

SECTION 8 – DEVELOPMENT PERMIT AREAS

General Policies and Exemptions

DPA 1 – Freshwater and Fish Habitat Protection

DPA 2 – Environmentally Sensitive Areas

DPA 3 – Marine Coast

DPA 4 – Steep Slope Hazard

DPA 5 – Farmland Protection

DPA 6 – Rural Commercial

DPA 7 – Qualicum Bay and Dunsmuir Village Centres

In addition to the objectives and policies stated in the Plan, the Regional District has, pursuant to Section 488 and 489 of the *Local Government Act* designated certain lands as Development Permit Areas.

In general terms, the purpose of a development permit area is to regulate certain aspects of development that are not directly addressed in the zoning bylaw or building bylaw, and where the Regional District considers that special conditions exist in accordance with one or more of the following categories:

- a. Protection of the natural environment, its ecosystems and biological diversity;
- b. Protection of development from hazardous conditions;
- c. Protection of farming;
- d. Revitalization of an area in which commercial use is permitted;
- e. Establishment of objectives for the form and character of commercial, industrial, multi-family or intensive residential development; and
- f. To promote conservation of water and energy and the reduction of greenhouse gas (GHG) emissions.

General Policies and Exemptions

INTRODUCTION

The following general policies and exemptions apply to all development permit areas. In addition, specific guidelines and exemptions that apply to each development permit area follows.

GENERAL POLICIES

1. Designated development permit areas are shown on Map Nos. 6, 7 and 8.
2. Where land is designated within a development permit area, a landowner is required to obtain a development permit prior to either subdivision of the land, the construction of, addition to or alteration of a building or structure on the land, or the alteration of the land within a development permit area, except where exemptions apply.
3. Where land is included within more than one development permit area designation, one development permit application is required, and the application will be subject to meeting the guidelines of all applicable development permit areas.
4. To minimize development within development permit areas, the Board may consider variances to the land use and subdivision bylaw in accordance with Regional District Board Policy No. B1.5 “Development Variance Permit, Development Permit with Variance & Floodplain Exemptions Application Evaluation”, as amended from time to time.

GENERAL EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
2. The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, and is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, where the works are required for farm use and the lands are assessed as “farm” under the *BC Assessment Act*.
3. Interior alterations or renovations to existing buildings or structures within the existing building footprint.
4. Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - a. Emergency flood or protection works;
 - b. Clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
 - c. Any emergency works to be undertaken in accordance with the *Provincial Water Sustainability Act* and *Wildlife Act* and the *Federal Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision.

5. Removal of trees deemed hazardous by a certified arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or blue heron nest is exempt only if a Registered Professional Biologist has confirmed that no eagle or great blue heron activity is present as of the most recent April 30th.
6. The small-scale, manual removal of invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014' published by the B.C. Ministry of Environment, or any subsequent editions.
7. Except for where the *Riparian Areas Regulation* applies, the removal of invasive plants or noxious weeds or planting of non-invasive, native vegetation at a large scale involving machinery, for the purpose of enhancing the habitat values and/or soil stability, provided:
 - a. the works are conducted in accordance with a re-vegetation plan prepared by a qualified professional (e.g., biologist, QEP or landscape architect);
 - b. the planting is carried out in accordance with the guidelines provided in "Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014", published by Ministry or any subsequent editions;
 - c. the Regional District is notified of works commencing; and
 - d. sediment control measures are established to prevent discharge into a stream, as required.
8. Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 9 of the Water Sustainability Act.
9. All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act*.
10. Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area Guidelines as determined by the Regional District.

DPA 1 – Freshwater and Fish Habitat Protection

DESIGNATION

The Freshwater and Fish Habitat Protection Development Permit Area is shown on Map No. 6, and applies to all mapped and unmapped streams subject to the *Riparian Areas Regulation* (RAR) of the *Riparian Areas Protection Act*, and all other mapped and unmapped lakes, wetlands, ponds and watercourses. Specifically, the Development Permit Area is defined as follows:

Where the RAR applies:

All mapped and unmapped “streams” and “riparian assessment areas: as defined in the RAR as follows:

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

Where the RAR does not apply:

- a) For Lakes, Wetlands, and Ponds – the development permit area shall be 15 metres as measured from the natural boundary.
- b) For all other Watercourses – the development permit area shall be 15 metres as measured from the top of the bank.

This development permit area also applies in estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in these areas the Marine Coast Development Permit Area also applies.

AUTHORITY

The Freshwater and Fish Habitat Protection Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

Terms used in this development permit area that are defined in the provincial *Riparian Areas Regulation* (RAR), of the *Riparian Areas Protection Act*, which may be obtained from the provincial Ministry of Forests, Lands and Natural Resource Operations or from the BC Laws website, are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

JUSTIFICATION

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil’s ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool

water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas. For areas covered by the *Riparian Areas Protection Act*, local governments must not approve or allow a development to proceed until the local government has been notified by the Ministry of Environment, and that the Ministry of Environment and Fisheries and Oceans Canada have been notified of the development proposal and have been provided with a copy of the assessment report prepared by a Qualified Environmental Professional (QEP).

