Strategy (RGS).

BACKGROUND

The District gave Bylaw No. 1352 (2014) first and second reading on February 3, 2014 and, as required by Section 866 of the *Local Government Act*, referred the Bylaw to the CRD. On February 6, 2014, the CRD received a referral letter (Attachment 1) requesting review of an amended RCS and inclusion of two areas within the Regional Urban Containment and Servicing Policy Area (RUCSPA). The Board must respond by resolution within 120 days after receipt of the letter indicating whether or not it accepts the context statement. If the Board does not accept the context statement, it must indicate:

- a. Each provision to which it objects; and
- b. The reasons for its objections.

If the Board fails to act within the period for acceptance or refusal, the Board is deemed to have accepted the context statement. The deadline for review is June 5, 2014.

The District has, in recent years, received a number of development applications which required OCP amendments. The CRD Board considered the associated referrals and requested that the District revise its OCP to better reflect its growth expectations. The District is now proposing to amend its OCP and RCS in response to previous Board direction and recently received development applications. Community consultation has been undertaken as the OCP amendments have been advanced. If approved, 520 units could be built, possibly over a period of five years. The new units would be in areas that were not previously envisioned to accommodate growth. Both areas are adjacent to the Town of Sidney (see Attachment 1) and both are included in North Saanich's Servicing Policy Area (NSSPA).

The RGS does not identify growth areas for North Saanich and no RUCSPA boundary is in place for this part of the region. Inclusion of the subject lands within the growth boundary has been under active discussion. The existing lack of a RUCSPA creates some policy vulnerability which is addressed through the revised RCS that North Saanich has submitted. Longer term, a North Saanich growth boundary incorporating the areas that are the subject of this report is being considered as part of the Regional Sustainability Strategy (RSS) which is currently under development and which is anticipated to be completed in 2015.

Given that there is currently no RUCSPA in this area, it is challenging to assert that providing for growth potential within the parameters of the RGS North Saanich growth forecasts presents an inconsistency with the RGS. The reason that amendments to add a North Saanich RUCSPA are discussed in this report is because the District of North Saanich has specifically requested the addition of a RUCSPA. Given the existing lack of a RUCSPA, staff suggest that it is possible to

consider acceptance of an appropriately worded RCS that is aligned with the overall policy of the RGS without triggering the need to include a RUCSPA.

A RCS must, in accordance with the *Local Government Act* (Section 866(1)) specifically identify the relationship between the OCP and the RGS and, if applicable, demonstrate how the OCP will become consistent with the RGS over time.

The challenge with the RCS as it has been submitted is that it contains multiple references to a RUCSPA that is not currently in place. The RCS has been written in such a way as to presume adoption of an RGS RUCSPA. In order to properly reference the RGS without first having a RUCSPA added, the RCS would need to be revised to remove any references that suggest an existing RUCSPA. Instead of references to a RUCSPA, the RCS can indicate how the growth pattern conforms or requires amendments to the growth limits in the RGS. The RCS can also commit to working through any inconsistencies by amending the OCP and the RGS growth management framework during the RSS process or by specific amendment. If the RCS were written to address these points, then it could be accepted without triggering the need for an RGS amendment.

ALTERNATIVES

That the Planning, Transportation and Protective Services Committee recommend to the CRD Board that:

1. The District of North Saanich be notified that the Board has reviewed proposed Bylaw No. 1352 (2014) as it relates to the RGS and accepts the RCS in principle, but requests amendments to remove all references to the RUCSPA so as to properly reference the RGS (2003) which does not presently contain a RUCSPA for North Saanich.
2. The District of North Saanich be notified that the Board has reviewed proposed Bylaw No. 1352 (2014) as it relates to the RGS and accepts the RCS as amended.
3. The District of North Saanich be notified that the Board has reviewed proposed Bylaw No. 1352 (2014) as it relates to the RGS and accepts the RCS as amended and directs staff to proceed with amendments to the RGS to include a RUCSPA which provides for growth in Area 1 (McTavish) and Area 2 (Tsehum).
4. The District of North Saanich be notified that the Board has reviewed proposed Bylaw No. 1352 (2014) as it relates to the RGS and does not accept the RCS as amended and associated addition of a North Saanich RUCSPA for the reason that amending Bylaw 1352 references (in Section 6.0) to additional housing units are not consistent with the growth policies of Section 1.1 of the RGS.

REGIONAL GROWTH IMPLICATIONS

At the time the RGS was developed, the District did not adopt a RUCSPA to delineate urban growth areas that would accommodate the extent of urban development now being requested. Instead, the District chose to remain rural, with growth limits established by the 1998 OCP in effect at the time the RGS was adopted.

The absence of a RUCSPA and defined urban growth areas has meant that RCS/RGS amendment referrals are assessed against the growth allocations and set out in the RGS rather than against conformity with defined growth areas. The key tests are:

- a) Whether the development can be accommodated within the OCP limits in place at the time the RGS was adopted; and

- b) Whether the proposal represents growth that is slow and moderate and maintains rural character.

Table 1 in the RGS indicates 2026 growth targets for each municipality. The target for North Saanich was 5100 units (13,000 people). In 2011, there were approximate 4500 units and the population was estimated to be at approximately 11,000. The developments that would be accommodated by the OCP amendment that is the subject of this report are anticipated to provide for a total of 520 units over the next five years. With the proposed OCP amendments, unless the growth targets are changed through the RSS, between 2019 and 2026, based on Table 1 of the RGS the remaining development potential in North Saanich would be a maximum of 80 units.

Given that a key test is whether anticipated growth could be considered 'slow and moderate' and in keeping with established rural character, it is important to consider planned growth in the context of the District's recent growth patterns. In recent years, growth has proceeded at a rate of approximately 45 units per year. Average density in the District is currently at approximately 0.96 units per hectare. The developments that would be accommodated by the proposed OCP amendment are anticipated to build out over five years (100 units/year if evenly distributed across that time frame). The pace of development would be in excess of historical patterns. The proposed OCP amendment would be at a density of approximately 6.6 units per hectare. The proposed densities are well in excess of historic densities and cannot be considered rural.

With respect to other RGS policy considerations, the proposed OCP amendment (and corresponding RCS amendments) fares better. Attachment 2 analyzes the RCS against the RGS strategic areas and demonstrates the extent of alignment. The changes requested are broadly consistent with the strategic areas of the original RGS and are also consistent with RSS directions under development. A key consideration in the allocation of growth under the RSS is proximity to services and employment locations. In this regard, the areas in question fare well. The focussed approach to growth will help protect the area's rural character and the agricultural productivity of other District lands. If approved and built, the development would result in a greater variety of housing in Area 1 and Area 2 and would yield greater commercial opportunities in the Sandown development.

On balance, the proposed amendments appear to respond to the Board's previous request that North Saanich update their OCP to reflect District growth aspirations that have to date been dealt with on a more ad-hoc basis. The lands proposed for development are located within the NSSPA and the type and location of development are broadly consistent with RGS policies. The nature of the growth (more urban than rural) and the density is in excess of what was envisioned in the RGS. The proposed growth is, however, consistent with the content of the RSS now under development.

PROCESS IMPLICATIONS

Not accepting the RCS as submitted (Alternatives 1 and 4) would put the matter back in the hands of North Saanich Council who would be faced with a decision as to whether to amend the RCS as requested and resubmit for CRD consideration. In the meantime, North Saanich would not be able to proceed with related OCP and development application approvals.

Accepting the RCS as submitted without triggering the need for an RGS amendment (Alternative 2) would allow North Saanich to proceed with related OCP amendments and set the stage for North Saanich Council's consideration of a number of development applications. In this scenario, the RUCSPA boundary would be considered only as part of the RSS review process.

Accepting the RCS as submitted while requiring an RGS amendment (Alternative 3) would trigger a public consultation process that would be overseen by the CRD. Once the consultation has been completed, the input received would be reported to the Planning, Transportation and Protective Services Committee and the Committee would then be in a position to assess whether to support the

requested amendments. North Saanich would only be able to proceed with related OCP amendments and development approvals upon CRD Board approval of the RUCSPA.

RESOURCE IMPLICATIONS

Overseeing a RGS amendment process (Alternative 3) would require CRD staff time and resources to support required consultation and write related reports.

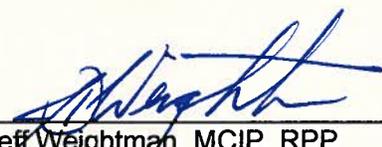
SUMMARY

The District of North Saanich's RCS and associated RGS (or eventual RSS) amendments would respond to the District's desire to accommodate focussed growth in alignment with the broad intent of the RGS and its policies and consistent with emerging directions in the RSS. The proposed changes would allow North Saanich to proceed with development in identified areas and bring current growth aspirations into the OCP.

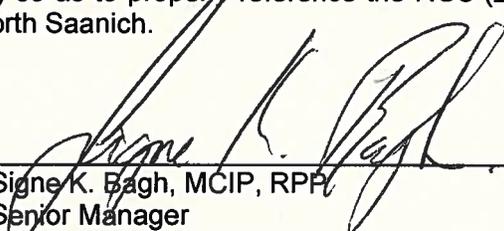
RECOMMENDATION

That the Planning, Transportation and Protective Services Committee recommend to the Capital Regional District Board that:

1. The District of North Saanich be notified that the Board has reviewed proposed Bylaw No. 1352 (2014) as it relates to the Regional Growth Strategy (RGS) and accepts the Regional Context Statement in principle, but requests amendments to remove all references to the Regional Urban Containment and Servicing Policy Area (RUCSPA) so as to properly reference the RGS (2003) which does not presently contain a RUCSPA for North Saanich.



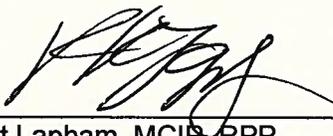
Jeff Weightman, MCIP, RPP
Planner
Regional and Strategic Planning



Signe K. Bagh, MCIP, RPP
Senior Manager
Regional and Strategic Planning
Concurrence



Travis Whiting
Acting General Manager
Planning and Protective Services
Concurrence



Robert Lapham, MCIP, RPP
Chief Administrative Officer
Concurrence



DISTRICT OF NORTH SAANICH

1620 Mills Road, North Saanich, B.C. V8L 5S9
Phone: 250-656-0781 | Fax: 250-656-3155
e-mail: admin@northsaanich.ca | www.northsaanich.ca

CRD EXECUTIVE OFFICE

Received

FEB 06 2014

February 4, 2014

DNS File: 6440-20 RCS Amendments
6480-20 Official Community Plan

Capital Regional District Board
Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7
Attention: Alastair Bryson, Chair

<input type="checkbox"/> Chair	<i>KG</i>	<input type="checkbox"/> Board
<input checked="" type="checkbox"/> CAO		<input type="checkbox"/> Communications
<input checked="" type="checkbox"/> GM	<i>PPS</i>	
<input checked="" type="checkbox"/> For action / resp. by <u><i>PPS</i></u>		
<input type="checkbox"/> Corresp. for Board / Committee meeting		
<input type="checkbox"/> For Information Only		
<input checked="" type="checkbox"/> Copies to <u><i>S. Bryson</i></u>		
<u><i>File 04-00-50 N. Saanich</i></u>		

Dear Alastair Bryson:

RE: Memorandum on District of North Saanich Official Community Plan Regional Context Statement Amendment

The District of North Saanich Council has given first and second reading to Bylaw 1352 cited as "District of North Saanich Official Community Plan Bylaw No. 1130 (2007) Amendment Bylaw (No.1352), 2014 which includes an amended Regional Context Statement and two areas proposed to be attended to the RUCSPA. We therefore submit for your review and acceptance the Regional Context Statement and the inclusion of Areas 1(McTavish) and Area 2 (Tsehum) in the RUCSPA.

If you need any information to facilitate this request, please let me know.

Sincerely,

Curt Kingsley
Manager of Corporate Services
District of North Saanich

Enclosure: Draft Bylaw 1352 Regional Context Statement



DISTRICT OF NORTH SAANICH (FEBRUARY 4, 2014)

AREA 1 (MCTAVISH)



AREA 2 (TSEHUM)





DISTRICT OF NORTH SAANICH

BYLAW NO. 1352

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN BYLAW NO. 1130

The Municipal Council of the District of North Saanich, in open meeting assembled, enacts as follows:

TEXT AMENDMENTS

1. The text of Schedule 'A' of the District of North Saanich Official Community Plan Bylaw No. 1130 (2007) is hereby amended as follows:

- (a) Section 6.0 Residential is amended by:

- (i) striking the text under Multi-family Residential and replacing it with the following:

"The Multi-family Residential areas are generally developed to a range of approximately 15 townhouses/acre; 30 units/acre (for apartments (3 stories) or lots between 4000 ft² – 6000 ft² (372 m² - 557 m²) to achieve an average gross density of between 8 and 16 units per acre. The lands are located within the North Saanich Servicing Area (NSSA) and within the Regional Urban Containment and Service Policy Area (RUCSPA)."

- (ii) striking the text under Future Housing Needs and replacing it with the following:

"It is estimated up to 520 dwelling units are needed to accommodate the demand for housing over the next five years. (See Table One). Two areas have the potential to satisfy much of this demand, Area 1 (McTavish) and Area 2 (Tsehum) in the near term for North Saanich as identified on Figure 2 Regional Context Statement. Current designations will satisfy the housing demand projections over the next five years."

- (iii) striking Table One: Projected Population and Demand for Housing – Five Year Time Frame and replacing it with the following:

"Table One: Projected Population and Demand for Housing – Five Year Time Frame"

Baseline*	2014	Estimate 2019
Population	12,300	13,548
Dwellings/units	4,925	5445
Employment	4,470	4925

*Source: Regional Planning Department, Capital Regional District"

- (b) Section 14.0 Development Permit Area No. 8 Medium Density Small Lot Residential is amended by striking Lot 1, Section 7, Range 2 East, North Saanich District, Plan 9433" and replacing it with:

"Area 1 (McTavish) and Area 2 (Tsehum) as identified on Figure 2 Regional Context Statement. "
- (c) Section 16.0 Regional Context Statement is repealed and replaced with the content in *Schedule A* as attached to and forming part of this bylaw.
- (d) Section 17.0 Performance Measures is amended by:
 - (i) striking A. General Residential and replacing it with the following:

"A. General Residential Area (See *Schedule B* for the approximate location of the general residential area). The current amount of land designated for General Residential Area use is approximately 618 hectares (1527 acres), or 19 percent of the Plan area."
 - (ii) striking C. Multi-family Residential Area and replacing it with the following:

"C. Multi-family Residential Area (See *Schedule B* for the approximate location of the multi-family residential area). The current amount of land designated for Multi-family Residential use is approximately 60 hectares (148 acres), or 1.8 percent of the Plan area."

