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## 5.0 Protecting Rural Integrity

Electoral Area 'G' residents define rural as "a perpetuation of a style and quality of life for local residents on lands originally inhabited by First Nations Peoples and later established by pioneers for homesteading and agriculture, with a mixture of protected forests and a forest interface that allows for a continuum of wildlife habitat and access to environmentally sensitive trail systems."

In recognition of the community's value of the rural atmosphere of Electoral Area 'G', and the region's goal of protecting rural integrity, the Electoral Area 'G' OCP identifies the different types of neighbourhoods and land uses in the Plan Area that are considered to be rural in character, and provides policies to protect and enhance the unique attributes of these rural lands and ensure that changes which may occur on these rural lands contribute to, rather than detract from, the quality of life enjoyed by the residents of Electoral Area 'G'.

The Electoral Area 'G' Official Community Plan Area offers diverse rural and semi-rural lifestyles including rural residential areas outside of the Urban Containment Boundary as defined in the Regional Growth Strategy. The following sections set out the objectives and policies for protecting rural integrity in Electoral Area 'G'.

### 5.1 Rural and Rural Residential Land Use Designations

This Plan designates Rural and Rural Residential land use designations based on the minimum parcel sizes supported by the Regional Growth Strategy. Rural Residential designated lands in this Plan are intended to provide for larger-lot residential uses which may include traditional rural pursuits while also serving as a buffer between resource land and the more urbanized lands.

The Rural and Rural Residential area of Electoral Area 'G' contains a variety of lands with natural resource value including agriculture, aggregates and forestry. These lands have historically played a significant role in shaping the Plan Area's character, as well as providing important economic benefits. Their long term viability and productivity is increasingly threatened by urban encroachment and the spread of incompatible land uses necessitating special attention and protective measures.

The policies of this section define the community's intentions and priorities with respect to the long term management and use of rural residential lands. This section of the Plan recognizes the unique qualities of each distinct rural residential community and supports minimum parcel sizes based on policies in the Regional Growth Strategy. In doing so the Plan divides lands into the following four categories: 'Rural Residential 1', 'Rural Residential 2', 'Rural Residential 3', and 'Rural' as described below.

#### Objectives:

1. Protect and maintain the recreational, agricultural, forestry and aggregate land base and associated activities.
2. Minimize the impact of agriculture, forestry and aggregate-related activities on the natural environment and other forms of development and land uses.
3. Encourage farm activities on productive agricultural lands and on any lands capable of supporting viable agricultural activities.

4. Provide for continued rural residential opportunities without contributing to further rural sprawl.

**General Policies:**

The following policies apply to all lands within the, Rural Residential 1, Rural Residential 2, Rural Residential 3, and Rural land use designations.

**Policies:**

1. Lands designated Rural, Rural Residential 1, and Rural Residential 2 are shown on Map No. 3.
2. Although it is recognized that there are existing parcels within the Rural, Rural Residential 1, 2, or 3 designation that have been serviced with community water prior to the adoption of this Official Community Plan, the provision of or expansion to community water to service lands designated Rural, Rural Residential 1, Rural Residential 2, or Rural Residential 3 shall only be supported for health or environmental reasons and only where such services do not result in additional subdivision or development beyond what is permitted by the current zoning based on the minimum parcel size/site area requirements with no community servicing.
3. Zoning amendment proposals that have the potential to impact the quantity or quality of water resources shall be accompanied by a hydrological impact assessment report prepared by a professional engineer with experience in hydrologic analyses. The amendment proposal must also ensure that there are no impacts on fish habitat and the receiving waters, including channel stability and flow maintenance.
4. Permitted uses shall be compatible rural uses, rural residential uses and uses accessory to rural, and rural residential uses.
5. This Plan does not support lands within the Plan Area being pre-zoned for Animal Care. Lands within this Plan Area with existing Rural 2 and Rural 3 zoning may be considered for rezoning to remove 'Animal Care' as a permitted use, which may include changing the zoning designation to be consistent with the existing surrounding zoning designations.
6. Notwithstanding Policy 5 above, a rezoning to permit Animal Care may be supported within the Plan Area subject to its suitability being determined through the rezoning process.

***Advocacy Policies:***

7. The Ministry of Environment is encouraged to license and monitor groundwater extraction and monitor licensed surface water withdrawals.

**Rural and Rural Residential designations**

The Regional District of Nanaimo Regional Growth Strategy does not support the creation of parcels smaller than the size supported by the Official Community Plan in effect at the date of the adoption of the Regional Growth Strategy on June 10, 2003. Notwithstanding this requirement, if a parcel was serviced with community water since June 10, 2003, the minimum parcel size

supported by the zoning bylaw which was in affect on June 10, 2003 with community water service and no community sewer service may be supported.