OBJECTIVES

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this Development Permit Area, unless specifically exempted:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils; including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges;
7. provision and maintenance of sewer and water services;
8. development of drainage systems;
9. development of utility corridors; and
10. subdivision as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Area – General Exemptions.

Exemptions Applicable to all Watercourses:

2. Where Provincial and Federal approvals have been obtained for Stream Enhancement and Fish and Wildlife Habitat restoration, notification to the Regional District has been given and the works are carried out in compliance with Provincial and Federal legislation.
3. All park or parkland ancillary uses not containing commercial, residential, or industrial activities.

Exemptions Applicable to Streams under the Riparian Areas Regulation only:

4. For streams subject to the RAR, in the case where a simple assessment is submitted, a development proposed outside of the Streamside Protection and Enhancement Area (SPEA) where:
 - a. the assessment report has been completed by a Qualified Environmental Professional (QEP) in accordance with the Riparian Areas Regulation Assessment Methods;
 - b. notification of the assessment report has been received by the Ministry of the Environment; and the Regional District; and
5. Subdivision where:
 - a. a QEP has determined there are no streams subject to the RAR on the subject property, or
 - b. no new parcel lines or amendments to existing parcel lines are being proposed within the Riparian Assessment Area and no works are proposed within the Riparian Assessment Area.

Exemptions Applicable to this development permit area where the RAR does not apply:

6. Where the *Riparian Areas Regulation* does not apply, a property owner may construct a single trail within this development permit area, subject to the following conditions:
 - a. the trail provides the most direct route of feasible passage through the development permit area;
 - b. sensitive habitat will not be negatively impacted by the presence of the trail and where there is limited excavation and removal of native soils;
 - c. the ground is stable, i.e. erodible stream banks or other erosion prone areas shall be avoided;
 - d. no motorized vehicles are permitted on the trail;
 - e. the trail is not to exceed a maximum width of 1.5 metres;
 - f. no trees, which are greater than 5 metres in height and 10 centimetres in diameter, are to be removed; instead limbing, pruning and topping of trees shall be done, where necessary, to facilitate the construction of the single trail;
 - g. the trail's surface shall only be composed of pervious materials.

GUIDELINES

Development permits shall be issued in accordance with the following:

1. If development or alteration of land is proposed within the development permit area, it shall be located where it will cause the least impact on the stream or waterbody. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.

2. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
3. Where the applicant's biologist or other qualified professional recommends specific areas that must remain free from development and/or identifies a natural feature for protection:
 - a. the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
 - b. prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the development permit area through to the completion of the development.
4. Directing drainage of rainwater from development sites into the Stream Protection Enhancement Area (SPEA) and other watercourses and water bodies shall be avoided. Instead, rainwater is to be managed on-site with an emphasis on infiltration approaches to management.
5. In low-lying areas subject to flooding, development should not increase the flood risk on the subject property or on adjacent or nearby properties.
6. Treated effluent and diverted rainwater collection and discharge systems on commercial, industrial, multi-residential, intensive residential and other developments where there is potential for silt and petroleum-based contaminants to enter a watercourse directly or infiltrate into the ground will require the provision for grease, oil, and sedimentation removal facilities and the on-going maintenance of these facilities.
7. Where there is a slope greater than 30%, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering shall be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development.

Additional Guidelines Applicable to Streams Subject to the Riparian Area Regulations (RAR)

8. No development shall take place within any SPEA except where the Minister of Fisheries and Oceans Canada has authorized works, undertakings or activity which will result in serious harm to fish as part of commercial, recreational or Aboriginal fishery, or fish that support a fishery in a riparian assessment area.
9. The Regional District shall require the applicant to retain a qualified environmental professional (QEP), at the expense of the applicant, for the purpose of preparing an assessment report, pursuant to Section 4(2) of the *Riparian Areas Regulation* (RAR) and the RAR Assessment Methodology Guidebook, and the assessment report must be electronically submitted to the Ministry of Environment, via the Riparian Area Regulations Notification System, and a copy must be provided to the Regional District.
10. In addition to implementing the measures in the assessment report, to ensure the integrity of the SPEA the Regional District and landowner may consider the following:
 - a. dedicate back to the Crown or Regional District all or part of the SPEA,
 - b. gift to a nature preservation organization all or part of the SPEA, or

- c. register a restrictive covenant or conservation covenant on title securing the measures prescribed in the assessment report.
11. For the purpose of subdivision design, proposed lot configuration should consider the protection of the SPEA. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA.
12. In the case of a proposed subdivision within the development permit area, minimum parcel size should be met exclusive of the SPEA.

DPA 2 – Environmentally Sensitive Areas

DESIGNATION

The Environmentally Sensitive Areas Development Permit Area is shown on Map No. 6 and applies to aquifers, eagle and heron nests.