FIGURES & MAP AMENDMENTS

- 2. Figure 2 Regional Context Statement is repealed and replaced with the figure attached to and forming part of this bylaw as *Schedule B*;
- 3. Development Permit Area No. 8 Medium Density Small Lot Residential is repealed and replaced with the map attached to and forming part of this bylaw as *Schedule C*;
- 4. Schedule B – Land Use Designations is repealed and replaced with the map attached to and forming part of this bylaw as *Schedule D*.

Bylaw No. 1352

CITATION

5. This Bylaw may be cited for all purposes as "North Saanich Official Community Plan Bylaw No.1130 (2007) Amendment Bylaw No. 1352 (2014)".

READ A FIRST TIME the xxx day of February, 2014

READ A SECOND TIME the xxx day of February, 2014

NOTICE OF PUBLIC HEARING published in the xxx and xxx editions of the *Peninsula News Review*.

PUBLIC HEARING held at the North Saanich Municipal Hall the xxx, xxx, 2014

READ A THIRD TIME the xxx day of xxx, 2014

FINALLY PASSED AND ADOPTED the xxx day of xxx, 2014

MAYOR

CORPORATE OFFICER

Schedule A: Regional Context Statement

Schedule B: Figure 2 Regional Context Statement

Schedule C: Development Permit Area No. 8 Medium Density Small Lot Residential Map

Schedule D: Schedule B Land Use Designations Map

Schedule A: Regional Context Statement

16.0 REGIONAL CONTEXT STATEMENT

16.1 Introduction

Section 866 of the *Local Government Act* requires that member municipalities prepare a Regional Context Statement (RCS) following the adoption of a Regional Growth Strategy (RGS). The RCS is a legally binding statement that identifies how the Official Community Plan (OCP) is compatible with and supports the intent of the RGS. The RCS must identify the extent to which the OCP is consistent with the RGS, if it is not consistent how the OCP will be brought into consistency, and, the elements that are not applicable to the municipality. RCS addresses how the OCP's local planning and land use policy will work toward the goals and objectives established in the RGS. The RCS must identify the specific policies and actions proposed that would either affect the District or require action on the part of the District. Associated with the Regional Growth Strategy are eight Strategic Initiatives and seven land use policy areas:

Strategic Initiatives:

1. Keep Urban Settlement Compact
2. Protect the Integrity of Rural Resources
3. Protect Regional Green and Blue Space
4. Manage Natural Resources and the Environment Sustainably
5. Build Complete Communities
6. Improve Housing Affordability
7. Increase Transportation Choice
8. Strengthen the Regional Economy

Land Use Policy Areas

1. Capital Green Lands Policy Area,
2. Renewable Resource Lands Policy Area,
3. Regional Urban Containment and Servicing Policy Area,
4. Unprotected Green Space Policy Area,
5. Rural/Rural Residential Policy Area,
6. Victoria International Airport Special Policy Area, and
7. Metropolitan Core and Major Centres.

The District of North Saanich's current Official Community Plan was adopted in 2007. The Regional Context Statement (RCS) amendments (2014) introduce areas for growth over the next five years keeping with its vision to enhance and preserve a unique community by blending urban amenities with rural agriculture community values. The CRD is currently undertaking a major review of the 2003 RGS with the intention of developing a more explicit focus on regional sustainability – including climate change, social well-being and food security – signaling this intention through its name change from RGS to Capital Regional Sustainability Strategy (CRSS). This process is

Bylaw No. 1352

expected to conclude with a new regional strategy by 2015. The five key themes of the CRSS are growing smarter, infrastructure and energy, economic vitality, natural environment and resources and community well-being. This interim change to the context statement will allow for North Saanich to proceed with development in the identified areas for slow, moderate growth and bring the current growth aspirations into the OCP with the Regional Growth Strategy. The Regional Context Statement illustrates how the District implements the eight strategic directions of the RGS and how the plan is consistent or working towards consistency with the RGS.

16.2 Regional Context Statement

RGS Strategic Direction	RGS Consistency Requirements	DNS OCP Policy Reference and/or Relevance	DNS OCP Policy Response and Reference
<p>16.2.1.Keep Urban Settlement Compact</p>	<p>RGS proposes keeping urban areas compact and largely contained within a Regional Urban Containment and Servicing Area (RUCSPA).</p> <p>Focus new growth in the Metropolitan Core, Major Centres and transit corridors to promote high-density, walkable, transit-focused complete communities.</p>	<p>OCP 5.0 Agriculture Policies 5.1, 5.2, 5.3</p> <p>OCP 14.7 DPA No. 5 Commercial & Industrial</p> <p>Section 6.0 Residential Future Housing needs will be amended to include up to 520 new dwelling units in the next five years.</p>	<p>The District of North Saanich is located primarily outside the boundaries of the Regional Urban Containment and Servicing Policy Area (RUCSPA) (as designated on Map 3 of the RGS). Approximately one-third of the District's total area is comprised of lands within the ALR. Most of the ALR lands are designated as Agricultural in the OCP and are identified as Renewable Resource Lands Policy Areas in the RGS. These lands are considered to be a "Rural Protection Area". Non-agricultural commercial uses within the Rural Protection Area are not supported. Any proposed exchange of ALR land with non-ALR land will be considered if the District determines that the proposed lands for addition to the ALR are of an equivalent area, in an appropriate location and have suitable agricultural potential. The District will not extend services to these areas other than for health reasons or for servicing the easterly 4.856 hectares (12 acre) commercial site at the Sandown race track property. The District of North Saanich acknowledge that this type of land exchange would also require RGS mapping changes (RGS Map 3) to the Renewable Resource Lands policy area, which can be addressed through the RGS-RSS process.</p> <p>For lands designated in the Rural/Residential Policy Area on Map 3 of the RGS, slow, moderate growth is anticipated and planned for in the OCP within Area 1 and Area 2 in the RUCSPA and slow growth is anticipated for growth outside the RUCSPA. Residential development will consist primarily of single family residential and the orderly development of areas already designated for residential use, plus small lot single family residential development, townhouses and apartments. Intended growth areas include two designated areas, specifically Area 1 (McTavish) and Area 2 (Tsehum) where North Saanich envisions the majority of higher residential densification, as identified on Schedule B of the OCP as Multi-Family Residential, to be focused over the next five years. Lands are adjacent to the existing RUCSPA in Sidney and are transit ready.</p>

Object?

	<p>Targets for 2026 at least 90% of the region's cumulative new dwelling units within the RUCSPA.</p>	<p>Section 6.0 Residential Table 1 Five Year Population Projection and Housing Needs and will be amended to reflect an increase to 520 units, 455 new net jobs, and 1,248 net new population.</p> <p>OCP 6.0 Residential Policies Multi-family Residential will be redefined to include a density range specifically of 15/townhouses/acre; 30 units/acre or lots between 4000 ft² - 6000 ft² (372 m² - 557 m²) for an average gross density of 8 - 16 upa in Area 1 and 2;</p> <p>OCP 8.0 Light Industry development</p> <p>OCP Section 11 Roads and Servicing</p>	<p>It is the intention of the District of North Saanich that the CRD will include Area 1 (McTavish) and Area 2 (Tsehum) as additions to the RUCSPA.</p> <p>Certain parts of North Saanich already identified for residential, commercial and industrial uses are recognized as the North Saanich Servicing Area (NSSA). The North Saanich Servicing Area is shown in Figure 2 Regional Context Statement Map and will be amended to include Areas 1(McTavish) and 2(Tsehum) to the RUCSPA. For clarity Area 1(McTavish) and Area 2 (Tsehum) will remain in the NSSA as well as being included in the RUCSPA. The RUCSPA provides additional levels of support for Area 1 (McTavish) and Area 2(Tsehum). Any change to the boundary of the areas included in the RUCSPA will require the approval of the CRD Board through the acceptance of an amended Regional Context Statement.</p> <p>OCP policy identifies Area 1(McTavish) and Area 2(Tsehum) as growth areas. The infill will be in pockets of small lot detached land uses and multi-family residential intensification such as townhouses and apartments which will support the other areas of the community in their goal to remain rural in character. There will be limited, small scale commercial development associated with the existing marinas and in the vicinity of existing commercial nodes and the potential for more comprehensive commercial development on the 4.856 hectares (12 acre) site at the easterly part of the Sandown race track property. Home based businesses and commercial activities related to farming, such as road side stands and nurseries are supported. Any light industrial development will be directed towards the Victoria International Airport Special Policy Area, the MacDonald Park Road Industrial Area or the Sandown commercial lands.</p> <p>Consistent with the draft goals of the CRSS process, the District of North Saanich will not</p>
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		<p>11.3 "no expansion of services outside the NSSA except for health, fire safety or agricultural support reasons"</p>	<p>further extend water or sewer services outside of the North Saanich Servicing Area, except to address pressing public health and environmental issues, to provide fire suppression, to service the easterly 4.856 hectares (12 acre) commercial site at the Sandown race track property, or to service agriculture. The District may expand the capacity of water or sewer services within the North Saanich Servicing Area to accommodate residential development proposals in proposed RSS designated Rural/Rural Residential policy Area in accordance with the established targets set out in Table 1 of the proposed CRSS and subject to the policies of Section 6.0 of the OCP.</p>
<p>16.2.2 Protect the integrity of rural communities</p>	<p>RGS 1.2 RGS seeks to protect the character and quality of rural communities, to ensure that they remain strongly rooted in the agricultural and resource land base, and that the rural countryside and natural landscape remain a durable fact of life in the Capitol Region.</p> <p>Member municipalities agree to negotiate, where necessary, bilateral agreements regarding buffering and land use transition where the RUCPSA boundary coincides with a municipal jurisdictional boundary.</p> <p>Develop an integrated system of parks and trails linking urban areas to rural and green space areas,</p>	<p>Section 5.0 Agriculture</p> <p>Section 12.0 General Development Policies</p> <p>Section 9.0 Parkland 9.1</p>	<p>The land use mix, locations and densification in the OCP support the integrity of the District of North Saanich as primarily a rural community protecting the rural character and agricultural activities adjacent to the major centre of Sidney.</p> <p>Support of agricultural activities and rural land uses is a primary goal of the Plan. Considerable effort has gone into drafting policy statements designed to protect the rural nature of North Saanich. The Plan establishes policies aimed at retaining the land base for current and potential agriculture, ensuring that the agricultural potential of farmland is not diminished by the location of services or community facilities, and reducing potential conflicts with non-farm uses. Maintaining the agricultural viability of lands in the Rural Protection Area is important as it provides for local food security and economic diversity. It also preserves the valuable rural landscapes found throughout the community.</p> <p>The RGS Capital Green Lands Policy Area within the District are designated as Parks on Schedule B of the Plan, affording these lands long term protection is consistent with the objectives of the Regional Growth Strategy. Also contained in the Plan are policy statements intended to buffer these Capital Green Lands through the acquisition of surrounding lands.</p>

	<p>proposing to complete the entire Regional Trail Network by 2016. Establish or strengthen OCP policies that ensure the long-term protection of Renewable Resource Lands including policies aimed at buffering Renewable Resource Lands from activities in adjacent urban areas, and policies that support farming within the ALR.</p> <p>For rural and rural-residential communities not defined as Capital Green Lands or Renewable Resource Lands, the RGS proposes that any subdivision and development enhance rural character and quality of life. As a general goal, rural and rural residential development would stay within the designated OCP capacity limits at the date of the adoption of the RGS.</p>	<p>Section 9.2 Parkland, cash-in-lieu for future purchase of land for parks</p> <p>Section 5.12 Agriculture - subdivision</p>	<p>Provision is made for density bonusing in exchange for dedication of additional green space. Proposals for any type of residential development will be directed towards areas already designated as Residential. The minimum density of one lot per four hectares prescribed for lands designated as Rural limits subdivision potential. On Agricultural lands, only subdivision for agricultural purposes or pursuant to section 946 of the <i>Local Government Act</i> will be considered.</p>
<p>16.2.3 Protect regional green and blue spaces</p>	<p>RGS 2.1 RGS aims to protect the landscape character, ecological heritage and biodiversity of the Capital Region. It does this by supporting the collaborative</p>	<p>Section 3.0 Environmentally Sensitive Areas</p> <p>Section 14.0 DPA No. 1 Marine Uplands and Foreshore, DP A No. 2 Creeks,</p>	<p>Many natural features have been protected through large tracts of parkland and the establishment of Development Permit Areas, which establish policies and guidelines for protection of environmentally sensitive areas including key water resources, waterfowl habitat and other special environmental areas.</p>

	<p>implementation of the Regional Green/Blue Space Strategy which includes the protection of a Sea to Sea Green/Blue Belt running from Saanich Inlet south to Juan de Fuca Strait, and the development of an integrated system of parks and trails linking urban areas to rural green space areas. The RGS proposes that member municipalities aim to complete 100% of the Regional Trail network by 2016.</p>	<p>Wetlands, Riparian Areas and Significant Water Resources, DPA No.3 Sensitive Ecosystems, DPA No. 4 Steep Slopes</p> <p>Section9.9 Reay Creek</p> <p>Section 18.1.3 Agriculture</p> <p>Section 18.2.1 Parks, Recreation and Open Space</p>	
<p>16.2.4 Manage natural resources and the environment sustainably</p>	<p>RGS 2.2 The RGS intends that residents of the Capitol Region enjoy a healthy environment where environmental quality is improved and the inheritance of renewable and non-renewable natural resources is carefully stewarded. It does this by supporting principles of sustainability to govern the ways in which local governments manage the land and natural resources.</p> <p>Targets for physical and environmental services to be established through a best management practices</p>	<p>Section16.2.4 Manage natural resources and the environment sustainably</p> <p>Section18.1.2 Agriculture</p> <p>New DPA No. 7 Energy and Water Conservation and Greenhouse Gas Emissions Reduction</p>	<p>In the OCP, and in many other strategic planning documents, the District is placing increasing emphasis on the integration of best management practices into the day to day management of the District. The concept of sustainability is evident in the Plan. Application of this concept will be expanded over time as the District inventories its natural resources and develops methodologies that encourage long-term sustainability. The Plan places particular emphasis on environmentally sensitive areas, and includes policy statements related to drainage and storm water management.</p> <p>The location of Areas 1 (McTavish) and Area 2 (Tsehum) are adjacent to Sidney near existing employment centres and located within 400 m (7 minute walk) of a public transit route and are the proposed growth areas, currently within the District of North Saanich's Servicing Area lands.</p>

