



This is the 2nd Affidavit
of JAMES ANDREW WARREN in this case
and was made on 12/Dec/2018

No. S1811213
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

3L DEVELOPMENTS INC.

PETITIONER

AND:

COMOX VALLEY REGIONAL DISTRICT

RESPONDENT

AFFIDAVIT

I, JAMES ANDREW WARREN, municipal civil servant, of 600 Comox Road, Courtenay, British Columbia, V9N 3P6, AFFIRM THAT:

1. I am employed by the Respondent, Comox Valley Regional District, (the "Regional District"), as its General Manager of Corporate Services, and have been the statutory corporate officer for the Regional District at all times relevant to this matter. I have personal knowledge of the matters hereinafter deposed to, save and except where those matters are stated to be based on information and belief, and to such latter matters, I verily believe the same to be true.
2. Attached as Exhibit "A" to this Affidavit is a true copy of the consolidation of the Comox Valley Regional District Procedure Bylaw No. 1, 2008.
3. Attached as Exhibit "B" to this Affidavit is a true copy of the consolidation of the Comox Valley Regional District Planning Procedures and Fees Bylaw, 2008.

4. Attached as Exhibit "C" to this Affidavit is a true copy of the Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, and the "Regional Growth Strategy for Comox Valley Regional District".
5. Attached as Exhibit "D" to this Affidavit is a true copy of the consolidation of the Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014.
6. Attached as Exhibit "E" to this Affidavit is a true copy of the consolidation of the Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.
7. Attached as Exhibit "F" to this Affidavit is a true copy of the consolidation of the Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, without Schedule "A" thereto. This Bylaw, and Schedule "A" thereto, does not apply to the lands that are the subject of this matter. Rural Comox Valley Official Community Plan Bylaw No. 2042, 1998, and Schedule "A" thereto, apply to the lands that are the subject of this matter.

AFFIRMED BEFORE ME at Vancouver, British Columbia, on 12/Dec/2018.


A Commissioner for taking Affidavits for British Columbia


James Andrew Warren

Sukhbir Manhas
Young Anderson
Barristers and Solicitors
1616 - 808 Nelson Street
Box 12147, Nelson Square
Vancouver, BC V6Z 2H2
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This is Exhibit "A" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia



Regional District Procedure Bylaw

The following is a consolidated copy of the regional district procedure bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
1	Comox Valley Regional District Procedure Bylaw No. 1, 2008	October 28, 2008	A bylaw to regulate the proceedings of the board of the Comox Valley Regional District
41	Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 1	March 31, 2009	A bylaw to amend the board procedure bylaw to require motions at board and committee meetings be seconded before debate occurs on the motion
77	Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 2	October 27, 2009	Amend to reflect current job titles
250	Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 3	March 26, 2013	A bylaw to amend the board procedure bylaw to designate a committee of the whole chair and vice chair, provide for electronic meetings and allow for minor housekeeping revisions
407	Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 4	February 23, 2016	A bylaw to amend the board procedure bylaw to align with other Comox Valley local governments' procedural requirements for delegations, align with current legislative requirements and allow for minor administrative revisions
420	Comox Valley Regional District Procedure Bylaw No. 1, 2008, Amendment No. 5	April 26, 2016	A bylaw to amend the board procedure bylaw to allow for the automatic recording of dissenting votes in the minutes of Comox Valley Regional District committee, commission and board meetings.

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.**

Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 1

A bylaw to regulate the proceedings of the board of the Comox Valley Regional District

WHEREAS the board of the Comox Valley Regional District, pursuant to section 225 of the *Local Government Act* (SBC, 2015, c.1), must establish the general procedures to be followed by the board and by board committees in conducting their business, provide for advance public notice of board and board committee meetings, and identify public notice posting places;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Definitions

1. In this bylaw, unless the context otherwise requires, the following definitions shall apply:

Board means the governing and executive body of the Comox Valley Regional District constituted as provided in the *Local Government Act* (SBC, 2015, c.1);

Chair means the elected chair of the board pursuant to this bylaw;

Director means an elected or appointed official of the Comox Valley Regional District board of directors;

Chief administrative officer (CAO) means the senior administrative official pursuant to section 235 of the *Local Government Act* (SBC, 2015, c.1)

Corporate legislative officer means the officer assigned the responsibilities of corporate administration pursuant to section 236 of the *Local Government Act* (SBC, 2015, c.1) and as identified in the regional district officer bylaw;

Member means a duly appointed or elected representative of the board or a board committee;

Resolution means a formal motion placed before a meeting in order that it may be debated to a conclusion;

Presiding member means the person responsible for the conduct and control of a meeting. In the case of board meetings, the chair of the board is the presiding member (unless otherwise delegated due to the absence of the chair of the board). In the case of committee meetings, the chair of the committee is the presiding member unless otherwise indicated in this bylaw or unless otherwise delegated due to the absence of the chair of the committee;

Public notice posting place means the notice board located at the offices of the Comox Valley Regional District and the regional district website; and

Website means the information resource found at an Internet address provided by the regional district.

Notice of regular board meetings

2. (1) At least 72 hours before a regular meeting of the board, the corporate legislative officer must give public notice of the time, place and date of the meeting by way of a notice posted at the public notice posting place.
- (2) At least 24 hours before a regular meeting of the board, the corporate legislative officer must give further public notice of the meeting by posting a copy of the draft agenda at the public notice posting place thereby making the draft agenda available to each director of the board and members of the public.

Notice of special meetings

3. Notice of special board meetings is to be provided in accordance with section 220 of the *Local Government Act* (SBC, 2015, c.1).

Notice of committee meetings

4. At least 24 hours before a meeting of a committee, the corporate legislative officer must give notice of the meeting by posting a copy of the draft agenda at the public notice posting place thereby making the draft agenda available to each committee member and members of the public.

Inaugural meeting

5. (1) Pursuant to the provisions of the *Local Government Act* (SBC, 2015, c.1), the board shall meet in an inaugural meeting at such time as shall be appointed by the corporate legislative officer in writing.
- (2) The presiding member of the inaugural meeting shall be the corporate legislative officer until such time as the chair and vice-chair have been elected. The corporate legislative officer shall only act as the presiding member for the purpose of conducting the election of chair and vice-chair. Prior to conducting the elections the corporate legislative officer shall confirm that all directors have completed the oath of office or oath of allegiance as required by the *Local Government Act* (SBC, 2015, c.1).
- (3) The corporate legislative officer shall announce the results of the election of the chair and vice-chair, following which the chair of the board shall assume the role of presiding member.

Election of the chair and vice-chair

6. (1) The board shall elect a chair from among its directors at the inaugural meeting pursuant to the *Local Government Act* (SBC, 2015, c.1). The chair shall fulfill those obligations placed upon this position by legislation and by approved board policy.
- (2) The corporate legislative officer shall call for nominations for the position of chair of the board and will do so three (3) times. At the close of nominations, if more than one candidate has been nominated, those candidates or their representatives will be allowed a maximum of three (3) minutes to outline why he/she should be chosen for the position.
- (3) In the event that there are more than two candidates in any such election and no candidate receives a clear majority of votes (i.e. 50% plus one vote) on the first ballot, the candidate receiving the least number of votes shall be deleted and a second ballot shall be taken. Further ballots shall be taken as necessary, repeating the procedure of deleting the candidate that in each preceding ballot received the least number of votes, until a candidate with a clear majority emerges.
- (4) Only those ballots that indicate an officially nominated candidate will be counted towards the election and be used to determine a clear majority.
- (5) In the event of two tie votes the board shall pass a resolution to either determine the election of chair by the drawing of lots or start the election process over.
- (6) An election of vice-chair shall then be conducted pursuant to subsections (1) through (5) above, but the candidates will be permitted a maximum of two (2) minutes to outline why he/she should be chosen for the position.
- (7) The election of the chair and vice-chair shall be conducted by secret ballot.

Agenda

7. (1) The corporate legislative officer shall prepare an agenda for each meeting of the board.
- (2) The chair of the board shall review and approve the agenda for each meeting of the board prior to its publication.
- (3) At any meeting the board may consider
 - (a) Addendum items; or
 - (b) Any item added to the agenda by the chair of the board or any director/member; providing that such items receive a majority vote of the directors/members present to have such items considered at the meeting.

- (4) The order of business at all regular meetings of the board shall be as per the policy of the board, which may be amended from time to time by the board.
- (5) The order of business at all committee meetings shall be as per board policy, which may be amended from time to time by the board.
- (6) Any committee of the board shall file the minutes of its meetings with the corporate legislative officer immediately following a meeting of the committee (i.e. as soon as the secretary to the committee produces the minutes).

Attendance of the public at meetings

- 8. (1) Except where the provisions of section 90 of the *Community Charter* (SBC, 2003, c. 26) apply, all board meetings must be open to the public.
- (2) Before closing a board meeting or part of a board meeting to the public, the board must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* (SBC, 2003, c. 26).
- (3) This section applies to meetings of bodies referred to in section 93 of the *Community Charter* (SBC, 2003, c. 26), including, without limitation:
 - (a) Select and standing committees of the board;
 - (b) The board of variance;
 - (c) The parcel tax review panel;
 - (d) Advisory planning commissions.
- (4) Despite subsection (1) the presiding member may expel or exclude from a meeting a person in accordance with section 133 of the *Community Charter* (SBC, 2003, c. 26).

Delegations

- 9 (1) A delegation may address the board or one of its committees providing a request has been submitted to the corporate legislative officer in writing at least one week before the meeting day including the name and address of the spokesperson and the specific written details of each delegation.
- (2) A delegation that has not submitted a request in accordance with subsection 1 may request in writing to appear as a late delegation and the presiding member may waive compliance with subsection 1 with at least two-thirds approval of the members in attendance.
- (3) The corporate legislative officer may refuse to place a delegation on a board or committee meeting agenda if the subject matter is not considered to fall within the jurisdiction of the regional district. If the delegation wishes to appeal the decision of the corporate legislative officer, the appeal must be presented to the board or committee for consideration at the next available meeting.
- (4) A delegation is allowed a maximum of ten minutes to make its presentation, unless the board or committee consents to extend the time limit by approval of at least two-thirds of the members in attendance.
- (5) The number of delegations at any board or committee meeting will be limited to three except under extraordinary circumstances approved by the board or committee chair prior to the meeting.
- (6) No action will be taken on a delegation request at a board or committee meeting until the next regular meeting. Under extraordinary circumstances, the board or committee may resolve, by a two-thirds affirmative vote of members present at the meeting, to consider the request immediately.

- (7) No delegations may address the board or a committee regarding a bylaw in respect of which a public hearing has been held.
- (8) Nothing in this bylaw shall be interpreted as requiring the board or a committee to hear delegations on a proposed contract award prior to final board consideration on awarding that contract. Communication of any kind during a competitive procurement process between CVRD board members and prospective suppliers can compromise the integrity of the process and may offer an unfair advantage to other proponents or tenderers not afforded the same opportunity.

Quorum

- 10 (1) In accordance with the *Interpretation Act* (RSBC, 1996, c. 238), at least half of the number of members of the board or committee constitutes a quorum at a meeting.
- (2) At the appointed time for the commencement of the meeting, the chair or in the absence of the chair, the vice-chair, shall ascertain that a quorum is present before proceeding to the business of the meeting. If neither the chair nor the vice-chair is present within fifteen (15) minutes after the time appointed for the meeting, the corporate legislative officer or most senior staff member present shall call the meeting to order, ascertain that a quorum is present and if so, the board shall appoint an acting chair who shall preside during the meeting or until the arrival of the chair or vice-chair. Such person appointed, as acting chair, shall have all the powers and be subject to the same rules as the chair.
- (3) Should there be no quorum present within one-half hour after the time appointed for the meeting, the corporate legislative officer or most senior staff member present shall record the names of the members then present and the board shall stand adjourned until the next meeting which shall be called as soon as is practical.

Regular meetings

- 11. (1) Regular meetings of the regional district board of directors must take place within the offices of the Comox Valley Regional District unless the location is changed by resolution of the board.
- (2) Prior to January 15 of each year the chair of the board shall establish a schedule of board and standing committee meetings for the year.

Electronic meetings

- 12. (1) Members who are unable to attend at the meeting location may participate in a board or committee meeting by means of electronic communications upon approval of the board or committee chair. The meeting must be conducted in such a manner that enables the public to hear, or watch and hear, the proceedings.
- (2) The chair or person presiding over a meeting must be physically present at the meeting. In the event that the chair opts to participate electronically, the vice-chair shall assume the role of presiding member. In the event that the vice-chair opts to participate electronically also, the chair shall select a member who will be physically present at the meeting and appoint that person as the presiding member.
- (3) Notwithstanding section 11 (quorum), a quorum for an electronic meeting shall be determined by ascertaining the number of members present at the specified meeting place and those members participating by electronic means. Should the connection for those members participating electronically fail during the meeting and quorum be lost, the presiding member at the specified meeting place shall announce to those present the time and location where the current meeting will reconvene, if possible.
- (4) Notice of the electronic meeting must include notice of the manner in which the meeting is to be conducted. The chief administrative officer or designate must be in attendance at the specified meeting place.
- (5) Although every effort will be made to accommodate electronic participation in meetings, nothing

in this bylaw shall be construed to guarantee any member electronic access to a meeting. In the event of an equipment failure or other occurrence which prevents or limits electronic participation, the meeting will not be adjourned. Electronic participation in meetings may be restricted by the capacity or dependability of the equipment employed.

- (6) When members are participating in a meeting by electronic means, the presiding member shall, before calling for a vote on every motion, ask each member who is participating electronically:
 - (i) that the member has heard and understood the discussion; and
 - (ii) whether the member is in favour of or opposes the motion.

Debate

13. (1) Debate on any matter shall be strictly relevant to the agenda topic and/or proposed resolution currently before the meeting and the presiding member shall warn speakers who violate this rule and if necessary rule them out of order.
- (2) No director/member shall speak until recognized by the presiding member.
- (3) Every director/member desiring to speak shall address the presiding member.
- (4) No director/member shall interrupt a person speaking except to raise a point of order.
- (5) A point of order may be raised if the procedural rules appear to have been broken.
- (6) Where a point of order is raised:
 - (a) the chair shall suspend debate on the matter currently before the meeting;
 - (b) the person raising the point of order shall define the procedural matter under which the point of order has been raised;
 - (c) the chair shall determine whether the point of order is sustained or overruled;
 - (d) if the point of order is ruled overruled, the debate resumes on the matter previously suspended;
 - (e) if the point of order is sustained, the chair directs the appropriate corrective action;
- (7) Any director/member may appeal any decision of the chair (this is commonly referred to as challenging the decision of the chair) and where this happens:
 - (a) The chair shall suspend debate on the matter currently before the meeting and ask the director/member appealing the decision to clarify the reasons for the appeal;
 - (b) The chair shall explain his or her reasons for the initial decision;
 - (c) The chair then allows for a brief discussion regarding the appealed decision;
 - (d) The chair then puts the appeal to a vote and following the vote announces the result;
 - (e) A majority vote against the chair's decision is required to reverse it. This means that a tie vote sustains the chair's decision.
- (8) The presiding member shall have the discretion to call the question on completion of debate and the presiding member shall advise that the debate is closed. Following closure of debate no members shall speak further on the question.
- (9) The presiding member is afforded the courtesy of briefly speaking to each and any resolution before the board in a summary fashion. If the comments by the presiding member initiates further discussion, and the presiding member desires to take part in the debate, the vice-chair shall be asked by the presiding member to chair the portion of the meeting until the debate is concluded and should the vice-chair fail to do so, the presiding member shall appoint one of the members to preside until the debate is concluded.
- (10) The presiding member shall at all times conduct the manner and order of speaking so that all sides of a question may be as fully presented as the circumstances warrant and shall ensure that each

director/member is allowed an opportunity to speak. When two or more directors/members desire to speak, the presiding member shall name the director/member who shall be first heard.

- (11) Any director may discuss or debate a matter pertaining to the policy governing a service even where the electoral area or municipality that the person represents is not a participating area in that service.

Chief Administrative Officer

14. (1) The presiding officer shall, prior to asking for debate on a resolution, ask the CAO if he/she has any comments on the matter before the board. The CAO may speak directly to the matter or may defer that opportunity to one of his/her staff members currently in the meeting room.
- (2) Where the CAO has reason to believe that circumstances have changed since placing the matter on the agenda, the CAO may explain those circumstances and ask that the matter be withdrawn from consideration at this time. The presiding officer shall place that recommendation before the board and ask that the resolution be considered.
- (3) All questions to the administration shall be directed through the presiding member to the CAO who will determine which member of his/her administration ought to respond.

Motions

15. (1) Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result.
 1. The presiding member may divide a motion containing more than one subject if the presiding member feels this would produce a fairer or clearer result and the same shall be voted on in the form in which it is divided.
 2. A motion to terminate the meeting or to terminate the debate shall always be in order but should the resolution fail the same member may not present it again during that meeting.
 3. Written motions may or may not be provided in advance to the members.
 4. Any motion shall be addressed to the subject matter currently before the board and that motion shall be seconded before debate occurs on the motion.
 5. With the consent of the board, the motion may be withdrawn at any time before decision or amendment.
 6. When the presiding member is of the opinion that a motion offered to the members is contrary to this bylaw or relates to matters beyond the powers of the members, the presiding member may inform the members immediately, giving reasons for that opinion, and the presiding member may request the support of his/her decision by the members by resolution.
 7. A motion to refer the subject matter to a committee, until it is decided, shall preclude all amendment of the main question.
 8. The first person entitled to speak in any debate is the member who proposed the motion.
 9. Except when a motion to terminate or adjourn has been made, a member may make a motion to table but shall not debate the content of the motion that is the subject of the tabling motion, however, the tabling motion itself is debatable. A motion to table can only be made when some other emergent matter must be considered prior to the motion being considered and must have the matter brought back before the board during the same meeting at which the motion to table is made.
 10. Other than in respect of a motion to postpone to a time within the same meeting, members may debate a motion to postpone.
 11. A motion to refer or postpone a matter must state the time and date at which the referred or postponed matter is to be further considered.

Amendments

16. (1) No members shall move any motion to amend that negates the purpose of the main motion.
 1. Members shall withdraw or decide any amendment to a motion before the main motion is put to a vote.
 2. Only one amendment shall be allowed at one time to an amendment and an amendment once negated by the board cannot be proposed a second time. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principal embodied in the main motion. An amendment to a motion does not require notice.
 3. If the amendment to a motion is:
 - (a) Carried, the previous motion is then voted on as amended; or
 - (b) Defeated, the previous motion is again before the members.
 4. Amendments shall be put in the reverse order to that in which they were made, that is to say, the last amendment shall be voted on first.

Bylaws

17. (1) Unless the board otherwise resolves:
 - (a) Before the board considers any proposed bylaw, the corporate legislative officer shall provide each member with a copy of the proposed bylaw; and
 - (b) The board may not consider a proposed bylaw unless it is on the agenda.
- (2) The board adopts a bylaw when all approvals and procedures required by statute prior to adoption have been followed and the board has given the following readings to the bylaw:
 - (a) First and second readings;
 - (b) Third reading; and
 - (c) Adoption.

Resolutions

18. Any member may make a resolution on the topic currently under discussion providing that he/she has been so recognized by the chair.

Minutes

19. (1) Minutes of board meetings must be kept in accordance with section 223(1) of the *Local Government Act* (SBC, 2015, c.1). For purposes of section 223(1)(b) of the *Local Government Act* (SBC, 2015, c.1) the designated officer is the corporate legislative officer.
- (2) Minutes of committee meetings must be kept in accordance with section 223(2) of the *Local Government Act* (SBC, 2015, c.1).
- (3) The results of each vote on a motion and any dissenting votes of members shall be recorded in the minutes.
- (4) If a member requests that the members be polled on a vote, the names of all members in attendance and whether they voted in favour or in opposition of the motion voted upon shall be recorded in the minutes.
- (5) The following shall be contained in the minutes of board and committee meetings:
 - (a) The committee or board name, date and location of the meeting;
 - (b) The time the meeting is called to order and the time the meeting terminates;
 - (c) A list of the directors/members and staff members in attendance; and
 - (d) Resolutions that are debated upon and the results of the vote for each resolution.

Committees

20. (1) Prior to January 15 of each year the chair of the board may:
 - (a) Establish standing committees for the coming year; and
 - (b) Appoint members to those committees;
 pursuant to section 218 of the *Local Government Act* (SBC, 2015, c.1) and in accordance with board policy.
- (2) The general duties of standing committees shall be as per the terms of reference approved by the board chair.
- (3) The elected board chair and vice chair shall serve as the chair and vice chair of the committee of the whole.
- (4) In the event the chair of the board has not established standing committees for the year, the standing committees of the previous year shall continue to exist until otherwise directed by the chair of the board.
- (5) Select committees shall be established by resolution of the board pursuant to section 218 of the *Local Government Act* (SBC, 2015, c.1) and in accordance with board policy.
- (6) Unless specified by committee or commission establishing bylaws, voting on motions at all committee and commission meetings shall be in accordance with section 206 of the *Local Government Act* (SBC, 2015, c.1) and committee members who are not regional district directors shall be entitled to one vote per person.
- (7) Directors who are not members of a committee may attend a meeting of that committee and may take part in any discussion or debate by permission of a majority of the committee members but may not vote.

Committee procedures

21. All committees of the board shall be governed by committee terms of reference that shall outline the operating principles and guidelines for all committees. The terms of reference are in addition to any requirements under this bylaw.

Rules of order

22. Where a procedural matter is not covered by this bylaw, the matter shall be placed before the board as a resolution drafted by the corporate legislative officer, with the prior approval of the chair and vice-chair to present the resolution to the board to resolve the procedural matter.

Severability

23. If any provision of this bylaw is found to be invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

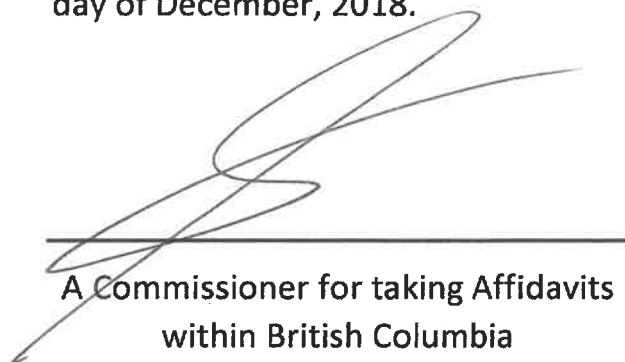
Repeal

24. Bylaw No. 2991 being "Regional District Procedure Bylaw 2007" and all amendments thereto are hereby repealed.

Citation

25. This Bylaw No. 1 may be cited as "Comox Valley Regional District Procedure Bylaw No. 1, 2008".

This is Exhibit "B" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia



Bylaw No. 3

Planning Procedures & Fees Bylaw, 2008

(consolidated version)



PLANNING PROCEDURES & FEES BYLAW, 2008

The following is a consolidated copy of the planning procedures and fees bylaw and includes the following bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
3	Comox Valley Regional District Planning Procedures & Fees Bylaw, 2008	April 22, 2008	A bylaw to establish the procedures and fees within the Comox Valley Regional District in accordance within Part 26 of the Local Government Act
33	Comox Valley Regional District Planning Procedures & Fees Bylaw, 2008, Amendment No. 1	March 31, 2009	To amend the current planning procedures and fees bylaw in order to reintroduce the previously board-adopted amendments; to update various sections of the bylaw by clarifying language, improving consistency, and deleting an obsolete planning procedure.
70	Comox Valley Regional District Planning Procedures and Fees Bylaw, 2008, Amendment No. 2	October 27, 2009	To introduce the procedures and refund policy on circulating bylaw amendments to gov't departments and external agencies delete references to Electoral Area 'D'
125	Comox Valley Regional District Planning Procedures and Fees Bylaw, 2008, Amendment No. 3	March 20, 2014	To update planning application fees, so that the fees are reflective of the estimated average costs of processing and administration for typical applications

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the manager of legislative services at the Comox Valley Regional District to view the complete bylaw when required.

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COMOX VALLEY REGIONAL DISTRICT**BYLAW NO. 3**

**A bylaw to establish the procedures and fees
within the Comox Valley Regional District in accordance
within Part 26 of the *Local Government Act***

The board of the Comox Valley Regional District in open meeting assembled, enacts as follows:

1. Title

This Bylaw No. 3 may be cited for all purposes as the “Comox Valley Regional District Planning Procedures and Fees Bylaw, 2008”.

2. Application

- i) This bylaw shall be applicable to all lands and surface of the water within the Comox Valley Regional District that are subject to any permit or application procedure as outlined in this bylaw.
- ii) The fee schedule for the applications included in this bylaw is set out in Schedule ‘A-1’ attached hereto, which forms part of this bylaw.
- iii) Procedures under which an owner of land may apply for an amendment to a zoning bylaw and an official community plan are set out in Schedule ‘A-2’ attached hereto, which forms a part of this bylaw.
- iv) Procedures under which an owner of land may apply for the issue of a development variance permit are set out in Schedule ‘A-3’ attached hereto, which forms a part of this bylaw.
- v) Procedures under which an owner of land may apply for the issue of a development permit are set out in Schedule ‘A-4’ attached hereto, which forms a part of this bylaw.
- vi) Procedures under which an owner of land may apply for the issue of a environmentally sensitive areas development permit, where approval has been delegated to the regional district approving officer, are set out in Schedule ‘A-5’ attached hereto, which forms a part of this bylaw.
- vii) Procedures under which an owner of land may apply for the issue of a Board of Variance approval are set out in Schedule ‘A-6’ attached hereto, which forms a part of this bylaw.
- viii) Procedures under which an owner of land may apply for the issue of a temporary commercial use and temporary industrial use permit are set out in Schedule ‘A-7’ attached hereto, which forms a part of this bylaw.
- ix) Procedures under which an owner of land may apply for a home occupation or domestic industrial use approval are set out in Schedule ‘A-8’ attached hereto, which forms a part of this bylaw.
- x) Procedures under which an owner of land may apply for a mobile home park permit are set out in Schedule ‘A-9’ attached hereto, which forms a part of this bylaw.

- xi) Procedures under which an owner of land may apply for relaxation of floodplain management provisions are set out in Schedule 'A-10' attached hereto, which forms a part of this bylaw.
- xii) Procedures under which an owner of land may apply to convert an existing building into strata lots are set out in Schedule 'A-11' attached hereto, which forms a part of this bylaw.
- xiii) Procedures under which an owner of land may apply for permission to occupy an existing single family dwelling during construction of an additional new family dwelling are set out in Schedule 'A-12' attached hereto, which forms a part of this bylaw.
- xiv) Guidelines for the content and posting of a required development proposal notice sign are set out in Schedule "A-13" attached hereto, which forms part of this bylaw.

3. **Relation to *Local Government Act* and Severability**

- i) This bylaw is not intended to conflict with any provision of the *Local Government Act* relating to any application nor to fetter any statutory authority of the regional district.
- ii) If any section or subsection of this bylaw is found to be invalid it may be severed without affecting the validity of the remainder of the bylaw.

4. **Repeal and Effective Date**

- i) Bylaw No. 2989 being the "Planning Procedure and Fee Bylaw, 2007" and all amendments thereto is hereby repealed upon adoption of this bylaw.
- ii) This bylaw comes into effect on April 1, 2008.