The development permit area is defined as follows:

- a) For all known **Aquifers** - the development permit area shall be those lands above the aquifer as designated
- b) For **Bald Eagle Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing bald eagle nests and is a 60 metre radius from the nesting tree known as the nesting tree area
- c) For **Great Blue Heron Nesting Trees** – the development permit area applies to all mapped and unmapped trees containing great blue heron nests, and shall be a 60 metre radius from the nesting tree known as the nesting tree area

The location and characteristics of the environmentally sensitive features identified on Map No. 6 of this plan are intended to provide an approximate location only. Ground-truthing may be required by a Regional District staff, a Registered Professional Biologist or British Columbia Land Surveyor to accurately determine the geographical location and characteristics of the features identified.

AUTHORITY

The Environmentally Sensitive Areas Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity, pursuant to Section 488(1)(a) of the *Local Government Act*.

JUSTIFICATION

Aquifers, and nesting birds are sensitive to impact from development and disturbance by human activity and require special treatment in order to protect their ecological value, now and for the future.

Aquifers and surface water are connected and interact with each other since typically, surface waters recharge aquifers in months with precipitation and snow melt. The groundwater system contributes to baseflow in rivers and streams, maintaining habitat for fish, wildlife and plants and is the sole domestic water supply for many residents. Maintaining both water quality and quantity requires careful management for the long-term sustainability of ecosystems and drinking water values. Within the Big Qualicum Water Region, the sand and gravel aquifers are productive, though vulnerable to surface contamination. Significant surface water features in the water region include the Big Qualicum River, Rosewall Creek, Thames Creek, Nile Creek and Horne Lake and Spider Lake.

Pacific Great Blue Herons are a Species of Special Concern in Canada and Blue-listed in British Columbia. There are only about 500 nests on Vancouver Island and the Gulf Islands. Bald Eagles are territorial and generally require 1000 meters between nesting sites. Both species nest near lakes, rivers and shorelines throughout BC. The loss of available nesting habitat near their food source, as well as disturbance from human presence, reduces the birds' ability to thrive and successfully raise their young. While Section 34 of the *Wildlife Act* provides for the protection of Bald Eagles and Pacific Great Blue Herons and several other at risk bird species, this development permit protects the nesting habitat essential to ensuring breeding populations are maintained.

OBJECTIVES

1. To implement Regional Growth Strategy Policy 2.14 by adopting this development permit area to protect groundwater aquifers and environmentally sensitive areas from the impacts of development.
2. To pursue the Community Value in this Official Community Plan of “support for development regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshores, and aquifer recharge areas”.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of natural features, including mature and native vegetation;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Area – General Exemptions.

Exemptions Applicable to Aquifer Protection:

2. Construction, renovation, repair or addition to a single dwelling unit, duplex dwelling unit, secondary suite, accessory building, structures or onsite wastewater disposal system installed by a qualified professional.
3. Subdivision of land where a maximum of three parcels are proposed, including the remainder, where the subject property has a “low” vulnerability as identified on Map No. 6 - Environmentally Sensitive Development Permit Areas.
4. Subdivision of land where the application is limited to lot line adjustment and no new parcels are created.
5. Subdivision of land where each lot has an approved connection to a community water system.

Exemptions Applicable to Nesting Tree Areas

6. The landowner has offered and entered into a restrictive covenant to maintain an acceptable no disturbance buffer as determined by a registered professional biologist.
7. A registered professional biologist with relevant experience has confirmed in writing that no Bald Eagle, or no Great Blue Heron has established a nest and is present during the breeding and nesting season. In general terms, this is from February to June for Great Blue Herons; and January to September for Bald Eagles
8. Land clearing including the removal, trimming or alteration of any vegetation other than the nest tree; demolition activities; site grading; onsite sewage disposal system installations and well drilling within the nest tree development permit area is permitted without an environmentally sensitive areas development permit where:

- a) the activity is conducted entirely outside of the nesting season which is from February to June for Pacific Great Herons and January to September for Bald Eagles, or
- b) a registered professional biologist with relevant experience has confirmed in writing that the activity will not negatively impact the nest tree and/or nesting tree area.

GUIDELINES

Development permits shall be issued in accordance with the following:

1. Development shall be located where it will cause the least impact to the environmentally sensitive areas. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.
2. Where the applicant's biologist or other qualified professional recommends specific areas that must remain free from development and/or identifies a natural feature for protection:
 - a. the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
 - b. prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within any area to be protected through to the completion of the development.
3. The Regional District, as a condition of the issuance of a development permit, shall, where feasible require compliance with any or all conditions and recommended in the assessment report prepared by the registered biologist or other qualified professional.