	<p>implementation agreement. Establish policies and targets for sustainable environmental management respecting waste discharge and diversion, resource conservation and ecosystem health. Consumption of scarce renewable and non-renewable resources should be minimized through conservation; efficiency and application of reduce, reuse and recycle practises.</p>		
<p>16.2.5 Build complete communities</p>	<p>RGS 3.1 RGS intends to support the development of communities within the RUCSPA that enable residents to undertake a wider range of daily activities closer to home. Municipal targets to be established through desired development guidelines for individual OCP's through RCS. Urban development projects contribute to community completeness when, to the greatest extent possible they are located within a ten-minute walk (500 metres) of a Major Centre; co-locate a mix of housing</p>	<p>Section 16.2.5 Build Complete Communities</p>	<p>This strategic direction only applies to lands within the Regional Urban Containment and Servicing Policy Area (RUCSPA).</p> <p>The downtown core of Sidney, which is designated as a Major Centre, offers the variety of housing, employment, schools, shopping, recreation, parks and green spaces essential to a complete community. Sidney serves as the Major Centre for the District of North Saanich and the policies in the OCP recognize this relationship between the two communities. The residential intensification is in Area 1 (McTavish) and Area 2 (Tsehum) areas adjacent to Sidney and the Victoria Airport Authority (VAA) both existing employment centres and located within 400 m (7 minute walk) of a public transit route and are the proposed growth areas, currently within the District of North Saanich's Servicing Areas.</p>

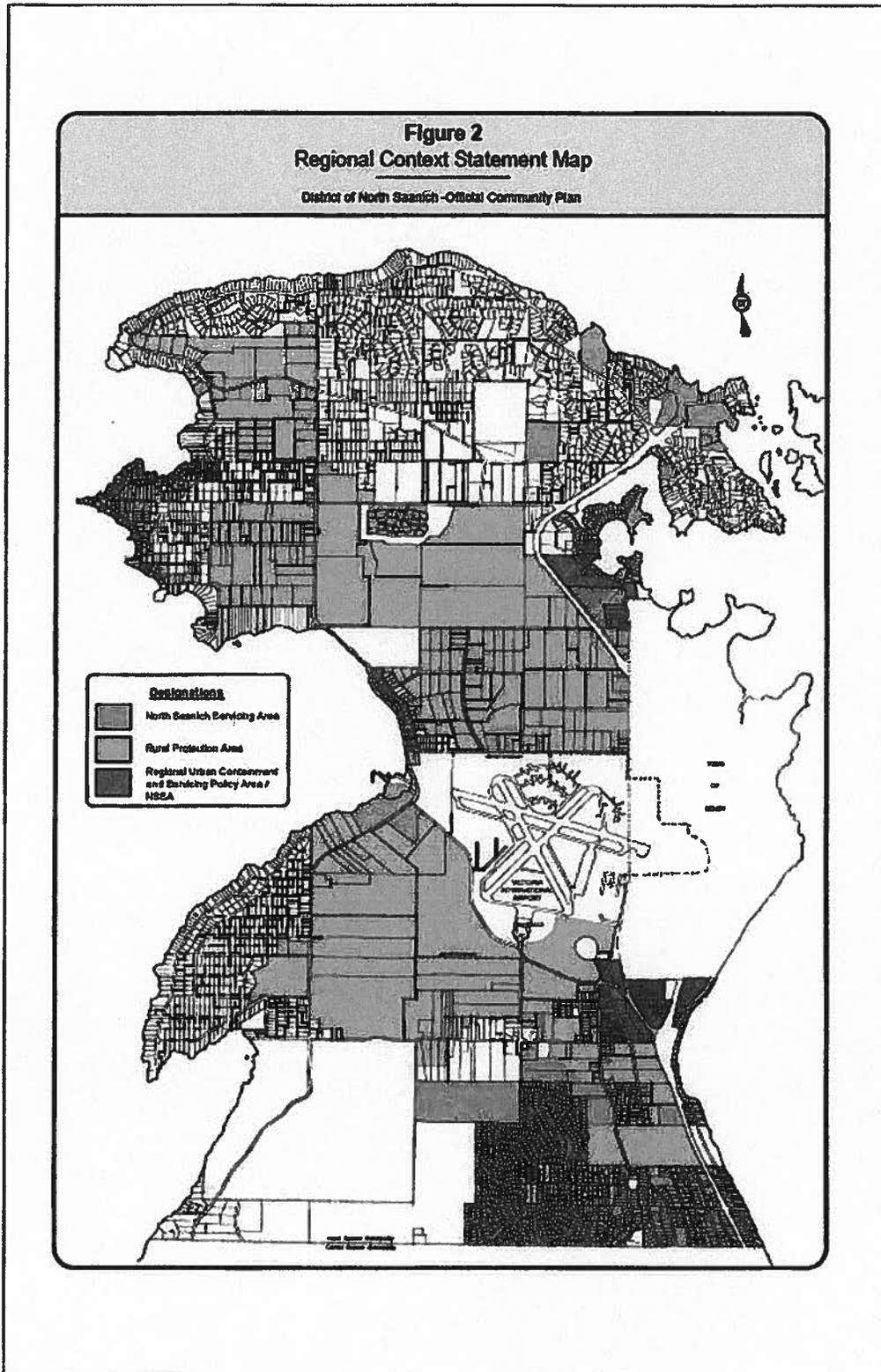
	<p>employment, services and recreation, located within a ten minute walk of an existing commercial/employment centre, neighbourhood store, recreation facility, school, park, or community allotment garden; and business, services and housing is located within a seven minute walk (400 m) of a public transit route.</p>		
<p>16.2.6 Improve housing affordability</p>	<p>RGS 3.2 Maintaining housing that is affordable is necessary for individual quality of life, community health, and economic competitiveness. The Regional Housing Affordability Strategy identifies the current and anticipated future issues concerning present needs and forecast future problems.</p>	<p>Section 16.2.6 Improve Housing Affordability</p>	<p>A goal of the Plan is to ensure that over the long-term, residential development in the community will retain the character of current neighbourhoods while responding to the need for future projected needs including seniors and affordable family housing. The District completed a Housing Needs Assessment (2008) and Housing Strategy Implementation Plan (HSIP) (2013) that guided the selection of housing needs and densification location. An Affordable Housing and Workforce Housing policy is currently being developed.</p>
<p>16.2.7 Increase transportation choice</p>	<p>RGS 4.1 RGS intends to promote development of a balanced and sustainable transportation system providing residents with reasonable and affordable transportation choices.</p> <p>Adopt policies to require medium and high density</p>	<p>Section 16.2.7 Transportation</p> <p>Section 18.3. Transportation</p>	<p>OCP policies on transportation are intended to balance transportation needs. A system of roads (arterial, collector and local) and pathways (bicycle and pedestrian) will provide efficient linkage between residential areas and the Patricia Bay Highway while remaining sensitive to the environment and rural community values.</p> <p>The Plan recognizes the regional importance of the Lochside Trail, and of cycling as a means of transportation.</p> <p>Schedule C shows that the District has begun to develop a comprehensive network of pedestrian</p>

	<p>developments within 400 m of rapid transit stations. Designate and develop a continuous regional cycling network. Improve transportation choice for rural communities.</p> <p>Coordinate land use and transportation to provide residents with reasonable and affordable alternative modes of travel to the automobile. Support development of a Regional Transportation Strategy that enhances mobility and opportunities for walking, cycling and public transit with at least 15 minute headways.</p>		<p>walkways and trails with links to the Lochside Trail recognizing the importance of walking as a form of transportation and recreation. Schedule D shows a number of linkages for existing and proposed bicycle lanes and bicycle pathways throughout the District. The Victoria Airport Authority bicycle and walking perimeter trail is complete. Increased densification in Area 1(McTavish) and Area 2 (Tsehum) enable residents to live closer to employment at businesses located on or near the Victoria Airport Authority (VAA).</p>
<p>16.2.8 Strengthen the regional economy</p>	<p>RGS 5.1 RGS intends that residents of the Capital Region enjoy economic prosperity as a foundation of high regional quality of life. Ensure employment lands needs are well-balanced and consistent with transportation, complete community and urban containment goals. Find ways to attract develop and maintain a highly skilled workforce.</p>	<p>Section 16.2.5 Build Complete Communities</p> <p>Section 16.2.8 Strengthen the Regional Economy</p> <p>Section 18.5 Airport Development</p> <p>Section 3.0 Environmentally Sensitive Areas</p>	<p>With both the Victoria International Airport and the Swartz Bay Ferry Terminal located within the boundaries of the District, North Saanich is home to two of the major transportation links for the region. The Plan supports both of these transportation facilities and recognizes their importance to the regional economy.</p> <p>Land based commercial activities that blend well with the rural nature of the community are supported by the Plan. Examples of these types of activities include home-based businesses, small professional offices, neighbourhood convenience shopping, hospitality services including restaurants, and permitted farm uses such as agri-tourism, wineries, and the sale of local produce.</p>

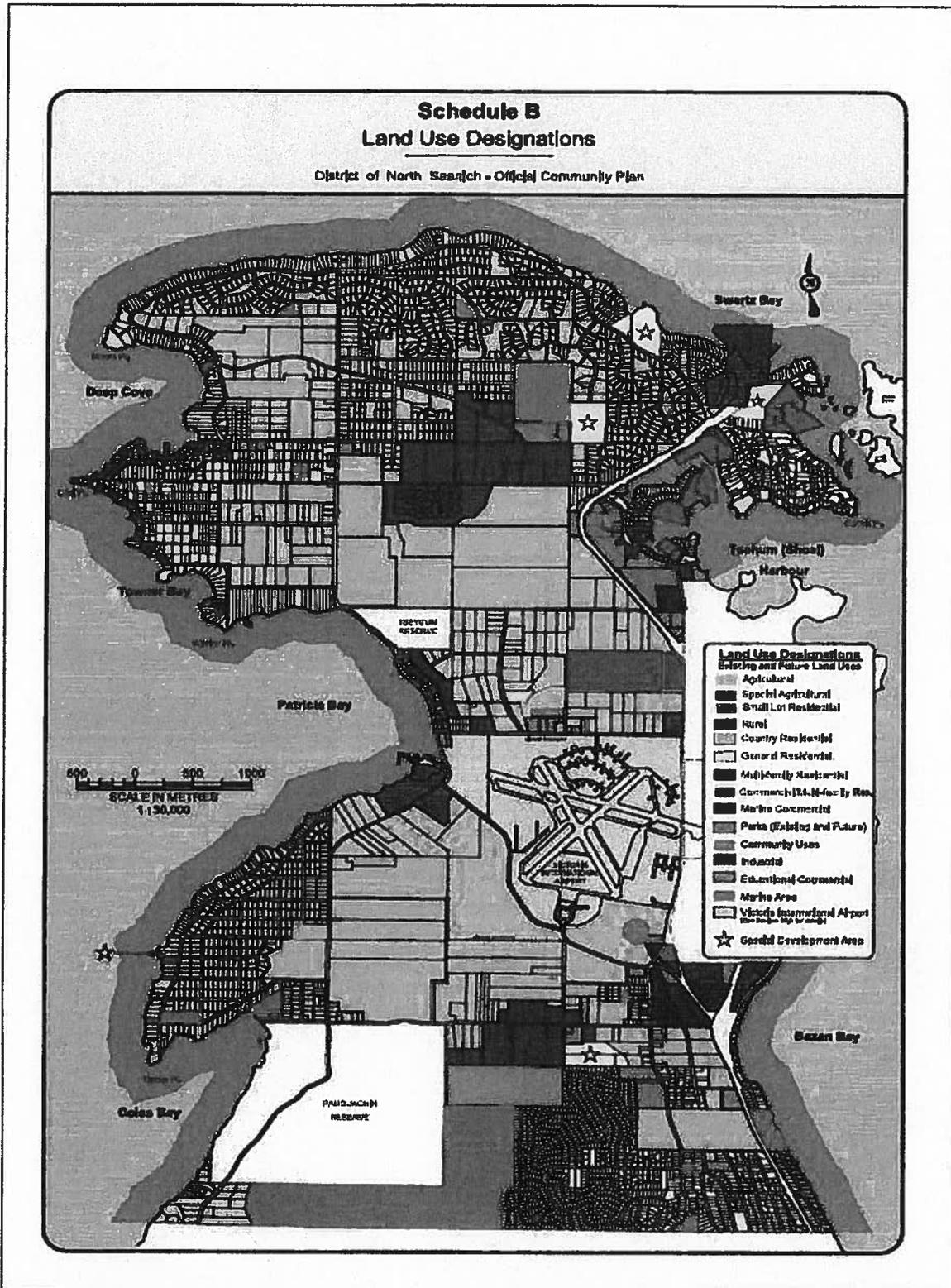
Bylaw No. 1352

	<p>Find ways to ensure the long term, affordable supply of strategic economic resources such as water, aggregate and energy.</p>		
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Schedule B: Figure 2 Regional Context Statement



Schedule D: Schedule B Land Use Designations Map





District of North Saanich

STAFF REPORT

To: Rob Buchan
Chief Administrative Officer

Date: February 3, 2014

From: Coralie Breen
Planner

File: 6440-20 Housing Strategy

Re: **Regional Context Statement Amendment Bylaw No. 1352**

RECOMMENDATION(S):

1. THAT Council adopt Option I or Option II for residential intensification in the District of North Saanich.
2. THAT Council proceeds with first and second reading to Bylaw 1352 cited as "District of North Saanich Official Community Plan Bylaw No. 1130 (2007) Amendment Bylaw (No.1352), 2014"
3. THAT Council gives consideration to the Financial Plan and the Waste Management Plan.
4. THAT Council gives consideration to consultation and directs staff to refer the draft bylaws to the Tseycum and Pauquachin First Nations, Ministry of Transportation, School District No. 63, the Town of Sidney, Central Saanich and the Victoria Airport Authority.
5. THAT Council send the proposed Regional Context Statement amendment to the CRD for its' acceptance.
6. THAT Council requests the CRD to include Area 1 (McTavish) and Area 2 (Tsehum) to the RUCSPA.
7. That Council direct staff to prepare a report on the CRD sea level rise bylaw when it is developed and draft amendments to DPA No. 1 Marine Uplands and Foreshore to add Coastal Protection guidelines for protection from and adaptation to sea level rise.
8. That Council direct staff to prepare a report on the CRD affordable housing bylaw when it is developed as part of the development of the District of North Saanich Affordable Housing and Workforce Housing policy.