SCHEDULE "A-1"

Fees Applicable Under Bylaw No. 3

#125

(1)	Bylaw amendment	
(a)	Official community plan	
	(i) As a standalone application	
	(1) Minor (<i>e.g.</i> , policy change without changing density nor land use designation)	\$4,000
	(2) Major (<i>e.g.</i> , change to density or land use designation)	\$5,000
	(ii) In conjunction with a zoning bylaw amendment application	\$2,500
(b)	Zoning bylaw	
	(i) Amendments limited to a zone exception	\$2,000
	(ii) All other amendments	\$3,000
(2)	Temporary use permit (per lot; see (13) for multiple lots)	
(a)	New application	\$1,500
(b)	Renewal	\$750
(3)	Development permit (DP) (per lot; see (13) for multiple lots)	
(a)	As a standalone application	
	(i) DP issuance has been delegated to Comox Valley Regional District (CVRD) officers	
	(1) Development permit area (DPA) No 1: Aquatic environmentally sensitive areas	\$300
	(2) DPA No. 2: Eagles Drive	\$400
	(3) DPA No. 3: Eagle nest trees	\$300
	(4) DPA No. 4: Heron nest sites	\$300
	(5) DPA No. 5: Back Road	\$400
	(6) DPA No. 8: Steep slopes	\$400
	(7) DPA No. 18: Shoreline protection devices	\$400
	(ii) DP issuance by the board (variable fees may apply)	
	(1) If a DP has been issued for the subject property, signage DP area guidelines only	\$200
	(2) DPA No. 6: Commercial and industrial uses	\$1,000

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|--|---------|
| (3) DPA No. 7: Resort tourism | \$1,000 |
| (4) DPA No. 9: Buffer for agricultural land | \$400 |
| (5) DPA No. 10: Union Bay – tourism highway commercial | |
| (a) Residential, rural or agricultural use only | \$400 |
| (b) All other uses (including mixed uses) | \$1,000 |
| (6) DPA No. 11: Village core (Royston local area plan) | |
| (a) Residential, rural or agricultural use only | \$400 |
| (b) All other uses (including mixed uses) | \$1,000 |
| (7) DPA No. 12: Residential – conservation design (Royston local area plan) | \$400 |
| (8) Mount Washington | |
| (a) Residential, rural or agricultural use only | \$400 |
| (b) All other uses (including mixed uses) | \$1,000 |
| (9) DPA No. 17: Kensington comprehensive development permit area | |
| (a) Residential, rural or agricultural uses only | \$400 |
| (b) All other uses (including mixed uses) | \$1,000 |
| (10) Variable fees for DP issuance by the board | |
| (a) If the proposal is for residential use, add \$25 per residential unit over two units | |
| (b) If the proposal is for any other uses, add \$1 per one square metre of floor area over 500 square metres or add \$25 per 0.1 hectares of lot area over 1.0 hectare of lot area, whichever results in the greater fee | |
| (c) If the proposal contains both residential and other uses, the application fee shall be the combined total of the two fees | |
| (b) In conjunction with another application | |
| (i) For multiple DP applications within the same issuance authority, the application fee shall be the greatest fee within that group | |
| (ii) For multiple DP applications not within the same issuance authority, the application fee shall be the combined total of the greatest fee within those groups | |
| (c) Permit amendment for an approved development permit | |
| (i) If the amendment is made within the first two years of permit issuance, the additional fee shall be 75 per cent of the new application fee | |

BYLAW NO. 3**PLANNING PROCEDURES & FEES BYLAW, 2008 • PAGE 7**

- (ii) If the amendment is made after the first two years of permit issuance, the additional fee shall be the same as the new application fee

(4)	Development variance permit (per lot; see (13) for multiple lots)	\$500
(5)	Board of variance (per lot; see (13) for multiple lots)	\$500
(6)	Site specific amendment to floodplain management bylaw (per lot; see (13) for multiple lots)	\$600
(7)	Subdivision referral	
	(a) Lot line adjustment where no net increase in the number of lots or lot consolidation	\$750
	(b) Subdivision (base fee)	\$1,000
	(i) Variable fee: for each additional lot over two lots	\$100
(8)	Strata conversion	
	(a) Base fee	\$1,500
	(i) Variable fee: for each additional lot or unit over two lots or units	\$100
(9)	For each home occupation, bed and breakfast, domestic business or domestic industrial use (per lot; see (13) for multiple lots)	\$150
(10)	Temporary occupation of an additional dwelling (per lot; see (13) for multiple lots)	
	(a) If the \$5,000 security deposit is to be paid by cash, cheque, debit card, irrevocable letter of credit or other form satisfactory to a CVRD officer	\$100
	(b) If a section 219 restrictive covenant is to be registered as a "rent charge" on the land title of the subject property (plus the CVRD lawyer's expenses on an "at-cost" basis)	\$250
(11)	Property information request report (per lot; see (13) for multiple lots)	\$150
(12)	Site profile (per lot; see (13) for multiple lots)	\$100

(13) Multiple lots in one application

- (a) For sections (2) to (6), the additional fee for each additional lot shall be \$150 or 25 per cent of the application fee, whichever results in the greater fee
- (b) For sections (9) to (12), the additional fee for each additional lot shall be the separate application fee

(14) Development proposal notice sign, statutory public hearing or public information session

- (a) If an application requires the installation of a development proposal notice sign, the applicant shall pay for the installation, maintenance and removal of such sign
- (b) Each statutory public hearing organized and conducted by CVRD staff (this fee includes the publication of notice in a newspaper, and this fee shall be fully refundable if the board declines to advance the application to statutory public hearing) \$1,500
- (c) Each public information session organized and conducted by CVRD staff, at the request of a standing committee of the board or the board \$1,000

(15) Land title and related documents

- (a) All application fees include **electronic** retrieval of certificate of title, covenant, easement, right-of-way agreement, plan and development agreement
- (b) For each **manual** retrieval of covenant, easement, right-of-way, plan and development agreement from the Land Title Office, the additional fee shall be \$50
- (c) Covenant, easement, right-of-way, plan and development agreement modification or discharge
 - (i) If the document was registered in connection with a bylaw amendment, its modification or discharge requires a statutory public hearing; the application fee shall be the CVRD lawyer's expenses on an "at-cost" basis, plus the statutory public hearing fee
 - (ii) If the document was not registered in connection with a bylaw amendment, the application fee for its modification or discharge shall be the CVRD lawyer's expenses on an "at-cost" basis

(16) Application extension

- (a) For each application extension, the additional annual fee shall be 75 per cent of the new application fee, payable prior to board approval and refundable if extension request is denied by the board

(17) Application withdrawal or refund

(a) If an application is withdrawn in writing

(i) Before referral has been circulated for internal departments for comments, the refundable portion of the application fee shall be 75 per cent

(ii) Before a document, such as a staff report or the preliminary conditions for a subdivision, is signed by a CVRD officer, the refundable portion of the application fee shall be 50 per cent

(b) Unless otherwise stated in this bylaw, no refunds for any application that has been considered by a CVRD officer or the board, unless upon written request by the applicant, and the board approves a refund by resolution

APPLICATION TO AMEND A ZONING BYLAW OR AN OFFICIAL COMMUNITY PLAN

1. *Application*

An application shall be completed upon a form provided by the regional district which then shall be delivered to the regional district together with such additional plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 8 “Application Requirements” below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Public Notification*

- i) The *Local Government Act* sets out the requirements for the notification of a public hearing or when a public hearing is required or can be waived.
- ii) Within the Comox Valley Regional District, notice of a public hearing or the waiving of a public hearing shall be published in an appropriate newspaper, according to the policies of the board and notice shall be mailed to the owners, as shown on the assessment roll as of the date of first reading of the bylaw, and to the residents of all properties within 50.0 metres (164.0 feet) of the land subject to the public hearing.

8. *Application Requirements*

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district. All drawings submitted must be clearly drawn to proper scale. Where applicable drawings must include an authorized professional's signature and seal.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor or a clear, drawn to scale representation of the proposal acceptable to the general manager of property services branch.
- iv) A **Written Brief** which describes the present and intended use of the site and reasons/rationale for the proposal.

In addition, during the processing of an application prior to final consideration of an authorizing bylaw, an applicant may be required to provide additional information such as:

- 1) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. Terms of reference for these studies will be specified by the regional district, when required.
- 2) **Certification of Compliance** as required prior to proceeding to public hearing, where the proposed development falls within the scope of the Contaminated Sites Regulations of the *Environmental Management Act*.
- 3) A current (dated not more than 12 months prior to the date of application) **compliance letter and septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district.
- 4) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- 5) As every application is unique, there may be further requirements at the direction of the regional district. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and

heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.

9. *Processing*

The following procedure will apply:

- i) The application will be forwarded for comment to other government departments and agencies, where necessary.
- ii) Staff may contact the applicant to discuss any issues that arise during the review process and additional information may be required to support the application.
- iii) Upon receipt of all comments a staff report will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before any committee of the regional district reviewing his or her application.
- iv) Notwithstanding Items (i) to (iii), at the discretion of the general manager of property services branch, an application may be forwarded to the regional district board for comments prior to circulation of the application to government departments and agencies.
- v) The applicant shall erect a development proposal notice sign at a highly visible location on the subject property or an alternative location as approved by the general manager of property services branch. The applicant must submit a photograph confirming the sign has been erected at least ten business days before the public hearing date. Failure to do so will require a rescheduling of the public hearing and additional fees. Specifications for development proposal notice signs may be found in Schedule A-13, Development Proposal Notice Sign Guidelines.
- vi) The regional board will, upon receipt, consider the committee's recommendation and may approve the application in principle, give initial readings to the implementing bylaw, or may refer, table, or deny the application.
- vii) The regional board may request that:
 - 1) an applicant advertise and host one or more public information sessions, open houses or public meetings at their expense;
 - 2) conducts or pay a consultant to conduct any studies deemed necessary; or
 - 3) provide any other information or execute any actions that, in the opinion of the Board may be required to make a decision on to whether an application may be approved.
- viii) After an application receives initial approval by the board, and depending on the nature of the application, public hearings (after bylaw readings) as required by the LGA, may be conducted or waived with appropriate notification, public notices shall be implemented as required and /or public information meetings may be held at the discretion of the board.
- ix) Following public notification and public hearings, the regional board will consider a Zoning or OCP amendment bylaw and may, without further notice, give whatever effect it believes proper. (refer, table, approve or deny the application).

- x) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

1. *Application*

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 9 “Application Requirements” below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Performance Bonding*

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
 - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.

- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.
- iv) Works relating to the development of a single family residence or lot shall be exempted from the bonding requirement.

8. ***Notification of Adjacent Owners***

- i) The *Local Government Act* sets out the requirements for the notification of affected landowners and occupiers of land adjacent to a property where a variance is being considered.
- ii) Within the Comox Valley Regional District, notice of the variance application shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0 feet) of the land subject to the proposed amendment.

9. ***Application Requirements***

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district. All drawings submitted must be clearly drawn to proper scale. Where applicable drawings must include an authorized professional's signature and seal.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the reasons/rationale for the requested variance.

In addition, during the processing of an application, and prior to final approval, an applicant may be required to provide additional information such as:

- a) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. Terms of reference for these studies will be specified by the regional district, when required.
- b) **Certification of Compliance** as required where the proposed development falls within the scope of the Contaminated Sites Regulations of the *Environmental Management Act*.

- c) A current (dated not more than 12 months prior to the date of application) **compliance letter** and **septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district.
- d) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- e) As every application is unique, there may be further requirements, at the direction of the regional district. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- f) Where any proposed development is within a **Riparian Assessment Area** pursuant to the *Riparian Areas Regulation*, the procedures set out therein shall be followed.
- g) Where any proposed development is within a **Riparian Assessment Area** pursuant to the *Riparian Areas Regulation*, the procedures set out therein shall be followed.

10. PROCESSING

The following procedure will apply:

- i) A staff report and summary of the requested variance is prepared. Adjacent neighbours are advised of the requested variance.
- ii) The staff report and other information deemed relevant will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before any committee of the regional district reviewing his or her application.
- iii) The regional board will, upon receipt, consider the committee's recommendation and may grant the requested variance, or may refer, table, or deny the application.
- iv) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- v) If granted, the regional board will forward notice of the variance to Land Title Office for registration.

APPLICATION FOR A DEVELOPMENT PERMIT

1. *Application*

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 8 "Application Requirements" below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of six (6) months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Performance Bonding*

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
 - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.

- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.
- iv) Works relating to the development of a single family residence or lot shall be exempted from the bonding requirement.

8. ***Application Requirements***

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district. All drawings submitted must be clearly drawn to proper scale. Where applicable drawings must include an authorized professional's signature and seal.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the reasons/rationale for the requested permit and proposed variance if any.

In addition, during the processing of an application, and prior to final approval, an applicant may be required to provide additional information such as:

- a) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. Terms of reference for these studies will be specified by the regional district, when required.
- b) **Certification of Compliance** as required prior to proceeding to public hearing, where the proposed development falls within the scope of the Contaminated Sites Regulations of the *Environmental Management Act*.
- c) A current (dated not more than 12 months prior to the date of application) **compliance letter** and **septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district.

- d) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- e) As every application is unique, there may be further requirements, at the direction of the regional district. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- f) Where any proposed development is within a **Riparian Assessment Area** pursuant to the *Riparian Areas Regulation*, the procedures set out therein shall be followed.

9. **Processing**

The following procedure will apply:

- i) A staff report and summary of the requested development permit is prepared. Where the application includes variances to any of the local bylaws, adjacent neighbours are advised of the application and the requested variance.
- ii) The staff report and other information deemed relevant will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before any committee of the regional district reviewing his or her application.
- iii) The regional board will, upon receipt, consider the committee's recommendation and may grant the requested permit, or may refer, table, or deny the application.
- iv) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- v) Where the regional district issues a development permit, it shall file in the Land Title Office a notice that the land described in the notice is subject to the permit.

APPLICATION FOR AN ENVIRONMENTALLY SENSITIVE AREA (ESA) DEVELOPMENT PERMIT

1. *Application*

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 8 "Application Requirements" below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Performance Bonding*

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
 - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.

- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.
- iv) Works relating to the development of a single family residence or lot shall be exempted from the bonding requirement.

8. **Application Requirements**

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district. All drawings submitted must be clearly drawn to proper scale. Where applicable drawings must include an authorized professional's signature and seal.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the reasons/rationale for the requested permit.

In addition, during the processing of an application, and prior to final approval, an applicant may need to provide additional information such as:

- a) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. Terms of reference for these studies will be specified by the regional district, when required.
- b) **Certification of Compliance** as required prior to proceeding to public hearing, where the proposed development falls within the scope of the Contaminated Sites Regulations of the *Environmental Management Act*.
- c) A current (dated not more than 12 months prior to the date of application) **compliance letter and septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district.

- d) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- e) As every application is unique, there may be further requirements, at the direction of the regional district. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- f) Where any proposed development is within a **Riparian Assessment Area** pursuant to the *Riparian Areas Regulation*, the procedures set out therein shall be followed.

9. *Processing*

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The following procedure will apply:

- a) A staff report and other information deemed relevant will be submitted to the approving officer of the regional district. Applicants will be provided an opportunity to discuss the permit conditions with staff and approving officer. If the applicant does not agree with the approving officer's decision, the applicant will be given the opportunity to appeal the decision to the appropriate committee of the regional district.
- b) After the approving officer has dealt with the application, the applicant will be notified in writing of the outcome.
- c) Where the regional district issues a development permit, it shall file in the Land Title Office a notice that the land described in the notice is subject to the permit.

APPLICATION TO THE BOARD OF VARIANCE

1. ***Application***

An appeal to the Board of Variance shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. ***Application Acceptance***

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 8, "Application Requirements," below.

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3. ***Fees***

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. No processing of the application shall take place until the fee has been paid in full.

4. ***Refund***

Where an application is withdrawn a refund as outlined in Schedule A-1 will be provided to the applicant.

5. ***Cancellation***

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

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An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. ***Reapplication***

Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. ***Notification of Adjacent Owners***

- i) The *Local Government Act* sets out the requirements for the notification of affected landowners and occupiers of land adjacent to a property where a variance is being considered.
- ii) Within the Comox Valley Regional District, notice of the Board of Variance appeal shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0 feet) of the land subject to the appeal.

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8. ***Application Requirements***

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.

- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the Board of Variance.

All drawings submitted must be clearly drawn to proper scale. Where applicable, drawings must include an authorized professional's signature and seal.

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- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the Board of Variance.
- iv) A **Written Brief** which describes the reasons/rationale for the requested variance.

9. ***Processing***

The following procedure will apply:

- i) A staff report and summary of the requested variance is prepared. Adjacent neighbours are advised of the requested variance.
- ii) The staff report and other information deemed relevant will be submitted to the Board of Variance. Applicants will be provided an opportunity to make a presentation.
- iii) The Board of Variance will, upon receipt, consider the staff report and may grant, or deny, the requested variance.
- iv) After the Board of Variance has dealt with the application, the applicant will be notified in writing of the outcome.

APPLICATION FOR A TEMPORARY COMMERCIAL USE OR TEMPORARY INDUSTRIAL USE PERMIT

1. ***Application***

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. ***Application Acceptance***

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 9 "Application Requirements" below.

3. ***Fees***

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. ***Refund***

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. ***Cancellation***

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. ***Reapplication***

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. ***Public Notification***

- i) Where the regional district proposes to pass a resolution to issue a temporary commercial use or temporary industrial use permit the *Local Government Act* sets out the requirements for notification of affected landowners or occupiers of land adjacent to a property where this application is being considered. Notice of the application shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0 feet) of the land subject to the proposed permit.
- ii) Where the regional board proposes to issue a temporary commercial use or temporary industrial use permit and the land is not in an area to which an official community plan, or a rural land use bylaw applies, then the regional district shall

issue temporary commercial or temporary industrial permits by bylaw. Notice of the public hearing (of the bylaw) or the waiving of the public hearing shall be published in an appropriate newspaper, according to the policies of the board and notice shall be mailed to the owners, as shown on the assessment roll as of the date of application, and residents of all parcels of any land within 50.0 metres (164.0 feet) of the land subject to the proposed amendment.

8. **Performance Bonding**

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
 - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.
- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.
- iv) Works relating to the development of a single family residence or lot shall be exempted from the bonding requirement.

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9. **Application Requirements**

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the reasons/rationale for the application.
- v) As every application is unique, there may be further requirements, at the direction of the regional district, to be completed prior to consideration of the bylaw for final adoption. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- vi) Where any proposed development is within a **Riparian Assessment Area** pursuant to the *Riparian Areas Regulation*, the procedures setout therein shall be followed.

10. PROCESSING

The following procedure will apply:

- i) A staff report and summary of the requested permit is prepared. Adjacent neighbours and owners are advised of the application for permit.
- ii) The staff report and other information deemed relevant will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before the committee of the regional district reviewing his or her application.
- iii) The regional board will, upon receipt, consider the committee's recommendation and may grant the requested Permit,
 - a) by resolution, where the land subject to the permit is within an area to which an official community plan or rural land use bylaw applies; or
 - b) by bylaw, where the land is not in an area to which an official community plan, or rural land use bylaw applies.or may refer, table, or deny the application.
- iv) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- v) If granted, the regional board will forward notice of the a temporary commercial or temporary industrial use permit to Land Title office (if applicable) for registration.

APPLICATION FOR A HOME OCCUPATION OR DOMESTIC INDUSTRIAL USE APPROVAL

1. *Application*

An application shall be completed upon a form provided by the regional district and shall deliver to the regional district together with such additional plans and particulars as may be required.

2. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. No processing of the application shall take place until the fee has been paid in full.

3. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

4. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

5. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

6. *Application Requirements*

Applicants shall provide:

- i) The **Application Form**, fully completed, and include authorizing signatures of the owner and/or agent.
- ii) Detailed **Site Plans** of the proposed use, noting the location of existing and proposed buildings, landscaping, any natural features, access/egress points, and any other information required by the regional district.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the present and intended use of the site and reasons/rationale for the proposal.
- v) Where required, a current (dated not more than 12 months prior to the date of application) **compliance letter** and **septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with

the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district.

7. *Processing*

The following procedure will apply:

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- i) Following receipt of a satisfactory application and payment of all the necessary fees, the application will be considered by the planning services.
- ii) Staff may contact the applicant to discuss any issues that arise during the review process and additional information may be required to support the application.
- iii) The application may be forwarded to other regional district departments and external government agencies for comments and review. Staff may contact the applicant to discuss any issues that arise during the review process.
- iv) After the planning services has dealt with the application, the applicant will be notified in writing of the outcome.
- v) If the application is approved, the planning services will notify BC Assessment and/or Vancouver Island Health Authority. The applicant will be required to submit their emergency contact information to their local RCMP.

APPLICATION FOR A MOBILE HOME PARK PERMIT

1. *Application*

An application shall be completed upon a form provided by the regional district and shall be delivered to the regional district, together with such plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 8 "Application Requirements" below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Performance Bonding*

- i) Where landscaping is a condition of a permit, a bond shall be provided for 100% of the cost of the works:
 - a) Bonding for landscaping valued in excess of \$5,000 shall be in the form of an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - b) Bonding for landscaping valued at less than \$5,000 shall be in a form satisfactory to the regional district, at the discretion of the applicant. If an ILOC is chosen, it shall be automatically renewable unless cancelled and shall be redeemable locally.

- ii) Upon receipt of written certification that the installed landscaping is in substantial compliance with recognized landscape industry standards and the approved landscape plan the regional district will release the security minus 25%. The remaining 25% security will be held for a period of at least two years, including not less than two growing seasons, to ensure replacement of planting failures.
- iii) For all projects, the 25% security will be released after the guarantee period, dated from the written certification, upon final acceptance by the regional district of the installed landscaping.

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8. **Application Requirements**

The following information has been prepared as a guide to assist those persons wishing make an application for development within the regional district.

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) Two complete and legible sets of **Site Plans** to a suitably large scale (minimum acceptable scale 1:500) with:
 - a) the area dimensions and legal description of the parcel of land;
 - b) the front, rear and side yard areas;
 - c) the number, location, dimensions and designation of all mobile home areas, mobile home spaces, and mobile home pads, the location and dimensions of all roadways, the owner's residential plot (if any), and any amenity or recreation areas;
 - d) the dimensions and location of all service buildings, mobile homes, the owner's residence, and other structures;
 - e) the internal layouts of all service buildings, other structures and the owner's residence;
 - f) the location and details of all on-site solid waste handling and storage areas;
 - g) a north arrow and notation of the scale used;
 - h) a general landscaping plan for the site;
 - i) all watercourses or water frontage within or adjacent to the land concerned;
 - j) all steep banks or slopes within or adjacent to the land concerned;
 - k) the relationship of the proposed mobile home park to adjacent roads;
 - l) the elevation and grade of all floors of all buildings, mobile homes, and all mobile home pads and the elevation and grade of all roadways that are on site;
 - m) two complete layouts for sanitary and stormwater systems showing sewer elevations, manholes, cleanouts, connections, water supply, and fire fighting facilities;
 - n) stormwater management plan.
- iii) A **Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- iv) A **Written Brief** which describes the proposal.

In addition, during the processing of an application and prior to final approval, an applicant may need to provide additional information such as:

- i) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. Terms of reference for these studies will be specified by the regional district, when required.
- ii) **Certification of Compliance** as required prior to proceeding to public hearing, where the proposed development falls within the scope of the Contaminated Sites Regulations of the *Environmental Management Act*.
- iii) A current (dated not more than 12 months prior to the date of application) **compliance letter** and **septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA may be requested by the regional district. 33
- iv) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- v) As every application is unique, there may be further requirements, at the direction of the regional district. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be set out in a letter to the applicant from the regional district.
- vi) Where any proposed development is within a **Riparian Assessment Area** pursuant to the Riparian Areas Regulation, the procedures setout therein shall be followed. 33

9. **Processing**

The following procedure will apply:

- i) The application will be forwarded for comment to other government departments and agencies, where necessary.
- ii) Staff may contact the applicant to discuss any issues that arise during the review process and additional information may be required to support the application.
- iii) Upon receipt of all comments a staff report will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation before any committee of the regional district reviewing his or her application.
- iv) The regional board will, upon receipt, consider the committee's recommendation and may approve the application, or may refer, table, or deny the application.

- v) The regional board may request that:
 - an applicant advertise and host one or more public information sessions, open houses or public meetings at their expense;
 - conduct or pay a consultant to conduct any studies deemed necessary; or
 - provide any other information or execute any actions that, in the opinion of the Board may be required to make a decision on to whether an application may be approved.
- vi) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- vii) Where the regional district issues a development permit, it shall file in the Land Title Office a notice that the land described in the notice is subject to the permit.

REQUEST FOR RELAXATION OF FLOODPLAIN MANAGEMENT PROVISIONS

1. ***Application***

An application shall be completed upon a form provided by the regional district which then shall be delivered to the regional district together with such additional plans and particulars as may be required.

2. ***Application Acceptance***

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 6 "Application Requirements" below.

3. ***Fees***

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. The official date of application shall be that when all required information for the application and the corresponding fee is received.

4. ***Refund***

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. ***Cancellation***

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

6. ***Application Requirements***

The following information is provided to assist a Qualified Professional engaged in the preparation of Geotechnical Reports and Flood Assessment Reports. These requirements are intended to provide guidance and assistance only and are not to be taken as being limited or necessarily comprehensive. Not all items listed in the document may be required or expected in all cases. Consequently, reports will vary in size and complexity. However, the list should serve as a useful checklist for the proponent and report author.

For the purposes of this section, a **qualified professional** is a professional engineer or geoscientist experienced in geotechnical engineering.

i) **General Requirements:**

- a) Acknowledgement that the report is prepared for the regional district as a pre-condition to the issuance of:
 - 1) A building permit and any conditions in this report will be included in a Restrictive Covenant under Section 56 of the *Community Charter* and filed against the title of the subject property; or
 - 2) A Site Specific Exemption under Section 910 of the *Local Government Act*, and any conditions in this report will be included in a Restrictive Covenant under

Section 219 of the *Land Title Act* and filed against the title of the subject property.