Additional Guidelines Applicable to Aquifer Protection

4. Where the possibility of an impact to groundwater quantity or quality exists, the Regional District shall require the applicant to provide a report prepared by a Professional Engineer or Geoscientist with experience in hydrogeology. The report should include, but is not limited, to the following:
 - a. definition of the study area and the relationship of the proposed development to the protected aquifer, including map(s) indicating Water District well locations;
 - b. recharge area and capture zone analysis for existing and proposed new wells;
 - c. an assessment of the ability of the aquifer to accommodate additional groundwater demand proposed by the development, which shall include the anticipated water demand of the proposed uses based on the development potential of the subject property based on the current zoning;
 - d. identification of potential impacts on adjacent properties and land uses; and
 - e. recommendations on what measures are required to ensure the quality and quantity of water in the aquifer is protected.
5. Where a proposed development will include any of the purposes or activities listed in Schedule 2 of the Contaminated Sites Regulation, (B.C. Reg. 375/96), a report prepared by a Professional Engineer or Geoscientist with experience in hydrogeology shall be required to confirm the protection of the aquifer in relation to the intended uses. The report should include, but is not limited, to the following:
 - a. define the study area and the relationship of the proposed development to the protected aquifer, including map(s) indicating well locations, proposed or existing above ground or

- underground fuel storage tanks, abandoned or operational water wells, and underground utilities, such as water, sanitary, and storm water drainage or natural gas lines;
- b. assess the potential for contamination and the expected results should a spill occur;
 - c. identify appropriate site-specific groundwater protection measures;
 - d. address site design, and best management practices for site drainage, sewage disposal and hazardous material use, handling, storage, disposal and spill response; and
 - e. provide recommendations, a conclusion and a reference site layout plan.
6. Where a professional report is required, its recommendations will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
 7. Developments that are found to pose detrimental impact(s) on either the quality or quantity of groundwater shall not be supported by the Regional District.

Additional Guidelines Applicable to Nesting Tree Areas

8. The Regional District will require the applicant to provide a biophysical assessment prepared by a registered professional biologist with relevant experience to assess the potential impact of the proposed development on the function of the nest tree and alteration within the 60 metre development permit area (or that portion of the 60 metre buffer on the subject property). The report should include, but is not limited, to the following:
 - a. define the study area and the proposed activities in relation to the nesting tree area, including map(s) identify the location of nesting trees, 60 metre buffer area and proposed or existing buildings and structures;
 - b. identify the breeding season;
 - c. assess the impacts of the proposed activities in relation to the resident birds (i.e., Bald Eagle or Great Blue Heron) and prescribe appropriate measures to preserve, protect, restore or enhance the function of the nesting tree area and any alteration of the 60 metre development permit area (or that portion of the 60 metre buffer on the subject property);
 - d. provide recommendations on how to mitigate negative impacts during and after construction, if permitted under the *Wildlife Act*, to protect the long term integrity of the nesting habitat.
 - e. In the developing recommendations and best practices for the protection of the nesting tree and nesting tree area, the biologist should review and reference '*Guidelines for Ecosystem and Species Protection*' and/or '*Guidelines for Raptor Conservation during Urban and Rural Land Development in BC*' found in '*Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*', published by the B.C. Ministry of Environment, or any subsequent editions.
9. Where a biophysical assessment report is required, the recommendations will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

DPA 3 – Marine Coast

DESIGNATION

The Marine Coast Development Permit Area is shown on Map No. 6 and applies to all lands 30 metres seaward of the present natural boundary, and 15 metres upland from the present natural boundary. In estuarine areas, it applies upstream, both on land and water, to the extent of tidal influence. For clarity, in estuarine areas the Freshwater and Fish Habitat Development Permit Area also applies.

AUTHORITY

The Marine Coast Development Permit Area is designated a development permit area for protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions, pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

JUSTIFICATION

The marine coast of the Plan Area is primarily composed of high and low bank sand and gravel shorelines, with estuarine coastline found in Deep Bay. Except for the protected harbour of Deep Bay, the shoreline is exposed to significant wave energy from prevailing winter storms from the southeast. The combination of a sand and gravel shoreline and high wave energy means the shoreline is actively changing; some areas are eroding while others are accreting.

The Plan Area's shorelines have high ecological value and need to be carefully managed to avoid potential negative impacts of development. They are particularly sensitive to human activities that disrupt sediment processes, such as seawalls, or upland development that is poorly sited. Upland development over the years has significantly altered the native coastal vegetation so that in many areas there is little habitat and natural erosion protection value left.

The intertidal and nearshore biological communities of sand and gravel shores are dominated by burrowing invertebrates such as worms and clams that live in the sediment, and attract large concentrations of birds. Eelgrass, an important habitat, often grows in sand/mud substrates and is sensitive to disruption of sand and gravel shores. Backshore vegetation (dune grass, salt adapted plants and shrubs) forms a distinct habitat zone and is important in stabilizing the upland sediments and preventing erosion.

OBJECTIVES

1. To work towards the “protection of the environment” goal of the Regional Growth Strategy, in particular by following the policy to “minimize impacts of development in coastal zones by ensuring use of low impact development”.
2. To pursue the Community Value in this Official Community Plan of “support for development of regulations to protect environmentally sensitive areas, natural hazard lands, the marine/freshwater foreshore, and aquifer recharge areas”.
3. To plan and regulate new development in a manner that preserves, protects and restores the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
4. To balance development opportunities with the ecological conservation and restoration of the shoreline environment.
5. To maintain the public's use and access to these important recreation areas in a way that does not compromise the ecological integrity of the shoreline or put users at undue risk.