PURPOSE:

The purpose is to present Council with a draft bylaw to:

1. amend the Official Community Plan (OCP) to facilitate residential intensification in two defined areas.

The draft bylaw proposes to amend the following OCP Sections:

- a) 6.0 Residential
- b) 16.0 Regional Context Statement
- c) 17.0 Performance Measures; and
- d) corresponding figures and maps.

STRATEGIC PLAN IMPLICATIONS:

Retain the Present Rural, Agricultural and Marine Character of the Community

Build a Strong and Vibrant Community

Ensure Strong Leadership, Fiscal Responsibility and Transparent Government

SCOPE OF WORK:

Council has made the following resolutions:

- 550 That Council accept in principle the draft Regional Context Statement content.
- 551 That Council confirm Area 1 (McTavish) and Area 2 (Tsehum) for residential intensification and direct Staff to provide maps with two options for Areas 1 and 2.
- 552 That Council endorse the Scenario I service capacity limit of 520 units.
- 554 That Council endorse Area 1 (McTavish) and Area 2 (Tsehum) as part of the RUCSPA and request that Area 1 (McTavish) and Area 2 (Tsehum) be added to the RUCSPA.
- 555 That Council direct Staff to prepare neighbourhood visual build out scenarios based on Council's decisions with respect to densification.
- 557 That Staff be directed to redraw the boundaries of Area 2 to include the Tinney property [McMicken Road and Bayfield Road] and Kiwanis Village Centre.

Option I and II are discussed in #1 followed by an itemization of OCP amendments in #2 as follows:

1. 551, 552, 557 Option I and II

Two options are presented, Option I and Option II.

a. Option Similarities:

Both Options:

- i) include all current applications (295) in Area 1 (McTavish) and Area 2 (Tsehum);
- ii) project the build out in a time horizon of the next 5 years;
- iii) include residential intensification with an average gross density 8 – 16 units/per/acre (upa) in the range of 15 townhouses/acre; 30 units/acre (for apartments [3 stories]) or lots between 4000 ft² – 6000 ft² (372 m² - 557 m²);
- iv) identify land for additional build out located primarily in a) Area 1 (McTavish) adjacent to existing transportation mobility hubs and the major employment centre for the District of North Saanich (DNS);
- v) includes land for additional build out which currently have houses that are much older than other areas of Area 1 (McTavish) confirmed by DNS GIS mapping and staff drive by. For clarity, some land with newer housing was included for continuity of area in, but the land with newer housing was excluded from DPA 8 Medium Density Small Lot Residential;
- vi) Area 2 (Tsehum) considers current applications but does not consider Kiwanis because there is very limited servicing capacity for Area 2 and as it is already identified as DPA No. 6 Multi-family residential, staff are recommending that it not be included. However, if Council determines to include it, a resolution to amend the plan to include it can be made at the Council meeting without delaying the process.

b. Option Differences:

- i) Option I – includes a smaller portion of Area 1 (McTavish); and Area 2 (Tsehum)
- ii) Option II – includes a larger portion of Area 1 (McTavish) (an additional 12 hectares); and Area 2 (Tsehum)

Option I and Option II Residential Intensification Projections

	Option I & II
Area I (McTavish)	420 units
Area II (Tsehum)	100 units
Total	520 units

See Appendix A for Option I and II Build out Maps and OCP draft amending Figure and Maps.

2. OCP Proposed Amendments Summary

a) Section 6.0 Residential

i) Multi-family Residential is amended to further quantify the densification to: a) 15 townhouses/acre; 30 units/acre (for apartments [3 stories]) or lots between 4000 ft² – 6000 ft² (372 m² - 557 m²) to achieve an average gross density between 8 and 16 units per acre; and b) include Area 1 (McTavish) and Area 2 (Tsehum) in the RUCSPA;

ii) Future Housing Needs is amended to: a) include an estimated number of 520 units in the next five years;

iii) Table One: Projected Population and Demand for Housing – Five Year Time Frame is replaced with the following:

Table One. District of North Saanich Population, Dwelling, Employment Projections

Baseline	2014*	2019
Population	12,300	13,548
Dwellings/units	4,925	5,445
Employment	4,470	4,925

*Source: Regional Planning Department, Capital Regional District

The estimates for North Saanich are calculated based on the residential intensification density targets, VAA employment projections and DNS theoretical servicing capacity limits (limit of 520 units).

Population projections are based on 2.4 persons/household

Dwelling projections are based on a maximum of 520 units new growth in the next 5 years. DNS approves 32 new single family housing permits/year on average most of which are to replace existing dwellings.

Employment projections are based on VAA employment projections of 455 net new jobs in the next 5 years

b) Section 14.0 Development Permit Areas

i) Development Permit Area No. 8 Medium Density Small Lot Residential text and map is amended to include Area 1 (McTavish) and Area 2 (Tsehum) that is not already identified as DPA. No. 6 Multi-family Residential

c) 550 Section 16.0 Regional Context Statement

i) reflect an intent for residential intensification and an increase in the rate of growth within two areas to slow, moderate in the text and illustrates the location in Figure 2 Regional Context Statement; and

- ii) demonstrates how the RCS is consistent with DNS OCP policies and CRD RGS policies.
- d) Section 17.0 Performance Measures
 - i) reduces the amount of land in the General Residential Designation Area; and increases the amount of land in the Multi-family Residential Designation area in the text and as illustrated on OCP Schedule B Land Use Designations.

3. 555 Neighbourhood Scenarios

- a) A neighbourhood scenario visualization will be prepared after determination of either Option I or II.

DISCUSSION:

A Regional Context Statement (RCS) is intended to address how local planning and land use policy will work toward the goals and objectives established with the Regional Growth Strategy (RGS). The CRD is currently undertaking a major review of the 2003 RGS with the intention of developing a more explicit focus on regional sustainability – including climate change, social well-being and food security -- signaling this intention through its name change from RGS to Regional Sustainability Strategy (CRSS). This process is expected to conclude with a new regional strategy by 2015. The draft amending bylaw provides the specific policy consistency requirements identifying DNS OCP policies which align with the amending RCS bylaw and also with the broader RGS policies (now in transition to the CRSS). More broadly the proposed CRSS framework of five key themes is featured below to guide the discussion which considers the consistency requirements from this thematic perspective:

1. *Growing Smarter (Growth Management, Transportation & Mobility, Housing)*

a. *Affordable Housing.* RSS is developing an Affordable Housing Bylaw (AHB) which can be adopted by CRD municipal governments and managed by the CRD. The AHB would identify a percentage of new developments as affordable housing quantified as those with income thresholds below \$60,000, the average income for workers at VAA. Applicants could apply to the CRD who would determine eligibility and match applicants with available housing. New housing could have a percentage of new development units designated accordingly. These units would be sold below market rate to those who qualify (based on salary and economic profiles of applicants) and assessed and resold to suitable new applicants by the CRD.

Size of lots and forms of housing are not always correlated with affordability and while price point may be a determinant it is only through a carefully managed process in which housing needs are matched with income that a truly affordable housing objective can be met. A dedicated affordable housing strategy in which eligibility is determined and matched in an equitable manner ensures that workers who work in North Saanich can live in North Saanich even if their mean income is below the average required to meet existing mean average housing prices. The mean average salary for workers at VAA is between \$55,000 - \$60,000 which means that for an average worker at VAA affordability housing is in the \$300 - \$350,000 range. Council will recall that it has identified the preparation of an Affordable Housing and Workforce Housing policy is in the strategic plan.

b. *Transportation & Mobility*

In 2010, on-road transportation accounted for 55% of GHG emissions in the Capital Regional District

(CRD). Transit is a crucial catalyst to support denser development patterns and vice versa and reduce vehicle travel particularly to/from/within the Core area.

The CRD projects that over the next 25 years, the proposed rapid and frequent transit networks will make transit more efficient and provide the future transportation capacity to meet forecast mobility demands. The proposed DNS residential densification focuses higher density mixed-use development to help shape efficient land use patterns, but also supports focused rapid transit investments making transit an attractive alternative to the car. It focuses work-live nearby the VAA reducing travelling by car.

The residential densification meets RSS settlement hierarchy centres and rural centre densification targets required to meet minimal transit services.

2. Infrastructure & Energy (Infrastructure & Utilities, Energy Systems, Emergencies & Natural Disasters)

a. DNS Infrastructure

DNS Infrastructure Services has identified a theoretical threshold limit of an additional 520 units. DNS staff will monitor the development applications and cap at 520 units in accordance with Council's direction.

b. Energy Systems

A Development Permit Area No. 7 Energy and Water Conservation and GHG Emission Reductions will be applied to all new development in Area No. 1 (McTavish) and Area No. 2 (Tsehum) once adopted by Council.

3. Economic Vitality (Economic Development & Employment Lands)

a. Employment Lands

In the proposed CRSS, the District of North Saanich VAA are designated as an employment lands.

b. Employment Centres and Projections

Victoria Airport Authority (VAA) is a key employment centre for the District of North Saanich and the adjacent Town of Sidney. VAA has experienced a 35% growth in jobs in the last 10 years and conservatively projects a 30% growth in employment in the next 10 years. While Sidney has accommodated some of this growth demand there remains a large percentage of VAA employees who do not live in DNS or nearby. The VAA conservative estimates of 455 net new jobs* within the next five years are accommodated in OCP Section 6.0 Table 1.

**Conservative estimates provided by VAA staff, telephone interview (January, 2014).*

4. Natural Environment

a. DPA No. 7 Energy and Water Conservation and Greenhouse Gas Emissions Reduction

This DPA is under development and will be presented to Council for consideration at a later date. The intention is that the DPA would apply to all new developments in Area 1 (McTavish) and Area 2 (Tsehum).

b. Sea Level Rise Risk Bylaw and DPA No. 1 Marine Uplands and Foreshore guidelines.

The CRD is currently mapping the coast line and developing a draft bylaw for municipal government

adoption (completion deadline December, 2014). DNS GIS is involved in this process.

If Council proceeds with the Bayfield-McMicken application staff recommends a precautionary approach including amendments of DPA No. 1 guidelines to include coastal protection for the prevention of loss due to sea level rise as a complementary policy and, as an interim measure, until the new CRD sea level rise risk bylaw is ready.

5. Community Wellbeing (Community Health & Wellbeing, Food & Agriculture Systems)

a. Wellbeing

Building age-friendly communities is a cornerstone goal. This can be accomplished by improving accessibility to transit, amenities and employment and addressing safety and health considerations within the built environment by improving air quality and promoting active living. The proposed DNS residential intensification location proposes to improve accessibility to employment and may address some health considerations in the built environment through a new DPA No. 7 for energy and water conservation.

Summary

The proposed residential intensification facilitates DNS to grow smarter focusing growth in and near employment lands, considers infrastructure limits, and economic growth projections at VAA. The types of housing and housing needs are considered. Considerations for the natural environment are addressed in the OCP and with specific attention to adaptation for sea level rise and conservation of energy and water are required. Considerations for affordable housing will be addressed through the development of a DNS Affordable Housing and Workforce Housing policy and the CRD Affordable Housing Bylaw. Longer range planning will be considered in the next OCP.

OPTIONS:

1. THAT Council adopt Option I.
2. THAT Council adopt Option II.
3. THAT Council advances the proposed RCS bylaw.
4. THAT Council seeks amendments to the draft RCS bylaw.
5. THAT Council sends the draft RCS bylaw for consultation.
6. THAT Council send the draft RCS bylaw to the CRD for it's' acceptance.
7. THAT Council does nothing further.

FINANCIAL IMPLICATIONS:

The proposed residential intensification would increase the DNS tax base. More residents will increase the demand for municipal services.

Development fees would be realized with new application developments. Currently these do not cover staff processing time.

LEGAL IMPLICATIONS:

See *Appendix B Staff Report Regional Context Statement Amendment (December 5, 2013)*.

CONSULTATIONS:

The Capital Regional District has commented on the *draft* Regional Context Amendment DNS OCP Section 16.0 as attached to this report and provided baseline statistics on population, dwelling and employment for 2014. The CRD planning staff supports the Regional Context Statement as drafted in its entirety.

The *draft* Regional Context Statement Bylaw should be referred to the Tseycum and Pauquachin First Nations Ministry of Transportation, School District No. 63, the Town of Sidney, Central Saanich and the Victoria Airport Authority.

SERVICING LIMITATIONS:

DNS Engineering Services has reviewed sanitary sewer servicing capacity related to the proposed RCS amendment.

1. Treatment plant capacity:

DNS has a total allocation of 2,650 m³/day of flow into the plant. We have calculated the theoretical current flow from DNS is 2,367 m³/day, leaving 283 m³/day available for growth.

It is expected that a portion of this 283 m³/day would be used for other uses (such as commercial) however, if were to be used only for residential, the estimated unit/lot yield would be, for example, Single family equivalent = 330 units or Multi-Unit at 30 units/acre = 520 units.

2. DNS System capacity:

The proposed Tsehum area (Area 2) is serviced by the McDonald Park sewer system which flows through Sidney to the treatment plant. The sewer main through Sidney is limited in capacity. We have calculated that an upgrade to the McDonald Park pump station (at an estimated cost of \$150,000, funded by development) can provide for up to 100 units (Multi-Unit at 30 units/acre) within that limited main capacity.

The proposed McTavish area (Area 1) sewer system also has sewer system capacity limitations. A proposed upgrade to Reay Creek pump station can accommodate developments proposed to date (up to 270 Multi-Units at 30 units/acre). Development in that area beyond 270 units could require additional sewer upgrade (such as the Canora Bypass) which would need to be funded by development.

In summary, staff has identified an overall limit of 520 units (due to treatment plant capacity), a limit of 100 units in the Tsehum area and in the McTavish area development beyond 270 units could require additional capacity upgrade.