The designations are intended to be consistent with the Regional Growth Strategy and recognize the unique rural qualities of existing rural neighbourhoods in Electoral Area 'G'.

### **Rural Residential 1**

The Rural Residential 1 designation primarily includes lands in smaller-lot rural residential subdivisions that are generally not located in the Agricultural Land Reserve and that have been in existence prior to the adoption of the Regional Growth Strategy and in some cases prior to Regional District of Nanaimo zoning.

#### ***Policy:***

8. The minimum parcel size for lands within the Rural Residential 1 land use designation shall be 1.0 ha.
9. Rezoning to permit parcels smaller than 1 hectare in the Rural Residential 1 land use designation shall not be supported.
10. New residential development shall be permitted at a maximum density of 1 dwelling unit per parcel.
11. Notwithstanding Policy 10 above, a 1 hectare minimum parcel size shall not be implemented in Dashwood until the Urban Containment Boundary feasibility study supported by Section 3.1 of this Plan is complete. In addition, the minimum parcel sizes in Dashwood may be adjusted to reflect the recommendations identified by the study. It should be noted that a Regional Growth Strategy amendment may be required.

### **Rural Residential 2**

The Rural Residential 2 designation includes lands that are generally not located in the agricultural land reserve. Rural Residential 2 lands may have value for small-scale agricultural and forestry activities.

#### ***Policy:***

12. The minimum parcel size for lands within the Rural Residential 2 land use designation shall be 2.0 ha although this Plan recognizes that there are existing parcels smaller than 2.0.
13. Rezoning to permit the creation of new parcels smaller than 2 hectares in the Rural Residential 2 land use designation shall not be supported.
14. New residential development shall be permitted at a maximum density of 1 dwelling unit per 2 hectares to a maximum of 2 per parcel.

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### Rural Residential 3

The Rural Residential 3 designation includes lands that are generally not located in the Agricultural Land Reserve and that have been historically subdivided in to small lot rural residential located outside of the Urban Containment Boundary. The Rural residential 3 designation also includes larger lot rural residential lands that may have value for small scale agriculture and forestry activities.

15. The minimum parcel size within the Rural Residential 3 designation shall be 8 hectares although this Plan recognizes that there are existing parcels smaller than 8 hectares.
16. Rezoning to create parcels smaller than 8 hectares in the Rural Residential 3 designation shall not be supported.
17. New residential development shall be permitted at densities of 1 dwelling unit per 8 hectares to a maximum of 2 dwelling units per parcel.

### Rural

The Rural designation primarily includes lands within the Agricultural Land Reserve although it is recognized that not all lands within this designation are within the ALR. Lands within the rural designation have value for agriculture, forestry, and other resource activities.

#### **Policy:**

18. The minimum parcel size for lands within the rural land use designation shall be 8 hectares although this Plan recognizes that there are existing parcels smaller than 8 hectares in area.
19. Rezoning to permit the creation of new parcels smaller than 8.0 hectares in the rural land use designation shall not be supported with the exception that the creation of parcels smaller than 8.0 hectares may be supported to facilitate the identified expansion of the Wembley Neighbourhood Centre in accordance with Section 4.0 of this Plan.<sup>7</sup>
20. Where land is located within the Agricultural Land Reserve and is proposed for subdivision or non-farm use, including the placement of a second dwelling, approval must first be obtained from the Agricultural Land Commission, except where additional dwellings are necessary for farm purposes subject to the *Agricultural Land Commission Act*. All subdivision and non-farm uses within the ALR shall comply with the agricultural objectives and policies in Section 8.1 of this Plan.
21. New residential development shall be permitted at densities of 1 dwelling unit per 8 hectares to a maximum of two dwelling units per parcel.
22. Rezoning applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction may be supported in accordance with the Policies contained in Section 8.3 of this Plan.<sup>8</sup>

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<sup>7</sup> Bylaw No. 1540.03, adopted November 23, 2021

<sup>8</sup> Bylaw No. 1540.02, adopted December 4, 2018

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23. For any of the uses listed in Policy 26 above, the preferred option is to consider them for a Temporary Use Permit prior to considering them for a rezoning in accordance with Sections 8.3<sup>9</sup>.

## **5.2 Rural Resource Lands**

The Rural Resource land use designation applies to lands that are used and valued for agriculture, forestry, natural resource extraction, or environmental conservation opportunities. Some of the lands within this land use designation are within the Agricultural Land Reserve. Lands that were formerly in the Forest Land Reserve (major forestry holdings) and large parcel Crown land holdings (other than those designated as Park Lands) are also within this land use designation.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the RDN. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government and agencies in planning and decision-making.