APPLICABILITY

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

1. removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
2. disturbance of soils, including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-pervious surfaces; and
5. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. The placement of impermanent structures such as benches, tables and garden ornaments.
3. Repair, maintenance, alteration or reconstruction of existing legal buildings, structures or utilities except for shoreline protection structures, provided there is no alteration of undisturbed land or vegetation (a building permit may still be required). For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as rip rap and stacked rocks, requires a development permit whether or not they meet the definition of “structure” in other bylaws of the Regional District.
4. Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving asphalt or similar surfacing.
5. Construction of a fence so long as no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
6. Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.
7. The construction of a small accessory building or structure such as a pump house, gazebo, garden shed or play house if all the following apply;
 - a) The building is located within an existing landscaped area;
 - b) No native trees are removed;
 - c) The building is located a minimum of 10 metres from the natural boundary of sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
 - d) The total area of the small accessory building is less than 10 metres square.
8. An addition to a building or structure that would increase the size of the building or structure by less than 10% of the ground floor area, and where the addition does not extend the building or structure further into the development permit area (towards the sea).
9. The installation of mooring buoys.
10. Aquaculture operations.

GUIDELINES

General Guidelines

1. Development within the development permit area should be limited and not negatively impact the ecological health of the immediate area, disrupt coastal sediment transport processes, or impede public access along the shore.
2. A biophysical assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The biophysical assessment should list which of the guidelines in this development permit area are applicable and how the proposed development is consistent with them.
3. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion:
 - a. Dune grass is particularly sensitive to foot traffic and often keeping foot traffic away through fencing or signage can result in regeneration in short time periods. Replanting of dune grass and associated plants where it has been previously disturbed may be a condition of a development permit.
 - b. Coniferous trees provide important perches for eagles, and older trees may be used by eagles for nests. It is important that some trees are retained or replanted within and close to the development permit area when properties are developed, even if the trees are young.
 - c. Trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
 - d. Temporary fencing at a prescribed distance from the natural boundary or top of bank should be required to protect the shoreline vegetation.
4. New or additions to upland buildings and structures should be located and designed to avoid the need for shore protection works throughout the life of the building or structure. Only if all options to locate and design without the need for shore protection measures are exhausted should such works be considered.
5. Shore protection measures shall not be allowed for the sole purpose of reducing the setback pursuant to the Floodplain Bylaw.
6. Where shoreline protection works are proposed they will be designed by a Professional Engineer and:
 - a. be limited to that necessary to prevent damage to existing structures or established uses on adjacent upland;
 - b. be the 'softest' possible shore protection measure that will still provide satisfactory protection; and
 - c. not be expected to cause erosion or other physical damage to adjacent or down-current properties.
7. Where protection from erosion is proposed as either new works or replacement, every effort will be made to design shoreline protection in accordance with the *Green Shores* programs of the Stewardship Centre of BC. These programs provide resources for and examples of shoreline erosion protection involving low-angle slopes allowing for dissipation of wave energy, retaining native plants

and habitat, and providing a natural appearance. Some *Green Shores* approaches rely on use of the beach below the natural boundary, which requires permission from the Province.

8. For commercial and multi-family developments, the *Green Shores for Coastal Developments* program of the Stewardship Centre of BC should be reviewed and referenced and every effort made to design the development in accordance with its recommendations and best practices.
9. Entirely 'hard' structural shore protection measures such as concrete walls, lock block, or stacked rock (rip rap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:
 - a. the erosion is not being caused by upland conditions, such as the loss of vegetation and drainage associated with upland development;
 - b. All possible on-site drainage solutions away from the shoreline edge have been exhausted;
 - c. Green Shores non-structural or structural measures are not feasible or not sufficient to address the stabilization issues;
 - d. The shore protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
 - e. All shore protection structures are installed upland of the present natural boundary of the sea.
10. Where the installation of a hydrothermal and geoexchange unit is proposed, the Regional District will require the applicant to provide a report by a Registered Professional Biologist with experience in marine ecology, to assess the potential impact of the proposed installation on the marine environment, public users of the foreshore, the anchoring of vessels, and First Nation shellfish harvesting, and provide recommendations to restore or enhance those areas impacted by the proposed development.
11. Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified person.

Guidelines Applicable to Subdivisions and New Development

12. Subdivisions shall be designed so that the new lots will not require shore protection measures in order for useable, safe building sites to be created when considering 0.8 m of local sea level rise.
13. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
14. New driveways, parking lots, and wastewater disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the design and construction of the road, parking lot or wastewater disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met.