- b) Acknowledgement that the report has been prepared for and at the expense of the owner of the subject property and that the engineer has not acted for or as agent of the regional district in the preparation of this report.
- c) Where applicable, accompanying the report, a detailed site plan showing the location of the proposed structure relative to the property boundaries.
- d) A topographic and geomorphological description of the site and a statement as to the type and location of natural hazards that may affect the site.
- e) A reference to any previous geotechnical studies that have been completed on the site and surrounding area or scientifically relevant sites elsewhere.
- f) An assessment of the nature, extent, magnitude, frequency (probability) and potential effect of all flood hazards that may affect the property, including a description of the scientific methodology used to define the parameters. The methodology should be described in sufficient detail to facilitate a professional review of the study by, or on behalf of, the regional district when necessary.
- g) Recommendations and assessment stating what mitigative works, construction and maintenance is required in terms of the works' ability to reduce the potential impact of the hazard. Particular consideration should be given to Section 5.7 of the provincial Flood Hazard Area Land Use Management Guidelines. Where mitigation works and/or actions are proposed, an assessment of the effects that the proposed works and/or actions may have on other properties including public infrastructure must be included in the report. Where mitigative works and/or actions designed to reduce hazards are contemplated, prior to completing the report and expending time and money on detailed design, the proponent should confirm that the works and/or actions proposed will be accepted by the regional district and that they would meet regulatory requirements.
- h) For issuance of a Building Permit: Letters of Assurance B1 and B2, as required per Section 2.6 of the BC Building Code, are to be submitted relative to the structure and applicable drawings ensuring that the subject property is safe for the intended use. Further, a Schedule C, as per Section 2.6 of the BC Building Code shall be submitted to the CVRD building services by the Qualified Professional prior to occupancy of the subject structure.
- i) Additional information should be included on any other matters that, in the Qualified Professional's opinion, should be known to the regional district and brought to the attention of the building and planning services.
- j) Any recommendations that the Qualified Professional believes appropriate. Note that the explanation provided in answer to the points above should be in sufficient detail and clarity to permit inclusion in a Section 219 covenant under the *Land Title Act*. Recommendations should be accompanied with advice on how they can be practically implemented by the property owner and/or land use decision maker.
- k) The report submitted must include the signature and seal of the Qualified Professional and must verify that the land may be safely used for the use intended.

ii) Additional Elements to be given consideration:

- a) Regional and/or a site map and/or air photograph overlay depicting: the existing property boundaries; all watercourses, alluvial fans, and areas exposed to debris flow hazards; hydraulic structures, existing and proposed flood protection works; proposed safe building sites; and any other relevant regional or site specific information.
- b) Review of all relevant restrictive covenants registered on title for the subject property and any relevant nearby properties (copies of covenants should be attached to the report).
- c) Review of all relevant regional district land use policies, guidelines and regulations including; floodplain and other relevant bylaws, Official Community Plans, Development Permit Area requirements and policy statements.
- d) Description of site visits and/or overview flights complete with documentation of observations.
- e) Review of current and historical aerial photographs.
- f) Review of historical flood information including: Water Survey of Canada hydrometric data (discharges, flow depths and velocities), Environment Canada climate data, regional district and provincial ministry reports, local newspapers' archives, and interviews with local residents.
- g) Location of all proposed safe building sites by specifying building setback distance(s) from the natural boundary of watercourse(s) and/or map notation [areas depicted on maps must be delineated with sufficient accuracy and detail to allow the preparation of legal reference plan(s) for attachment to a restrictive covenant.]
- h) Where applicable; Flood Construction Levels (FCL) by prescribing an elevation above the natural boundary of a watercourse or natural ground elevation at the building site, or by specifying a geodetic elevation, or by a combination of the above (Geodetic elevations should be referenced to Geodetic Survey of Canada datum or some other datum acceptable to the land use decision maker. Benchmarks should be located on site and/or location plans).

iii) Hazard Specific Requirements**a) For Lakes, Ponds, Marsh Areas and Reservoirs**

- 1) Where an existing FCL is deemed inappropriate provide details of the calculation and confirmation that the Provincial Flood Hazard Area Land Use Management Guidelines were considered in the process.
- 2) Where applicable provide shoreline profile(s) starting from below low water level to a point some distance above the safe building area(s), depicting the FCL, maximum wave run-up, existing and/or proposed mitigation works, natural boundary, safelines (if any) and other relevant shoreline features.

b) For Watercourses

- 1) Where an existing FCL shown on a floodplain map is deemed inappropriate provide details of the calculation and confirmation that the Guidelines were considered in the process.
- 2) For property adjacent to or within a meandering and/or braided river floodplain, use air photographs, maps and other information to describe and assess relevant ongoing river processes (including debris jamming) that may pose a hazard to the property.
- 3) When making recommendations relative to creeks provide a map of the stream watershed area used to determine the drainage area.

c) Areas Protect by Standard Dikes

- 1) Map(s) depicting: existing and proposed dikes, dike right-of-ways, dike access routes and easements, areas protected by the dikes, and property boundaries.
- 2) A summary of all comments and concerns raised through consultation with the dike owner or diking authority and the Inspector of Dikes office complete with statements on how each comment or concern is addressed in the report.

7. Processing

The following procedure will apply:

- i) Prior to application, one meeting with regional district staff may be arranged to discuss the relaxation request process, requirements, etc.
- ii) A staff report and summary of the requested relaxation request is prepared.
- iii) The regional district will circulate the proposal to other departments of the regional district and agencies where necessary. Staff will contact the applicant to discuss any issues that arise during the review process.
- iv) The staff report and other information deemed relevant will be submitted to the appropriate committee of the regional district. Applicants will be provided an opportunity to make a presentation this committee.
- v) The regional board will, upon receipt, consider the committee's recommendation and may grant the requested relaxation application, or may refer, table, or deny the application.
- vi) After the regional board has dealt with the application, the applicant will be notified in writing of the outcome.
- vii) If granted, the applicant will be required to have the Qualified Professional's report registered on the Title of the subject property.

APPLICATION FOR CONVERSION OF AN EXISTING BUILDING INTO STRATA LOTS

1. *Application*

Any person wishing to apply to convert an existing building into strata lots shall apply using an application provided by the regional district. The application shall be delivered to the regional district together with such additional plans and particulars as may be required.

2. *Application Acceptance*

The Comox Valley Regional District may refuse to receive any applications that fail to include all required information as per section 7 "Application Requirements" below.

3. *Fees*

The sum as specified in Schedule A-1 shall be paid to the regional district at the time of application. No processing shall be done until fees are paid in full.

4. *Refund*

Where an application does not proceed or is withdrawn, a refund as outlined in Schedule A-1 will be provided to the applicant.

5. *Cancellation*

Applications one year old or older that are inactive for a period of 6 months are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to Schedule A-1.

An applicant has the right to apply for an extension of up to one-year. Any extension approved by the regional board, whether for the maximum one-year or a lesser time, is subject to a payment of 50% of the original application fee.

Expired applications cannot be renewed.

6. *Reapplication*

- i) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per Schedule A-1 are applicable to any new application.
- ii) Where an application has been withdrawn, fees as per Schedule A-1 are applicable to any new application.

7. *Application Requirements*

At the time of application, the applicant shall provide:

- i) The completed **Application Form**. This must include authorizing signatures of the owner and/or agent.
- ii) A **Written Brief** that describes the present and intended use of the site and reasons/rationale for the proposal.
- iii) A **List of the Names and Mailing Addresses** of the persons occupying the units, together with copies of any lease agreements and the proposal/intentions regarding the relocation of persons who may be affected by the proposed strata conversion.
- iv) A **Notarized Declaration** stating:

- a) That each person occupying the building has been given written notice of the intent to convert the building(s) into strata lots under the *Strata Property Act* or *Real Estate Act* with the date of notice;
- b) The number of units occupied on the date of the notice;
- c) That notices have been posted in conspicuous places in the building advising of the intent to convert the building into strata lots under the *Strata Property Act* or *Real Estate Act*; and
- d) That each person occupying a unit in the building(s) has been provided with prospective sale prices and any other applicable fees associated with the prospective purchase of the unit (e.g., strata fees, etc.).
- v) **A Site Sketch (Plot Plan)** of the subject property, showing:
 - a) the dimensions of the property;
 - b) the distance from property lines of the location of all buildings;
 - c) the dimensions and occupancy (use) of each building;
 - d) the location of all watercourses and wetlands, lakes or the sea on or adjacent to the land;
 - e) the distance and elevation of all existing and proposed buildings from any watercourses, wetlands, lakes, and/or the sea;
 - f) the location of water connection or well;
 - g) the location of septic tank and field;
 - h) the location of storm sewer outfall;
 - i) the location of all public road rights-of-way adjacent to the site; a
 - j) the location of approved access to a public road right-of-way; and
 - k) the location and dimensions of all off-street parking and loading spaces, manoeuvring aisles and access driveways from street and lanes.
- vi) **Floor Plans** of the units intended to be converted, showing:
 - a) The dimensions of all rooms and halls, and all outside dimensions including balconies and decks; and
 - b) The areas of the building designated as strata lots, common property and limited common property.
- vii) **A Surveyor's Certificate** completed by a B.C. Land Surveyor at the request of the regional district.
- viii) **A Proposed Strata Plan** detailing the proposed strata lots, common property and limited common property.
- ix) **Letter of Building Certification** from the chief building inspector of the regional district addressing fire separation requirements, the life expectancy of the building and compliance with the BC Building Code. (NOTE: This may include the additional requirement for certification by a qualified engineer or architect.)
- x) A current (dated not more than 12 months prior to the date of application) **compliance letter and septic report** addressing the state of the septic system from a Registered Onsite Wastewater Practitioner (ROWP). Where the scope of the project is sufficiently large, a community sewage disposal system with the appropriate permit from the Environmental Management Branch of Ministry of Environment. In

addition, the regional district will forward the application to the Vancouver Island Health Authority (VIHA) for their review and comment. A **letter of support** from the VIHA will be requested by the regional district.

- xi) **Servicing Requirements:** any proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialist(s) on any of these areas of interest prior to consideration by the regional district. The terms of reference will be specified by the regional district.
- xii) An **Environmental Assessment** may be required, with the terms of reference specified by the regional district, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.
- xiii) As every application is unique, there may be further requirements, at the direction of the regional district, to be completed prior to consideration of the application. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses. Any additional requirements will be a condition of final approval of the strata plan.

8. **Processing**

The following procedure will apply:

- i) The regional district will circulate the proposal to other departments within its organization and any agencies potentially having interest in the application. Staff may contact the applicant to discuss any issues that arise during the review process.
- ii) The regional district will consider the application based upon the applicable bylaw(s) and the regulations of the **Strata Property Act**. The strata conversion must take into account the rental vacancy rate of the area and a conversion may be denied should the rental vacancy rate be below 3%. The regional district must also consider any other matters that, in its opinion, are relevant.
- iii) Upon consideration of the application, the regional board may approve or deny the application and may set out conditions required prior to final approval of the strata plan. Such conditions may include items related to the condition of the building, septic system, required covenants, etc.
- iv) The regional district's designated signing authorities will sign the final strata plan upon the approval of the application and the completion of any conditions. The regional district will then advise the Ministry of Transportation and Infrastructure of its decision in writing.

APPLICATION FOR TEMPORARY OCCUPATION OF AN ADDITIONAL DWELLING

1. *Application*

In all bylaws of the regional district which permit residential use, whenever an owner wishes to construct an additional dwelling on a parcel which already has the maximum permitted number of dwellings, the owner may make application to the regional district for permission to occupy an existing dwelling during the construction of a new dwelling. It shall be lawful to have an extra dwelling on the parcel simultaneously, provided that the owner first enters into an agreement in a form acceptable to the regional district:

- i) Agreeing to demolish, remove the existing dwelling, or where permitted, to convert it to a non-residential accessory building upon the approved final inspection (of the new dwelling) by the Comox Valley Regional District, or two years from the date of the issuance of the building permit of the new dwelling, or at the request of the regional district, whichever event is earlier; and
- ii) Authorizing the regional district to cause the demolition, removal, or conversion if for any reason the owner neglects or refuses to do so within 30 days of being requested to do so.

The provisions of this section shall apply to lands within the Agricultural Land Reserve only to the extent that the policies and regulations of the Provincial Agricultural Land Commission will allow.

2. *Performance Bonding*

A performance bond in the amount of \$5,000 is required. There are two options for the performance bond to ensure compliance:


- i) A restrictive covenant pursuant to the *Land Title Act* is to be registered as a "rent charge" on the land title of the subject property. The amount of the rent charge shall be \$5,000.
- ii) A notarized Letter of Agreement signed by the property owner(s), and an irrevocable letter of credit (ILOC) or in a form satisfactory to the regional district, as approved by the manager of financial services. If an ILOC is chosen, it shall be effective for the term of the permit, shall be automatically renewable unless cancelled, and shall be redeemable locally.

3. *Processing*

- i) Following receipt of a satisfactory performance bond, the building services will initiate or continue the building permit application.
- ii) When the property owner(s) has complied with the provisions of the covenant or Letter of Agreement, the owner(s) is required to contact the building services for a site inspection.
- iii) Once the provisions or terms are confirmed by the building official, the performance bond will be released. The "rent charge" will be authorized for removal from the land title, the ILOC will be returned to the financial institution, or the bond will be returned to the payee.

DEVELOPMENT PROPOSAL NOTICE SIGN GUIDELINES

4'0"



Comox Valley
REGIONAL DISTRICT

**Proposed O.C.P. Amendment
and/or Zoning Amendment**

Application Number: _____

Applicant: _____

Applicant Phone Number: _____

MAP


Plan of Proposal
with North Arrow and
Street Names

This property is
presently designated
and zoned:

An application has
been made to
redesignate / rezone
this property to:

For further information
contact:

Property Services
Branch,
600 Comox Road,
Courtenay, B.C.
Tel.: 250-334-6000
Fax: 250-334-8156



Comox Valley
REGIONAL DISTRICT

4'0"

33

SIGN FACADE

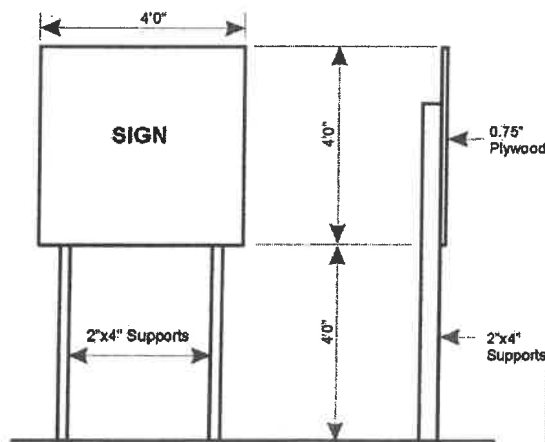
SPECIFICATIONS

The sign background will be green (Pantone 382) with a blue grey (Pantone 5415) border around each of the 'Information Block' elements.

The 'Information Block' areas will be white and all text will be black. The 'Main Heading' text shall be set in Franklin Gothic Demi Bold font, while the 'Body' text shall be set in Franklin Book Gothic font.

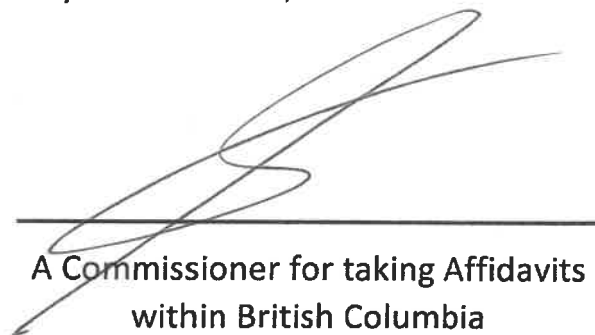
The 'Map' details shall be in black and must include a north arrow, street names, and adjoining land parcels.

The 'Application Proposal' number will be assigned by the Property Services Branch of the Comox Valley Regional District.



SIGN INSTALLATION DETAIL

This is Exhibit "C" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 120

A bylaw to adopt the Comox Valley regional growth strategy

WHEREAS the *Local Government Act* provides that a regional board may develop, adopt, implement, monitor and review a regional growth strategy under part 25 of the Act;

AND WHEREAS the board of Comox Valley Regional District initiated the preparation of a regional growth strategy by resolution dated March 25, 2008;

AND WHEREAS the board gave written notice of the initiation to affected local governments and the Minister of Community and Rural Development on April 7, 2008;

AND WHEREAS the board established an intergovernmental advisory committee for the regional district when the regional growth strategy was initiated;

AND WHEREAS the board adopted a consultation plan on January 27, 2009 to provide opportunities for early and ongoing consultation in accordance with the Act, and during the development of the strategy the board provided the opportunities for consultation required by the Act;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Adoption of regional growth strategy

1. Schedule 'A' attached to and forming part of this bylaw is adopted as the "Regional Growth Strategy for Comox Valley Regional District".

Severability

2. If any section, subsection, clause or phrase of this bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this bylaw.

Bylaw citation and effective date

3. This Bylaw No. 120 may be cited as "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and takes effect on the date adopted.

Read a first and second time this	27th	day of	July	2010.
Public hearing held this	10th	day of	August	2010.
Amended and reread a second time this	31st	day of	August	2010.
Public hearing held this	14th	day of	September	2010.
Refused, by resolution, by the				
Village of Cumberland council this	22 nd	day of	November	2010.
City of Courtenay council this	18 th	day of	October	2010.
Town of Comox council this	3 rd	day of	November	2010.
Accepted, by resolution, by the				
Strathcona Regional District board this	28 th	day of	October	2010.
Alberni-Clayoquot Regional District board this	27 th	day of	October	2010.
Regional District of Nanaimo board this	9 th	day of	November	2010.
Powell River Regional District board this	28 th	day of	October	2010.
Mediation held on this	13th	day of	December	2010.
Considered and revised by resolution, in accordance with the non-binding resolution process mediation report, this				
	25 th	day of	January	2011.

Accepted, by resolution, by the

Village of Cumberland council this	14 th	day of	February	2011.
City of Courtenay council this	14 th	day of	February	2011.
Town of Comox council this	2 nd	day of	February	2011.
Strathcona Regional District board this	24 th	day of	February	2011.
Alberni-Clayoquot Regional District board this	23 rd	day of	February	2011.
Regional District of Nanaimo board this	22 nd	day of	February	2011.
Powell River Regional District board this	24 th	day of	February	2011.
Read a third time this	29th	day of	March	2011.
Adopted this	29th	day of	March	2011.

*E. Grieve**J. Warren*

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 120 being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" as adopted by the board of the Comox Valley Regional District on the 29th day of March 2011.

J. Warren

Corporate Legislative Officer

Schedule 'A'
Comox Valley Regional Growth Strategy
Bylaw No. 120, 2010



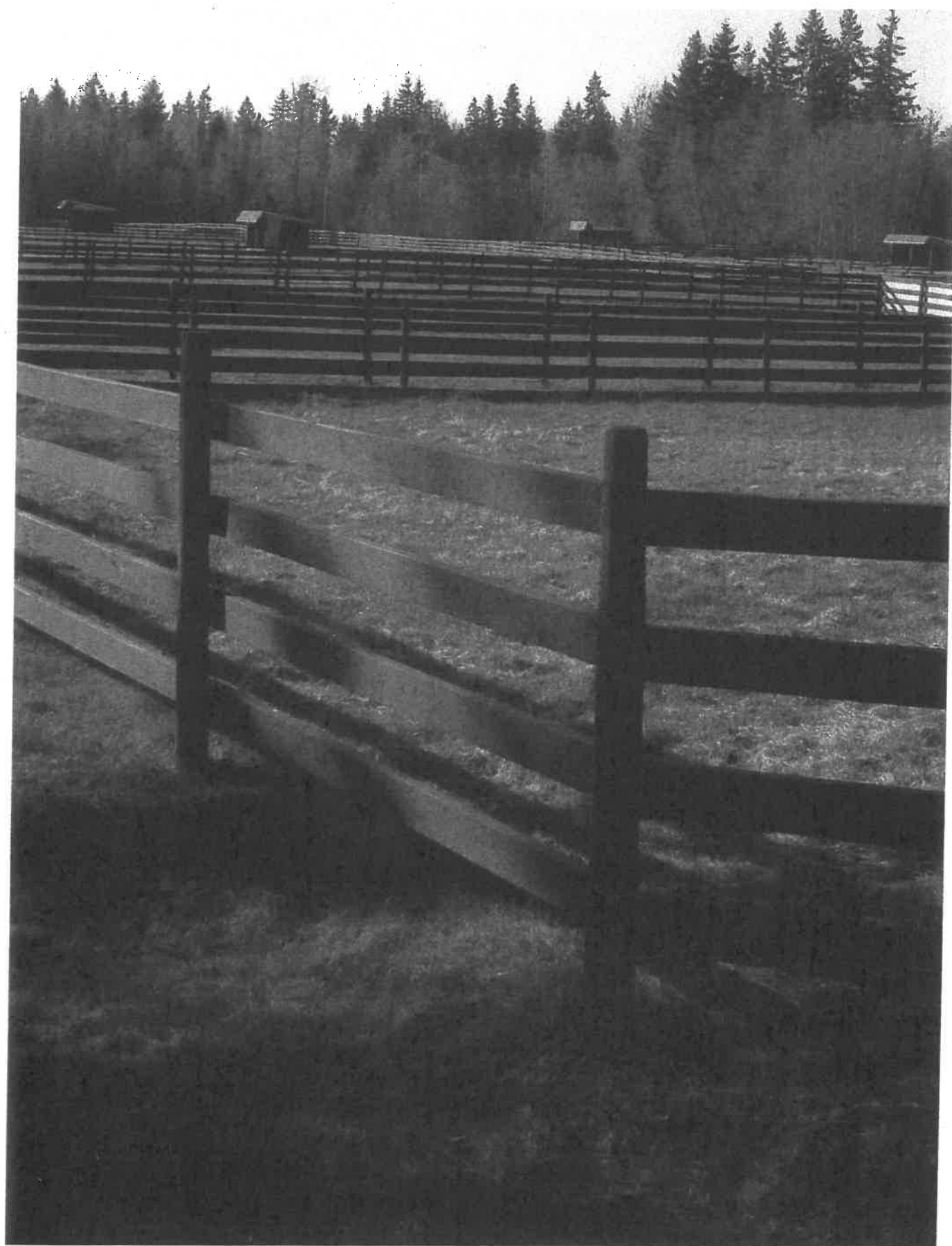
Comox Valley

REGIONAL GROWTH STRATEGY

Comox Valley Regional Growth Strategy Bylaw No. 120, 2010

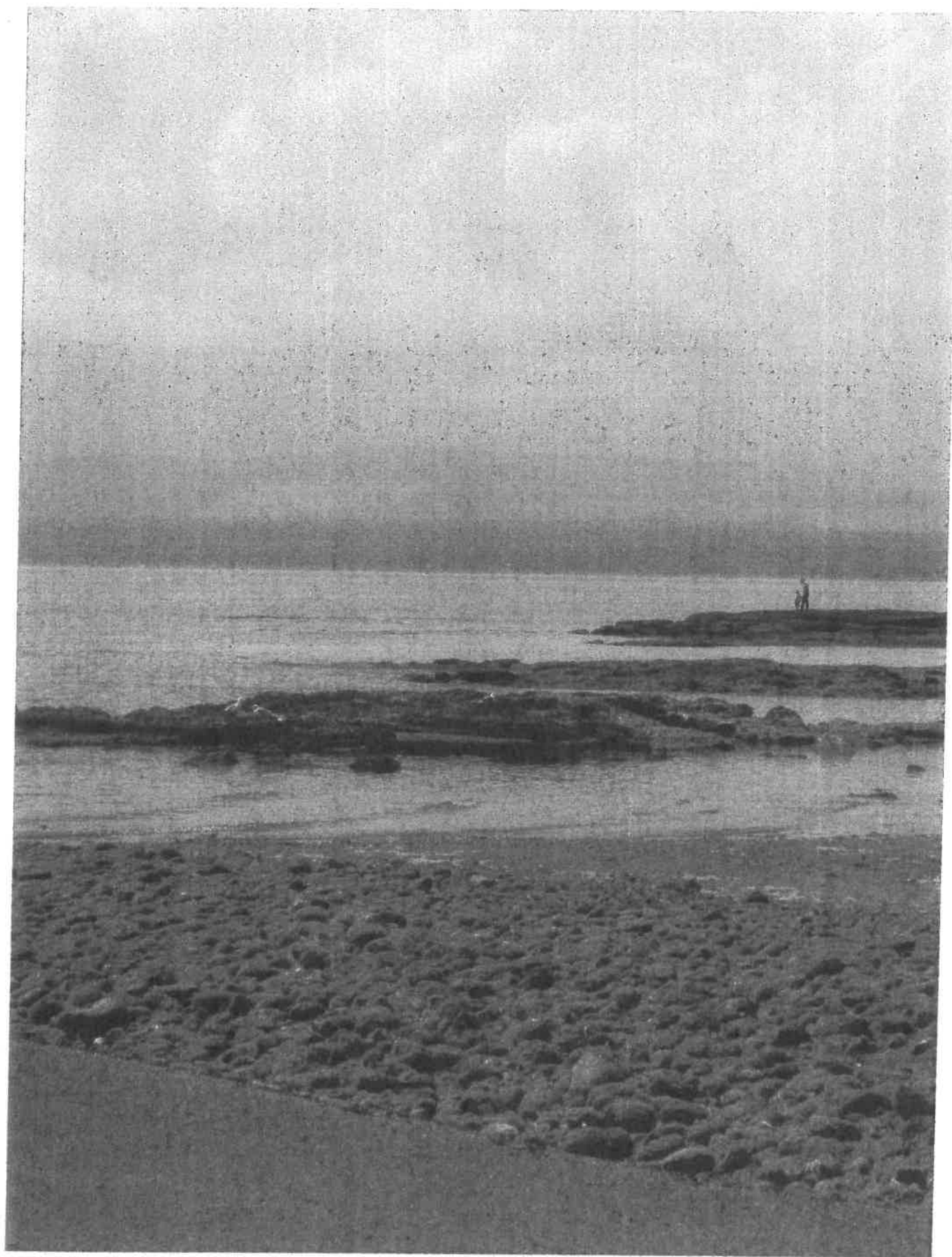
Prepared for Comox Valley Regional District

Prepared by Urban Strategies Inc.
Ecoplan International Inc.
Ear to the Ground Planning



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01 Introduction

Part 1: Introduction

The Comox Valley Regional District (CVRD) was established in February 2008. The CVRD encompasses the Village of Cumberland, the Town of Comox and the City of Courtenay along with the electoral areas of Baynes Sound (A), Lazo North (B), and Puntledge-Black Creek (C)¹ as shown on *Map No. 1 Context Map*. Within the region's boundaries there is a population of approximately 63,700 people. As of 2006, the majority of this population resided in the urban areas (36,000 or 65%), but there is also a growing population in the rural areas of Baynes Sound, Lazo North, and Puntledge-Black Creek (19,545 or 35%).

By 2030, it is estimated that the population in the Comox Valley will grow to 88,500 people. This growth comes with associated needs and impacts that require regional coordination on issues that cross local government boundaries. These regional issues include provision of a range of housing options, protecting and enhancing the health of the natural environment and ecological connections, supporting the local economy, developing an efficient multi-modal transportation network, providing regional services, ensuring food security, public health planning and addressing climate change. Part 3 of this plan sets out goals and strategies for addressing these issues. The purpose of the regional growth strategy (RGS) is to promote coordination among the municipalities and regional district on these issues that cross municipal boundaries and create clear, reliable links with the provincial ministries and agencies whose resources are needed to carry out projects and programs to help implement the RGS.

