

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1335.03

**A BYLAW TO AMEND “REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN BYLAW NO. 1335, 2003”**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003”:

THEREFORE IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "Regional District of Nanaimo ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1335.03, 2010”.
2. The "Regional District of Nanaimo ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN BYLAW NO. 1335, 2003” is hereby amended as set out in Schedules ‘A’, ‘B’ and ‘C’ to this Bylaw.

Introduced and read two times this 23rd day of February, 2010.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable waste management plans this 23rd day of February, 2010.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 16th day of March, 2010.

Read a third time this 27th day of April, 2010.

Received approval pursuant to Section 882 of the *Local Government Act* this 26th day of May, 2010.

Adopted this 8th day of June, 2010.

Chairperson

Sr. Mgr., Corporate Administration

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Schedule 'A'

1. "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003," is hereby amended as follows:

- a) **SECTION 1 – INTRODUCTION**

- 1.4 LEGISLATIVE FRAMEWORK**

The following paragraph is hereby deleted:

*“In addition, it is noted that the Development Permit Areas attached to and forming part of this OCP (Appendix A) are considered ‘regulatory’ bylaws pursuant to the **Local Government Act.**”*

and replaced with the following:

*“It is noted that the Development Permit Areas attached to and forming part of this OCP (Appendix A) are considered ‘regulatory’ bylaws pursuant to the **Local Government Act.** In addition, the Bowser Village Centre Plan forms a part of this OCP. The Bowser Village Centre Plan applies to all land use decisions within the Bowser Village Centre Plan Area as shown on Map No. 5.”*

- 1.5 ORGANIZATION OF THE PLAN**

Insert at the end of paragraph 1 in Section 1.5:

*“The Electoral Area ‘H’ Official Community Plan contains **Appendix A-Development Permit Areas.** In addition, **Appendix A** titled Development Permit Areas is considered part of the Electoral Area ‘H’ OCP and contains regulatory bylaws pursuant to the **Local Government Act.**”*

Add after:

“The Bowser Village Centre Plan forms a part of this OCP. The location and boundary of the Bowser Village Centre Plan is shown on Map No 5 Land Use Designations.”

b) SECTION 5 – DEVELOPMENT STRATEGY

SUBSECTION 5.5 VILLAGE CENTRES

The following is added after the first paragraph:

“The Bowser Village Centre Plan is the principal guiding document for all land use decisions within the Bowser Village Centre boundary. The Bowser Village Centre Plan forms a part of this OCP and has been adopted as an amendment to the Electoral Area ‘H’ OCP.

Where a particular issue is not covered by the Bowser Village Centre Plan, the Area ‘H’ OCP will be consulted for direction. Where a conflict exists between the OCP and the Bowser Village Centre Plan, the designations and/or policies of the Bowser Village Centre Plan will take precedence within the designated Bowser Village Centre Plan Area.”

The following paragraph is hereby deleted:

“The Village Centre land use designation encourages further commercial zoning of land as part of comprehensive development of the centres.”

and replaced with the following:

“For Qualicum and Dunsmuir Village Centres, the Village Centre land use designation encourages further commercial zoning of land as part of comprehensive development of the centres.”

5.5 POLICIES

The following Policy No. 6 is added after Policy No. 5:

1. “6. All land use decisions within the Bowser Village Centre boundary must refer to the Bowser Village Centre Plan.”

c) APPENDIX A – DEVELOPMENT PERMIT AREAS

The following paragraph is hereby deleted:

“The Development Permit Areas, designated on Map No. 6, 7 and 8, are the:

- *Village Centres Development Permit Area;*
- *Highway Corridors Development Permit Area;*
- *Environmentally Sensitive Areas Development Permit Area;*
- *Hazard Lands Development Permit Area;*
- *Resort Commercial Development Permit Area;*
- *Recreational Lands Development Permit Area; and,*
- *Fish Habitat Protection.”*

and replaced with the following:

“The Development Permit Areas, designated on Map No. 6, 7, and 8, are the:

- *Village Centres Development Permit Area;*
- *Highway Corridors Development Permit Area;*

- *Environmentally Sensitive Areas Development Permit Area;*
- *Hazard Lands Development Permit Area;*
- *Resort Commercial Development Permit Area;*
- *Recreational Lands Development Permit Area;*
- *Fish Habitat Protection; and,*
- *Bowser Village Centre Development Permit Area."*

d) APPENDIX A.2 VILLAGE CENTRES DEVELOPMENT PERMIT AREA

The following paragraphs are hereby deleted:

JUSTIFICATION

"The Bowser Village Centre with its established commercial area serves the Bowser area. The focus for this village is on residential, institutional, resort, tourist and commercial services".

GUIDELINES

"1. For Bowser Village Centre, development will include commercial and residential uses and shall foster the revitalization and linkage of "main street" commercial uses along the Island Highway No. 19A."

d) The following section is hereby added after Appendix A. 7 Fish Habitat Protection:

"APPENDIX A. 8 BOWSER VILLAGE CENTRE DEVELOPMENT PERMIT AREA"

DESIGNATION:

That part of Electoral Area 'H' shown as Bowser Village Centre Development Permit Area on Map No. 6 is designated as a Development Permit Area. Please refer to the Bowser Village Centre Development Permit Area guidelines contained in Section 5 of the Bowser Village Centre Plan."

e) MAPS

Map No. 5 Land Use Designations is amended as shown in Schedule 'C' by:

- Inserting the text *"Bowser Village Centre Plan Area"* into the legend.
- Outlining the Bowser Village Centre Plan Area on the map.
- Inserting an arrow pointing to the Bowser Village Centre with text as follows on the map;

"See the Bowser Village Centre Plan for land use designations within this plan area."

Map No. 6 Form and Character Development Permit Areas is amended as shown in Schedule 'C' by:

- Inserting the text *"Bowser Village Centre Development Permit Area"* into the legend.
- Outlining the Bowser Village Centre Development Permit Area on the map.

- Inserting an arrow pointing to the Bowser Village Centre with text as follows on the map;

“See Bowser Village Centre Plan Section 5 for details on the Bowser Village Centre Development Permit Area.”

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Schedule 'B'

Bowser Village Centre Plan

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Schedule 'C'
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Map No. 5 Land Use Designations

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Map No. 6 Form and Character Development Permit Areas