Guidelines Applicable to Vegetation Management, Restoration and Enhancement

15. If the area has been previously cleared of native vegetation or is cleared during the process of development, replanting should be required in accordance with these guidelines. Where it is not

practical to replace all vegetation that is or has been removed, replanting should be focused on the areas of highest ecological value such as foreshore dune grass ecosystems, trees suitable for eagle perching, or other areas identified in the biophysical assessment. Areas of undisturbed bedrock exposed to the surface of natural sparsely vegetated areas should not require planting.

16. Vegetation species used in replanting, restoration or enhancement should be salt and wind tolerant, and selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or wildlife habitat values as needed. A minor amount of suitably adapted, non-invasive, non-native vegetation may also be considered acceptable subject to supportive recommendations in a biophysical report.
17. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season.

Guidelines Applicable to Beach Nourishment and Upland Fill

18. Fill on land above of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.
19. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. This would also require permission from the Province.

Guidelines Applicable to Commercial and Industrial Development

20. New boating facilities that provide moorage shall not be constructed unless access is available to adequate and convenient facilities for pump-out of holding tanks.
21. New boat maintenance and repair facilities shall be designed, located and operated in a way that ensures there will be no discharge of toxic materials from boats (fuels, oils, maintenance by-products, etc.)
22. In order to minimize the impact on aquatic life, lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cutoff angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
23. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.

Guidelines Applicable to Private and/or Public Boat Launch Facilities or Ramps

24. Boat launch ramps are the least desirable of all water access structures and will be considered only if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes. The ramp width should be minimized, and paved strips versus a full concrete pad is preferable.
25. Construction of a private ramp on an individual residential lot or parcel is discouraged. Owners are urged to seek opportunities to use public ramps or to share existing private ramps.

DPA 4 – Steep Slope Hazard

DESIGNATION

The Steep Slope Hazard Development Permit Area is shown on Map No. 8 and applies to those lands within the development permit area with a slope angle of 30 percent or greater for a minimum horizontal distance of 10 metres.

AUTHORITY

The Steep Slope Development Permit Area is designated a development permit area for the protection of development from hazardous conditions, pursuant to Section 488(1) (b) of the *Local Government Act*.

JUSTIFICATION

Steep slopes are generally found along the marine and riverine coast as well as the Horne Lake Road and the Mount Mark slide area. The threat of landslides is particularly concerning in areas where homes have been constructed near the edges or below unstable slopes.

The development permit area boundaries were derived from 2 metre contour and digital elevation mapping obtained by the Province of BC in 2017. The Regional District isolated areas where this mapping shows a slope of 30% or greater along the marine coast for inclusion in the development permit area. The “Mount Mark Slide” area and other, isolated areas of 30% slope are shown on Map No. 8 for reference but do not form part of this development permit area. Riverine slope hazard is addressed in Development Permit Area 1 and the Horne Lake area slope hazard has been addressed through the subdivision of the Horne Lake Strata in the early 2000’s.

OBJECTIVES

1. To minimize the risk to people and property from slope hazard;
2. To develop safely and minimize the impacts on or near steeply sloped lands, including the potential run out area below steep slopes;
3. To reduce slope hazards and landslide risk to people and property by carefully managing development and construction practices on or near steeply sloped lands;
4. To avoid alteration of steeply sloped lands that may cause increased instability of the land or adjacent areas;
5. To encourage ongoing maintenance and monitoring of steep slopes.

APPLICABILITY

A development permit is required for the following activities wherever they occur within a development permit area, unless specifically exempted:

1. alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and the removal of top soils;
2. construction or erection of buildings and structures;
3. creation of non-structural impervious or semi-pervious surfaces;
4. subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Where a building permit is required for the proposed development, the Regional District building inspector has either required an assessment report by a Professional Engineer with experience in geotechnical engineering or determined that one is not required, and no other land alterations, buildings or structures, is proposed.
3. Subdivision where land alteration such as installation of driveways or services, is not required as part of the subdivision.
4. Subdivision where no new parcel lines or amendments to existing parcel lines are proposed within the development permit area.
5. Where there is no steep slope hazard, confirmation of which may require a letter from a Professional Engineer with experience in geotechnical engineering.

GUIDELINES

1. An assessment report prepared by a Professional Engineer with experience in geotechnical engineering shall be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development.
2. No unnecessary disturbance of the steep slope shall be permitted. Site development shall preserve natural vegetation on steep slopes and retain the natural terrain, topography of the site, and minimize cutting into the slopes.
3. Prior to construction commencing, the installation of temporary fencing or flagged stakes marking any areas to be avoided due to hazardous conditions, is required.
4. The geotechnical report will form part of the Development Permit terms and conditions, and may include registration of a Section 219 Covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

DPA 5 – Farmland Protection

DESIGNATION

The Farmland Protection Development Permit Area is shown on Map No. 7 and applies to all properties adjacent to lands designated within the Provincial Agricultural Land Reserve (ALR).

AUTHORITY

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

JUSTIFICATION

This development permit area concerns lands adjoining or adjacent to land within the ALR. The Regional District acknowledges that development of land adjoining or in close proximity to farmlands may compromise the agricultural use of ALR lands. As such, these lands require special treatment in order to protect the long-term agricultural potential of these areas.