NEXT STEPS:

Should Council wish to proceed with the draft Bylaw the following next steps are required:

- a) Proceed with first and second reading of draft Bylaw No. 1352;
- b) Refer the draft bylaw to the Tseycum and Pauquachin First Nations, Ministry of Transportation, School District No. 63, the Town of Sidney and Central Saanich;
- c) Send the draft RCS bylaw to the CRD for its' acceptance;
- d) Consider the CRD draft affordable housing bylaw when available for application to all new developments in Area 1 (McTavish) and Area 2 (Tsehum);
- e) Consider the CRD draft Sea Level Rise Risk Zone bylaw when available for adoption.

SUMMARY/CONCLUSION:

Managing growth wisely is the core of the CRD RGS and proposed Capital Regional Sustainability Strategy (CRSS). The DNS proposed residential intensification avoids growth in areas that will adversely impact agriculture and natural resource activities; it proposes new development and infill that provides housing for those who work in nearby employment lands of VAA fostering less commuting time between home and work and greater accessibility to jobs. Further OCP and bylaw amendments will consider further natural environment mitigation and adaptation policies. A summary follows:

1. *Economic Vitality & Employment*
Two options were presented.
Both options include a build out projection of 520 units and include all existing applications (295 units). If the build out potential is fully maximized in the next five years, all of new net projected employment workers (455) at the VAA and businesses could be met if they meet the affordability criteria.
2. *Infrastructure & Energy*
The projected maximum build out in the next five years does not exceed the theoretical service capacity of 520 units. The current applications are within the current projected servicing limits of 100 (Area 1) and 270 (Area 2) units.
3. *Natural Environment*
 - a) DPA 1 Marine Uplands and Foreshore amendments to include coastal protection adaptation guidelines will complement a CRD Sea Level Rise Risk bylaw for protection from sea level rise. A current application in Area 1 across from the ocean at Lochside includes land within DPA 2 Creeks, Wetlands, and Riparian Areas. Coastal protection guidelines for adaptation are required.
 - b) Development Permit Area No. 7 Energy and Water Conservation and Greenhouse Gas Emissions Reduction will reduce energy and water consumptions and may positively increase the number of theoretical units available for development without new infrastructure requirements. The amount is not determined.
4. *Growing Smarter & Community Well Being*
 - a) The CRD AHB managed by the CRD could apply to all new developments within Area 1 (McTavish) and Area 2 (Tsehum) and be a policy within the new DNS Affordable Housing and Workforce Housing policy.
 - b) A combination of lot range sizes, townhouses and apartments is recommended in order to achieve a density mix which accommodates a range of demographics and also the density targets.
 - c) Both options focus residential intensification primarily in Area 1 (McTavish) which is close to the employment centres of VAA and Sidney and near transportation mobility hubs.

Conclusion

The proposed draft DNS RCS amending bylaw brings the DNS OCP into alignment with the goals and policies of the CRD RGS and proposed CRSS. The CRD is in transition to the new CRSS from the RGS. The proposed DNS RSS bylaw amendment is generally consistent with both.

RECOMMENDATION(S):

1. THAT Council adopt Option I or Option II for residential intensification in the District of North Saanich.
2. THAT Council proceeds with first and second reading to Bylaw 1352 cited as "District of North Saanich Official Community Plan Bylaw No. 1130 (2007) Amendment Bylaw (No.1352), 2014"
3. THAT Council gives consideration to the Financial Plan and the Waste Management Plan.
4. THAT Council gives consideration to consultation and directs staff to refer the draft bylaws to the Tseycum and Pauquachin First Nations, Ministry of Transportation, School District No. 63, the Town of Sidney, Central Saanich and the Victoria Airport Authority.
5. THAT Council send the proposed Regional Context Statement amendment to the CRD for its' acceptance.
6. THAT Council requests the CRD to include Area 1 (McTavish) and Area 2 (Tsehum) to the RUCSPA.
7. That Council direct staff to prepare a report on the CRD sea level rise bylaw when it is developed and draft amendments to DPA No. 1 Marine Uplands and Foreshore to add Coastal Protection guidelines for protection from and adaptation to sea level rise.
8. That Council direct staff to prepare a report on the CRD affordable housing bylaw when it is developed as part of the development of the District of North Saanich Affordable Housing and Workforce Housing policy.

Respectfully submitted,



Coralie Breen
Planner

Concurrence:



Rob Buchan
Chief Administrative Officer

Concurrence:



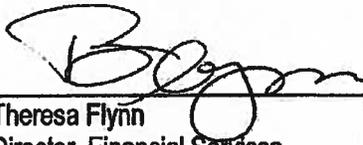
Mark Brodrick
Director, Planning

Concurrence:



Patrick O'Reilly
Director, Infrastructure Services

Concurrence:



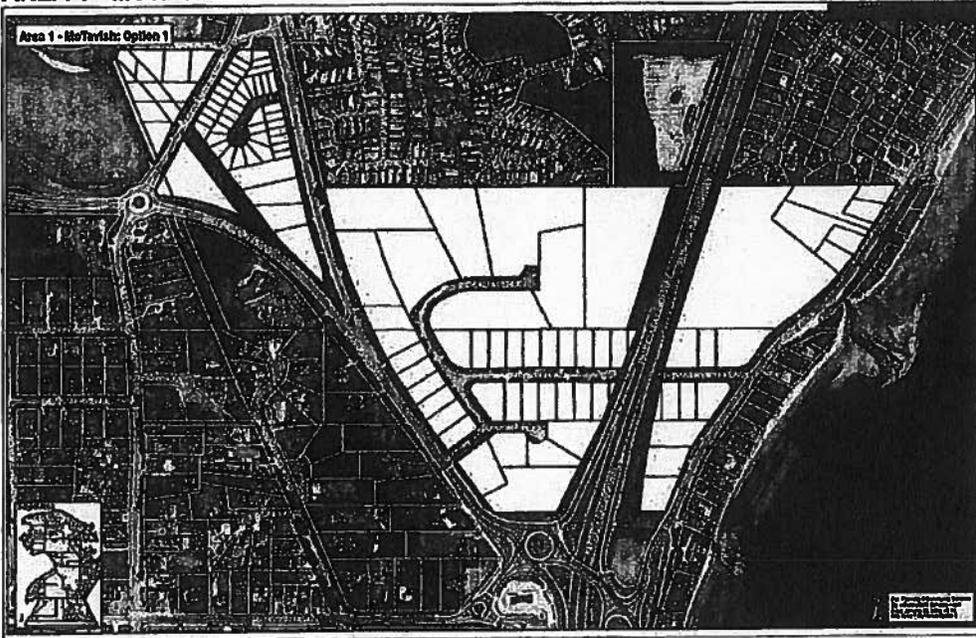
Theresa Flynn
Director, Financial Services

Appendix A Option I and II Area Maps.

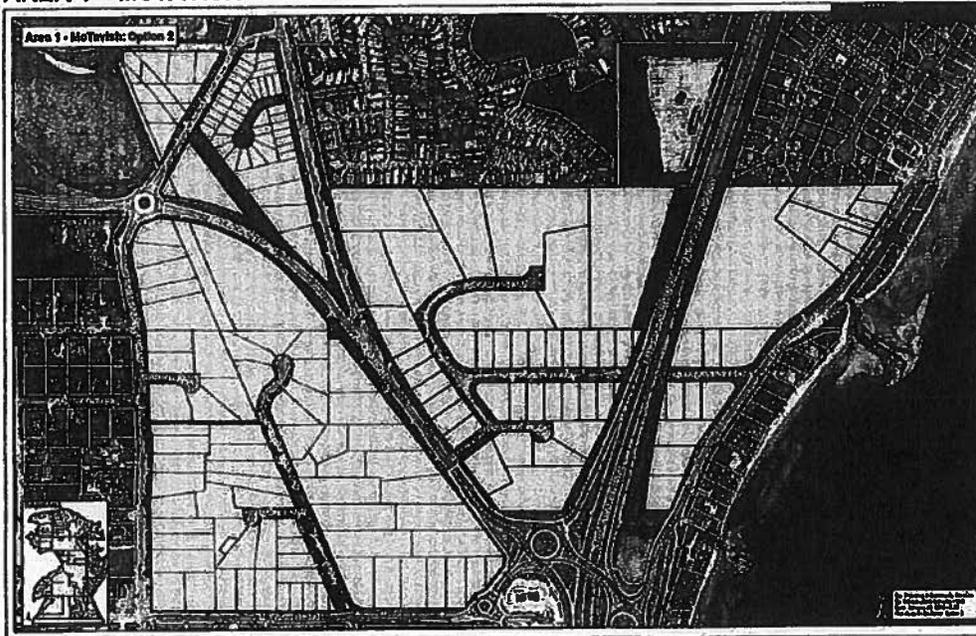
Appendix B Staff Report Regional Context Statement Amendment (December 5, 2013)

Appendix A OPTION I & II AREA MAPS

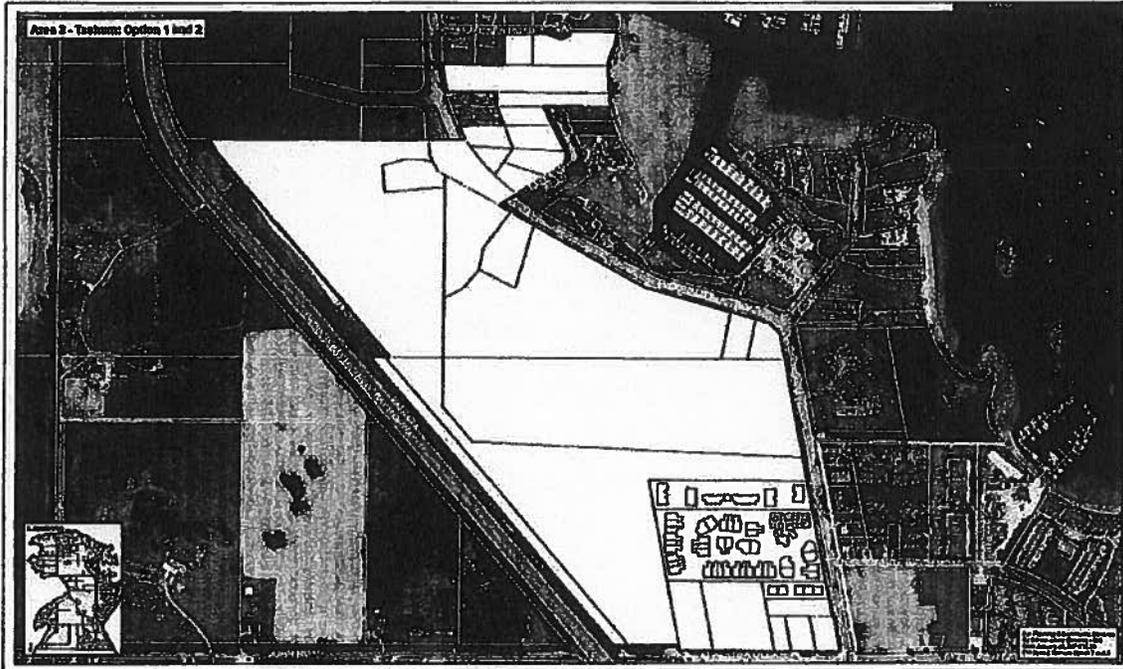
**OPTION I
AREA 1 - MCTAVISH**



**OPTION II
AREA 1 - MCTAVISH**



**OPTION I & II
 AREA 2 – TSEHUM**



OPTION I & II SUMMARY (#'s remain the same, will only develop up to 520 units)

Option I & II	Area 1 (McTavish)	Area 2 (Tsehum)	Total units
Current applications*	198	97	295
Additional Potential to 520 unit capacity	222	3	225
Subtotal	420	100	520

*Area 1 (McTavish) includes Reay Canora (114) and Lochside (84)

*Area 2 (Tsehum) includes McDonald Park (54) and Bayfield – McMicken (43)



District of
North Saanich

STAFF REPORT

To: Rob Buchan
Chief Administrative Officer

Date: December 5, 2013

From: Coralie Breen
Planner

File: 6440-20 Housing Strategy

Re: **Regional Context Statement Amendment**

RECOMMENDATION(S):

1. THAT Council accept in principle the draft Regional Context Statement content.
2. THAT Council confirm Area 1 (McTavish) and Area 2 (Tseyum) for residential intensification.
3. THAT Council:
 - a) endorse the lower range of Scenario I, 1,000 - 1500 lots – 2,100 unit range; or
 - b) endorse Scenario 1 up to the service capacity limit of 520 units.
4. THAT Council endorse Area 1 (McTavish) and Area 2 (Tseyum) as part of the CRD RUCSPA and request that Area 1 (McTavish) and Area 2 (Tseyum) be added to the CRD RUCSPA.
5. THAT Council direct Staff to prepare neighbourhood visual build out scenarios based on Council's decisions with respect to densification.

PURPOSE:

The purpose of this staff report is to introduce Council to:

1. *draft* content to amend the Official Community Plan Regional Context Statement ;

The draft content proposes to amend the Official Community Plan as follows:

- a) amend the Regional Context Statement to reflect: a) residential intensification in Areas No. 1 (McTavish) and 2 (Tseyum); and b) an increase in the rate of growth from modest and slow to slow, moderate.

See Appendix A for the *draft* Regional Context Statement.

See Appendix B for the proposed Area 1 (McTavish) and Area 2 (Tseyum) and Scenario I and Scenario II build-out profiles.

See Appendix C for the Capitol Regional District Growth Strategy Bylaw No. 1, 2002, Amendment Bylaw No. 1, 2007.

STRATEGIC PLAN IMPLICATIONS:

Retain the Present Rural, Agricultural and Marine Character of the Community.

The proposed residential intensification does not encroach on agricultural land, and would consider development which complements the rural characteristics.

Build a Strong and Vibrant Community

The proposed residential intensification would:

- a) increase density in two areas which are close to main transportation arteries, including Pat Bay Highway and transit hubs;
- b) provide attainable housing encouraging live-work within the community;
- c) provide housing suitable to both a projected increasing aging demographic and young families.

Ensure strong leadership, fiscal responsibility and transparent government

An extensive community consultation process was held to facilitate development of housing policies that reflect the community's needs and values.