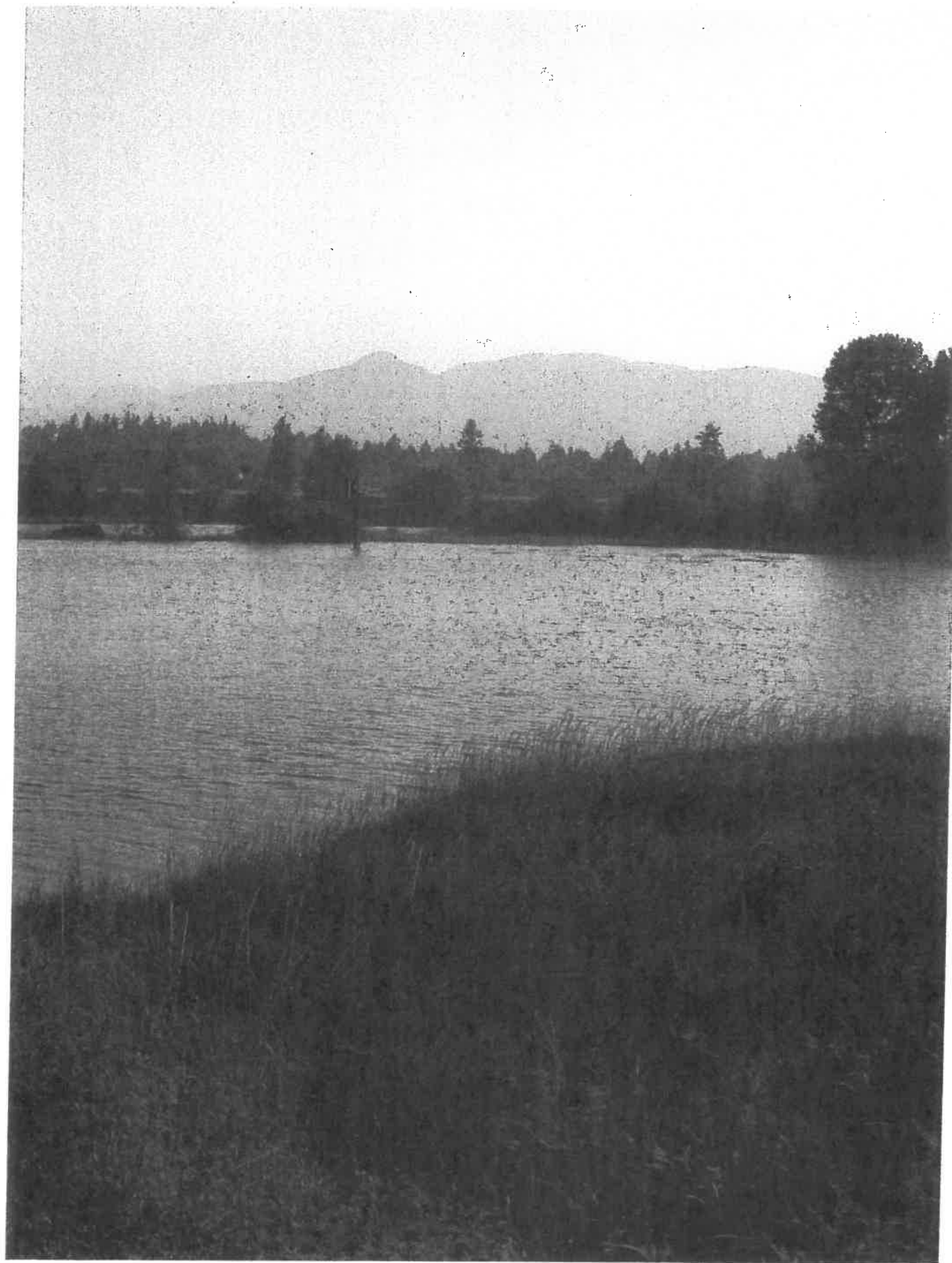
The Comox Valley RGS is part of a partnership between the CVRD, the City of Courtenay, the Town of Comox and the Village of Cumberland. The RGS is one of four regional strategies that have been created to help guide future growth. The other regional strategies are the *Regional Water Supply Strategy*, the *Regional Sewer Strategy* and the *Sustainability Strategy* – all of which informed the RGS. The other purpose of the RGS is to inform the provincial government of local priorities and objectives in order to allow for them to align their program delivery in support of these local priorities.

¹ Denman and Hornby Islands (part of Area A) are not included in the Comox Valley Regional Growth Strategy. Land use planning for these areas is carried out by the Islands Trust.

When the CVRD was created in 2008, the Province mandated the preparation of a regional growth strategy. The purpose of the RGS is to build consensus among local governments on future policies regarding land use activities and development over the next 20 years, as legislated by Part 25 of the *Local Government Act*. The RGS will provide a framework for future decision-making and land use with the aim of preserving the region's high quality of life. Specifically, the following key elements form the RGS as required by Provincial legislation:

1. a vision statement on the future of the region over a 20 year time frame;
2. population and employment projections for the region; and,
3. actions to be taken in relation to specific issues: housing; ecosystems, natural areas, and parks; local economic development, transportation, infrastructure, food systems, public health and safety, and climate change.

The RGS is comprised of five parts with supporting maps. Parts one and two introduce the RGS process, context, and summarize the issues that the RGS policies address. Part three provides the eight RGS goals with associated policies and explanatory text. The explanatory text is provided to bring further clarity and intent to the policies and they form part of the regional growth strategy bylaw. Part four provides direction on managing growth through the specific regional land use designations associated with *Map No. 5: Growth Management Map*. Part five provides details on the implementation and monitoring process of the RGS. Each of the Parts to the RGS are linked and should be read together as a single comprehensive policy framework for managing growth throughout the Comox Valley. Most specifically, the growth management policies in Part 4 must be read together and understood within the context of the Part 3 policies that provide guidance on the eight main goals of the RGS and Part 5 policies that provide guidance on how to implement the RGS.



02 Context

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Part 2: Context

2.1 Setting the Stage

The RGS process required substantial intergovernmental support and interaction. The partnership and working process to develop the RGS included provincial representation and guidance. All four Comox Valley local governments were involved through a steering committee, an intergovernmental advisory committee and a technical advisory committee.

The RGS issues and policies were also developed through ongoing consultation. In addition to focus group meetings with non-profits, businesses and service providers, a series of three public open houses and working sessions were held in each of the local government areas throughout Comox Valley during the day and evening. Following the open houses, materials were toured to civic centres throughout the Comox Valley. A series of workshops were also held in local high schools to engage youth in the long-term planning and thinking about their communities. Through video, photography and mapping, youth worked together to tell their own stories about places they care about in their communities. Issues were captured on video and displayed at the first round of open houses. Materials related to the RGS, including the youth workshops, open houses and three videos that documented the RGS process and public feedback are available on the Comox Valley Regional District website at www.comoxvalleyrd.ca.

2.2 K'ómoks First Nation

The CVRD acknowledges and respects that boundaries of the regional district reside entirely within the traditional territory of the K'ómoks First Nation illustrated on *Map No. 2 K'ómoks First Nation Traditional Territory*. The K'ómoks First Nation traditional territory extends from the south side of the Englishman River drainage, north along the height of land on the Vancouver Island Range, east along the height of land on the north side of Salmon River Valley, across the Johnstone Strait to Call Inlet, and southeast down the centre of the Strait of Georgia back to the south side of the Englishman River, including islands and portions of the mainland. *Note: there are overlaps of shared traditional territory with Sliammon, Homalco, Nanoose, Cape Mudge, Campbell River, Qualicum and Kwikwaka'wakw First Nations.*

The CVRD understands the treaty negotiations are evolving and that additional discussions, planning (and land use harmonization) may be required when final treaty

settlement lands are identified by K'ómoks First Nation and/or as K'ómoks First Nation moves forward through the treaty process. The K'ómoks First Nation has been in the treaty negotiations with the federal and provincial government since 1993. They are currently in Stage 4, Agreement in Principle, of the six-stage provincial-federal treaty process. The goal of Stage 4 is to reach agreement on each of the topics that will form the basis of the treaty including K'ómoks First Nation's existing and future interests in land, sea and resources. K'ómoks First Nation's treaty process did not move into further stages during the development of the RGS. K'ómoks First Nation reserve lands are identified on *Map No. 3 K'ómoks First Nation Reserve Lands* and *Map No. 5: Growth Management*.

The CVRD acknowledges the importance of the K'ómoks First Nation in the RGS process and its role as a unique stakeholder and has worked to engage and inform K'ómoks First Nation throughout the RGS process.

Treaty settlement lands are outside of the RGS legislative authority and therefore it is important to ensure a cooperative and collaborative government-to-government relationship where communications are improved, concerns are addressed as they may arise, and there is an awareness and understanding of K'ómoks First Nation title and rights. To this end, an implementation agreement has been set out in the monitoring and implementation section, in Part 5 that will help to ensure this cooperative relationship in dealing with future servicing arrangements.

2.3 Major Trends

The following trends were identified in the RGS background paper *Understanding Our Choices*, released in the spring of 2009. The background paper provided an overview of the RGS goals and included a summary of related trends, findings and policy recommendations. The following major trends should not be read as policies, but rather as background information informing the specific goals and policies contained in this RGS. To ensure that the RGS stays relevant and responds to the changing issues of the Comox Valley, these trends should be revisited every five years as part of the RGS review (see Part 4, Implementation and Monitoring for the five-year review process).

1. **The Comox Valley is a growing region.** The population may increase by almost 50% over the next 20 years as approximately 25,000 more people and 10,000 more housing units are added to the valley. While the existing settlement pattern is still relatively compact and the overall housing stock diverse, the more recent trend is towards a more dispersed settlement pattern made up of mostly low-density housing forms. Continuation of this trend would result in significant urban and rural sprawl, creating stress on the valley's natural areas and ecological functions, increasing reliance on automobile travel and impacting the character and livability of the region's rural and urban communities. Development must be directed in a manner that creates a sustainable long-term development pattern that uses both land and infrastructure in the most efficient manner.
2. **The population is rapidly aging.** While an aging demographic is a phenomenon taking place throughout BC, it is an exaggerated trend in the Comox Valley (with the exception of the Village of Cumberland, which has a growing youth demographic). The climate, natural areas and opportunities for recreation have made the valley an extremely attractive place for retirees. By 2031, the seniors population is expected to increase from 18% of the population to 26% of the population while people aged 80 and older will almost double to over 5,000 people. We need to account for this reality and respond to the types of living environments, mobility choices and health/social services required by an older population. The significance of this demographic trend is also evident in the funding of infrastructure. Specifically, we need to look beyond the short-term needs of young seniors (which will likely predominate over the next 10-20 years) and be sure that the overall land-use pattern we are creating will allow them to maintain a high quality of life as they age.

3. **Affordability is a growing issue.** The cost of home ownership has undergone a dramatic increase since 2001, while the average family income has been stagnant. The result is that the cost of owning a home is now over seven times greater than income. Taken together with the fact that few alternatives to single-family homes have been provided, it is clear that a wide variety of people have an ever smaller choice of housing options or are required to spend a significant proportion of their income on housing. This is not a sustainable pattern. Targets and policies are required to ensure a diversity of housing type, form, tenure and price are provided.

4. **Working with the environment.** Over the past 150 years, the functioning of the local natural systems in the Comox Valley has been impacted by a variety of land development decisions. The growth strategy can be a powerful tool for achieving the goal of understanding and working with the local ecological features and natural systems at a regional scale, identifying principles for conservation and providing guidance and direction on how to implement conservation strategies through official community plans and other means. Protecting our waterways and wetlands ensures clean water for fish and adequate supplies for homes, businesses and agriculture and aquaculture. Encouraging interest in, and personal responsibility for, the natural systems around us helps public health by drawing residents and visitors to go walking or hiking while promoting environmental well-being. Finally, the local natural beauty and environment attracts tourists from around the globe.

5. **Job creation is a challenge.** The ratio of jobs to population is relatively low at 0.45 jobs per person. Job growth is also not keeping pace with population growth. This trend is expected to continue as there will be more people in the Comox Valley living off the wealth they have accumulated in the past than current paid employment. Therefore, while the RGS must ensure that it facilitates local economic development, its focus should not be solely on targets for jobs or economic sectors. Rather, there should be a framework for local economic development by means of: coordinating regulations; encouraging entrepreneurship; increasing value-added production; and, supporting local businesses so that wealth is maintained and circulated within the valley.

6. **A concerted effort is required to increase transportation choices.** There are few transportation choices in the Comox Valley. The overwhelming majority of trips are made by private automobile. While this is typical of a rural area, the public transit modal share of less than 1 percent is half that of similar regions in British Columbia. This presents a major obstacle to achieving serious reductions in greenhouse gas emissions as transportation accounts for 55 percent of all emission in the valley. Working with BC Transit, significant investments will need to be made in public transit and coordination of land-use patterns that supports transit use. Similarly, strategies that facilitate walking and cycling as options (especially for non-work trips which are an increasing majority of trips) are required.
7. **Water is a scarce resource with many competing demands for its use.** There have been considerable efforts to reduce water consumption in the Comox Valley including awareness programs and water restriction alerts. These efforts have led to a reduction in water consumption, but the overall per capita consumption remains high. The *Comox Valley Regional Water Supply Strategy* and *Sustainability Strategy* echo the provincial Living Water Smart goal of meeting 50 percent of new municipal water needs through conservation by 2020. Achieving this goal will have a significant impact on how we build communities (e.g., they will be designed with less impervious surfaces and rely more on natural processes as a form of green infrastructure).
8. **A strong local food system is becoming critical.** Within the Comox Valley there is a regional interface of the urban and rural areas. People living in the urban areas have access to local food and country character, while people in the rural areas benefit from easy access to municipal services and a local market. This interface is critical in supporting a strong local food system. The extent of shoreline areas and lands contained within the Agricultural Land Reserve has meant that food production has been an important component of the local economy and culture. This is an important asset to build upon as food security and access to locally grown and harvested food is becoming increasingly important. Rising gas prices and the environmental impact of transportation-related greenhouse gas emissions are creating a greater awareness among consumers as to the origin of what they eat and how it is produced. As a result, there is an increased demand for local food production – whether that is in the form of agriculture, aquaculture or community and private gardening.

9. **A response to climate change is required.** Countries around the world have committed to reducing greenhouse gas emissions (GHG) by 80 percent by 2050 and the G8 has recently set out an ambitious target to restrict increases in global temperatures to two degrees. The Province of British Columbia has created the most ambitious policy framework within North America for actually achieving GHG reductions and combating climate change. The framework requires that local governments monitor and reduce emissions related to transportation, energy consumption by buildings, land use change and solid waste. At a local level, we are beginning to plan for a carbon shift that will see reliance on oil and non-renewable, polluting resources decline as the economy focuses on clean and renewable energy sources. This will have a significant impact on the communities we build, the buildings we construct and the transportation investments we make. In addition to reducing GHG emissions, there must also be plans in place to mitigate the current and growing effects of climate change.

10. **Improve and plan for long-term public health and safety.** Land use patterns and activities have a variety of impacts on public health and safety – ranging from decreased levels of physical activity and higher incidences of obesity, limited means of accessing health care and emergency services, fire and police services, and ensuring safe drinking water. This broad range of public health and safety issues should be addressed through consideration of how services are accessed and provided and active transportation strategies (such as walking and cycling with associated infrastructure and connections) that will facilitate more active lifestyles and improve the long-term health of people in the Comox Valley.

11. **Support economic development opportunities for the K'ómoks First Nation.** As the K'ómoks First Nation proceeds through the treaty settlement process and toward settlement of outstanding legal claims, it is expected that they will have access to both lands and financial resources. Coupled with a strong desire to engage in local economic activity, there is considerable potential for increased participation by K'ómoks First Nation in business and job creation in the region. Support for K'ómoks First Nation economic objectives and initiatives is embedded within the RGS.

2.4. Population, Demographics and Employment²

Looking toward 2030, the RGS is required to make a series of forecasts, including population, housing (dwelling units), and jobs. These forecasts are provided as 'targets' to guide policy development but do not establish a cap or limit on overall growth. The table below summarizes RGS forecasts. More detailed information is provided in the sub-sections.

Summary CVRD Population, Housing and Employment Projections

	2006 Census (Actual)	2010 Estimate	2030 Forecast	2010-2030 Change
Population	60,200	64,700	84,500	19,800
Dwelling Units	24,240	29,000	38,900	9,900
Employment	26,300	28,800	37,200 to 45,200 ³	8,400 to 15,400 ⁴

Population

The population in the Comox Valley grew at an annual average rate of 1.6% between 2001 and 2006, reaching a total of 60,288 in 2006, the most recent census year. However, the growth rate varies between local municipalities with the City of Courtenay having experienced the fastest growth rate in the valley. By the end of 2010, the total population is projected to rise to 64,700, and is forecast to reach over 84,500 by 2030, an increase of approximately 24,000 additional residents since the last census year in 2006⁵. Population

² Forecasts in this section refer to the RGS study area and do not include Denman and Hornby Islands.

³ Estimates based on Comox Valley Economic Development Society, Comox Valley Chamber of Commerce, BC Stats data and historical employment trends, current market conditions, and projected CVRD demographic trends and population forecasts. A range is provided due to the time lines involved and natural economic volatility.

⁴ *ibid*

⁵ Population forecasts are based on BC Stats' P.E.O.P.L.E. methodology/model (Population Extrapolation for Organizational Planning with Less Error), using Statistics Canada census data up to 2006. The methodology/model is BC Stats' standard framework for developing population projections and is used by

statistics are based on a person's primary residence, however, because the Comox Valley is a popular vacation and second-home destination, these part-time residents are not captured in the population data.

While in some ways the demographic make-up of Comox Valley reflects patterns at the provincial level, it is distinct in several ways. The region was one of the province's fastest growing areas in the early 1990s, growing by 25% between 1990 and 1995.

Slower population growth occurred in the late 1990s, likely due to a weakening in the resource economy throughout the province. While population growth ranged between almost 0% to just over 2% (averaging 1.6%) annually between 2001 and 2006, the projected rate of population growth over the coming ten years (2011-2021) is projected to decline slowly from about 1.6% to around 1.4% annually. This decline in the annual growth rate is projected to continue through to 2030 when the annual growth rate is forecast to be about 1%.

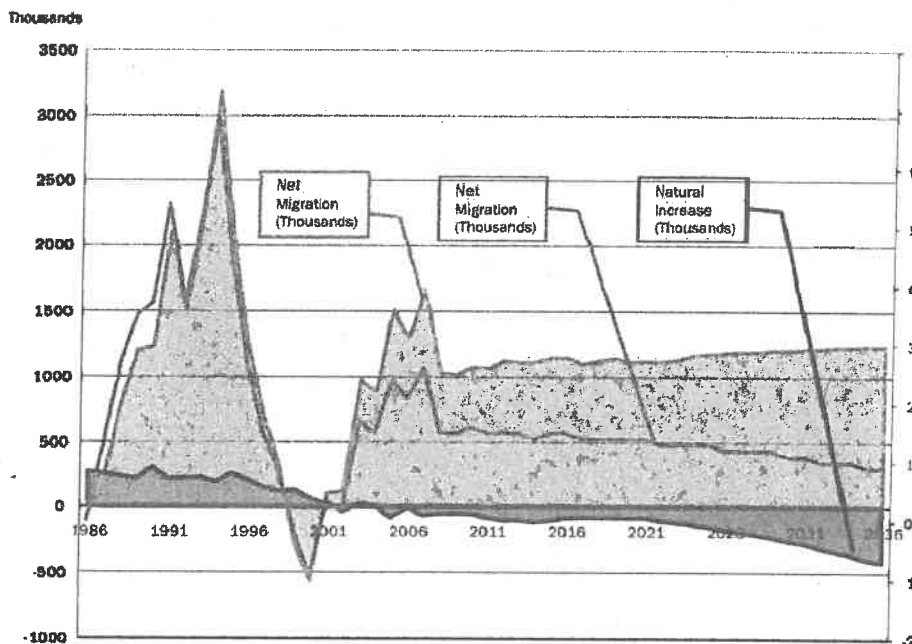
While the fertility rate in the Comox Valley has recently been in decline, it is predicted to level off and then begin increasing around 2015. The overall contribution of natural increase to population growth, however, will be negative as the increase in mortality rate outpaces the fertility rate. In 2005, the number of deaths exceeded the number of births. This is projected to continue into the future.

In addition to fertility and mortality, in- and out- migration influences population change. While in-migration rates could continue upward, the increasing mortality rate will continue to decrease the overall rate of natural increase, which is predicted to fall below 1% by 2030.

local governments and agencies throughout BC (including all CVRD local governments, Comox Valley Chamber of Commerce, Comox Valley Economic Development Society and others). It is based on historic populations trends (e.g., fertility and death rates) and historic in- and out- migration trends. As noted, in BC Stat's report, *British Columbia Population Forecast 09/06, July 2009, Technical Appendix*, the following should be considered when assessing forecast assumptions:

"In general, all assumptions relating to migration, births and deaths by small area are based on past conditions, modified wherever possible to take into consideration possible future changes. Consequently, the resulting population projections are not necessarily what will be, but rather what could be given the realization of these conditions. It is certainly possible that unforeseen changes in factors such as government policy, economic development, land use and zoning will affect future populations. Consequently, the projections should be regarded as only one possible scenario of the future size and age-sex structure of the population."

Historical and Projected Population Growth in Comox Valley, 1986 - 2036



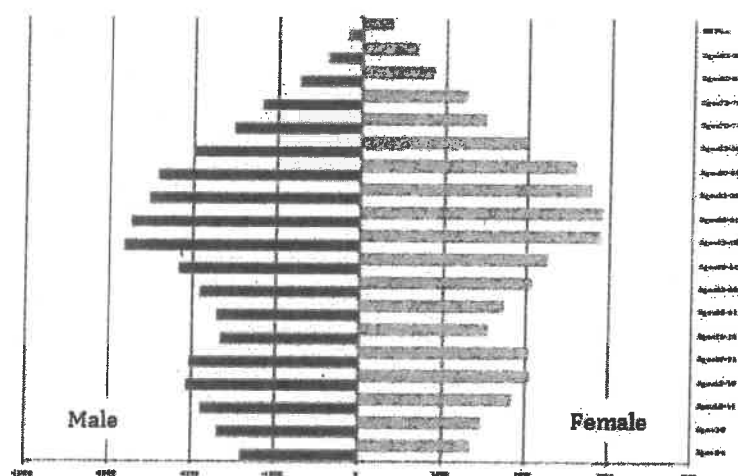
Demographically, as with the rest of the province, the population is rapidly aging, with seniors (65+) expected to be the fastest growing cohort in the study area. The Comox Valley has aged more quickly than the province as a whole, adding almost 11 years to its median age over the past 20 years, compared with a provincial gain of just 7.2 years. The region's median age in 2006 was 44.35, about five-years higher than the province's median age of 40.8.

The seniors' population is projected to grow from 17.9% of the total population in 2008 to about 26% in 2030. This increase will result in a significantly greater demand for age-appropriate services for this group in the planning area, including health care, recreation, age appropriate commercial services and the like. The very senior population (80+) is projected to increase from 4.6% of the population in 2007 to 7.4% in 2030.

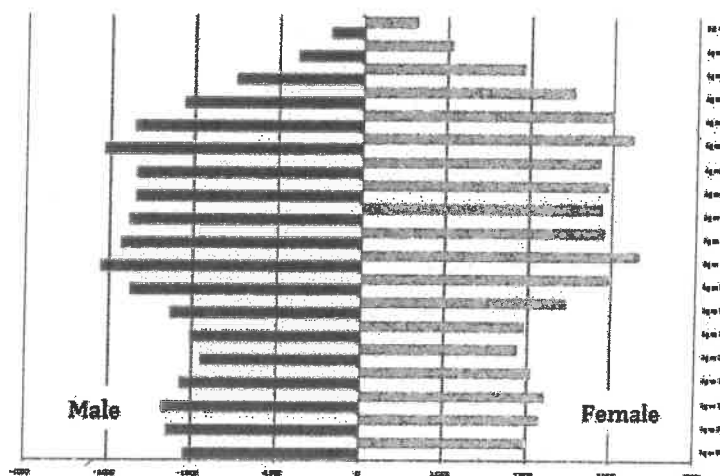
The proportion of school aged youth (5-17 years) will continue to decline over the next seven years before returning to current levels around 2020. Their share of the total population, however, will decline from 14.7% to 12.3% over this period before climbing to a forecast level of 13.4% in 2030. Although the demand for the various school programs is predicted to shift, the overall enrollment is expected to be back to current levels around 2015.

The proportion of post-secondary school aged youth (18-24 years) is forecast to grow until 2012 and then decline through to 2025. From 2025 to 2030, this population is expected to grow marginally. The age group's share of total population is projected to grow slightly from 8.3% in 2008 to 8.5% in 2012, and then decline steadily to a share of about 6% in 2030.

2010 Population by Gender and Age Cohort



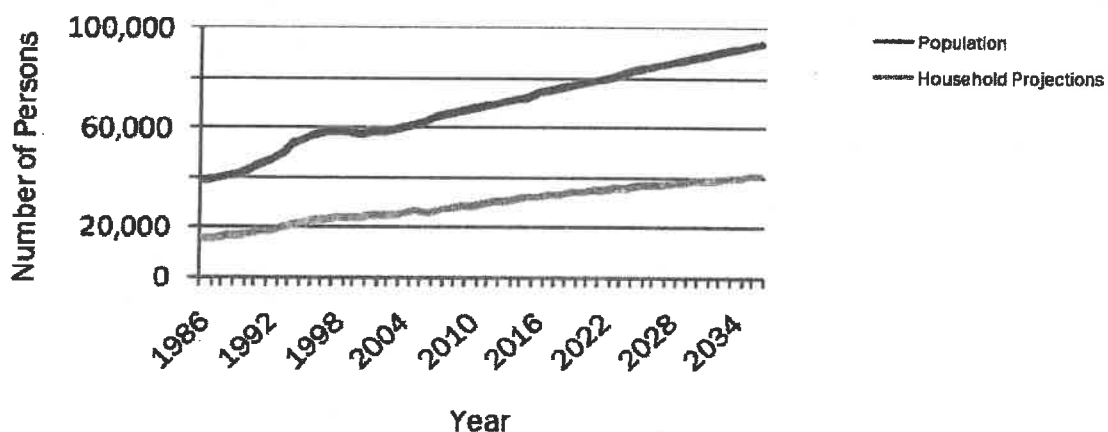
2030 Population by Gender and Age Cohort



Housing

Housing demand forecasts are tightly linked to population forecasts and overall regional economic performance, a major driver of in-migration. BC Stats estimates a demand for about 10,000 new dwelling units or homes between 2007-2030, to accommodate population growth. On average, approximately 500 new dwellings per year would be needed to provide homes to this increased population. If demographic trends are correct, many of this in-migration will be over 65 years of age and a key consideration for the RGS will be the type of housing they require now and as they age in the Comox Valley.