OBJECTIVES

1. To pursue the Community Value in this Official Community Plan of “protection of resource lands for sustainable resource use”.
2. To protect the agricultural land resource of the Plan Area for present and future production of food and other agricultural products.

APPLICABILITY

A development permit is required for the following activities wherever they occur within the Development Permit Area, unless specifically exempted:

1. Subdivision of land as defined in the *Land Title Act* or bare land strata under the *Strata Property Act*.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Lands within the ALR
3. Lot line adjustment or where subdivision does not result in an increase in the number of potential dwelling units.
4. Subdivision of land for public utility, nature reserve, or park use.

GUIDELINES

1. Subdivision design must minimize the impacts that may occur between farm and non-farm uses on adjacent ALR lands including but not limited to the following:
 - a. Site design to allow the clustering of lots, buildings or structures away from ALR lands.
 - b. Avoid road endings or stubs which point directly into the ALR, and half roads along the ALR boundary, except where required for access by farm vehicles.

- c. Where a parkland dedication is required, the dedication should be located next to the ALR boundary and include the required vegetated buffer outlined in Development Permit Area Guideline No.3 below.
2. For land to be developed that is adjacent to or adjoining an ALR boundary, a 15 metre wide vegetated buffer should be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions.
3. Within the vegetated buffer area mature trees shall be preserved and where possible integrated with the new landscaping. The planting of trees is strongly encouraged.
4. Plant layout, spacing and support shall generally be in accordance with *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions. The planting material should include non-invasive, low maintenance, native vegetation which can thrive with little or no fertilizer.
5. No buildings and structures, except for fencing, shall be situated within the 15 metre vegetated buffer area.
6. A Section 219 covenant as per the *Land Title Act* for the vegetation buffer area may be required which restricts the removal of vegetation and the construction of any buildings or structures other than fencing within the buffer area.
7. Where the introduction of vegetation is required within the Development Permit Area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.

DPA 6 – Rural Commercial

DESIGNATION

The Rural Commercial Development Permit Area is shown on Map No. 7, and applies to those lands designated Resort Commercial and Tourist Commercial, which are outside of Village Centres, and also applies to lands rezoned for Tourist Commercial and Service Commercial uses in the Rural designation.

AUTHORITY

The Rural Commercial Development Permit Area is designated a development permit area to establish objectives for the form or character of commercial and industrial development, for protection of the natural environment, its ecosystems and biodiversity, for establishment of objectives to promote energy conservation, water conservation and reduction of greenhouse gas emissions pursuant to Section 488(1)(a)(f)(h)(i) and (j) of the *Local Government Act*.

JUSTIFICATION

Outside of the Village Centres, commercial uses generally cater to the traveling public and are generally located within a short distance of the Highway No. 19A corridor. The variety and intensity of uses associated with tourism-related commercial uses and service commercial uses may compromise the aesthetic appeal of the rural landscape, cause conflict with adjacent residential uses and impact environmental values.

OBJECTIVES

1. To ensure that new or additional commercial and service commercial uses outside of Rural Village Centers are developed in a manner that is consistent with and enhances the rural character of the area and minimizes negative impacts on the natural environment and near

APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meters in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Construction of a building or structure involving a total floor area of 10 square meters or less which is not visible from a public roadway.
5. Addition to an existing building or structure that is not visible from a public roadway.

6. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.
7. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
8. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

GUIDELINES

1. The character of the development will generally:
 - a. be designed to utilize the existing topography and vegetation in a manner that is visually unobtrusive and blends into the surrounding landscape,
 - b. be designed to mimic the natural water balance by maximizing infiltration of uncontaminated rainwater,
 - c. integrated with and enhance the character of existing development to avoid mass and character that would be overwhelming to adjacent non-commercial properties, and
 - d. include public gathering places such as small seating area, patio, garden entry areas that are visible and accessible and encourage pedestrian uses, where possible.
2. Incorporating natural materials to create a “west coast” style into the design is encouraged.
3. Where buildings present an aspect to the highway or to highly visible areas, continuous blank wall surfaces (longer than 5 meters) shall be avoided. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.
4. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s *Community Parks and Trails Strategy*, *Regional Parks and Trails Plan*, or *Active Transportation Plan*, and any subsequent editions.
5. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
6. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
7. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
8. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
9. Porous and permeable surfaces should be used where practical and technique such as rain gardens and vegetative swales to assist in the treatment of rainwater runoff from a site are encouraged in accordance with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions.
10. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total

estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.

11. Mature trees shall be preserved and, where possible, integrated with new landscaping. The planting of trees is strongly encouraged.
12. Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions.
13. Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lightening is encouraged.
14. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
15. Signage should be visually unobtrusive and grouped whenever possible. Particular emphasis should be given to signage that is complementary to the scenic qualities of the area and requires a minimal amount of lighting to be effective. Animated, flashing, oscillating or moving signs and roof top signs shall be avoided.