SCOPE OF WORK:

Council seeks to understand the impact of increased densification in HSIP Identified Area No. 1 and 2 in two scenarios, multi-unit low and medium density growth. A proposed Regional Context Statement amendment is required to harmonize proposed residential intensification and pace of growth with the multi-unit low density scenario with proposed RGS amendments to the RUCSPA. These amendments complement CRD population change and growth projections adjacent to future rapid transit corridors and mobility hubs while promoting mixed-use communities which are described in the discussion section to follow. The scope of work parameters directed by Council were to undertake a density analysis, determine the servicing capacity for Areas No. 1 and 2 and prepare draft amending bylaws. They are outlined as follows:

1. Scope Parameters

a) **100-COW 370** That Council directs staff to undertake a density analysis on the two Primary Areas of Opportunity to determine the range of additional densities that may be provided.

b) **98-COW 369** That Council directs staff to determine the servicing capacity for additional densities for the two Primary Areas of Opportunity.

c) **106-COW 373** That Council direct staff to prepare draft amendments to the Regional Sustainability Strategy, Regional Context Statement and OCP for Primary Areas of Opportunity 1 and 2.

2. Define Areas

a) Area No. 1 (McTavish) and Area No. 2 (Tseyum)*

Area No. 1 and Area No. 2 are shown in the subject property maps. Both areas do not include ALR land or land with significant sea level rise risk. There are no steep slopes within either area. Both areas are within existing District of North Saanich servicing boundaries and are outside the current RUCSPA.

b) Define Scenario Parameters (based on HSIP recommendations 5, 6, 7)

- i) Scenario I: Multi-Unit Low Density
30 units/acre apartments, 15 townhouses/acre; small lots range - size 4000 – 6000 ft²; maximum 3 stories apartments
- ii) Scenario II: Multi-Unit Medium Density
50 units/acre apartments, maximum 3 stories; 20 townhouses/acre; small lots range 4000 – 6000 ft^{2**}

c) Determine Servicing Capacity

- i) Determine servicing capacity for additional densities.

*McTavish and Tseyum 2 are so named as they correspond with Census areas defined by the CRD (2006)

**small lots range while shown on the build-out for Area 1 and 2 are only recommended in Area 1

3. OCP amendments

- i) Regional Context Statement. The proposed amendments include:

Keep Urban Settlement Compact

-change from "modest and slow growth" to "slow, moderate" (language consistent with the RGS)

-add "the District of North Saanich has designated growth areas where sewer and water servicing boundaries are identified to be added to the RUCSPA boundary in the RGS"

-add "Intended growth areas include two designated areas, specifically McTavish and Tseyum where North Saanich envisions the majority of higher residential densification, as identified on Schedule B of the OCP, to be focused over the next twenty-five years, lands adjacent to the existing RUCSPA in neighbouring Sidney and are transit ready. The District of North Saanich intends to have these two growth areas identified within the North Saanich Servicing Area (NSAA) added to the Regional Urban Containment and Servicing Policy Areas. This is reflected by OCP policy that identifies these as growth areas and will not extend sewer or water services beyond their boundaries. The infill will be in pockets of small lot detached land uses which will support the other areas of the community in their goal to remain rural in character.

-add "and the Intended growth areas, McTavish and Tseyum"

-add "The NSSA is shown in Figure 2 the Regional Context Statement and will be amended to exclude Areas 1 and 2 which will be added to the RUCSPA"

Protect the Integrity of Rural Communities

add "the land use mix, locations and densification in the OCP support the integrity of the District of North Saanich as primarily a rural community protecting the rural character and agricultural activities adjacent to a major centre"

Add "the plan establishes policies"

Manage Natural Resources and the Environment Sustainably

add A new Development Permit Area No. 7 Energy and Water Conservation and Greenhouse Gas Reduction will apply new developments including McTavish and Tseyum areas adjacent to Sidney near existing employment centres and located within 400 m (7 minute walk) of a public transit route and are the proposed growth areas, currently within the District of North Saanich's Servicing Area lands proposed to be included in the RUCSPA.

Build Complete Communities

add "residential intensification is in the McTavish and Tseyum areas adjacent to Sidney near existing employment centres and located within 400 m (7 minutes' walk) of a public transit route and are transit ready"

add The District completed a Housing Needs Assessment that guided the selection of housing needs and densification location

delete "The District is committed to conducting a detailed analysis of its housing needs and preparing a strategy to address those needs"

Improve Housing Affordability

delete "The District is committed to conducting a detailed analysis of its housing needs and preparing a strategy to address those needs"

add "The District completed a Housing Needs Assessment and Housing Strategy Implementation Plan (HSIP) that guided the selection of housing needs and densification location"

Increase Transportation Choice

add "the Victoria Airport Authority and bicycle and walking perimeter trail is complete. Increased densification in McTavish and Tseyum enable residents to live closer to employment at the Victoria Airport Authority".

- ii) Additional OCP amendments are required include Development Permit Areas No. 7, various Tables, including Tables 1 and 2, Figures and Schedules.

DISCUSSION/ANALYSIS:

In the process of Staff considering density scenarios in Area No. 1 and 2 and amending the RCS, Staff considered the broader Regional Sustainability Strategy (RSS) [formerly the Regional Growth Strategy (RGS)] policy framework. RCS must identify consistency requirements and alignments in RCS amendments. The Capitol Regional District (CRD) is currently undergoing an extensive consultation process and will be releasing the RSS by 2015. The timing of review of the DNS RCS comes at a mid-point in the consultation process for the development of the CRD RSS. First Staff sets out the broader CRD regional projections as some of pertinent key analysis framework in the selection of and recommendations brought forth to Council. These broader considerations include CRD projections of population growth and change, transportation planning and employment as follows:

CRD/Regional Projections:

The CRD projects population growth by 0.81% annually. In the absence of any infill development, the RUCSPA would be completely built up in 17 years. The proposed RCS amendment considers growth adjacent to the existing RUCSPA, near transportation corridors and hubs and projects growth over the 2038 long range planning period. While population growth is concentrated in certain areas of the CRD, and employment distribution is projected to change little though there is some concentration on the Saanich Peninsula projected to increase. The proposed DNS RCS proposes amendments are compatible with the CRD Urban Futures (2009) report which is the building framework for the CRD RSS:

- Combining the age specific lifecycle pattern of maintaining a home with the projected 31 percent growth in the region's population, results in a 35 percent increase in total housing occupancy demand by 2038 – or 62,836 new units to accommodate the region's future population.
- The greatest relative growth would be seen in the apartment segment of the market, growing by 50 percent, as 25,545 new apartment units would need to be added to accommodate projected demand.
- Ground oriented accommodation on the other hand is expected to grow more slowly, increasing by 34 percent between 2008 and 2038.
- The CRD projects that it will experience much more change in the coming years than it will growth.
- Regional population projection show total population growth of 31 percent over the projection period (to 2038) with growth in the 65 plus population of almost 120 percent. Thus, while it has become a convention of regional planning to equate plans with growth management, it is essential that such planning be conducted within a wider context of change management.
- The typical (modal) age group in the Peninsula sub-area is 55 – 59, and half of the population in the Peninsula is over the age of 48. The lifecycle point of each community will have significant implications for housing occupancy in the coming years, as there will be more empty nests in the Peninsula, for example, than the West Shore. This means that average household sizes in the Peninsula have begun a decline that will last for the next couple of decades, only to be reversed when the next generation of families move in and begin the next family cycle. This in turn, will mean that population targets based on current occupancy will be lower than what actually occurs even with relatively low levels of development activity.

The Capitol Regional District, Urban Futures (2009) projections (2038) for population, dwellings and employment for the District of North Saanich are:

OCP 2011 Projected	Population		Dwellings		Employment	
	2008 Actual	2038 Projected*	2008 Actual	2038 Projected**	2008 Actual	2038 Projected***
11,765	11,795	14,501	4,711	5,873	4,308	5,178

*RGS 2003 - 2026 forecast 13,000

**RGS 2003 -2026 forecast 5,100

***RGS 2003 -2026 forecast 4,300.

RSS settlement hierarchy centres density targets for rural centres are: average gross density (dwelling units/ha) of 20 low and 40 high, with an average household size of 2.4 and jobs/populations ration of 0.6, with a jobs + people/ha of 60 for rural centres. These are targets based upon recommendations in the draft Regional Transportation Plan to support minimum levels of transit service. With conversion of 1 hectare = 2.47 acres, 20 units/ha = 8/acre and 40 units/ha = 16/acre.

District of North Saanich Proposed Densification

The proposed density range projections for Area 1 and 2 is a net density: 15 townhouses/acre ; 30 units/acre (for apartments (3 stories) or lots between 4000 ft² – 6000 ft² (372 m² - 557 m²). RSS settlement hierarchy centres density targets for rural centres, average gross density (dwelling units/ha) of 20 low and 40 high/ha or between 8 and 16/acres means that the proposed density buildout of Area 1 and 2 for townhouses would be within the range, apartments would be twice the range and small lots would be between 7 and 11/lots/acre. This means that only small lots and townhouses in the Scenario 1 range fall within the RSS density target range. Staff notes selected areas are currently designated in the OCP as General Residential.

Proposed RCS Amendments

Staff recommends Council consider ranges within the scope of Scenario I ranges of between approximately 900 lots and up to 3,700 units within Area 1 (McTavish) and 115 lots and 475 units in Area 2 (Tseyum) for a total of approximately 1,000 lots and 4,200 units. Scenario I Multi-Unit Low Density is selected with considerations of:

- a) projected demographics for Peninsula and transportation infrastructure expansion;
- b) projected employment increases (due to the Airport expansion and related manufacturing development);
- c) type of housing needs with projected changing demographics in an aging population and young families; and
- d) DNS servicing capacity analysis.

The CRD projections of housing occupancy demand by 2038 of 62,836 new units to accommodate the region's future population, is 90% of which is projected for development within major centres. That leaves 10% or approximately 6,000 new units outside of the major centres. DNS Area 1 and 2 Scenario 1 projections combined range from 1,115 lots to 4,175 units or a combination therefore and if fully maximized or built out could potentially absorb up to eighty percent of this additional projected demand. The types of housing match the CRD housing need types for the projected changing demographics. Staff recommendations consider CRD demographic, housing and transit projections along with DNS servicing capacity projections within the scope of proposed development growth Areas 1 and 2. DNS servicing capacity projections are up to a maximum of an additional 520 units and if Council chooses additional development beyond the 520 units within Area 1 (McTavish) and Area 2 (Tseyum) significant costs for additional infrastructure will be required.

OPTIONS:

1. THAT Council accept the proposed RCS amendment.
2. THAT Council seek amendments to the RCS amendment.
3. THAT Council adopt Scenario I Multi-Unit Density in the range of 1,000 – 1,500 – 2,100 units;
4. THAT Council adopt Scenario I Multi-Unit Density to a maximum of 520 which corresponds with the maximum existing DNS servicing capacity.
5. THAT Council endorses the Regional Urban Containment and Servicing Policy Area (RUCSBA) amendments to include Council's defined portion(s) of Area 1 (McTavish) and Area 2 (Tseyum).

FINANCIAL IMPLICATIONS:

The proposed residential intensification would increase the DNS tax base and also increase the demand for services.

If Council proposes residential intensification beyond 520 units, significant infrastructure costs would be associated with such development.

LEGAL IMPLICATIONS:

Section 866 of the *Local Government Act* requires that member municipalities prepare a Regional Context Statement following the adoption of a Regional Growth Strategy. The RCS is a legally binding statement that identifies how the OCP is compatible with and supports the intent of the RGS. The RCS must be consistent with the RGS. A RCS addresses how local planning and land use policy will work toward the goals and objectives established in the RGS, and where applicable, it must also discuss how the OCP will be made consistent with the RGS over time. The RCS must identify the specific policies and actions proposed that would either affect the District or require action on the part of the District. Associated with the Regional Growth Strategy are seven land use policy areas:

1. Capital Green Lands Policy Area,
2. Renewable Resource Lands Policy Area,
3. Regional Urban Containment and Servicing Policy Area,
4. Unprotected Green Space Policy Area,
5. Rural/Rural Residential Policy Area,
6. Victoria International Airport Special Policy Area, and
7. Metropolitan Core and Major Centres.

The District of North Saanich' current Official Community Plan was adopted in 2007. The Regional Context Statement (RCS) amendments (2013) will introduce modest amendments which identifies areas for growth over the next 25 years keeping with its vision to enhance and preserve a unique community by blending urban amenities with rural charm. The CRD is currently undertaking a major review of the 2003 RGS with the intention of developing a more explicit focus on regional sustainability -- including climate change, social well-being and food security -- signaling this intention through its name change from RGS to Regional Sustainability Strategy. This process is expected to conclude with a new regional strategy by 2015. The Regional Context Statement illustrates how the District implements the eight strategic directions of the RGS and how the plan is consistent or working towards consistency with the RGS.

Section 879 (1) *Local Government Act* states that during the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

Section 881 (1) *Local Government Act* states that if a local government has adopted or proposes to adopt or amend an official community plan for an area that includes the whole or any part of one or more school districts, the local government must consult with the boards of education for those school districts (a) at the time preparing or amending the community plan, and (b) in any event, at least once in each calendar year.

Section 881 (2) *Local Government Act* states that for consultation under subsection (1), the local government must seek the input of the boards of education as to the following: (a) the actual and anticipated needs for school facilities and support services in the school districts; (b) the size, number and location of the sites anticipated to be required for the school facilities referred to in paragraph (a); (c) the type of school anticipated to be required on the sites referred to in paragraph (b); (d) when the school facilities and support services referred to in paragraph (a) are anticipated to be required; (e) how the existing and proposed school facilities relate to existing or proposed community facilities in the area.

Section 882(3) *Local Government Act* states After first reading of a bylaw under subsection (1), the local government must, in sequence, do the following: (a) consider the plan in conjunction with (i) its financial plan,

and (ii) any waste management plan that is applicable in the municipality or regional district; (d) hold a public hearing on the proposed official community plan in accordance with Division 4 [Public Hearings on Bylaws].

Part 25, Section 854 of the *Local Government Act* sets out specific requirements for a regional context statement amendment for any municipality that is part of an adopted Regional Growth Strategy (RGS).

CONSULTATIONS:

Section 879 (2) Local Government Act states for the purposes of Section 879 (1) noted in Legal Implications above, the local government must

- (a) Consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and
- (b) specifically consider whether consultation is required with
 - (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan,
 - (ii) the board of any regional district that is adjacent to the area covered by the plan,
 - (iii) the council of any municipality that is adjacent to the area covered by the plan,
 - (iv) first nations
 - (v) school district boards, and improvement district boards, and
 - (vi) the Provincial and federal governments and their agencies.