Population and Household Projections



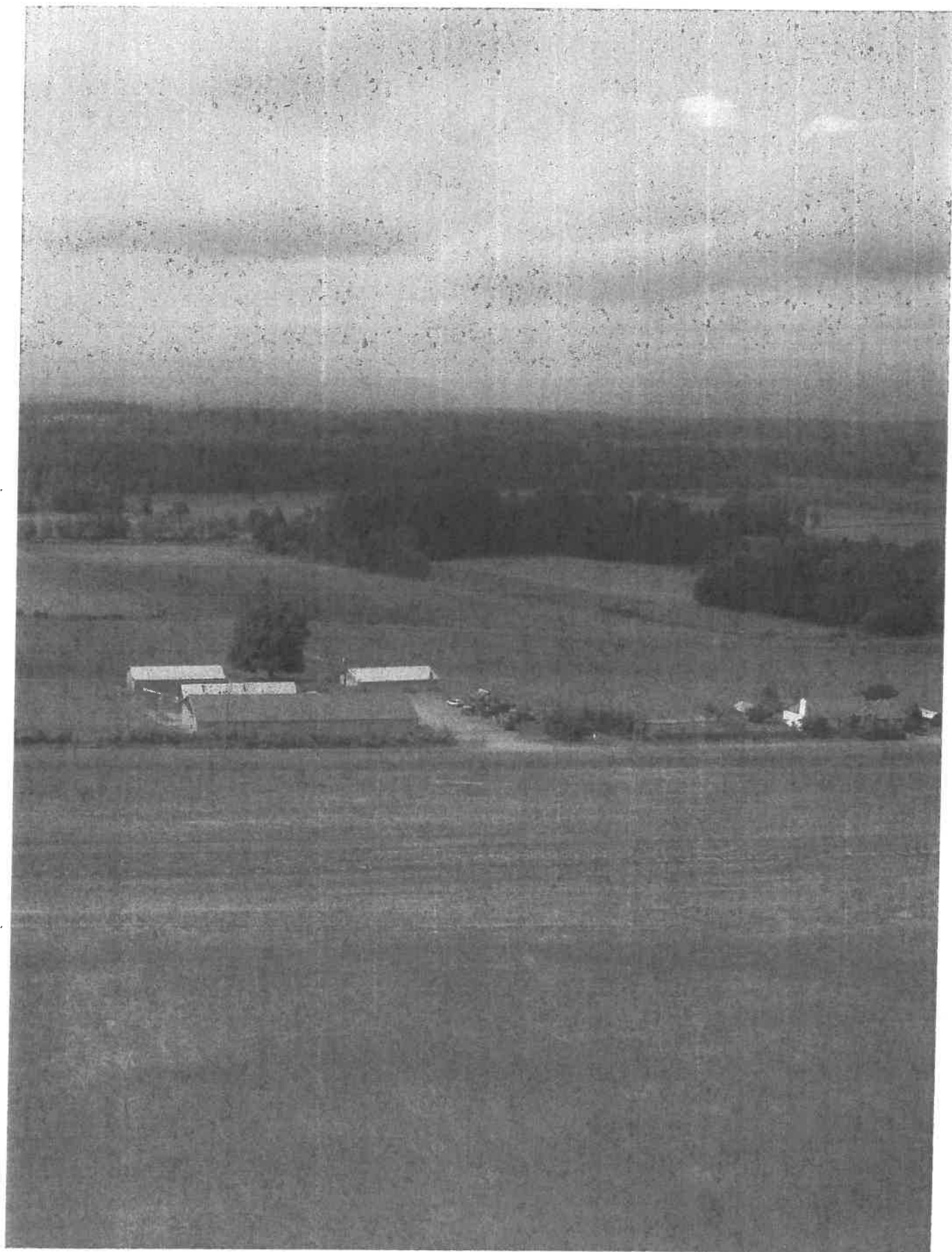
Employment and Job Forecasts

Based on local government and agency data, long-range job forecasts were made. The estimates considered historical employment trends, current market conditions, and projected CVRD demographic trends and population forecasts. Given the Regional Growth Strategy's 20-year time horizon global economic considerations and potentials were also considered, such as the emergence of a low-carbon economy, increasing economic localization/regionalization, food security, etc. Due to the time lines involved and natural economic volatility, the estimates are intentionally conservative and provide a range for each category. As the table shows, the number of jobs in the region is expected to grow along with Comox Valley's overall population, and between 12,000 and 22,000 new jobs could be expected in the region by 2030 over 2008 job estimates.

Should the CVRD adopt a more aggressive job creation and employment attraction strategy to work towards achieving a higher jobs-to-population ratio of .55 jobs per person, an additional 1,200 jobs would be required over the 2030 'high' estimate.

Employment Estimates, 2008 and Employment Forecasts, 2030

	2008 est.	Projected Average Annual Growth	2030 - Low	2030 - High
Retail trade	4,687	1.0% to 2.0%	5,834	7,246
Accommodation & food service	2,872	0.5% to 1.5%	3,205	3,985
Health care and social services	3,130	2.0% to 4.5%	4,839	8,243
Construction	3,912	4.0% to 3%	3,912	6,735
Manufacturing	1,499	0.5% to 1.0%	1,499	2,080
Finance and real estate	1,615	0.5% to 1.0%	1,615	2,010
Educational services	1,382	-0.5% to 1.0%	1,542	1,720
Public administration	1,332	0.5% to 1.5%	1,486	1,848
Information, culture and recreation	1,229	1.5% to 3.0%	1,801	2,355
Transportation and warehousing	1,341	0.75% to 1.25%	1,581	1,762
Professional scientific and technical	1,182	0.75% to 1.25%	1,393	1,553
Management and administration	1,251	0.75% to 1.25%	1,475	1,644
Other services	1,132	0.75% to 1.5%	1,334	1,571
Forestry, fishing and resource-based	847	.75% to 2.0%	998	1,309
Agriculture	544	1.5% to 3.0%	755	1,042
Totals	27,955		33,269	45,105



03 Regional Policies

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Part 3: Regional Policies

3.1 Vision

The RGS vision statement describes the desired future for the region and sets the basic direction for planning, policies and action. The vision for the Comox Valley has been developed through ongoing community consultation throughout the RGS process.

The Comox Valley will continue to evolve as a region of distinct, well-connected and well-designed urban and rural communities. As stewards of the environment, local governments, the K'ómoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes.

Many of the strategies in the RGS require cross-jurisdictional collaboration. In order to plan for long-term growth that is sustainable and sensitive to the unique character of the local communities within the Comox Valley, local governments and the K'ómoks First Nation will need to work together, and in partnership with other orders of government, to achieve the goals set out in the RGS.

3.2 Policy Areas

The following goals will help to guide long-term growth in the Comox Valley. The goals reflect stakeholder and public input and respond to the identified challenges and opportunities that the Comox Valley will face over the next 20 years. These goals are organized into eight inter-related policy areas:

Goal 1: Housing:

Ensure a diversity of housing options to meet evolving demographics and needs.

Goal 2: Ecosystems, Natural Areas and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems.

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Goal 4: Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Goal 5: Infrastructure:

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

Goal 6: Food Systems:

Support and enhance the agricultural and aquaculture sectors and increase local food security.

Goal 7: Public Health and Safety:

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

Goal 8: Climate Change:

Minimize regional greenhouse gas emissions and plan for adaptation.

Each RGS goal contains six components:

Issue overview

Provides a general description of the issue.

Current situation

Localizes the issue within the regional context based on background research in *Understanding Our Choices* and supporting regional strategies (*Comox Valley Sustainability Strategy, Comox Valley Water Supply Strategy, Regional Sewerage Master Plan.*)

Objectives

Specific objectives related to the policy issue.

Targets

Provides a series of targets at interval years in order to monitor the effectiveness of the RGS policy implementation.

Measures

Types of data that will be used to monitor the achievement of targets, such as census data, the production of studies and data from local municipalities

Supporting policies

Policies that will help to achieve the objectives and meet the targets set out in the RGS.

Each of the goals, objectives and supporting policies found in Part 3 inform and provide guidance on interpreting and implementing the growth management policies found in Part 4 of this RGS.

GOAL 1: HOUSING

Ensure a diversity of affordable housing options to meet evolving regional demographics and needs.

Issue overview

Housing location, type, affordability, and choice play a central role in supporting more complete communities and can have long-term impacts on a region's economic health, environmental performance and overall sustainability. Housing can be located to help reduce infrastructure costs and improve its efficiency, support public transit services, and support more active, healthier transportation choices like walking and biking. Affordable housing can also attract employers and working households, and permits families to invest more time and energy in other aspects of community life. Housing diversity allows people and families to live and stay in the Comox Valley regardless of their age, lifestyle interests, family arrangements, or financial situation.

Current situation

In the past several years, the Comox Valley has experienced almost every type of residential development. Ranging from multi-family infill in downtown centres to rural and suburban subdivisions, this development has increased housing supply and housing choice. Much of this growth occurred within and around the municipalities of Comox and Courtenay. Almost three-quarters of Comox Valley residents live in one of the three local municipalities or within one kilometre of their boundaries.

Some of the major housing trends and issues include:

- **Growing housing demand:** There is a forecast demand for an additional 10,000 homes by 2031 to accommodate projected population increases in the region. On average, approximately 500 new dwellings per year would be needed to provide homes to this increased population.

- **Housing supply:** Current development proposals demonstrate the capacity to supply housing for the next 20 years or more. With many proposals at the early stage of approvals, it is not certain how much of the proposed housing would be developed in transit-serviced locations, match the region's diverse housing needs, or provide sufficient affordable housing options. The existing zoning allows for the following housing capacity, which excludes additional intensification potential through OCP policies:

Jurisdiction	Zoning Capacity ⁶
Town of Comox	1,400 units ⁷
Village of Cumberland	5,100 units ⁸
City of Courtenay	5,000 units ⁹
regional district electoral areas	5,373 units ¹⁰

- **Dispersed housing locations:** There are a number of development proposals that would locate new housing within or near existing *Town Centres*, but most of the proposed housing capacity is on greenfield sites that are outside of those centres.
- **Limited housing choice:** The construction of new apartments and new senior's housing over the past few years increased housing choice in the region, particularly in Comox and Courtenay. Still, single-family housing represents the majority of housing options – 60 percent in the three municipalities and over 80 percent in the electoral areas -- and rental options have declined to less than one-quarter of all housing.
- **Affordable housing:** Despite affordable housing policies in both Comox and Courtenay, housing affordability remains an issue in the region. Housing prices in rural and urban areas have escalated ahead of household incomes. More affordable housing types - such as manufactured homes and older rental units - have also been redeveloped into higher income housing, particularly in coastal areas.

⁶ Zoning capacity is estimated based on general land development yields, as of February 2010

⁷ Estimate based on updated 2009 BC Assessment data.

⁸ Includes residential units in Trilogy, Cumberland Green, and Coal Valley Estates.

⁹ Includes South Courtenay Local Area Plan area but does not include Raven Ridge lands.

¹⁰ This number does not include the zoning capacity for Saratoga Beach bylaws that are in the process of being considered at the time of writing the RGS. The base zoning of Kensington will permit 2,889 units with a maximum density of 3,551 units. The Saratoga Beach project will permit approximately 143 units.

Objectives

Objective 1-A: Locate housing close to existing services

More complete and sustainable communities typically locate residential development in close proximity to services, amenities, and jobs. As of 2006, the majority of the population resides in the urban areas (65 percent) with a smaller, yet growing, population in the rural areas (35 percent). Housing in a complete community is developed with densities sufficient to support frequent local and regional transit. The proximity and density makes more effective use of infrastructure and public resources, and also supports healthier transportation choices, like walking and cycling. More compact, efficient residential development also allows environmentally sensitive and working landscapes to be better protected (see: Goal 6 Food Systems).

MEASURES	Baseline (2006)	TARGETS			Data sources
		Short-term (2015)	Medium-term (2020)	Long-term (2030)	
Percent of new housing units in <i>Core Settlement Areas</i>	65%	90%	90%	90%	Statistics Canada and BC Stats (2006)

Supporting policies

- 1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to *Core Settlement Areas*.
- 1A-2 The focus of higher density and intensive developments shall be within the existing *Municipal Areas*. Within the *Municipal Areas* densification and intensification of development is required including infill and redevelopment.
- 1A-3 Identify specific *Town Centres* in *Municipal Areas* through the OCP review process. These *Town Centres* are to be developed as walkable and complete communities, providing for a range of housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one *Town Centre* in the City of Courtenay, one *Town Centre* in the Town of Comox and one *Town Centre* in the Village of Cumberland.
- 1A-4 Within *Settlement Nodes* densification and intensification of development is required however it will be less intensive than in *Municipal Areas*. These nodes are to be developed with centres that are walkable and limited to local services with a range of housing types focusing on low density multi residential and medium density.

- 1A-5 Revise OCP land use policies that unnecessarily restrict infill and redevelopment in *Core Settlement Areas* and *Town Centres* to maximize housing potential in those locations. The mix of land uses in *Settlement Nodes* will be reviewed through the OCP process
- 1A-6 Increase housing opportunities in existing residential areas in *Core Settlement Areas* by encouraging multi-family conversions, secondary suites, and small lot infill.
- 1A-7 *Settlement Expansion Areas* are areas of potential growth subject to several conditions as set out in Part 4 of the RGS. Growth in *Settlement Expansion Areas* will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development. Until such a public planning process has occurred and the conditions of Part 4 are met, any development in *Settlement Expansion Areas* will be subject to a minimum lot size of 4 hectares.

Objective 1-B: Increase affordable housing options

A scarcity of affordable housing can force households to overextend their finances or relocate to a different community. Often these households are composed of the working people who provide essential services to the public and to other community members. Housing is considered affordable when the total shelter costs including utilities and taxes are below 30% of a household's gross annual income. Affordable housing is realized in many forms, ranging from moderately sized and apportioned market housing to secondary suite rentals to subsidized and cooperative housing.

MEASURES	Baseline (2006)	TARGETS			Data sources
		Short-term (2015)	Medium-term (2020)	Long-term (2030)	
Percent of household paying more than 30% of their income on housing	Renters: 43.4%	Renters: 35%	Renters: 30%	Renters: 20%	Statistics Canada and BC Stats (2006)
	Owners: 22.7%	Owners: 15%	Owners: 10%	Owners: 10%	

Supporting policies

- 1B-1 Adopt the following definition of affordable market and non-market housing¹¹: *"Housing is affordable when it does not cost more than 30 percent of a household's gross monthly income. Affordable non-market housing is housing that is affordable to households in the lowest 30% of household income distribution, and is restricted by deed and/or covenant to be permanently affordable. Affordable market housing is housing that is made affordable through the provision of modestly apportioned multifamily or small lot housing."*¹²
- 1B-2 Encourage residential multi-unit or multi-lot developments to contribute to affordable housing options including, but not limited to a range of unit sizes and types, lot sizes, multifamily or attached-unit buildings, rental units, and secondary suites. These contributions could take the form of land, cash, buildings or other such items as supported by the local governments.
- 1B-3 Coordinate opportunities for developers to provide market and non-market affordable housing, such as rezoning contributions, inclusionary zoning, or reduced application fees.
- 1B-4 Consider the development of a 'Regional Affordable Housing Strategy' to be used as a common resource and strategic plan by the regional district and the three municipalities. The strategy could review and coordinate affordable housing policies, while allowing each jurisdiction to address their unique affordability issues.
- 1B-5 Require local governments to have provisions for developing affordable housing in new OCPs and other bylaws.
- 1B-6 Explore a delivery mechanism for a provincial non-profit program and assist local governments in the provision of non-profit housing, in their jurisdiction.

¹¹ While the 30% income threshold is widely used for individual households, there is no standard definition of *who* affordable housing should be built for. The 'lowest 30%' range is adapted from the CVRD's *Electoral Area 'A' Electoral Area Plan, Bylaw No.2192, C. Land Use and Settlement: Objectives and Policies, C.2(d).*"

¹² Affordable housing is defined by Canada Mortgage and Housing Corporation (CMHC) and used by the Province of BC.

Objective 1-C: Develop and maintain a diverse, flexible housing stock

Over the medium and longer-terms, the Comox Valley will need to provide housing opportunities to a wide range of households and families, including a growing population of seniors and the workers who will provide services for them, young families, retirees, and individuals with special needs. Housing can also be planned and designed for adaptability. This means that in the future, they can be easily expanded or converted for changing household types or additional households.

The following targets for the short, medium and long term provide targets for the mix of housing built within a given time frame.

MEASURES	Baseline (2006)	Short-term 2010- 2015	TARGETS Medium- term 2015-2020	Long-term 2025 - 2030	Data sources
New housing mix in <i>municipal areas</i>	Low 75%	Low 65%	Low 55%	Low 40%	OCP review process
	Medium 20%	Medium 20 %	Medium 25%	Medium 30%	
	High 5% ¹³	High 15 %	High 20 %	High 30%	

MEASURES	Baseline (2006)	Short-term 2010- 2015	TARGETS Medium- term 2015-2020	Long-term 2025 - 2030	Data sources
New housing mix in <i>settlement nodes</i>	Low 90%	Low 80%	Low 60%	Low 50%	OCP review process
	Medium 10%	Medium 15%	Medium 30%	Medium 35%	
	High 0%	High 5%	High 10%	High 15%	

¹³ Estimate based on Stats Canada 2007, 2006 Community Profiles, 2006 Census. Note that percentages range within each of the municipalities.

Supporting policies

- 1C-1 Provide a diversity of housing types in the *Municipal Areas* using the following housing type targets for new development by 2030: These targets are for all Municipal Areas in aggregate.

40% Low Density

- Single unit residential, town homes, semi-detached, secondary suites
- 4-24 units per hectare

30% Medium Density

- Low-rise multi-unit up to four storeys
- 24-74 units per hectare

30% High Density

- Over four storey multi-units
- Minimum 74 units per hectare

- 1C-2 Provide a diversity of housing types in the *Settlement Nodes* using the following housing type targets for new development by 2030: These targets are for all Settlement Nodes in aggregate.

50% Low Density

- Single unit residential , town homes, semi-detached, secondary suites
- 4-24 units per hectare

35% Medium Density

- Low-rise multi-unit up to four storeys
- 24-74 units per hectare

15% High Density

- Over four storey multi-units
- Minimum 74 units per hectare

- 1C-3 Encourage both rural and urban alternative housing forms that provide housing at lower costs and with lower environmental impacts.

- 1C-4 Encourage infill units and secondary suites in residential zones in the *Core Settlement Areas*.
- 1C-5 Encourage multi-family housing, and small-lot housing in the *Core Settlement Areas* wherever it can be supported by regular transit and infrastructure services.
- 1C-6 Assess housing needs as part of OCP update/review processes to ensure adequate housing is provided to support for current and future needs (e.g., seniors, households with children, young adults) and ensure related policies are incorporated (e.g., local housing stock targets, location suitability).

Objective 1-D: Minimize the public costs of housing

Housing requires a long-term investment of public resources. Housing located in hazard areas require special protective and support services or structural mitigation. Housing that consumes too much energy or water requires bigger and more costly infrastructure and have a larger impact on the health of natural resources.

Supporting policies

- 1D- 1 Direct the majority of new housing to areas that are or will be serviced through publicly owned water and sewer systems.
- 1D- 2 Direct new housing away from high risk natural hazard areas such as flood plains, areas exposed to sea-level rise, fire hazard areas, and steep and unstable slopes.
- 1D- 3 The electoral areas OCPs will be updated to provide a range of 4 – 20 hectares lots within the *Rural Settlement Areas*, however, lots as small as 2 hectares may be permitted provided that agriculture is the principle use on the property.
- 1D-4 Encourage green building design through green building standards for new residential development that include water and energy efficiency practices.

GOAL 2: ECOSYSTEMS, NATURAL AREAS AND PARKS

Protect, steward and enhance the natural environment and ecological connections and systems.

Issue overview

Ecologically, the Comox Valley is one of the most diverse in Canada. Comox Valley's natural beauty derives from the stunning mix of glacier, mountains, sea and almost everything in between, from globally rare temperate rainforests to Garry Oak meadows to complex wetlands and rich estuaries. This rich and diverse landscape has supported the equally rich cultural heritage of the K'ómoks First Nation and the valley's more recent settlers and newest residents. Recognizing the importance of these landscapes, each of the local governments promotes environmental protection and enhancement through specific policies such as the provision of corridors, protection of ESAs and guidelines for riparian areas.

The landscape is an intricate balance of natural systems. All ecosystems are the product of formative systems (e.g., hydrology, winds, coastal currents). In order to protect ecosystems, it is necessary to understand and protect the systems that create and sustain them. For example, when protecting a wetland by setting it aside within a development, it is also important to design the development in order to maintain the water source that feeds the wetland.

Although local governments have a number of initiatives underway to protect the environment, there is a strong need for a regional and coordinated approach to environmental protection and enhancement that emphasizes protection, enhancement and connectivity. In recognition of this, the CVRD board endorsed the concept of regional conservation put forward in the *Nature Without Borders Regional Conservation Strategy* (July 2008).

The purpose of the accompanying map is to conceptually illustrate how linkages could be made between ESAs, parks and green spaces at a regional scale based on the overarching principles of conservation and connectivity. The map is based on the concept of regional conservation put forward by *Nature Without Borders*, but further detailed analysis should be undertaken to delineate lines and enact specific policies at a local level.

Current situation

The ecological diversity of the Comox Valley is protected through a number of local government policies. However, development pressure continues to impact natural systems. The goal over the next twenty years will be to manage population growth in a way that enables both human and non-human life to flourish. This means striving to balance the human need for resources, recreation, enjoyment and aesthetics with the need to protect, conserve and restore natural areas and biodiversity. This requires an understanding of the natural and formative systems that create the local landscape, so that we can guide development to work with the environment and ensure the natural landscape will continue to provide the resources necessary for many generations to come.

Providing parks and trails close to where people live encourages physical activity and promotes mental health obtained from walking, cycling or riding in natural areas away from busy streets. Depending on their use and management, parks and recreational trails that are intended for human enjoyment, can also contribute to the protection and conservation of nature.

Currently, municipal parks provide space for public assembly and sports fields, such as Simms Park and Lewis Park as well as large nature reserves such as Hurford Hill, Roy Morrison, Lerwick, Sandwich and Millard Nature Parks. Electoral area parks and the BC Hydro recreation area provide for extensive trail systems close to where people live such as Seal Bay and Nymph Falls and BC Hydro's Puntledge River Recreation Area. Strathcona Provincial Park has outstanding subalpine natural areas and backcountry recreation opportunities. There are also several smaller provincial parks such as Kitty Coleman, Kin Beach, Rosewall Creek and Miracle Beach provincial parks.

Extensive backcountry recreation provides both local and tourist activity and takes place throughout the Comox Valley on private forest land. As the population grows, the demand for this kind of recreational activity will grow as well.

The following policies, in combination with the other goals set out in the RGS, provide a land use framework that positions regional conservation as an integral component of growth management. In order to be successful, the region must be viewed as an interconnected system where land use decisions have a long-term impact on the health of ecosystems.

Objectives

Objective 2-A: Identify and map areas for conservation.

Loss of natural areas and renewable resource productivity (fisheries, forestry and agriculture and aquaculture) is often the result of a lack of data and understanding of the local landscape and formative systems. Currently there are gaps in environmental data, including a lack of detail in provincial and federal Sensitive Ecosystem Inventory (SEI), mapping data for marine ecosystems and limited access to data on upland resource areas. Obtaining more detailed and complete information on ecosystem location and function will facilitate improved growth management decisions for ecosystem protection.

The *Regional Conservation Framework Concept Map No. 4* provides information based on the principles of *connecting habitats* to support biodiversity and *precautionary growth* wherein local governments and the development community should work to share information and ground-truth ecosystems moving forward. The following components and implementation guidelines provide a starting point for local governments to incorporate into OCPs. These components will collectively be referred to as regional *conservation areas* within the policies of this chapter.

Estuaries: A semi-enclosed coastal body of water with one or more riverine or streams flowing into it, and with a free connection to the open sea. Due to their marine and river influences, they contain many biological niches within a small area and are so associated with high biological diversity. Estuaries offer biodiversity and migrating fish corridors that allow movement of aquatic species from the ocean to upland rivers and streams and back to the ocean. The Courtenay River estuary is one of only eight Class 1 estuaries in BC. It provides habitat for numerous species of birds, plants and fish.

Riparian areas: Riparian areas describe the distinct ecology that surround streams and wetlands. These ecosystems vary in width depending on the associated watercourse, vegetation and landforms. Riparian areas are noted on Map No.4 but are not specifically mapped due to the scale and detail of the Regional Conservation Framework Concept Map.

Sensitive ecosystems: Sensitive ecosystems are areas that may contain rare, threatened and fragile ecosystems and support high levels of biodiversity. Land management policies should include practices like the removal of invasive species, re-introduction of native plant and animal species, ongoing maintenance and monitoring, and restricting human activity as required. These sensitive ecosystems were identified through the sensitive ecosystem inventory that identifies remnants of rare and fragile ecosystems (on land).

For these areas, policies should follow a spectrum from low to high human activity and access commensurate with the size of the protected area and level of ecological sensitivity. In select circumstances, this may include limited development opportunities in specified locations or access to resources (e.g. fishing, selective harvesting of berries/trees)

Other important ecosystems: The OIE includes second growth forests and seasonally flooded agricultural lands.

Critical watersheds: The Browns, Tsable and Oyster Rivers and Comox Lake are critical watersheds in the Comox Valley. In addition to providing drinking water sources, these watersheds provide linkages for wildlife from the east coast of Vancouver Island to the west coast, via Strathcona Park.

Biodiversity corridors: Biodiversity corridors link natural features and create linkages for wildlife and plants to move between sensitive ecosystems, parks and protected areas but does not allow for public access on private lands. Creating regional linkages or corridors promotes the concept of 'connectivity' for a healthy regional conservation network. The *Regional Conservation Framework Concept Map No. 4* illustrates how biodiversity corridors could create connectivity throughout the region, running north/south and east/west. Through more detailed study, policies should be developed to focus conservation efforts in these areas and to cross-jurisdictional stewardship. As a starting point, the conceptual biodiversity corridors could be implemented in the *Resource Areas* where it can be ensured that the corridor can be protected if it exists. Recognizing that these corridors will traverse privately owned working landscapes, participation by private land owners would be voluntary and will not interfere with farm practices.

Existing parks and proposed parks and greenways: These are the municipal and electoral area parks identified through the OCPs and provincial parks. These areas are protected from development and may serve multiple uses, ranging from sports and

recreation to nature conservation. These areas should be managed to support natural system functions where appropriate. All OCPs have provisions for parks and greenways; the goal will be to connect these areas to other conservation areas in order to form a network that balances human needs with biodiversity protection.

Supporting policies

- 2A-1 Local governments should individually or jointly adopt regionally consistent terminology, as set out above, to create a policy framework to support protection of conservation, environmental features and watersheds in OCPs.
- 2A-2 All local governments are encouraged to either individually or jointly regularly update environmental mapping. This will facilitate the production of mapping that depicts critical information such as sensitive ecosystems, watercourses and riparian areas, parks and greenways, and working landscapes including ALR.
- 2A-3 Use a sensitive environmental atlas as a common method of collecting and displaying conservation and environmental information.
- 2A-4 OCP updates should include mapping of regional environmental features.
- 2A-5 Ground-truthing and mapping should be considered as part of the planning updates and development approvals process. OCPs, rezonings and other permitting processes, should seek to collect such information wherever possible.
- 2A-6 Working with private landowners, environmental organizations and upper-level governments, local governments should encourage and assist in the sharing of mapping and ground-truthing.
- 2A-7 Work with the K'ómoks First Nation so that environmental mapping reflects K'ómoks First Nation's unique traditional ecological knowledge, cultural heritage and traditional use of the area. Additionally, the K'ómoks First Nation and all parties to the RGS should partner in the development of the estuary management plan for the Courtenay River.

- 2A-8 Recognize the ecological and cultural significance of the Courtenay River estuary, the Courtenay River estuary management plan is in the process of being updated through multi-jurisdictional cooperation, including numerous stakeholders, senior governments, local governments and the K'ómoks First Nation. When completed, this plan will form one of the key 'additional studies and projects', as noted in Part 5 of this RGS, that will assist in implementing the RGS.
- 2A-9 The RGS supports the implementation of local government parks and greenways plans and policies to establish a network of interconnected local and electoral area parks and greenways in order to protect recreational opportunities, wildlife habitat and natural ecosystem functions.

Objective 2-B: Frame environmental protection and policies around the principles of precaution, connectivity and restoration.

In order to address the loss and fragmentation of sensitive ecosystems, a set of overarching, guiding principles for growth management and land-use practices is needed. The following principles are to be considered in regards to specific development proposals which significantly impact sensitive ecosystems. Collectively applied, they will help maintain the region's biodiversity.

Precaution: Where the environmental outcomes of a specific development proposal will significantly impact sensitive ecosystems err on the side of caution and require documentation as to impact, mitigation and restoration or limit the action to avoid significant impact.

Connectivity: recognize the issue of connectivity in regards to potential impacts on the integrity and functionality of sensitive ecosystems.

Restoration: where cost effective, consider the restoration or creation of natural systems to provide sustainable environmental services (e.g. storm water ponds for improving water quality; tree cover for capturing carbon and reducing GHG emission).