DPA 7 – Qualicum Bay and Dunsmuir Village Centres

DESIGNATION

The Qualicum Bay and Dunsmuir Village Centres Development Permit Area is shown on Map No. 7, and applies to Qualicum Bay and Dunsmuir Village Centres.

AUTHORITY

The Qualicum Bay and Dunsmuir Village Centers Development Permit Area is designated a development permit area for revitalization of an area in which a commercial use is permitted, to establish objectives for the form or character of commercial and industrial development, for protection of the natural environment, its ecosystems and biodiversity, for establishment of objectives to promote energy conservation, water conservation and reduction of greenhouse gas emissions pursuant to Section 488(1)(a)(d)(f)(h)(i) and (j) of the *Local Government Act*.

JUSTIFICATION

The Regional Growth Strategy recognizes three areas as the Village Centres for Electoral Area ‘H’. (The Bowser Village Centre is subject of its own Plan and DPA, so is not included here.) Village Centres are included within a development permit area due to the existing commercial activities and in recognition of the opportunity to integrate multi-family residential and tourist oriented commercial, institutional, service commercial development or mixed-use development into one or more of these locations.

In establishing these centres, it is important to ensure compatibility of development with adjacent land uses, to recognize the importance of visual appearance and design of development, and to ensure that future development within the villages has a positive impact on the long-term needs of the community. The Village DPA guidelines focus on village commercial, institutional, and residential themes while maintaining the rural and residential characteristics of the surrounding communities.

The **Qualicum Bay Village Centre** with its central location serves as the main commercial area for Qualicum Bay. The focus for this village centre is on tourist and resort commercial services.

The **Dunsmuir Village Centre** with its location along Horne Lake Road serves as a “gateway” to the coastal resorts, scenic and recreational opportunities within the Plan Area. The vision for this village centre is the development of a comprehensive mixed-use community.

OBJECTIVES

1. To pursue the Community Values in this Official Community Plan to “support for a diversified economy, focusing on small scale commercial, human service sectors, and tourism within the Rural Village Centres.
2. To provide a safe and cohesive village area that enhances the relationship between the built and natural environment through building design and landscaping.

APPLICABILITY

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

1. Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meters in height.
2. Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

EXEMPTIONS

The following activities are exempt from any requirement for a development permit:

1. Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
2. Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
3. Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
4. Addition to an existing building or structure that is not visible from a public roadway.
5. Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*.
6. Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
7. Construction of unpaved driveways and walkways not exceeding 4 meters in width.

GUIDELINES

1. For Qualicum Bay Village Centre, tourist and business frontage for the Village shall be encouraged to be oriented toward the central portion of District Lot 20, Newcastle District and shall provide linkage and integration with the existing commercial lands along the Island Highway No. 19A and institutional uses including the Lighthouse Community Hall, seniors housing and park land.
2. For Dunsmuir Village Centre, the tourist and business frontage for the Village shall be encouraged to be oriented toward Horne Lake Road and existing commercial areas along the Island Highway No. 19A and shall provide pedestrian and vehicle linkages with the existing residential areas and vacant lands adjacent to Horne Lake Road.
3. The character of commercial development will generally:
 - a. be integrated with and enhance the character of the existing development,
 - b. be designed with a mix of commercial building styles, and constructed as small scale, low-rise structures that are clustered together,
 - c. be oriented toward adjacent streets where possible, and
 - d. be designed to have separate buildings or buildings that appear as small, individual buildings rather than a single large building.
5. The character of multi-family development will generally:
 - a. be in keeping with the village character and surrounding residential or rural areas,
 - b. provide a range of housing types,
 - c. be clustered in small groups,
 - d. be ground oriented wherever possible; and
 - e. incorporate landscaping to separate residential clusters.
6. Incorporating natural materials to create a “west coast” style into the design is encouraged.
7. Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance

- with the Regional District’s Community Parks and Trails Strategy, Regional Parks and Trails Plan, or Active Transportation Plan, and any subsequent editions.
8. Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
 9. Development shall not be separated or ‘gated’ with walled or fenced enclaves.
 10. Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
 11. Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
 12. All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
 13. Design sites and buildings to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, and re-use systems and other techniques aligned with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions.
 14. Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District
 15. Mature trees shall be preserved and, where possible, integrated with new landscaping. The planting of trees is strongly encouraged.
 16. Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions. Otherwise, landscaping shall generally be in accordance with the current land use bylaw landscape regulations.
 17. Exterior lighting shall be low intensity, pedestrian-oriented with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lightening is encouraged.
 18. All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
 19. Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.
 20. For land to be developed where a commercial property abuts residential zoned property(s), landscaped a buffer area should be provided between the commercial property and the residential property(s).

21. For land to be developed that is adjacent to or adjoining an Agricultural Land Reserve boundary a buffer area containing vegetation or fencing or a combination of both shall be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in Guide to Edge Planning: Appendix B, published by the BC Ministry of Agriculture, or any subsequent editions.