The Capitol Regional District has commented on the draft Regional Context Amendment as attached to this report and the comments incorporated into the RCS. The draft amending Regional Context Statement should be referred to the Capitol Regional District, Ministry of Transportation, School District No. 63 and the Town of Sidney.

SERVICING LIMITATIONS:

DNS Engineering Services has reviewed sanitary sewer servicing capacity related to the proposed RCS amendment. One significant factor is capacity at the Saanich Peninsula Wastewater Treatment Plant.

DNS has a total allocation of 2,650 m³/day of flow into the plant. We have calculated the theoretical current flow from DNS is 2,367 m³/day, leaving 283 m³/day available for growth.

It is expected that a portion of this 283 m³/day would be used for other uses (such as commercial) however, if were to be used only for residential, the estimated unit/lot yield would be, for example, Single family equivalent = 330 units or Multi-Unit at 30 units/acre = 520 units.

NEXT STEPS:

Should Council wish to proceed with the draft amending RCS, additional OCP bylaw amendments would be required some of which include:

- a) amend Section 6.0 Residential Table 1 and Table 2;
- b) amend Section 14.0 Development Permit Areas;
- c) amend Section 17.0 Performance Measures;
- d) amend Figure 2 Regional Content Statement Map;

The draft OCP bylaw amendments would need to be considered by mid-January 2014 in order to be put forth for formal CRD review by the end of January, 2014.

SUMMARY/CONCLUSION:

1. The CRD projections for housing occupancy demand by 2038 of 62,836 new units to accommodate the region's future population, 90% of which is projected for development within major centres. Scenario 1 build out ranges from approximately 1,000 lots to 4,200 units would potentially utilize between seventeen and seventy percent of the 10% forecasted demand outside the major centres. RSS settlement hierarchy centres density targets for rural centres, average gross density between 8

and 16/acres means that the proposed density buildout of Area 1 and 2 for townhouses would be within the range, apartments would be twice the range and small lots would be between 7 and 11/lots/acre. This means that only small lots and townhouses in the Scenario 1 range fall within the RSS density target range and also would use less than thirty-five percent of the ten percent projected new units for the CRD by 2038.

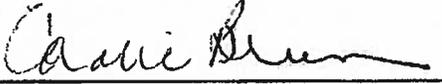
2. DNS has identified 520 units as a current existing capacity limit. If Council identifies a range beyond 520 units, additional costs would need to be incurred by developers and/or DNS.
3. These considerations plus the servicing capacity maximum projections of up to 520 units with existing infrastructure are key considerations in the recommendation of Scenario 1 ranges between 1,000 lots and 4,200 units as a maximum build out threshold. Within Scenario 1 Staff recommends only the small lot range and/or townhouses so a range between 1,000 – 1,500 lots and 2,100 units.
4. Staff recommends neighbourhood planning as a next step to understand build out with considerations for an aging populations, home life cycle, young families and projected housing demands.

RECOMMENDATION(S):

1. THAT Council accept in principle the draft Regional Context Statement content.
2. THAT Council confirm Area 1 (McTavish) and Area 2 (Tseyum) for residential intensification.
3. THAT Council:
 - a) endorse the lower range of Scenario 1, 1,000 - 1500 lots – 2,100 unit range; or
 - b) endorse the Scenario 1 up to the service capacity limit of 520 units.
4. THAT Council endorse Area 1 (McTavish) and Area 2 (Tseyum) as part of the CRD RUCSPA and request that Area 1 (McTavish) and Area 2 (Tseyum) be added to the CRD RUCSPA.
5. THAT Council direct Staff to prepare neighbourhood visual build out scenarios based on Council's decisions with respect to densification.

Respectfully submitted,

Concurrence:



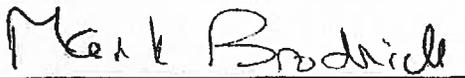
Coralie Breen
Planner



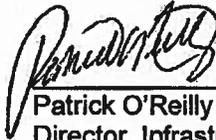
Rob Buchan
Chief Administrative Officer

Concurrence:

Concurrence:



Mark Brodrick
Director, Planning



Patrick O'Reilly
Director, Infrastructure Services

Concurrence:



Theresa Flynn
Director, Financial Services

Appendix A for draft Regional Context Statement content.

Appendix B for the Area 1 (McTavish) and Area 2 (Tsejum) subject properties and the build out scenarios.

Appendix C for the Capitol Regional District Growth Strategy Bylaw No. 1, 2002, Amendment Bylaw No. 1, 2007

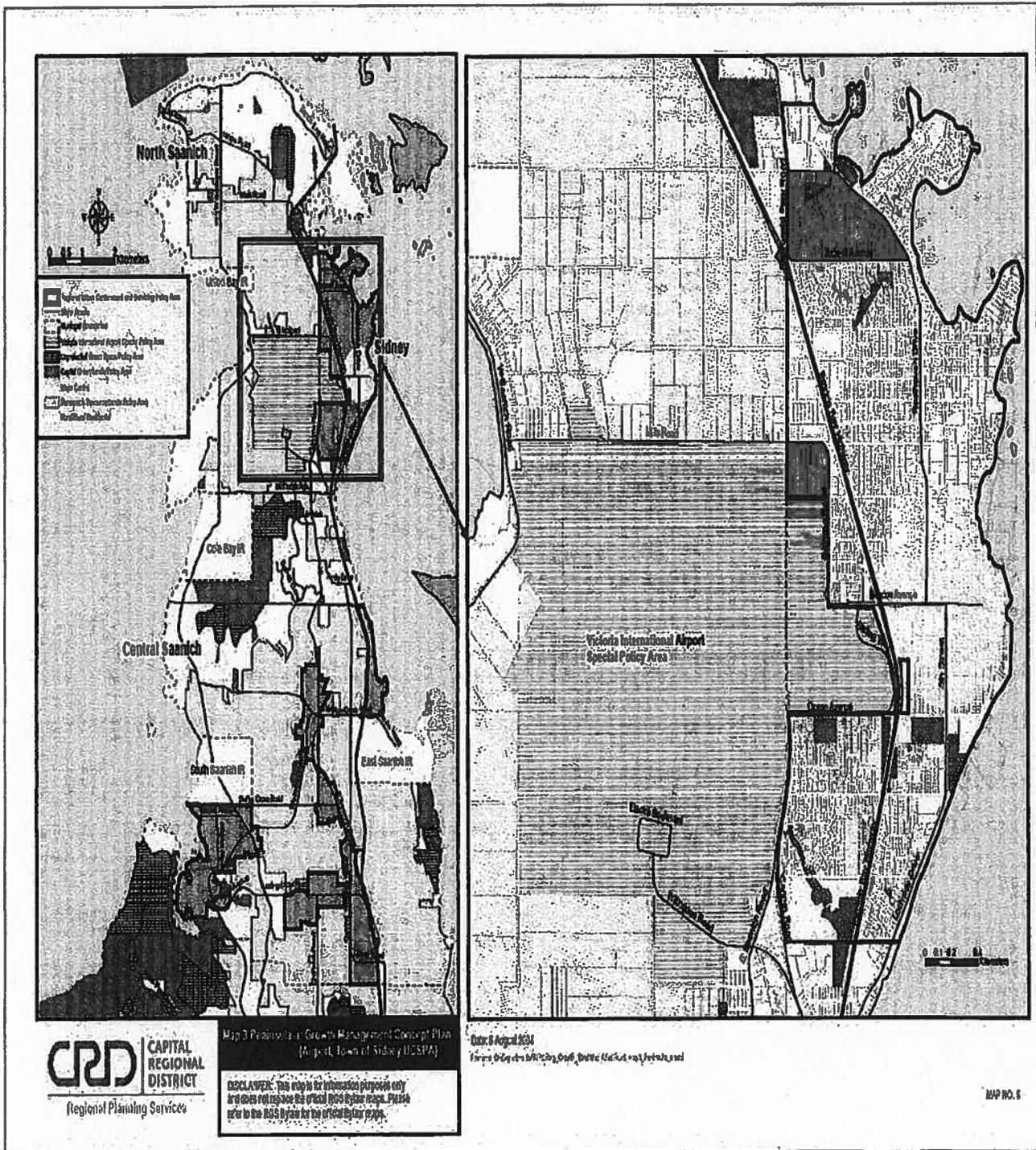
Area 1 - East Suanich/McTavish; Canora/Ridau; Lochside

Neighbourhood	Zone	# of lots	Area m ²	Acres	Total Assessed Value 2018	Lot / Acre 872 m ² Lots	Lot / Acre 937 m ² Lots	Low		Medium	
								Townhouse 15 Units / Acre	Townhouse 20 Units / Acre	Apartment - 8 Stories 80 Units / Acre	Apartment - 8 Stories 90 Units / Acre
East Suanich / McTavish	C-1	2	5,184	1.3	\$474,000	0.0	0.0	0	0	0	0
	C-4	1	2,090	0.5	\$436,000	0.0	0.0	0	0	0	0
	R-2	135	264,258	65.3	\$59,500,900	710.4	474.4	979	1305	1958	3264
	RA-1	5	43,802	10.8	\$2,040,000	117.7	78.6	162	216	325	541
Canora / Ridau	CD-3	40	15,979	3.9	\$1,920,000	0.0	0.0	0	0	0	0
	R-2	51	72,717	18.0	\$18,700,000	195.5	130.6	269	959	539	898
	RA-1	1	423	0.1	\$162,300	1.1	0.8	2	2	3	5
	RA-4	8	63,034	15.6	\$5,176,000	169.4	113.2	234	311	467	778
Lochside	R-2	16	31,954	7.9	\$8,812,100	85.9	57.4	118	158	237	395
	RA-4	1	29,289	7.2	\$1,473,300	78.7	52.6	109	145	217	362
Subtotals		260	528,670	131	\$98,694,600	1359	907	1,873	2,497	3,748	6,243

Area 2 - Tsayum

Neighbourhood	Zone	# of lots	Area m ²	Acres	Total Assessed Value 2018	Lot / Acre 872 m ² Lots	Lot / Acre 937 m ² Lots	Low		Medium	
								Townhouse 15 Units / Acre	Townhouse 20 Units / Acre	Apartment - 8 Stories 80 Units / Acre	Apartment - 8 Stories 90 Units / Acre
Tsayum	R-2	5	19,019	4.7	\$2,668,000	51.1	34.1	71	94	141	235
	RM-2	73	45,294	11.2	\$34,106,300	121.8	81.3	168	224	336	560
Subtotals		78	64,313	16	\$36,774,300	173	115	238	318	477	795
Total		338	592,983	146	\$135,468,900	1,532	1,023	2,111	2,815	4,222	7,037

Appendix C Capitol Regional District Growth Strategy Bylaw No. 1, 2002, Amendment Bylaw No. 1, 2007



16.0 REGIONAL CONTEXT STATEMENT

16.1 Introduction

Section 866 of the *Local Government Act* requires that member municipalities prepare a Regional Context Statement (RCS) following the adoption of a Regional Growth Strategy (RGS). The RCS is a legally binding statement that identifies how the Official Community Plan (OCP) is compatible with and supports the intent of the RGS. The RCS must identify the extent to which the OCP is consistent with the RGS, if it is not consistent how the OCP will be brought into consistency, and, the elements that are not applicable to the municipality. A RCS addresses how the OCP's local planning and land use policy will work toward the goals and objectives established in the RGS. The RCS must identify the specific policies and actions proposed that would either affect the District or require action on the part of the District. Associated with the Regional Growth Strategy are eight Strategic Initiatives and seven land use policy areas:

Strategic Initiatives:

- 1. Keep Urban Settlement Compact**
- 2. Protect the Integrity of Rural Resources**
- 3. Protect Regional Green and Blue Space**
- 4. Manage Natural Resources and the Environment Sustainably**
- 5. Build Complete Communities**
- 6. Improve Housing Affordability**
- 7. Increase Transportation Choice**
- 8. Strengthen the Regional Economy**

Land Use Policy Areas

- 1. Capital Green Lands Policy Area,**
- 2. Renewable Resource Lands Policy Area,**
- 3. Regional Urban Containment and Servicing Policy Area,**
- 4. Unprotected Green Space Policy Area,**
- 5. Rural/Rural Residential Policy Area,**
- 6. Victoria International Airport Special Policy Area, and**
- 7. Metropolitan Core and Major Centres.**

The District of North Saanich' current Official Community Plan was adopted in 2007. The Regional Context Statement (RCS) amendments (2013) introduce areas for growth over the next 25 years keeping with its vision to enhance and preserve a unique community by blending urban amenities with rural charm. The CRD is currently undertaking a major review of the 2003 RGS with the intention of developing a more explicit focus on regional sustainability -- including climate change, social well-being and food security -- signaling this intention through its name change from RGS to Regional Sustainability Strategy. This process is expected to conclude with a new regional strategy by 2015. This in-term change to the context statement will allow for North Saanich to proceed with moderate

growth in the identified areas for growth and bring the growth aspirations of Council, OCP and regional context statement into alignment. The Regional Context Statement illustrates how the District implements the eight strategic directions of the RGS and how the plan is consistent or working towards consistency with the RGS:

16.2 Regional Context Statement

RGS Strategic Direction	RGS Consistency Requirements (all new)	DNS OCP Policy Response and Reference <i>Proposed new words are highlighted in yellow;</i>
<p>16.2.1.Keep Urban Settlement Compact</p>	<p>RGS proposes keeping urban areas compact and largely contained within a Regional Urban Containment and Servicing Area (RUCSA).</p> <p>Targets for 2026 at least 90% of the region's cumulative new dwelling units within the RUCSPA.</p> <p>Focus new growth in the Metropolitan Core, Major Centres and transit corridors to promote high-density, walkable, transit-focused complete communities.</p>	<p>The District of North Saanich is located primarily outside the boundaries of the Regional Urban Containment and Servicing Policy Area (as designated on Map 3 of the RGS). The District of North Saanich has designated growth areas where sewer and water servicing boundaries are identified to be added to the RUCSPA boundary in the RGS. Approximately one-third of the District's total area is comprised of lands within the ALR. Most of the ALR lands are designated as Agricultural in the OCP and are identified as Renewable Resource Lands Policy Areas in the RGS. These lands are considered to be a "Rural Protection Area". Non-agricultural commercial uses within the Rural Protection Area are not supported. Any proposed exchange of ALR land with non-ALR land will be considered if the District determines that the proposed lands for addition to the ALR are of an equivalent area, in an appropriate location and have suitable agricultural potential. The District will not extend services to these areas other than for health reasons or for servicing the easterly 4.856 hectares (12 acre) commercial site at the Sandown race track property.</p> <p>For lands designated as Rural/Residential on Map 3 of the RGS, slow, moderate growth is anticipated and planned for in the OCP. Residential development will consist primarily of single family residential and the orderly development of areas already designated for residential use, plus small lot single family residential development. Intended growth areas include two designated areas, specifically McTavish and Tseyum where North Saanich envisions the majority of higher residential densification, as identified on Schedule B of the OCP, to be focused over the next twenty-five years. Lands adjacent to the existing RUCSPA in Sidney and are transit ready. The District of North Saanich wishes to have these two growth areas identified within the North Saanich Servicing Area added to the Regional Urban Containment and Servicing Policy Areas. This is reflected by OCP policy that identifies these as growth areas and will not extend sewer or water services beyond their boundaries. The infill will be in pockets of small lot detached land uses which will support the other areas of the community in their goal to remain rural in character. There will be limited, small scale commercial development associated with the existing marinas and the intended growth areas, McTavish and Tseyum, and in the vicinity of existing commercial nodes and the potential for more comprehensive</p>