Supporting policies

- 2B-1 Local governments should work together to adopt consistent actions and policies for environmental and natural resource protection, through OCPs, zoning and other mechanisms, that promote the principles of precaution, connectivity and restoration.
- 2B-2 OCPs should explore the development of clear definitions and guidelines for *ecological greenways* and to work with neighbouring local governments to create region-wide linkages.
- 2B-3 Explore and encourage the practice of restoration of urban and rural ecosystems to increase ecological functions.

Objective 2-C: Promote environmental best practices in *Agricultural* and *Resource Areas*.

Agricultural and *Resources Areas* provide many opportunities to contribute to healthier ecosystem functioning and offer important habitat for some animal and plant species. At times, there will be competing interests within these areas between private owner interests, conservationist goals and the production of agricultural goods. The following policies aim to support production within *Agricultural* and *Resource Areas* as economic industries while also recognizing the importance of environmental best practices in these areas.

Supporting policies

- 2C-1 Encourage land owner contact and education programs and, where feasible, require land owners to protect the sensitive environmental and unique natural features on their land.
- 2C-2 Explore additional opportunities for habitat restoration and conservation covenants on agricultural and forestry lands

- 2C-3 Implement 400 hectare minimum parcel size in *Resource Areas* to retain large, contiguous areas.
- 2C-4 Support continued application and uptake of BC Environment Farm Plan.
- 2C-5 All local governments will ensure appropriate buffers and transition zones between working landscapes and residential areas to minimize negative impacts from residential development on farm and resource land. Buffer and transition zones will be promoted to support ecological connectivity and ecological system functions.
- 2C-6 Implement best practices in creating trails in *Agricultural Areas* as set out in the Ministry of Agriculture and Lands *Farm and Trail Guide for Agricultural Areas*.
- 2C-7 As part of the Comox Valley Agricultural Plan update (see 6E – 3), explore incentives for conservation on agricultural lands.
- 2C-8 Support increased water availability for agriculture while ensuring natural systems remain healthy and functioning.

Objective 2-D: Ensure access to parks, recreation areas.

Increased access to parks and recreational greenways provides wide-ranging community health, economic and quality-of-life benefits. Ensuring recreational opportunities enables community members to actively and passively experience the region's spectacular natural and cultural heritage and encourages tourism and the growing field of eco-tourism.

Supporting policies

- 2D-1 All local jurisdictions should work together to coordinate local and regional greenway network connections.
- 2D-2 Require new developments to link to, improve or expand the existing greenway network.

GOAL 3: LOCAL ECONOMIC DEVELOPMENT

Achieve a sustainable, resilient and dynamic local economy that supports businesses and the region's entrepreneurial spirit.

Issue overview

A healthy, strong and diverse local economy is one of the cornerstones of more sustainable and complete communities. Complete communities not only attract new investment and jobs, they also help retain existing jobs, encourage entrepreneurship and create a solid tax base to better support local service delivery. Without a strong local economy, Comox Valley local governments may have difficulty funding important services, residents may be forced to work further from their homes, and overall community liveability may suffer.

The RGS provides an opportunity to encourage and support the development of a more diverse and healthier local economy, which in turn will help support the Comox Valley on its journey to become a more sustainable region.

Current situation

The Comox Valley's regional economy is relatively diversified compared to other north Island communities. Retail services, government, health care and business services are all significant local drivers. Most employment is centered in-and-around the Courtenay-Comox hub. The current ratio of jobs-to-population is relatively low at 0.45 jobs per person.

As with the larger provincial and global economy, the Comox Valley experienced relatively robust growth between 2002 and 2007. This growth stalled in 2008 as a result of the recession, but longer-term fundamentals would support a return to a strong, local economy. Some of the major economic sectors and opportunities include:

- **Tourism:** Year round tourism is supported by the region's natural beauty and outdoor recreation opportunities with unique opportunities in each of the local jurisdictions. Additionally, Mt. Washington Ski Resort has engaged in a long-term plan to become a year-round destination resort. The proximity to major local, Canadian and U.S. markets (e.g., Vancouver, Victoria, Washington State, Alberta), and excellent air, water and land transportation links support ongoing tourism development. The region has also embraced emerging tourism markets, including agri-tourism and cultural tourism.
- The **Comox Valley Airport** has dramatically improved transportation options for the region and is a considerable economic development opportunity. The Comox Economic Development Society has identified airport-related business as a strategic cluster to foster and the Town of Comox has created an industrial area adjoining the airport for air services-related businesses. The airport and the new air services industrial land base could help attract new businesses to the region.
- **Agriculture and aquaculture:** agriculture is an important economic engine and over the longer-term it is expected to increase as the demand for locally produced foods and value-added foods grows. Growing food security concerns will also help drive the growth of this sector. The shell-fish industry remains a major and growing employer in the region. The area is the hub of BC's oyster farming sector. The K'ómoks First Nation have a rich tradition of aquaculture in Comox Valley. Pentlatch Seafoods Ltd. is owned by the K'ómoks First Nation and has sites located in the Comox Harbour, Royston and Baynes Sound, possessing 7 intertidal tenures totaling 64.3 hectares.
- **Public sector employment:** As the largest public sector employer in the region, the Canadian Forces air base has long been a regional employment anchor and will likely remain so for the future. In addition, the region is home to a major regional hospital, St. Joseph's, and plans are underway to create a new regional hospital which will ensure the long-term sustainability of a second, major, public sector employer in the region.

- **Forestry and other resource industries:** While the region's historic economic drivers have declined significantly, major, long-term opportunities remain for value-added forestry in the region. Mining and metals processing has also recently re-emerged as a potential longer-term employer with new mine development proposals. Renewable energy generation has the potential to be an emerging industry in the Comox Valley.
- **Retail and human services:** Courtenay-Comox is a regional hub for shopping and services which also draws some business from neighbouring regions. Opportunities exist to diversify and expand the range of services available, particularly in health care with the proposed new hospital, and, potentially, in post-secondary education services for the North Island. Given the aging demographics, additional employment within the social service sector is also anticipated to occur.
- As **K'ómoks First Nation** moves toward settlement of outstanding legal claims, it is expected that they will have access to both lands and financial resources coupled with a strong desire to engage local economic activity. There is considerable potential for their increased participation in business and job creation in the region.

Objectives

Objective 3-A: Support local business retention, development and investment

Support and work with the Comox Valley Economic Development Society (CVEDS) in creating a positive business-enabling environment through cooperating on policies and procedures that help to support and retain existing businesses and attracts new businesses and investment.

Supporting policies

- 3A-1 Encourage responsible expansion of the economic base of the Comox Valley with the intent of enhancing wealth and employment opportunities.

- 3A-2 Ensure the creation of regional economic development plans include multi party process involving all local governments and economic development stakeholders, including the K'ómoks First Nation, and relevant non-government.
- 3A-3 Promote supportive development and business-permitting standards.
- 3A-4 Work with the CVEDS to focus investment and business development in *Town Centres*.
- 3A-5 Support economic objectives and initiatives of the K'ómoks First Nation, including future economic opportunities, where appropriate, on K'ómoks First Nation lands.

Objective 3-B: Increase regional job base

Complete communities with a healthy balance of people and jobs tend to have a ratio of approximately 0.65 jobs per resident. The region's growing senior population makes achieving such a high ratio difficult, but a goal of 0.55 jobs per resident is realistic over the longer term. This ratio will help create a diverse, dynamic and self-supporting local economy and will make it possible for the valley's younger population to find work and remain in the community.

MEASURES	Baseline (2008)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Job-to- population ratio	0.45	0.48	0.52	0.55	Census Canada, BC Stats

Supporting policies

- 3B-1 Support the intensification of mixed-use office, retail and other commercial employment activities in *Town Centres* located within *Core Settlement Areas*.
- 3B-2 Protect and enhance ALR lands with the intent to grow and diversify the base of agricultural activities.

- 3B-3 Preserve designated *Resource Areas* forestry lands for sustainable and value-added forestry and agro-forestry purposes and discourage conversion of forestry lands for residential development.
- 3B-4 Explore initiatives that support value-added, community-based business development, including, but not limited to, local food processing, specialty forest products and other value-added product manufacturing.
- 3B-5 Monitor the supply of readily serviced industrial land in the region with the objective of maintaining sufficient capacity to meet the needs of the regional economy.
- 3B-6 Utilize an eco-industrial networking approach for industrial land development (i.e., work to co-locate businesses that can create collaborative networks to more efficiently and effectively use resources, such as materials and energy).
- 3B-7 Encourage green jobs and technology to locate in the Comox Valley.
- 3B-8 Investigate opportunities to support the expansion of regional employment where proposals are consistent with the policies of the RGS.
- 3B-9 Encourage tourism, including cultural and eco-tourism opportunities, within the Comox Valley.

Objective 3-C: Support resource-based employment opportunities

Forestry, fishing and agriculture remain important regional economic activities. It is anticipated that agriculture, aquaculture and value-added forestry will continue to grow in the future. Mining and aggregate extraction presents other longer-term opportunities as well provided environmental and human health issues are appropriately managed. Each sector could support additional employment and generate additional local revenues, particularly if a value-added approach was taken with any future resource development initiative. Real and growing food security issues will help propel local agriculture, in particular, over the longer term.

MEASURES	Baseline (2008)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Agriculture & resource-based employment*	1,400 (5%)	1,650 (5%)	1,800 (6%)	2,200 (6%)	Census Canada, BC Stats

*Note: based on 2% average annual growth over 2008 baseline

Supporting policies

- 3C-1 Work with the Ministry of Agriculture and Lands and the Agricultural Land Commission to develop strategies and actions to increase the amount of actively farmed agricultural lands, and reduce barriers to agricultural viability in *Agricultural Areas*.
- 3C-2 Encourage the development of infrastructure to help increase agricultural production such as irrigation water and regional drainage improvements.
- 3C-3 Work to develop suitable policy and regulations that limit country estate residential impacts while supporting small scale agricultural operations on smaller lots to enable new farmers to enter the industry.
- 3C-4 Recognize the long-term economic development potential represented in forestlands in designated *Resource Areas* and restrict residential development on them.
- 3C-5 Support public education activities to raise awareness of the region's resource sector and the value-added opportunities contained therein.
- 3C-6 Encourage value-added, community-based forest use applications in *Resource Areas*, including, but not limited to, community-owned woodlots, eco-forestry enterprises and home-based value-added forest product manufacturing.
- 3C-7 Support regional aquaculture industries and collaborate with them on developing foreshore land use and water management policies that protect and steward on-shore and off-shore shellfish beds and marine water quality. Policy

development should include community input to address impacts (e.g., visual, waste, noise, public access and navigable waters).

- 3C-8 Support the development of *Resource Areas* for resource uses in addition to forestry and agriculture, provided that environmental values and sensitive ecosystems and wildlife habitat is protected.
- 3C-9 Encourage renewable energy generation and related jobs.
- 3C-10 The provincial government and any potential mining operators in the Comox Valley should work with local governments to minimize negative impacts of mining and aggregate extraction on the human or natural environment.

Objective 3-D: Promote designated *Town Centres* as regional employment centres.

Mixed-use, compact and accessible employment centres (i.e., accessible by foot, transit, bike and car) tend to retain, attract and encourage new business development better than a more dispersed and scattered local job base, single use downtowns, or office parks. Town centre-based employment areas also tend to be less expensive to service and maintain.

MEASURES	Baseline (2008)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
% jobs located in town centres*	Cumberland: 5%	Cumberland: 6%	Cumberland: 7%	Cumberland: 7%,	Census Canada, BC Stats
	Comox: 25%	Comox: 26%	Comox: 27%	Comox: 28%	
	Courtenay: 55%	Courtenay: 56%	Courtenay: 57%	Courtenay: 58%	

*Note: baseline estimate from, *Understanding Our Choices RGS Background Report*, 2009

Supporting policies

- 3D-1 Update OCPs and implement zoning that supports intensification of mixed-use office, retail and other commercial employment activities in designated *Town Centres* located within *Core Settlement Areas*.

- 3D-2 Retain and attract new businesses, investment and employment in designated *Town Centres* located within *Core Settlement Areas*. Revitalization tools and policies should be linked to RGS environmental and green development/building objectives
- 3D-3 Examine development cost charges rates, tax structures and land use regulations to ensure development in *Town Centres* results in reduced costs that are realized by the municipalities.
- 3D-4 Partner with BC Transit, the province and the federal government to encourage better public transportation to, through and between designated *Town Centres* located within *Core Settlement Areas*.
- 3D-5 Encourage major public sector employers to coordinate their future facilities and development plans in support of the intensification policies of the RGS.

GOAL 4: TRANSPORTATION

Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Issue overview

Comox Valley residents depend on a municipal and provincial transportation network and services for work, recreation and day-to-day travel, while the local economy depends upon the network for safe and efficient goods movement. The following policies set out a long-term strategy for strengthening the regional transportation system with an emphasis on creating more opportunities for sustainable, efficient and effective transport options and networks. Increased efficiency in transportation will also help to decrease GHG emissions and non-renewable energy use (see Goal 8).

Current situation

The transportation system in the Comox Valley is made up of a number of distinct elements operated and managed by different levels of government and a variety of authorities. Major components and operators include two major provincial highways, a network of local roads, the E&N Rail Line, the Comox Valley Airport, BC Ferries, BC Transit, private and interregional transit (e.g., Greyhound).

Objectives

Objective 4-A: Increase public transit use.

Supportive land use policies and actions will be critical in achieving ridership and mode share targets in the Comox Valley. Although ridership has increased in the past several years through improved transit service, ridership growth cannot be sustained unless there are some fundamental changes in land use. Transit-oriented land use planning considers the location of density, a mix of uses, and the design of road networks. Medium and higher density nodes ensures that there are more people within walking distance of transit routes, and still allows for lower density areas. Additionally, mixed-use development tends to generate bidirectional travel and travel throughout the day. Transit also needs to be considered when designing road networks. These should be designed so that there is a

direct route for transit through the centre of a population or employment area, without the need for circuitous routing.

Transit use in the rural areas requires strategies that consider the lower density nature of rural residential development, the cost of transit, and nature of daily trips. Specialized services such as smaller community bus programs can help to tailor transit service to rural areas.

MEASURES	Baseline (2006)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Transit mode share	1%	1.5%	2%	2.5%	BC Transit

Supporting policies

- 4A-1 Implement the growth management strategy, as outlined in Part 4, as an overall framework for transit-supportive land-use planning throughout the Comox Valley.
- 4A-2 Local governments should work with BC Transit to ensure that bus schedules facilitate access between *Town Centres* to K'ómoks First Nation IR Lands, CFB Comox, the new hospital site, connections with Mount Washington, North Island College, the Comox Valley Airport and *Settlement Nodes*.
- 4A-3 Major public institutions and employment uses should be located in *Core Settlement Areas* and served by frequent transit and active recreation infrastructure (e.g., bike lanes, walking trails etc).
- 4A-4 Develop specific public transportation options for *Rural Settlement Areas*, reflective of the unique needs and challenges in providing cost effective service to rural communities.
- 4A-5 Through municipal OCP reviews develop strategies to reduce parking requirements in *Town Centres* in order to encourage better use of land resources and shift to more public transit use.
- 4A-6 Local governments should work with the Ministry of Transportation and Infrastructure and BC Transit to pre-plan bus routes and develop road standards that will accommodate future bus route requirements.

Objective 4-B: Improve bicycle and pedestrian infrastructure to increase the use of active transportation options.

Ensuring that people are able to carry out daily activities using safe, efficient and enjoyable cycling and pedestrian routes will help to encourage a higher rate of active transportation. An increase in active transportation will help improve community health, reduce air pollution and improve the region's overall quality of life.

MEASURES	TARGETS				Data sources
	Baseline (2006)	Short-term (2015)	Medium-term (2020)	Long-term (2030)	
% Bicycle & pedestrian commuters	Walk/Cycle=9%	Walk/Cycle=10%	Walk/Cycle=11%	Walk/Cycle=20%	Census Canada

Supporting policies

- 4B-1 Promote and encourage cycling plans and programs through ongoing local and regional initiatives and actions.
- 4B-2 Local government parks and greenways plans will be coordinated to provide linkages to, through and between the *Core Settlement Areas*.
- 4B-3 Ministry of Transportation and Infrastructure should work with local governments to review road standards and subdivision design so that the Subdivision Approvals process prioritizes pedestrians, cyclists and transit use and also support longer term regional transportation networks.
- 4B-4 OCPs should identify regionally important, priority street connections for pedestrian and cycling improvements and require that connections be established as a condition of redevelopment.
- 4B-5 Local governments should develop consistent, region-wide street, sidewalk and intersection standards to manage automobile traffic speeds, improve pedestrian and cyclist safety, accessibility, and support healthier, and more active transportation choices.
- 4B-6 Ensure bicycling amenities and infrastructure are included in all public developments and larger-scale private developments (e.g., bike racks, signage, shower facilities, bicycle lockers or secure bike storage, etc.).

Objective 4-C: Develop and maintain an inter-regional transportation system that efficiently and safely facilitates the movement of people and goods.

A well-maintained, integrated regional transport system will help to efficiently move people and goods, reduce the cost of infrastructure, and encourage public transit use. Through leveraging the existing air, water and land transport infrastructure in the Comox Valley, tourism, trade and daily trips can be made more efficiently.

Supporting policies:

- 4C-1 The Approving Officers, local government and Ministry of Transportation and Infrastructure road planning and maintenance, and local government subdivision and development servicing standards should recognize and reinforce (1) the RGS and (2) local government sustainability principles, plans, standards and policies including the impact of development on transportation route infrastructure.
- 4C-2 Support ongoing improvements and upgrading of services at the Comox Valley Airport and BC Ferries terminals.
- 4C-3 Promote and support the improvement of the Esquimalt and Nanaimo Railway (E&N Railway) infrastructure, servicing and scheduling and continue to protect the corridor and potential stations.
- 4C-4 Increase frequency and timing of public transit service connections with inter-regional services such as the Comox Valley Airport, BC Ferries terminals, and VIA station in Courtenay.
- 4C-5 As part of the long-term inter-regional transportation plan, protect any existing corridors and explore the potential for a rail/pedestrian corridor extending north to Campbell River.
- 4C-6 Collaborate with BC Transit, BC Ferries, the province and the federal government to improve inter-regional transportation, including improved rail service and expanded marine transportation opportunities.

GOAL 5: INFRASTRUCTURE

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

Issue overview

The planning of infrastructure is directly linked to land use planning. The more dispersed the settlement patterns, the more that servicing infrastructure must be extended, which is more expensive to build, operate and maintain and comes with greater environmental impacts. Key goals of the RGS include avoiding urban and rural sprawl, and ensuring that development takes place where adequate facilities exist or can be provided in a timely, economic and efficient manner. Infrastructure extensions should be guided by an understanding of where and how growth should occur, considering natural capacity, environmental impact, costs and efficiency, and to resolve health risk implications from failing onsite systems.

The CVRD also provides regional district services to users in the Strathcona regional district (SRD) who rely on the regional district services for water supply and solid waste. The SRD should be considered and consulted with on an ongoing basis with regards to long-term planning for relevant service provisions.

Current situation

Water: Water is an important factor for the future of the Comox Valley. Communities throughout the Comox Valley extract their water from lakes, rivers and groundwater sources via wells. The *Regional Water Supply Strategy* provides a long-term plan for domestic water supply based on assessment of available water supply sources, water quality and treatment, the capacities of the distribution system and the cost of service provision.

Water is provided to areas throughout the Comox Valley through a number of systems, which has led to fragmented services. Most of the water for the City of Courtenay and Town of Comox comes from Comox Lake, but there are also numerous separate water systems supplying customers between Fanny Bay and the Oyster River and from Cumberland to Mount Washington. The regional district distributes water directly to several Local Services Areas in the three electoral areas and bulk water to Courtenay and Comox, which in turn distributes it to residents through their municipal delivery systems. The Village of Cumberland obtains their water from Allen and Henderson Lakes.

Approximately 40,000 people are serviced by the water system in the Comox Valley and per capita water consumption compares poorly with other, similar areas in BC and Canada. A concerted effort at greater water efficiency has already started and will continue for the next several years in an effort to reduce consumption. Early indications show that education and outreach initiatives have helped reduce overall consumption.

Stormwater: Stormwater is the component of runoff that is generated by land development that alters the natural water balance. When vegetation and soils are replaced with roads and buildings, less rainfall infiltrates in the ground, less gets taken up by vegetation and more becomes surface runoff. Integrated Stormwater Management has become the standard practice for rural and urban communities in BC. The focus is to achieve environmental as well as drainage objectives. To help achieve these dual objectives there are a number of shifts in the way in which stormwater management is planned such as integrating green or naturalized infrastructure into the design of a community.

Sewer: There are presently three communal sewer systems in operation in the Comox Valley. The CVRD owns and operates two systems – one for the participating jurisdictions of Courtenay and Comox and the other for the participating Jackson Drive local service area, while the Village of Cumberland operates the third system. In the Comox Valley, sewer servicing takes the form of communal sewer service and septic systems. There are signs of needed sewage infrastructure investment such as failing septic systems that continue to threaten the waters of Baynes Sound and create Public Health concerns. The CVRD is in the process of completing a *Sewerage Master Plan*.

Solid Waste: The CVRD and local municipalities have been proactive in encouraging waste reduction, such as the CVRD operated Compost Education Centre in Courtenay and the provision of multi-material drop off depots throughout the Comox Valley to facilitate the collection of recyclable materials. There is curbside recycling in all three municipalities and regular yard waste pickup, which contributes to a reduction in materials going to the landfill. Local municipalities and the regional district rely on the Comox Valley Waste Management Centre for solid waste storage. In anticipation of the Comox Valley Waste Management Centre reaching capacity, the *Regional Solid Waste Management Plan* will consider a new landfill site, waste to energy and other long-term alternatives. Any new site is expected to have a modern facility with both leachate and landfill gas collection capabilities.

Objectives

WATER

Objective 5-A: Promote water conservation and efficiency throughout the Comox Valley.

In the Comox Valley population growth coupled with consumption levels have placed a strain on water supply and delivery systems. Based on findings in the *Regional Water Supply Strategy*, aggressive water conservation measures should mitigate risks and uncertainty associated with water ownership, effects of climate change and economic and environmental costs over the long-term.

MEASURES	Baseline (2008)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Daily total water consumption per capita	500-600 litres	20% reduction	30% reduction	40% reduction	CVRD water services

Supporting policies

- 5A-1 The majority of growth should be focused in *Core Settlement Areas* where appropriate publicly owned water servicing systems already exists.
- 5A-2 For existing developments outside of *Core Settlement Areas*, where there are demonstrated onsite health related issues, publicly operated water services should be made available.
- 5A-3 Encourage smaller lot development and higher density development in *Core Settlement Areas*, in order to make efficient use of water servicing infrastructure.
- 5A-4 In order to provide an incentive to reduce water use a program and accompanying water rate structure based on the user pay principle should be implemented throughout the Comox Valley as part of the agreed upon water efficiency plan.
- 5A-5 OCPs should contain maps with the location and phasing of trunk water services in order to guide future planning and development decisions.

- 5A-6 Investigate policies to permit grey water plumbing in new construction and retrofits.
- 5A-7 All local governments work towards preparing development permit guidelines for low water usage xeriscaping in multi-family, commercial and industrial areas, and encourage low water usage landscaping in single family residential areas
- 5A-8 Encourage local governments and farmers to work together to reduce use of - potable water for irrigation on farmland.
- 5A-9 Over the longer term, encourage all local governments to work towards finding a permanent alternative to the use of potable water for irrigation purposes.
- 5A-10 Discourage the commercial use of groundwater for export purposes.
- 5A-11 Prepare Implementation Agreements for water services once the RGS is finalized.

Objective 5-B: Protect the quality of water sources.

Drinking water in the Comox Valley is extracted from lakes, rivers and aquifers. These water sources are all vulnerable to contaminants that come from a number of sources including stormwater runoff, forestry activities, recreational activities in and around lakes, and encroachment from development.

Supporting policies

- 5B-1 Manage development on the basis of precautionary principles within watershed of water supply lakes. This will require development proposals to include reports by appropriate professionals to study potential impacts on water quality and quantity, including a peer review of professional findings and recommendations.
- 5B-2 Support the development of plans that protect drinking water for the Comox Valley.
- 5B-3 Work with other stakeholders and agencies to identify areas for aquifer protection and develop OCP guidelines for their protection.

- 5B-4 Where development is proposed in a watershed of a water supply lake that is controlled politically by one jurisdiction, but where the lake provides a water source to other jurisdiction(s), the jurisdiction responsible for approving development within the watershed will formally consult with the jurisdictions receiving water from the watershed.
- 5B-5 Require an aquifer protection development permit for electoral areas at time of subdivision, which would require groundwater quantification, vulnerability and protection measures prepared by a qualified professional with quantification, and ensure that there are no other impacts on adjacent wells.

Objective 5-C: Stormwater is managed to preserve ecosystem and watershed health.

The collection and management of stormwater is an important component of ensuring the overall health of the Comox Valley waterways and natural areas. As tree cover is removed and impermeable areas increase, stormwater management becomes a larger concern. There is a critical threshold when there is over 10 percent impervious area within a watershed or drainage catchment. Modern management techniques are moving engineered solutions towards green infrastructure approaches which seek to replicate natural systems in the impoundment, infiltration and cleansing of stormwater (e.g., naturalized ponds, bioswales).

Supporting policies

- 5C-1 Local OCPs should include policies that encourage permeable surfaces within the design of new developments and public spaces.
- 5C-2 In watersheds of water supply lakes, local governments and the Ministry of Transportation and Infrastructure should work cooperatively towards a target of less than 10 percent¹⁴ impermeable surfaces.
- 5C-3 In *Rural Areas* the regional district should work with the Ministry of Transportation and Infrastructure to develop guidelines for an Integrated Stormwater Management to be used in the subdivision approval process.

¹⁴ A guide for British Columbia Stormwater Planning, May 2002.

- 5C-4 In order to ensure a sustainable aquaculture industry, local OCPs should include policies that require the cleansing of any stormwater draining into Baynes Sound.

SEWER

Objective 5-D: Encourage sewage management approaches and technologies that respond to public health needs and maximize existing infrastructure.

The cost of servicing is directly related to density, with higher densities located close to treatment stations being much more cost effective than larger lots located further away from treatment centres. The CVRD *Sewerage Master Plan* will set out a long-term strategy for sewer expansion that is aligned with other regional strategies, including this RGS.

MEASURES	Baseline (2010)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Percentage of new growth serviced by sanitary sewer	n/a	90%	90%	90%	CVRD

Supporting policies

- 5D-1 The majority of growth should be focused in *Core Settlement Areas* where appropriate sewer servicing already exists.
- 5D-2 New development will replace and/or upgrade aging sewer infrastructure or provide cash-in-lieu contributions for such upgrades through Development Cost Charges or similar financial contributions.
- 5D-3 Promote eco-industrial development that turns wastes into resources.
- 5D-4 For existing developments outside of *Core Settlement Areas*, where there are demonstrated onsite health related issues, publicly owned sanitary sewer services should be made available.
- 5D-5 Prepare an Implementation Agreement for sewer services once the RGS is finalized.

SOLID WASTE

Objective 5-E: Reduce regional solid waste and improve landfill performance.