### **OBJECTIVES**

1. Maintain the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. Encourage more comprehensive management of the resource land base.
3. Protect the environment.
4. Encourage and protect outdoor recreational opportunities.

### **Policies:**

1. Land within the Rural Resource land use designation is shown on Map No. 3.
2. Lands within the Rural Resource designation shall have a minimum parcel size of 50 hectares although it is recognized that there are existing parcels smaller than 50 hectares.
3. New residential development shall be permitted to a maximum density of one dwelling unit per 50 hectares.
4. Permitted uses shall be compatible resource uses, rural uses, and uses accessory to rural resource uses.
5. Rezoning applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction may be supported in accordance with the Policies contained in Sections 8.3 of this Plan.<sup>10</sup>
6. For any of the uses listed in Policy 5 above, the preferred option is to consider them for a Temporary Use Permit prior to considering them for a rezoning in accordance with Sections 8.3<sup>11</sup>.

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<sup>9</sup> Bylaw No. 1540.02, adopted December 4, 2018

<sup>10</sup> Bylaw No. 1540.02, adopted December 4, 2018

<sup>11</sup> Bylaw No. 1540.02, adopted December 4, 2018

7. For lands within the Agricultural Land Reserve, the regulations and policies of the Agricultural Land Commission apply.
8. Where land is in the ALR and is proposed for subdivision, a second dwelling unit, or a non-farm use, approval must first be obtained from the ALC.
9. Developments proposed within or adjacent to environmentally sensitive features as shown on Map No. 2 shall be encouraged to ensure that the proposed development does not have a negative affect on the sensitive feature through federal, provincial, Regional District, or private initiatives and incentives.
10. Subject to an amendment to the Regional Growth Strategy policies related to Goal 3 – Rural Integrity and notwithstanding policies 2 and 3 of this designation on parcels that have a 'V' subdivision district as defined by the zoning bylaw in affect at the date of adoption of this Plan, zoning amendments may be considered to permit the creation of parcels 1 hectare or greater to support the transfer of density and/or development within a smaller footprint provided the following criteria is met:
  - a. A public amenity is provided where deemed appropriate by and to the satisfaction of the Regional District of Nanaimo and may include, but are not limited to, the protection of an environmentally sensitive feature(s) or natural hazard area(s), park land, trail network, or greenway;
  - b. The proposed amendment is consistent with the Regional Growth Strategy;
  - c. No net increase in density or the number of parcels shall be supported based on the zoning and subdivision district in affect at the date of adoption of this Plan;
  - d. A resource management plan shall be submitted that demonstrates to the satisfaction of the Regional District of Nanaimo that the natural resource potential will not be negatively affected by the proposed development and that demonstrates how the natural environment will be protected;
  - e. The maximum density shall not exceed 1 dwelling unit per parcel;
  - f. The parent parcel(s) shall not be further subdivided and is secured through covenant or zoning;
  - g. A wind firm buffer must be provided consisting of mature native vegetation to separate the proposed development from resource uses. The buffer edge shall be designed and supervised by a professional forester to provide additional habitat and wind protection;
  - h. Subdivision must be possible without the provision of a community water or community sewer system and each proposed lot must have on-site servicing and must not be connected to a community water or community sewer system; and,
  - i. A hydro geological impact assessment shall be required to assess the potential impact of the proposed development on groundwater resources.

11. Subject to an amendment to the Regional Growth Strategy policies related to Goal 3 – Rural Integrity and notwithstanding the densities currently supported by the zoning that existed at the date of adoption of this Plan, a zoning amendment may be supported to transfer development density from one parcel to another parcel within the rural resource designation provided the following criteria are met:
- a. The proposed amendment is consistent with the Regional Growth Strategy;
  - b. No net increase in density or the number of parcels shall be supported based on the zoning and subdivision district in affect at the date of adoption of this Plan;
  - c. The remainder of the subject property(s) remains undeveloped and/or preserved through covenant or zoning;
  - d. The proposal does not negatively affect the viability of resource extraction use, nor would the resource use negatively affect the proposed development;
  - e. The proposed development must occur in the area with the least environmental impact and soils must be suitable for on-site sewage disposal; and,
  - f. The proposed development should be located as close as possible to existing public road right-of-ways and other public utilities such as telephone and hydro.

***Advocacy Policies:***

12. It is recognized that the Ministry of Energy and Mines has jurisdiction over resource extraction including aggregate and hydrocarbon resources. However, it is requested that the Ministry of Energy and Mines consider the impacts of proposed mining activities on the surrounding community and refer all applications for new mining proposals to the Regional District of Nanaimo for comments.