		<p>commercial development on the 4.856 hectares (12 acre) site at the easterly part of the Sandown race track property. Home based businesses and commercial activities related to farming, such as road side stands and nurseries are supported. Any light industrial development will be directed towards the Victoria International Airport Special Policy Area, the MacDonald Park Road Industrial Area or the Sandown commercial lands.</p> <p>Certain parts of North Saanich already identified for residential, commercial and industrial uses are recognized as the North Saanich Servicing Area. The North Saanich Servicing Area is shown in Figure 2 the Regional Context Statement and will be amended to exclude Areas 1 and 2 to be added to the RUCSPA. Any change to the boundary of the North Saanich Servicing Area will require the approval of the CRD Board through the acceptance of a revised regional context statement.</p> <p>Consistent with the goals of the RGS, the District will not further extend water or sewer services outside of the North Saanich Servicing Area, except to address pressing public health and environmental issues, to provide fire suppression, to service the easterly 4.856 hectares (12 acre) commercial site at the Sandown race track property, or to service agriculture. The District may expand the capacity of water or sewer services within the North Saanich Servicing Area to accommodate residential development proposals in RGS designated Rural/Rural Residential in accordance with the established targets set out in Table 1 of the RGS and subject to the policies of Section 6.0</p>
<p>16.2.2 Protect the integrity of rural communities</p>	<p>RGS 1.2 RGS seeks to protect the character and quality of rural communities, to ensure that they remain strongly rooted in the agricultural and resource land base, and that the rural countryside and natural landscape remain a durable fact of life in the Capitol Region.</p> <p>Member municipalities agree to negotiate, where necessary, bilateral agreements regarding buffering and land use transition where the RUCSA boundary</p>	<p>The land use mix, locations and densification in the OCP support the integrity of the District of North Saanich as primarily a rural community protecting the rural character and agricultural activities adjacent to a major centre.</p> <p>Support of agricultural activities and rural land uses is a primary goal of the Plan. Considerable effort has gone into drafting policy statements designed to protect the rural nature of North Saanich. The Plan establishes policies aimed at retaining the land base for current and potential agriculture, ensuring that the agricultural potential of farmland is not diminished by the location of services or community facilities, and reducing potential conflicts with non-farm uses. Maintaining the agricultural viability of lands in the Rural Protection Area is important as it provides for local food security</p>

	<p>coincides with a municipal jurisdictional boundary. By 2026 do not exceed designated official community plan development capacity limits determined at the date of adoption of the RGS in rural and rural residential areas Develop an integrated system of parks and trails linking urban areas to rural and green space areas, proposing to complete the entire Regional Trail Network by 2016. Establish or strengthen OCP policies that ensure the long-term protection of Renewable Resource Lands including policies aimed at buffering Renewable Resource Lands from activities in adjacent urban areas, and policies that support farming within the ALR. For rural and rural-residential communities not defined as Capital Green Lands or Renewable Resource Lands, the RGS proposes that any subdivision and development enhance rural character and quality of life. As a general goal, rural and rural residential development would stay within the designated OCP capacity limits at the date of the adoption of the RGS.</p>	<p>and economic diversity. It also preserves the valuable rural landscapes found throughout the community.</p> <p>The Capital Green Lands within the District are designated as Parks on Schedule B of the Plan, affording these lands long term protection consistent with the objectives of the Regional Growth Strategy. Also contained in the Plan are policy statements intended to buffer these Capital Green Lands through the acquisition of surrounding lands.</p> <p>Provision is made for density bonusing in exchange for dedication of additional green space. Proposals for any type of residential development will be directed towards areas already designated as Residential. The minimum density of one lot per four hectares prescribed for lands designated as Rural limits subdivision potential. On Agricultural lands, only subdivision for agricultural purposes or pursuant to section 946 of the <i>Local Government Act</i> will be considered.</p>
<p>16.2.3 Protect regional green and blue spaces</p>	<p>RGS 2.1 RGS aims to protect the landscape character, ecological heritage and biodiversity of the Capital Region. It does this by supporting the collaborative implementation of the Regional Green/Blue Space Strategy which includes the protection of a Sea to Sea Green/Blue Belt running from Saanich Inlet south to Juan de Fuca Strait, and the development of an integrated system of parks and trails linking urban areas to rural green space</p>	<p>Many natural features have been protected through large tracts of parkland and the establishment of Development Permit Areas, which establish policies and guidelines for protection of environmentally sensitive areas including key water resources, waterfowl habitat and other special environmental areas.</p>

	<p>areas. THE RGS proposes that member municipalities aim to complete 100% of the Regional Trail network by 2016.</p>	
<p>16.2.4 Manage natural resources and the environment sustainably</p>	<p>RGS 2.2 The RGS intends that residents of the Capitol Region enjoy a healthy environment where environmental quality is improved and the inheritance of renewable and non-renewable natural resources is carefully stewarded. It does this by supporting principles of sustainability to govern the ways in which local governments manage the land and natural resources.</p> <p>Targets for physical and environmental services to be established through a best management practices implementation agreement. Establish policies and targets for sustainable environmental management respecting waste discharge and diversion, resource conservation and ecosystem health. Consumption of scarce renewable and non-renewable resources should be minimized through conservation; efficiency and application of reduce, reuse and recycle practises.</p>	<p>In the OCP, and in many other strategic planning documents, the District is placing increasing emphasis on the integration of best management practices into the day to day management of the District. The concept of sustainability is evident in the Plan. Application of this concept will be expanded over time as the District inventories its natural resources and develops methodologies that encourage long-term sustainability. The Plan places particular emphasis on environmentally sensitive areas, and includes policy statements related to drainage and storm water management.</p> <p>A new Development Permit Area No. 7 Energy and Water Conservation and Greenhouse Gas Reduction will apply to new developments including McTavish and Tseyum, areas adjacent to Sidney near existing employment centres and located within 400 m (7 minute walk) of a public transit route and are the proposed growth areas, currently within the District of North Saanich's Servicing Area lands proposed to be included in the RUCSPA.</p>
<p>16.2.5 Build complete communities</p>	<p>RGS 3.1 RGS intends to support the development of communities within the RUCSPA that enable residents to undertake a wider range of daily activities closer to home. Municipal targets to be established through desired development guidelines for individual OCP's through RCS. Urban development projects contribute to community completeness when, to the greatest extent possible they are located within a ten-minute walk (500 metres) of a Major Centre;</p>	<p>This strategic direction only applies to lands within the Regional Urban Containment and Servicing Policy Area (RUCSPA).</p> <p>The downtown core of Sidney, which is designated as a Major Centre, offers the variety of housing, employment, schools, shopping, recreation, parks and green spaces essential to a complete community. Sidney serves as the Major Centre for the District of North Saanich and the policies in the OCP recognize this relationship between the two communities. The residential intensification is in the McTavish and Tseyum areas adjacent to Sidney near existing employment centres and located within 400 m (7 minute walk) of a public transit route and are the proposed growth areas, currently within the District of</p>

	co-locate a mix of housing employment, services and recreation, located within a ten minute walk of an existing commercial/employment centre, neighbourhood store, recreation facility, school, park, or community allotment garden; and business, services and housing is located within a seven minute walk (400 m) of a public transit route.	North Saanich's Servicing Area proposed to be included in the RUCSPA.
16.2.6 Improve housing affordability	RGS 3.2 Maintaining housing that is affordable is necessary for individual quality of life, community health, and economic competitiveness. The Regional Housing Affordability Strategy identifies the current and anticipated future issues concerning present needs and forecast future problems.	A goal of the Plan is to ensure that over the long-term, residential development in the community will retain the character of current neighbourhoods while responding to the need for future projected needs including seniors and affordable family housing. The District completed a Housing Needs Assessment and Housing Strategy Implementation Plan (HSIP) that guided the selection of housing needs and densification location.
16.2.7 Increase transportation choice	RGS 4.1 RGS intends to promote development of a balanced and sustainable transportation system providing residents with reasonable and affordable transportation choices. Adopt policies to require medium and high density developments within 400 m of rapid transit stations. Designate and develop a continuous regional cycling network. Improve transportation choice for rural communities. Coordinate land use and transportation to provide residents with reasonable and affordable alternative modes of travel to the automobile. Support development of a Regional Transportation Strategy that enhances mobility and opportunities for walking,	OCP policies on transportation are intended to balance transportation needs. A system of roads (arterial, collector and local) and pathways (bicycle and pedestrian) will provide efficient linkage between residential areas and the Patricia Bay Highway while remaining sensitive to the environment and rural community values. The Plan recognizes the regional importance of the Lochside Trail, and of cycling as a means of transportation. Schedule C shows that the District has begun to develop a comprehensive network of pedestrian walkways and trails with links to the Lochside Trail recognizing the importance of walking as a form of transportation and recreation. Schedule D shows a number of linkages for existing and proposed bicycle lanes and bicycle pathways throughout the District. The Victoria Airport Authority bicycle and walking perimeter trail is complete. Increased densification in McTavish and Tseyum enable residents to live closer to employment at the Victoria Airport Authority.

	cycling and public transit with at least 15 minute headways.	
16.2.8 Strengthen the regional economy	<p>RGS 5.1 RGS intends that residents of the Capital Region enjoy economic prosperity as a foundation of high regional quality of life. Ensure employment lands needs are well-balanced and consistent with transportation, complete community and urban containment goals.</p> <p>Find ways to attract develop and maintain a highly skilled workforce.</p> <p>Find ways to ensure the long term, affordable supply of strategic economic resources such as water, aggregate and energy.</p>	<p>With both the Victoria International Airport and the Swartz Bay Ferry Terminal located within the boundaries of the District, North Saanich is home to two of the major transportation links for the region. The Plan supports both of these transportation facilities and recognizes their importance to the regional economy.</p> <p>Land based commercial activities that blend well with the rural nature of the community are supported by the Plan. Examples of these types of activities include home-based businesses, small professional offices, neighbourhood convenience shopping, hospitality services including restaurants, and permitted farm uses such as agri-tourism, wineries, and the sale of local produce.</p>

Regional Growth Strategy (RGS)/Official Community Plan (OCP) Analysis

1. Keep Urban Settlement Compact

Anticipated growth will be directed to Area 1 and Area 2 adjacent to the Town of Sidney and is projected to accommodate five years of development at more urbanized densities (small lot, townhomes and apartments). These areas will be considered for inclusion in the Regional Sustainability Strategy (RSS) as being within the future Regional Urban Containment and Servicing Policy Area (RUCSPA). Slow, moderate growth policies will continue to apply to those lands not requested for inclusion within the RUCSPA.

2. Protect the Integrity of Rural Communities

Protection of agricultural lands and rural character is a primary goal of the OCP policies. In addition to protecting agricultural lands and supporting the Agricultural Land Reserve (ALR), the OCP further protects the RGS-identified Renewable Resource Lands Policy Area by prohibiting non-agriculture commercial uses within a defined Rural Protection Area. OCP policies ensure that agricultural potential is not diminished with the location of conflicting services or community facilities.

3. Protect Regional Green and Blue Space

Parks and protected areas are identified under the OCP parks designation. The policy language indicates long term protection, consistent with RGS Capital Green Lands Policy Area. Further, OCP policy states that surrounding lands should be acquired to buffer existing Capital Green Lands. Future development may take advantage of density bonusing in exchange for additional green space in designated areas. Development Permit Area policy protects natural features and environmentally sensitive areas such as water resources and waterfowl habitat.

4. Manage Natural Resources and the Environment Sustainably

North Saanich intends to inventory its natural resources and develop additional methods for long term management. The OCP policies remain focused on environmentally sensitive areas with specific emphasis on improving drainage and storm water management.

5. Build Complete Communities

This strategic direction generally applies to areas within the RUCSPA. However, North Saanich's request that Area 1 and Area 2 be included in the RUCSPA through the RSS process makes an evaluation pertinent. Area 1 and Area 2 are adjacent to an RGS-designated Major Centre which provides downtown urban amenities such as housing, employment, schools, shopping, recreation, parks and green spaces. Both areas are within 400m of a transit route and employment areas. North Saanich residents depend on these amenities for their daily needs. These two proposed areas are well suited for inclusion through the RSS process.

6. Improve Housing Affordability

A number of tools are outlined in the OCP to address long term housing needs. A Housing Needs Assessment was completed in 2008, followed by a Housing Strategy Implementation Plan in 2013. North Saanich is currently developing an Affordable Housing and Workforce Housing policy. North Saanich has traditionally been dominated by single detached residential

housing. With the planned densification of Area 1 and Area 2, a wider range of housing types will be made available, anticipating future demand by catering to a wider range of ages and housing needs.

7. Increase Transportation Choice

OCP policy balances transportation options and provides for cycling, pedestrian, transit and vehicle use. The OCP provides for a system of roads and pathways that will link residential areas to the Patricia Bay Highway and linkages are also provided between residential areas and the Lochside Trail). Additional cycling paths have been created in North Saanich, specifically a multi-use perimeter trail around the Victoria Airport.

8. Strengthen the Regional Economy

The OCP acknowledges the importance of the regional commercial transportation links from the Victoria Airport and Swartz Bay Ferry Terminal. The Plan supports both of these transportation facilities and recognizes their importance to the regional economy. The OCP supports commercial activity that fits into the rural character of the community such as small professional offices, home based businesses, agri-tourism, hospitality, and convenience shopping.