As the region's population increases and landfill capacity decreases, the diversion of solid waste from landfills through recycling and other methods becomes more important. The CVRD and local municipalities have been proactive in encouraging waste reduction such as the CVRD operated Compost Education Centre in Courtenay and the provision of multi-material drop off depots throughout the Comox Valley to facilitate the collection of recyclable materials. There is also curbside recycling in all three municipalities and regular yard waste pickup, which contributes to a reduction in materials going to the landfill. These efforts should be encouraged and built upon to reduce solid waste and employ sustainable uses for waste management sites. The policies in the RGS will be received within the context of the *Regional Solid Waste Management Plan (SWMP)*.

MEASURES	Baseline (2010)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Solid waste diversion rate	48%	55%	65%	75%	CVRD

Supporting policies

- 5E-1 The regional *Solid Waste Management Plan* will be updated to effectively manage solid waste within the Comox Valley. Through the SWMP process this regulatory document will consider waste management issues and trends and technology in the management of waste that include, but are not limited to, the following issues: solid waste collection, private burning of land clearing and solid waste, waste reduction programs, waste diversion, construction waste management, product stewardship, and waste to energy/Integrated Resource Recovery options.

GOAL 6: FOOD SYSTEMS

Support and enhance the agricultural and aquaculture sectors and increase local food security.

Issue overview

In the Comox Valley, a range of microclimates and soil qualities enable farmers to produce a variety of food products, including dairy, beef, grain, forage, vineyards and small fruits, all of which have supported a vibrant farming community that continues to this day. There is also a long history of gathering food from the shoreline and surrounding ocean that has created a successful aquaculture industry.

K'ómoks First Nation has a cultural and economic tradition of harvesting along the shoreline and in the waters for fish and shellfish. Fishing weirs in the Comox Estuary are signs of this continued and important cultural and economic practice.

Protecting farmland and shoreline areas for food production helps support stronger local economies protects a long-standing way of life and ensures that future generations have better access to affordable and nutritious food. If planned properly, protection of these areas can also contribute to the preservation of open space and the valley's rural character.

Current situation

The food production capabilities of the Comox Valley generate significant local and regional economic impacts. The two critical areas for protecting food production in the Comox Valley are:

- **Agricultural Land Reserve:** The Agricultural Land Reserve (ALR) has played a key role in preserving farmland and supporting farming as a viable economic activity in the Comox Valley. Covering roughly 12 percent of the Comox Valley, the ALR has remained relatively consistent at 23,059 hectares since its initial boundaries were drawn. The valley's farmlands are mainly located within the ALR boundaries on the plain between the coast and the Beaufort Mountain foothills. Most farming activities take place in the regional district's three electoral areas, but there are also small portions of ALR in the City of Courtenay and the Town of Comox.

- **Rural Areas:** Additional farming occurs in non-ALR rural areas. There is the potential for innovative agricultural enterprises and location of agricultural-supported activities in these areas, such as food processing plants, storage and distribution centres (e.g., farmers markets).
- **Shoreline areas:** The Comox Valley has 470.5 hectares of shellfish farm tenures. These farms are clustered in Baynes Sound and the Comox Harbour area. With little room for additional tenures and shellfish farms, existing farms and tenures should be protected with no net loss.

Objective 6-A: Protect land for existing and future agriculture and associated activities and allow for the growth and expansion of such activities.

With a few exceptions, agricultural uses in the Comox Valley are within the ALR. The ALR makes up 12% of the land in the Comox Valley at 23,059 hectares. The bulk of the land within the ALR is privately owned. With settlement areas intensifying along the borders of the regional district, these areas are likely to see the greatest pressure from urbanization. The ALR has proven to be an important means of preserving agricultural land in the Comox Valley. The RGS should reinforce the existing ALR boundary to protect and cultivate agricultural activities.

MEASURES	Baseline (2010)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
No net loss of zoned farm/land in the ALR	23,059 hectares	= or > 23,059 hectares	= or > 23,059 hectares	= or > 23,059 hectares	Agricultural Land Commission, Local governments

Supporting policies

- 6A-1 The existing *Agricultural Land Reserve* and its associated policies are recognized in the RGS growth management approach and will be reflected in OCPs and Zoning bylaws.
- 6A-2 Work towards ensuring that development does not result in negative impacts on adjoining farmlands or shellfish tenures by affecting the volume and quality of ground and surface water, in particular storm water discharge.
- 6A-3 All local governments will ensure appropriate buffers and transition zones between working landscapes and residential areas to minimize negative impacts from residential development on farm and resource land. The need for and extent of buffers and transition zones will be site specific.
- 6A-4 Where possible contiguous areas of agricultural land should be preserved and severance by recreation, parks, and transportation or utility corridors should be avoided with the exception of environmentally sensitive areas.
- 6A-5 OCPs should include criteria to guide locations for agricultural support infrastructure (e.g., processing, production research, and market development facilities).
- 6A-6 OCP policies should be developed to guide the location of residential development on agricultural parcels to preserve the agricultural capacity.

Objective 6-B: Protect shoreline areas for existing and future aquaculture and associated activities

The shoreline and shore area of Baynes Sound and Comox Harbour are already locations with shellfish farm tenures and it is uncertain whether any further tenures or farms can be created. Existing tenures and farms should be protected to ensure no net-loss of farming activity. Additionally, consideration should be made to consider upland aquaculture support facilities.

MEASURES	Baseline (2010)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
No net loss of aquaculture farm tenure	470 hectares	470 hectares	470 hectares	470 hectares	Ministry of Agriculture & Lands

Supporting policies

- 6B-1 Land used for aquaculture and related activities should be maintained where appropriate for such uses and recognized in OCPs.
- 6B-2 Aquaculture and fisheries are important to the K'ómoks First Nation from both a food systems perspective and from a cultural perspective. The interest of the K'ómoks First Nation in existing and expanded aquaculture activities should be supported where appropriate.
- 6B-3 Where appropriate, encourage the development of shellfish support infrastructure such as processing facilities, production research, and market development.
- 6B-4 Promote sustainable aquaculture practices and environmental stewardship in cooperation with agencies and stakeholders.
- 6B-5 Where there are documented public health issues in existing residential areas, sewer services will be considered for existing areas to protect the marine environmental health of the area.

Objective 6-C: Improve and expand agricultural irrigation practices and infrastructure

The availability of water is fundamental to agricultural productivity. Moreover, an increase in local food production will result in a shift in agricultural production to more intensive forms of agriculture, in particular the growing of fruits and vegetables. These forms of agriculture rely largely on irrigation and for this shift to occur it is essential that an adequate supply of water is made available. Currently, less than five percent of the farmland has access to irrigation water.

MEASURES	Baseline (2010)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Percentage of farms with access to irrigation water	>5%	10%	15%	25%	Agriculture Land Commission

Supporting policies

- 6C-1 Local governments and farmers should work together to increase irrigation water supply to support agricultural activities.
- 6C-2 Local governments, agricultural stakeholder groups and farmers should work together to increase non-potable irrigation water to farmland.

Objective 6-D: Increase farming activity in the Comox Valley

Agriculture is an important component of the economic strategy of the Comox Valley Economic Development Society (CVEDS) and its importance to the local economy will grow as its future potential is realized with the increasing awareness and consumption of locally produced foods. Aging demographics within the existing farm community and the relative high cost of land of agricultural land are potential barriers to maintain and increase the level of farming activity. Supporting value-added practices (including food processing) will become increasingly important in order to support the existing agricultural industry and to create incentives and supports for younger farmers to enter the industry.

MEASURES	Baseline (2002/2006)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Farm receipts	\$32,975,655 ¹⁵ (2006)	\$40,000,000	\$45,000,000	\$55,000,000	Census Canada
Shellfish production value	4,535,923 kg (2002)	5,443,108 kg	6,803,885 kg	9,071,847 kg	Comox Valley Land Use Survey

Supporting policies

- 6D-1 Support and encourage organizations in promoting the Comox Valley as a good place to enter the farming industry (e.g., Comox Valley Economic Development Society, Farmers Institute, Farmers Market Association).
- 6D-2 Support the 'value chain' of agriculture through development of agricultural policies and uses in OCPs, to encourage food processing plants, storage and local markets.
- 6D-3 Regularly consult with farmers, farm businesses, and agricultural stakeholders on issues that may impact their ability to productively farm local lands.
- 6D-4 Support the availability of local agricultural products through encouraging local procurement at schools, grocery stores, and government offices.

¹⁵ All figures are in 2010 dollars and for monitoring purposes all values should be adjusted for inflation.

Objective 6-E: Raise awareness of the regional importance of the local food system

Raising awareness of the importance of healthy food and the local economy can be generated through a number of means. Value added agricultural activities such as agri-tourism and farm gate sales help to educate people as to the importance of farming activities. Buy-local campaigns, farmers markets and a central resource centre can also help to raise awareness of the important role of agriculture and aquaculture among residents of the Comox Valley and increase local demand. Additionally, Environmental Farm Plans (EFPs) should be encouraged among local farmers both to raise awareness of conservation benefits on farmland and to promote sustainable practices throughout the Comox Valley.

Supporting policies

- 6E-1 Support the development of a coordinated regional food security strategy. This would include a review of existing policies and agricultural opportunities such as urban gardening, community orchards and community supported agriculture programs.
- 6E-2 Support programs to educate and encourage farmers in carrying out Environmental Farm Plans (EFPs).
- 6E-3 Update the *Comox Valley Agricultural Action Plan* on a regular basis (every five years) so that it responds to and makes policy directions based on the current agricultural context.
- 6E-4 Review regulatory bylaws to support an appropriate level of agriculture and related uses as considered appropriate by the Agricultural Land Commission.

GOAL 7: PUBLIC HEALTH AND SAFETY

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

Issue overview

Public Health

There is a large body of research that suggests a significant relationship between urban and rural form and population health outcomes. There are particularly strong links between personal transportation choices and health risk factors, such as between the lack of physical activity and obesity, which in turn are linked to chronic diseases, notably cardiovascular disease, chronic respiratory disease, diabetes and cancer. It should be noted that physical activity is one of the most significant modifiable behavioural factors that can influence the likelihood of becoming overweight or obese and, by extension, developing a chronic disease or dying prematurely.

While there are many factors that influence population health outcomes in the Comox Valley (i.e. access to clean air and water, affordable housing, recreation, education, healthy food, etc.), this RGS gives primary consideration to active transportation strategies because it can help to facilitate more active lifestyles and physical activity, thereby improving the long term health status of individuals in the Comox Valley. This focus on active transportation in no way discounts the importance of the other health influences, but recognizes that of all the health factors, it is perhaps most closely related to regional land use planning.

Safety

The regional district operates five volunteer fire departments and has working arrangements with member municipalities and improvement districts within the regional district to provide fire protection. Service is determined through fire protection areas and not all areas in the regional district have fire protection. New development in rural areas bordering on forest lands increases the demand for these services. Added to this is the potential increase of wildfires due to climate change, with drier summers. The location of new developments and provision of services should be considered in the location of new developments.

Current situation

Despite the region's considerable outdoor recreation opportunities, rates of obesity in the CVRD have climbed dramatically while physical fitness levels have declined. This trend is apparent across the population from youth to seniors and parallels provincial and national trends. Exposure to air pollutants has also increased and with it childhood asthma rates.

Some specific local public health and safety highlights include:

- **Increasing physical inactivity and obesity:** About 18 percent of population aged 18+ in the local health service delivery area (North Vancouver Island HSDA) are considered obese, the highest rate on the Island. About 20 percent of seniors (65+) in the CVRD are obese, the highest rate of anywhere in the province.
- **Rising chronic disease rates:** Chronic diseases like cardiovascular and respiratory disease, diabetes and cancer, are all on the rise in the CVRD which could be related to increasing risk factors like the lack of physical activity and obesity.
- **Auto dependence:** The percentage of residents driving cars for their primary mode of work transportation is above BC averages in both our rural and urban areas. The number of residents taking transit is also well below provincial averages (1 percent versus 10.3 percent) and below the rate of many rural communities.
- **Regional Hospital:** The Vancouver Island Health Authority is developing a new regional hospital. As a major destination for a variety of trips, the location of the facility will have significant land use planning and public health implications.
- **Increasing wild fire risk:** New development and growth pressure is pushing development further from fire services. In areas bordering on forest lands, the risk of wildfires has grown over the years.

Objectives

Objective 7-A: Increase the number of pedestrians and cyclists in the Comox Valley.

The number of active pedestrians and cyclists is strongly influenced by land use planning and a community's built form. Street network connectivity, land use mix and density all influence individual transportation choices (i.e., whether to walk, bike, take transit or drive). These choices, in turn, directly impact public health outcomes (e.g., rates of obesity and diabetes, injuries and fatalities from motor vehicle accidents, incidence of asthma, etc.). Well-designed, compact communities tend to have higher mode shares for pedestrians and cyclists and also boast more active, healthier residents. (See also Objective 4-B).

Supporting policies

- 7A-1 Support the creation and coordination of local government bicycle and pedestrian plans with local-level strategies to improve active transportation connections to, through and between designated *Town Centres* located within *Core Settlement Areas*.
- 7A-2 Ensure bicycling amenities and infrastructure are included in all public developments and larger-scale private developments
- 7A-3 Identify regionally important, priority street connections for improvements and/or mandate that connections be established as a condition of redevelopment and subdivision approval where feasible.
- 7A-4 Use tools such as B.C. Recreation and Parks Association's 'Built Environment and Active Transportation Neighbourhood Assessment Tool' to identify active transportation gaps in and between designated *Town Centres* located within *Core Settlement Areas*.
- 7A-5 Support the promotion of healthy lifestyles and invigorating community spirit through physical activity.

- 7A-6 Ensure that all new public institutions are accessible via active transportation routes (e.g. bike/greenway network) and public transit.

Objective 7-B: Increase public education and awareness around the links between population health and land use planning

Building awareness of the connections between population health and the physical layout and design of our communities is critical to achieving healthier built environments and maintaining the region's high quality of life. Re-engaging health professionals in land use planning and educating residents and the planning/development community on healthy built environments is equally important.

Supporting policies

- 7B-1 Consider the public health impacts of larger-scale development in consultation with the Provincial Health Services Authority, regional health authorities and involved stakeholders.
- 7B-2 Link regional recreation providers and health professionals through a healthy built environment advisory committee to promote and engage residents in indoor and outdoor physical activities, more active transportation choices, and to advocate for healthy change in the community.
- 7B-3 Support local governments to modify current planning practices to better count active transportation (e.g., by improving analysis of non-motorized modes in travel surveys) and value its benefits (e.g., by taking into account benefits such as roadway and parking cost savings, consumer cost savings and improved health).
- 7B-4 Support the inclusion of the K'ómoks First Nation in discussion among land-use planners, recreation providers and public health professionals to address health, wellness and safety concerns among K'ómoks First Nation members.

Objective 7-C: Improve regional fire safety

The CVRD and some member municipalities are currently working on fire hazard mapping. This important work needs to be completed for the whole region to ensure that the highest standards of public safety are achieved. It should also be recognized that there are users outside of the CVRD who depend on fire protection services.

Supporting policies

- 7C-1 Improve fire safety in the region through the completion of fire hazard mapping to identify high-risk development areas and limit development in them and ensure that development is managed to recognize this factor.
- 7C-2 Support coordinated efforts to identify and eliminate fire service gaps in the region.
- 7C-3 Continue consultation with and consideration of interests of system users who are outside of the CVRD.
- 7C-4 Planning for all new development areas should include considerations for the provision of public health and safety services through the approvals process.

GOAL 8: CLIMATE CHANGE

Minimize regional greenhouse gas (GHG) emissions and plan for adaptation.

Issue overview

Combating climate change is one of the most critical issues being addressed by governments around the world. According to the 2007 United Nations Intergovernmental Panel on Climate Change (IPCC), human impacts over the last 30 years have contributed to raising average global temperatures, influenced extreme weather events and altered many physical and biological systems. Minimizing the negative effects of climate change will require between 50 and 85 percent reductions in greenhouse gas (GHG) emissions from 2000 levels by 2050.

To achieve these targets the BC provincial government has set, through legislation, a reduction target of 33 percent in GHG emissions by 2020. The *Comox Valley Sustainability Strategy* has adopted a long-term target of 80 percent reduction of GHG emissions from 2007 levels by 2050, with a mid-term target of 50 percent reduction by 2030. The RGS has adopted the same target as the *Comox Valley Sustainability Strategy*. It sets out policies, targets and measures that work to achieve the provincial target and the long-term targets of the Sustainability Strategy, with a specific 2030 reduction target of 50 percent from 2007 levels by 2030.

Current situation

Addressing climate change requires actions to reduce green house gas emissions and to respond to environmental changes that are already taking place. This is known as adaptation. Planning policies and regulations will need to consider issues such as creating wildfire resistant communities, increased frequency and scale of storm surges in low lying coastal areas, landscaping that can withstand extreme temperatures and storm water management to accommodate for higher levels of water runoff.

Creating development forms that work to reduce GHG emissions is another important means of addressing climate change. Provincially, GHG emission reductions are being addressed through the Climate Action Plan (2008), the Carbon Tax Act (2008) and the Greenhouse Gas Reduction Targets Act (2007). Through the Greenhouse Gas Reductions Targets Act, BC has committed to a 33 percent reduction in GHG emissions from 2007 levels by 2020 and 50 percent by 2030. This goal is the highest standard set in

any North American jurisdiction. In 2008, the Local Government (Green Communities) Statutes Amendment Act mandated that all local governments incorporate GHG reduction targets and create policies and actions to achieve those targets into their OCPs and RGSs.

To help local governments monitor and evaluate their reduction targets, the province has developed a Community Energy and Emissions Inventory. On an annual basis, GHG emissions for the transportation, solid waste, buildings and land use categories are calculated. These estimates provided the baseline data for the long-term reduction goals established in this section.

Objectives

Objective 8-A: Reduce GHG emissions created by the building sector.

BC's Community Energy and Emissions Inventory divide the building sector into residential, commercial and industrial buildings. Each category includes the number of connections to energy sources, the amount of actual energy consumed (e.g. electricity [kWh] and natural gas [Gj]) and the resulting emissions. GHG reductions in this area will require a multi-faceted approach to reduce energy consumption in new buildings and retrofit older buildings to make them more energy efficient.

MEASURES	Baseline (2007)	TARGETS			Data sources
		Short-term (2015)	Medium-term (2020)	Long-term (2030)	
Building GHG Emissions	33,662 tonnes CO ₂ e	20% Reduction	33% Reduction	50% Reduction	CEEI

Supporting policies:

- 8A-1 Establish green building priorities and policies in OCPs, such as LEED design, retrofitting with low environmental features.
- 8A-2 Local governments should explore opportunities to establish green building incentives, to encourage developments to adopt green building practices.

- 8A-3 To encourage green building construction, examine DCC rates, tax structures and land use regulations to ensure reduced costs realized to the local government through the construction of green buildings are passed onto the development.
- 8A-4 Local governments should work to create development permit area policies that encourage green site design.
- 8A-5 Local governments should develop GHG reduction strategies for the operation, maintenance and construction of their buildings in the Comox Valley.

Objective 8-B: Reduce GHG emissions created by the on-road transportation sector

In the Comox Valley, on-road transportation accounts for approximately 55 percent of the Region's total emissions. Given that transportation is the largest contributor to GHGs in the Comox Valley, developing more pedestrian, cycling, and transit-supportive land uses will be absolutely critical in reducing GHGs. Whereas the Transportation chapter focuses long-term planning for the regional transit system, the following targets and policies focus on strategies to promote transportation options with low and no-emissions.

MEASURES	Baseline (2007)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
On-road transportation GHG emissions	199,311 CO ₂ e(t)	20% Reduction	33% Reduction	50% Reduction	CEEI

Supporting policies:

- 8B-1 Support and promote transportation programs and patterns of development that increase walking, cycling, and transit use in the rural and urban areas (see Public Health Safety and Transportation Goals).

- 8B-2 Support the creation and coordination of local government bicycle and pedestrian plans that are integrated with local-level strategies to improve active transportation and transit connections to, through and between identified *Town Centres* and activity nodes to reduce GHG emissions.
- 8B-3 Ensure bicycling amenities and infrastructure are included in all public developments and larger-scale private developments (e.g., bike racks, signage, bicycle lockers etc.).
- 8B-4 Local governments should work with the Ministry of Transportation and Infrastructure to ensure that road standards and subdivision design prioritize pedestrians, cyclists and transit use.
- 8B-5 OCPs should identify active transportation gaps in existing developments and neighbourhoods and develop policies to address those gaps.
- 8B-6 Local governments should develop anti-idling policies by 2012¹⁶.
- 8B-7 In order to promote the use of electric vehicles, local governments should develop incentives and infrastructure for low-emissions vehicles such as recharging infrastructure and priority parking.

¹⁶ Live Smart BC

Objective 8-C: Reduce GHG emissions in the solid waste sector.

As the region's population increases and landfill capacity decreases, the diversion of solid waste from landfills through recycling and other methods become more important. Currently, solid waste comprises 19 percent of total GHG emissions in the Comox Valley, with 61,605 CO₂e (t) of waste delivered to Comox Valley Waste Management Centre annually. Further efforts to reduce waste combined with the Comox Valley Waste Management Centre expanded facility that will capture methane gas, will help to reduce these amounts.

MEASURES	Baseline (2007)	Short-term (2015)	TARGETS Medium-term (2020)	Long-term (2030)	Data sources
Solid waste GHG emissions	61,605 CO ₂ e(t)	20% Reduction	33% Reduction	50% Reduction	CEEI

Supporting policies

- 8C-1 Develop a Valley-wide solid waste management strategy that reduces garbage landfill through recycling and composting to achieve a 75 percent diversion rate by 2035.
- 8C-2 Support the development of a bio-fuels strategy in partnership with technology providers and stakeholders who have access to organic waste streams, like Comox Valley Waste Management Centre site (see Infrastructure chapter).

Objective 8-D: Reduce GHG emissions created by deforestation (land use change)¹⁷.

BC is one of the first jurisdictions in the world to introduce a zero net deforestation goal in legislation. In March 2010, the province created a *Zero Net Deforestation Act* which encourages an equal area of trees to be planted for carbon storage to offset any forest land that is permanently cleared for another use. The goal of the Act is to achieve zero net deforestation by December 31, 2015. The three keys to achieving zero net deforestation are to avoid, minimize and mitigate deforestation.

As of 2007, deforestation comprised 18.6 percent of the GHG emissions in the Comox Valley, second only to transportation-related emissions. Just under half of the agricultural land in the Comox Valley is in privately owned forests or woodlots. In order to increase the productivity of agriculture in the Comox Valley, this land will likely be deforested. However, increasing local agricultural production has other benefits in relation to climate change such as decreasing the transportation distance of our food and feed crops and bio-fuels. Therefore, in regards to tracking deforestation the environmental benefits of producing food locally versus deforestation for agricultural production has been considered in the following policies.

Supporting policies:

- 8D-1 Promote the conservation of forest areas through focusing future development in *Core Settlement Areas*, as set out in Part 4 of the RGS.
- 8D-2. In order to preserve large contiguous tracts of forested areas, establish 400 hectares as a minimum lot size in *Resource Areas*, through OCPs. Residential uses will be restricted in *Resource Areas*, as set out in Part 4 of the RGS.
- 8D-3 Because of the significant environmental benefits provided by a healthy local farming industry and the fact that ALR lands are regulated by the Province, the loss of forests within ALR lands due to increased farm activity will not be

¹⁷ For the purposes of the CEEI, deforestation/land-use change is defined as “the direct human-induced conversion of forested land to non-forested land.” Sustainable Forest harvesting, including clearcutting, is not considered deforestation, as the land-use does not change and the land cover is expected to regenerate to forest.

calculated as part of the regional community energy and emissions inventory data for the purpose of tracking deforestation.

Objective 8-E: Plan for renewable energy generation

Planning for energy systems can be directly linked to GHG reduction targets. As the population increases and there is growth in industry, there will be an increase in demand for energy that needs to be addressed. In addition to reducing GHG emissions and our carbon footprint, renewable energy generation also offers economic development benefits that can be nurtured through strategic planning.

Supporting policies:

- 8E- 1 Encourage efforts to increase the use of cost competitive renewable energy.
- 8E- 2 Encourage efforts to increase the use of cost competitive district energy systems.
- 8E-3 In reviewing OCPs consider inclusion of cost competitive renewable energy generation policies and development permit guidelines.
- 8E-4 Encourage local governments to review land use and development bylaws to support sustainable infrastructure including on-site energy production.

Objective 8-F: Plan for climate change adaptation.

Even with strong mitigation measures, there will be changes in climate conditions due to past emissions and feedback cycles. Therefore, in addition to mitigation efforts, planning for climate change adaptation must also be a priority.

Supporting policies:

- 8F-1 Each local government should create a climate change adaption plan as part of their future local planning process.
- 8F-2 Promote inclusion of climate change modeling and impacts in future infrastructure and resource studies.
- 8F-3 Promote water conservation and efficiency both to reduce water and energy use and to prepare for adapting to impacts of climate change (such as erratic availability of water and energy due to floods and droughts).
- 8F-4 Encourage the creation of local adaptation and management programs for *Resource Areas*.
- 8F-5 Local governments should consider a regional approach to floodplain mapping and management to account for climate change/potential sea level rise and to ensure consistent application of development controls within floodplain and coastal areas.
- 8F-6 All new development within established floodplains should be discouraged and redevelopment of lands within floodplain areas should only be supported where technical analysis by a qualified professional has been undertaken to ensure that lands are safe for use, development will not impact floodplain functions, and construction levels include safety factors to account for climate change and potential sea level rise and associated extreme storm surges.
- 8F-7 Address fire protection needs for developments in the interface areas where there is a high risk of forest fires.



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Part 4: Managing Growth

4.1 A Strategy for Managing Growth

Part 3 of the Regional Growth Strategy sets out a vision and policy directions for long-term growth in the Comox Valley. The goals, objectives and Supporting policies in Part 3 recognize that the Comox Valley consists of urban, rural and K'ómoks First Nation settlements that are supported by a strong local economy, productive working landscapes and a remarkable network of natural areas. They also articulate a future for the valley in which these distinct elements are to be supported and enhanced in a sustainable manner. To do this requires managing growth and land-use activities in a manner consistent with the vision, goals, objectives and Supporting policies set out in Part 3. Such a strategy for managing growth is provided in this section of the Regional Growth Strategy.

4.2 Collaborative Regional and Local Planning

The strategies, policies and schedules contained in Part 4 are only one component of managing growth in the Comox Valley. They provide the general framework for directing growth and land-use activities throughout the Comox Valley. The detailed policies and regulatory framework that define land-use permissions will continue to be found within the official community plans and zoning bylaws of the local governments. Such OCPs and Zoning bylaws will be consistent with the RGS as outlined in Part 5 – Implementation and Monitoring.

4.3 Linking Growth Management and Regional Conservation

Regional conservation in the Comox Valley will be rooted in the principles of *precaution*, *connectivity* and *restoration* in order to maintain and enhance the region's biodiversity. Local governments, environmental organizations, agricultural workers, the resource industry and the general public have all made significant efforts to protect and enhance the natural areas within the Comox Valley. The good work that has been underway for a number of years can be further supported through a regional conservation vision that builds upon the policies and principles in local government OCPs and outlined in principle in the Nature Without Borders report, 2008.

While each local government has specific policies to address protection and enhancement of natural features, it is also important to address conservation on a region-wide scale. The *Regional Conservation Framework Concept Map No. 4* identifies a network of natural areas, at a regional scale, as a conceptual basis for regional connectivity. As the growth management strategy and policies of Part 4, and the associated *Map No. 5 Growth Management Map*, are applied, the regional conservation framework should be considered. *Map No. 4 Regional Conservation Framework*, along with additional data and information when available, should be used to help establish appropriate and specific land-use designations and associated policies within OCPs and Zoning bylaws.

4.4 Growth Management Principles

Long-term growth management in the Comox Valley will respond to the specific trends, issues, values and priorities that have been established through the RGS process. This strategy is unique and specific to the circumstances within the Comox Valley. It is based on the following principles. These principles build on the goals, objectives and policies contained in Part 3, as illustrated in the matrix contained in Appendix A.

1. Protect key natural and ecological features throughout the Comox Valley.
2. Take actions to address public health and environmental issues as they are identified and, where possible, before they arise.
3. Recognize the distinctiveness of existing communities and ensure the needs of both urban and rural areas are met.
4. Recognize that the K'ómoks First Nation is in the process of land settlement negotiations and that there should be ongoing collaboration and cooperation between the local governments and the K'ómoks First Nation.
5. Promote the efficient use of land, provide greater transportation choices, reduce public servicing costs and achieve environmental benefits through compact growth.
6. Ensure the efficient use and financial viability of existing and planned investment in public infrastructure.

7. Promote intensification, compact growth and supportive public transit services throughout *Municipal Areas* as the primary means of accommodating population and employment growth.
8. Limit the number of existing and planned *Settlement Nodes* outside of the *Municipal Areas* and ensure that such nodes are developed in a compact and transit-supportive manner.
9. Identify areas of existing development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.
10. Identify areas for new development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to allow for new long-term growth opportunities in a phased and orderly manner.
11. Protect the character of *Rural Areas* as primarily working landscapes, including agricultural and aquaculture areas, so that such functions can remain economically viable and grow.
12. Promote and support growth within *Rural Areas*, provided that the rural character and primary rural functions are maintained.
13. Maintain resource areas as primarily working landscapes for resource extraction.
14. Promote and support the overall economic viability of the municipal areas so that they can continue to provide primary base for residential, commercial and institutional activities.

4.5 Land-Use Categories and Designations

Map No. 5 Growth Management illustrates the overall growth management framework for the Comox Valley. It is based on three general land use categories and nine specific designations as set out below.

The following sections set out policies for managing growth in the following land use designation areas.

1. Core Settlement Areas:

- (a) Municipal Areas*
- (b) Settlement Nodes*
- (c) K'ómoks First Nation*
- (d) Sage Hills Sports and Education Node*
- (e) Settlement Expansion Areas*

2. Rural Areas:

- (a) Rural Settlement Areas*
- (b) Agricultural Areas*

3. Resource Areas and Parks:

- (a) Resource Areas*
- (b) Provincial Parks*

The growth management policies in Section 4.5 must be read together and understood within the context of the Part 3 policies that provide guidance on the eight main goals of the RGS and Part 5 policies that provide guidance on how to implement the RGS.

1. Core Settlement Areas

MG Policy 1.1 – Definition of Core Settlement Areas

There are four designations in *Core Settlement Areas*: *Municipal Areas*, *Settlement Nodes*, *K'ómoks First Nation Lands*, *Sports and Education Node* and *Settlement Expansion Areas*.

Municipal Areas are defined by the boundaries of the City of Courtenay, Town of Comox and Village of Cumberland.

Settlement Nodes reflect the planned settlement areas in Union Bay, Saratoga Beach and Mount Washington, as established through existing Local Area Plans.

K'ómoks First Nation Lands consist of IR Lands and lands transferred to the K'ómoks First Nation through the treaty settlement process, and other lands that may be identified through negotiated agreement between the Province and the K'ómoks First Nation. These lands would be outside of the RGS legislative authority and, therefore, it is important to ensure a cooperative and collaborative government-to-government relationship where communications are improved, concerns are addressed as they may arise, and there is awareness and understanding of K'ómoks First Nation title and rights as well as recognition of the importance of land development in creating economic development opportunities for the K'ómoks First Nation.

Settlement Expansion Areas are fringe areas located on the edges of *Municipal Areas* that have been identified because: (1) they contain existing settlements with private or public water and/or sewer servicing that will eventually require the extension of publicly owned water and sewer services, coincident with boundary extensions, or satisfactory servicing agreements, in order to address public health and environmental issues before they arise; or, (2) they have the long-term potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water or sewer services, provided that appropriate phasing policies are established, new development does not detract from compact growth options within *Municipal Areas* and that infrastructure capacity is available and financially sustainable. Any growth in *Settlement Expansion Areas* will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development.

The *Sage Hills Sports and Education Node* is an undeveloped area in Baynes Sound (Electoral Area A) that has been identified during the RGS process as having the potential to develop as a new employment and settlement node, with a focus on sports and academic activities, including university programs. This designation recognizes that any development in this area will be subject to meeting specific performance requirements, providing significant economic benefits, achieving environmental objectives, addressing social issues and providing cost contributions for the provision of public infrastructure that services the area.

MG Policy 1.2 – Development within Core Settlement Areas

A minimum of 90 percent of the growth within the Comox Valley will be directed to *Core Settlement Areas*, in order to promote the efficient use of land and public infrastructure, provide densities supportive of alternative transportation choices, and achieve environmental benefits resulting from compact growth. Additionally, directing growth to *Core Settlement Areas* will limit sprawl and curtail urban encroachment into *Rural Areas*, working landscapes and natural areas..

MG Policy 1.3 – Town Centres

Town Centres will be identified within all *Core Settlement Areas*. These *Town Centres* are to be developed as walkable and complete communities, providing for the broadest range of housing, employment and commercial uses. *Town Centres* should support transit-oriented development through the establishment of minimum densities, in the range of 100-150 combined residents and jobs per hectare with a reduced minimum of 75 combined residents and jobs per hectare for ground orientated housing, within the OCPs.

1. (a) Municipal Areas

Municipal Areas are comprised of the City of Courtenay, the Town of Comox and the Village of Cumberland, as defined by their jurisdictional borders. *Municipal Areas* have considerable capacity to accommodate growth through both intensification (by means of secondary suites and infill development) and new compact development. They will develop somewhat differently based on each community's unique characteristics, needs and visions.

CITY OF COURTENAY

The City of Courtenay is the largest urban area in the Comox Valley and, as such, is home to a number of major businesses, commercial/retail areas and cultural facilities. It is also the location for the North Island College Comox Valley campus and the majority of recreation facilities including the Comox Valley Sports Centre and exhibition grounds. The City of Courtenay should develop and grow consistent with its function as the Comox Valley's largest urban area. New development should provide for a wide diversity of housing and employment opportunities and should allow for the highest densities within the Comox Valley.

TOWN OF COMOX

The Town of Comox is well known for its harbour and main street downtown. There is a large seniors population that will require more senior-friendly services as the population grows and ages. The Town is also home to CFB Comox, the Comox Valley's single largest employer, and is the location of the Comox Valley Airport, which provides links to domestic and international locations. The Town of Comox will continue to grow but will remain a small urban area within the Comox Valley. New growth will occur largely through intensification and development in new areas.

VILLAGE OF CUMBERLAND

The Village of Cumberland has the smallest population of the three municipalities but has the greatest amount of designated lands to accommodate new residential and employment growth. The Village of Cumberland also contains the largest supply of vacant designated industrial land in the Comox Valley. Cumberland is unique in its concentration of young families and new development should support the needs of this group. The Village main street is a local and regional draw for its unique local meeting places and artisan shops. The forest areas within Cumberland provide local and regional recreation opportunities in all seasons.

MG Policy 1A-1 – Municipal Areas

Municipal Areas are defined by their jurisdictional boundaries. Specific land-uses, designated *Town Centres*, conservation features, parks and rural or resource areas should all be determined through official community plans. The local OCP review process should articulate how the RGS policies are to be achieved through land-use designations and/or other policy considerations.

1. (b) Settlement Nodes

Settlement Nodes have been identified to accommodate compact forms of development but are not contiguous with *Municipal Areas*. *Settlement Nodes* consist of defined areas around Union Bay, Saratoga Beach and Mt. Washington. These *Settlement Nodes* are established through local planning policy documents around existing communities with significant planned capacity to accommodate new growth. Each *Settlement Node* is unique and will develop based on its particular characteristics and Local Area Plan. New *Settlement Nodes* can only be created through amendment to the RGS.

UNION BAY

Union Bay is located in Baynes Sound – Electoral Area A – and includes the planned development of Kensington. A seaside community, this was formerly a major shipping port for the coal mines. The economy is now geared toward the shellfish industry and tourism. Further north along the coast, Union Bay will see considerable growth with the development and build-out of Kensington.

SARATOGA BEACH

Saratoga Beach is located in Puntledge-Black Creek – Electoral Area C. Its boundaries generally follow the Local Area Plan and include both rural and country residential lots. Saratoga Beach is part of the water service area and should be serviced by sewer. As a *Settlement Node*, growth would be largely geared toward coastal tourism and residential housing. An improved transit connection with the Campbell River area should be developed.

MT. WASHINGTON

Located in Puntledge-Black Creek – Electoral Area C – Mt. Washington provides its own water and sewer services and has long-term development plans in place that will see it grow substantially as a resort and recreation area. Long-term

considerations for this area at the regional level will need to focus on health and safety issues such as provision of adequate fire protection and establishing public transit linkages with *Town Centres* and inter-regional connections.

MG Policy 1B-1 – Settlement Nodes

Settlement Nodes shall accommodate growth through a balance of new development, intensification and improvements to public infrastructure. Infrastructure improvements will need to include the provision of appropriate water and sewer services along with enhanced public transit and active transportation options.

MG Policy 1B-2 – Uses within Settlement Nodes

Settlement Nodes will be identified within the Comox Valley Regional District OCP and will have a Local Area Plan that provides for specific land-uses and development criteria.

MG Policy 1B-3 – New Settlement Nodes

Designation of any new *Settlement Nodes* will require an amendment to the Regional Growth Strategy.

MG Policy 1B-4 Adjustments to Settlement Node Boundaries

Should minor adjustments to existing Settlement Node Boundaries be identified through a Local Area Planning process, such boundary adjustments shall be permitted subject to a minor amendment to the RGS.

1. (c) K'ómoks First Nation Lands

The K'ómoks First Nation currently has three IR Land holdings as illustrated on Map No. 3 and identified as K'ómoks First Nation Lands on Growth Management Map No.5. Additionally, the K'ómoks First Nation has been in treaty negotiations with the Federal and Provincial government since 1993. One of the results of the treaty settlement process will be the transfer of lands to the K'ómoks First Nation for the purposes of supporting economic development objectives and opportunities.

MG Policy 1C-1 – K'ómoks First Nation Lands

Lands identified as K'ómoks First Nation Lands on Map No. 5 consist of K'ómoks First Nation IR Lands and land transferred to the K'ómoks First Nation through the treaty settlement process, and other lands that may be identified through negotiated agreement between the Province and the K'ómoks First Nation. These lands are outside of the RGS legislative authority and therefore it is important to ensure a cooperative and collaborative

government-to-government relationship where communications are improved, concerns are addressed as they may arise and there is an awareness and understanding of K'ómoks First Nation title and rights as well as recognition of the importance of land development in creating economic development opportunities for the K'ómoks First Nation. A First Nations Growth Management Implementation Agreement will be undertaken, as outlined in Part 5 of this RGS, in order to develop an appropriate land-use planning process for K'ómoks First Nation Lands.

MG Policy 1C-2 Purpose of the First Nations Implementation Agreement

One of the purposes of the First Nations Implementation Agreement will be to help identify appropriate uses for K'ómoks First Nations Lands. Appropriate land uses should support K'ómoks First Nation economic development objectives and opportunities, while being sustainable and reflective of the policies as contained in the RGS. K'ómoks First Nation and local governments will also work together, through the Implementation Agreement, to ensure that identified land uses can be properly serviced, where possible, in an environmentally and financially sustainable manner.

MG Policy 1C-3 – Additions to K'ómoks First Nation Lands

As lands are formally identified through the Treaty Settlement Process and transferred to the K'ómoks First Nation, they may be illustrated on Map No. 5 pursuant to the terms of the Treaty Settlement and in accordance with any applicable policies or processes as set out in Part 25 of the Local Government Act.

1. (d) Sage Hills Sports and Education Node

The *Sage Hills Sports and Education Node* has been identified on *Map No. 5 Growth Management Map*. The node consists of 809 hectares of mostly de-forested land in Baynes Sound – Electoral Area A. The lands carry an underlying designation of *Resource Area* and *Rural Settlement Area*. The *Sage Hills Sports and Education Node* designation is an overlay designation that allows for specific land-use activities in recognition of the current opportunity to create a unique new employment node in this location that will provide significant benefits to the Comox Valley in the areas of employment, economic development and investment, community recreation facilities, community programs, servicing infrastructure and advanced green development technologies.

The *Sage Hills Sports and Education Node* is the only development area established in the RGS that is not adjacent to, or form part of, an existing settlement area. With no existing

transportation or servicing infrastructure, the impact of the designation is to create a new community within the Comox Valley. As a result, any development in this area needs to be carefully planned to ensure that the overall goals, objectives and policies of this RGS (and the principles laid out in the *Comox Valley Sustainability Strategy*) are achieved.

Development of the *Sage Hills Sports and Education Node* is predicated on the potential for the significant benefits it will bring to the Comox Valley. Those benefits should be articulated and secured prior to the initiation of any OCP policies or plans as outlined below.

MG Policy 1D-1 – Sage Hills Sports and Education Node

The *Sage Hills Sports and Education Node* is to be developed around a core set of sports and academic programs, including an international sports academy, a university cluster, a K to 12 school and adult learning programs. It is to include a designated *town centre* that includes a mix of university, cultural, recreational, health/wellness, hotel/corporate retreat, residential and limited commercial/retail uses. A diverse range of housing types, from single family homes to multi-family condominiums, including affordable housing options, will be developed consistent with the goals, objectives and policies set out in Part 3 of this RGS. Seniors' and student residences will also be developed as part of the housing options. Consistent with sustainability principles, all development will apply advanced green development technologies and public transit and active transportation options will be incorporated into development plans.

MG Policy 1D-2 – Local Area Plan Requirement for Sage Hills Sports and Education Node

Development within the *Sage Hills Sports and Education Node* is subject to adoption of appropriate OCP policies, including a Local Area Plan, which shall set out the following matters:

- a detailed land-use plan for the entire area, setting out the long-term land uses, including protected open spaces and natural areas;
- a housing strategy setting out the total number and type of housing units to be provided, including provisions for affordable housing;
- an employment strategy, including details on the total number and types of jobs to be located within the area;

- a commercial/retail plan, setting out the range of commercial uses to be provided within the area and including a strategy to support established commercial areas elsewhere in the Comox Valley;
- a transportation plan, setting out the pedestrian, cycling and road network to be developed within the area and a strategy for providing and encouraging public transit and active transportation options;
- a public realm plan, including overall urban design policies for the area;
- an environmental restoration plan, setting out strategies and programs for remediation, rehabilitation and conservation of natural areas and ecological features within the area;
- a human services plan, setting out human service needs (e.g., education, health, social programs) that will be generated within the area and where and how these needs will be met;
- a community energy plan, including a strategy to reduce energy demands and provide renewable energy options;
- a water conservation plan, including a strategy to maximize conservation and provide for the reuse and recycling of water;
- a green development standards plan, setting out the specific standards for green development to be implemented in the area, including strategies for minimizing and reducing greenhouse gas emissions;
- a phasing plan, illustrating how the various components of the overall development will be built over time; and,
- a climate change adaptation plan that indicates how the area will accommodate anticipated climate changes over time and work to support climate change adaptation initiatives throughout the Comox Valley.

MG Policy 1D-3 – Landowner Agreement for Sage Hills Sports and Education Node

Benefits related to employment, economic development and investment, community recreation facilities, community programs, servicing infrastructure and advanced green development standards should be secured through an agreement between the local government(s) and landowner(s) within the *Sage Hills Sports and Education Node* prior to the preparation of a local area plan. The benefits set out in the agreement will then guide the planning process and be used to evaluate the local area plan and future development prior to approval, and will form the basis of a binding agreement for such benefits to be

secured through the approval process. The agreement should address, at a minimum, the following commitments:

- specific employment targets for the area;
- business investments being made in the area;
- phase the project such that significant non-residential components will proceed first and that residential development will be subject to completion of such non-residential components;
- specific housing types, including affordable housing options;
- make community and recreational facilities associated with any new development available for use by the broader Comox Valley community;
- work with the K'ómoks First Nation and provide a wide range of activities to assist K'ómoks First Nation with developing a sustainable economy for its Nation, including training programs, support for cultural development, assistance with business development and financial and planning assistance for K'ómoks First Nation economic development and land planning capacity;
- ensure that all costs associated with providing water, sewer and waste servicing is assumed by the landowner(s);
- make a direct financial contribution for the purposes of funding regional and or municipal infrastructure and services located elsewhere in the Comox Valley;
- provide detailed environmental data related to the area, including an updated inventory and mapping of all conservation areas as detailed in Part 3 of this RGS;
- provide for the remediation, rehabilitation and conservation of natural areas and ecological features; and,
- seek LEED ND certification or equivalent standard(s).

MG Policy 1D-4 – Timing for Sage Hills Sports and Education Node

The *Sage Hills Sports and Education Node* is an overlay designation. Should an agreement as set out in MG Policy 1C-3 not be reached within three years of adoption of this RGS, then policies related to the *Sage Hills Sports and Education Node* will no longer apply and the underlying designations of *Resource Area* and *Rural Settlement Area* will apply. A one-time extension of a maximum of two years to this timeline would be considered a minor amendment to the RGS and subject to the process set out in Part 5 of the RGS.

1. (e) Settlement Expansion Areas

Settlement Expansion Areas are located on the fringe of *Municipal Areas*. Any growth in *Settlement Expansion Areas* will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development. They have been identified for either, or a combination, of the following: (1) they contain existing settlements with private water and/or sewer servicing that will eventually require the extension of publicly operated water and sewer services, coincident with boundary extensions, or satisfactory servicing agreements, in order to address public health and environmental issues before they arise; or, (2) they have the long-term potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water or sewer services, provided that appropriate phasing policies are established, new development does not detract from compact growth options within *Municipal Areas* and that infrastructure capacity is available and financially sustainable.

There are a number of existing neighbourhoods, such as Marsden/Arden and Royston, located on the fringes of the *Municipal Areas*. For the most part, these neighbourhoods were built without full municipal infrastructure – in other words, they contain on-site servicing such as septic systems and/or private well or private/public water systems. Many of them are built at densities that today would be considered too high for such private servicing systems because of water quality and public health issues. Experience has shown that private septic and water systems need ongoing maintenance to prevent failure. While most landowners are responsible and keep their systems maintained, over time such systems have proven to fail and need to be replaced at considerable costs to landowners. More typically, a number of systems will fail at the same time (given that they have similar life cycles); creating pressure to extend publicly operated water and sewer services into the affected area.

Given the number and density of private systems located on the fringe of *Municipal Areas*, there is a need to develop a long-term strategy to prevent public health concerns before they arise. Private wells, watercourses and the marine foreshore within the Comox Valley could be seriously compromised should a number of septic systems fail in the coming years prior to detection. As a result, it is the long-term intention of the growth management strategy that existing neighbourhoods within designated *Settlement Expansions Areas* will eventually be provided with publicly owned water and sewer services. Such

provision of services will be coincident with a boundary extension that incorporates the settlement expansion area into a municipal area, or a satisfactory servicing agreement, as detailed in the corresponding official community plan.

The *Settlement Expansion Areas* designation also includes lands on the fringe of *Municipal Areas* with little or no existing development. Such areas have been identified as 'reserve areas' to help accommodate the long-term growth demands within the Comox Valley. Their close proximity to *Municipal Areas* means that future growth in these areas will help achieve many of the same benefits as growth within *Municipal Areas*. Namely, if developed in a compact form and in an orderly manner that does not detract from compact growth options within *Municipal Areas*, they will promote the efficient use of land, provide greater transportation choices, reduce public servicing costs and reduce sprawl into rural areas.

MG Policy 1E-1 – Boundary Extensions within Settlement Expansion Areas

It is the intention of Local Governments in the Comox Valley that *Settlement Expansion Areas*, as identified on *Map No. 5*, shall become part of a *Municipal Area* through a boundary extension. Local governments will work cooperatively with regard to such boundary extensions and ensure that the policies of the RGS are maintained.

MG Policy 1E-2 – Identification of Settlement Expansion Areas within OCPs

Settlement Expansions Areas, as identified on *Map No. 5*, shall be identified within the Comox Valley Regional District official community plan and within the official community plan of the *Municipal Area* intending to incorporate it. Such official community plans shall contain policies for *Settlement Expansion Areas* consistent with MG Policies 1E-3 through 1E-6.

MG Policy 1E-3 – Water and Sewer Services within Settlement Expansion Areas

Publicly owned water and sewer services will, in the long-term, be provided within *Settlement Expansion Areas*, coincident with boundary extensions, or mutually satisfactory servicing agreements, and infrastructure capacity in a financially feasible manner. Nothing shall however compel a local government or service provider to enter into a servicing agreement. Service agreements will take into consideration issues around taxation, service delivery, cost recovery and future initiatives in order to address inequities in the provision of service other than water and sewer.

MG Policy 1E-4 –Public Health and Environmental Issues in Settlement Expansion Areas

Where a demonstrated public health or environmental issue has been identified due to failing private water or sewer systems within *Settlement Expansion Areas*, local governments will work together to expedite the provision of publicly owned water and sewer services to such areas in a financially feasible manner.

MG Policy 1E-5 – New Development within Settlement Expansion Areas

New development within *Settlement Expansion Areas* will be phased in an orderly manner in order to ensure that appropriate infrastructure capacity is available, that new development does not detract from compact growth options within *Municipal Areas*, and that the financial stability of *Municipal Areas* is not negatively impacted. As such, a four-hectare minimum lot size shall be established in *Settlement Expansion Areas* until such time as the following criteria are met:

- a. the area has been incorporated into a *Municipal Area*;
- b. publicly owned water and sewer services are provided;
- c. phasing policies as established within the relevant official community plan are satisfied;
- d. a *Local Area Plan* is prepared (a commitment should be made to prepare the Local Area Plan within 12 months of the boundary extension; and
- e. in the case of Royston, where a *Local Area Plan* already exists, a new *Local Area Plan* should be prepared and the Royston community should be actively engaged with the planning process.

MG Policy 1E-6 – New Settlement Expansion Areas

Designation of any new *Settlement Expansion Areas* will require an amendment to the regional growth strategy.

2. Rural Areas

The *Rural Areas* are comprised of designated *Rural Settlement Areas* and *Agricultural Areas*. Supporting the rural character and function of these areas, including the working agricultural land base and aquaculture areas, will be prioritized in planning considerations. As part of the overall growth management strategy to promote a compact form of growth within the *Core Settlements Areas* and reduce sprawl, new development in the *Rural Areas* will accommodate a maximum of 10 percent of overall growth within the Comox Valley. New development within *Rural Areas* is to accommodate housing, employment and commercial needs in smaller communities through development that is sensitive to the surrounding rural and agricultural context. It is not to be urban or suburban in form. Limits on lot sizes and restrictions on permitted uses will be established through the Comox Valley Rural OCP in order to ensure that *Rural Areas* develop appropriately.

MG Policy 2.1 – Rural Areas

The Rural Comox Valley OCP will provide a policy framework for managing and allocating rural growth geographically throughout the *Rural Areas* and to maintain the other goals of the RGS such as protection of rural character, protection of environmentally sensitive features, and focusing intense urban development in urban areas.

2. (a) Rural Settlement Areas

The *Rural Settlement Areas* encompass all lands within the electoral areas outside of *Core Settlement Areas* that are not otherwise designated as *Agricultural Areas*, *Resource Areas*, or *Provincial Parks*. In order to maintain the rural character and function of these areas, it is important to establish appropriate policies with regard to land uses and lot sizes.

With regard to lot sizes, there is existing and ongoing pressure to subdivide lands within *Rural Areas* for the purposes of creating small lots of less than 4 hectares in size. A preponderance of such lot sizes will make it increasingly difficult to maintain medium and large-size farm enterprises in the Comox Valley and will begin to change the character of *Rural Areas* as they become denser. The biggest concern is that small lots will result in the unintentional conversion of *Rural Areas* into estate residential areas, with ongoing conflicts created between residential and agricultural uses.

MG Policy 2A-1 – Rural Character of Rural Settlement Areas

All new development within *Rural Settlement Areas* must maintain the rural character of its surroundings and support the function of a working rural landscape. This requires careful consideration of the permitted uses, the form and scale of development and lot sizes.

MG Policy 2A-2 – Minimum Lot Sizes in Rural Settlement Areas

The Comox Valley Rural OCP shall establish minimum lot sizes in Rural Settlement Areas ranging between 4 hectares and 20 hectares, subject to soil conditions, ground water capacity, extension of existing subdivision areas, interface fire hazards and suitability of lands for rural development.

MG Policy 2A-3 – Alternative Minimum Lot Sizes for Agricultural Purposes

In limited circumstances, OCP policies that allow for lot sizes less than 4 hectares, but no smaller than 2 hectares, may be considered where it is demonstrated that such lot sizes will create opportunities for small-scale, land intensive and entry-level farming.

Conditions will be established for all subdivisions less than 4 hectares to secure that such lots will be used for farming purposes, and maintained as such over time, and will not become estate housing.

An overall cap on 2 hectare lots within Rural Settlement Areas should also be established. There should be regular monitoring of farm sizes to ensure that 2 hectare lot sizes are being used for farming and that there is an adequate supply of larger farm parcels (20 hectares or more). To assist with implementation, an inventory of all Rural Settlement Area parcel sizes should be conducted as part of the agriculture plan review to ensure a balanced distribution of parcel sizes that maintains the rural nature of these areas and determines the success of developing small scale agriculture operations through 2-hectare subdivisions.

MG Policy 2A-4 – Land Uses within Rural Settlement Areas

The Comox Valley Rural OCP shall establish a range of permitted uses within *Rural Settlement Areas* as follows:

- (a) Agriculture and related uses shall be permitted. Such uses include food processing establishments, distribution centres, farmers markets and agricultural research facilities;

- (b) Lots smaller than 4 hectares, but not smaller than 2 hectares, may be permitted provided lands are farmed and agriculture is the primary use on the property. The OCP policies should provide direction and definition for farming to set these conditions.
- (c) Non-residential and non-agricultural-related uses shall be limited to land and servicing capabilities. These will mainly be associated with on-site businesses, home-based businesses, small-scale accommodations, small-scale tourist-related uses. Commercial uses should be clustered within specific service areas (e.g., Merville, Black Creek, Fanny Bay).
- (d) Resort developments shall be permitted subject to restrictions on the overall size of development and conditions that such development do not include full-time residential uses, is not located in drinking watersheds and do not locate adjacent to the Inland Highway.
- (e) Renewable energy infrastructure and facilities (e.g., windmills, solar farms) shall be permitted on all lots, as determined by each local government.

2. (b) Agricultural Areas

Agriculture is an important aspect of the Comox Valley's economic and cultural landscape and should be protected and enhanced. *Agricultural Areas* have been established using the Agricultural Land Reserve (ALR) boundaries. ALR lands within *Municipal Areas* are shown with a hatched shade and included within the land use designation of *Agricultural Areas* to recognize their function as working landscapes. *Agricultural Areas* cover approximately 12 percent of the Comox Valley, but only slightly more than 50 percent of the lands are currently in agricultural production, which leaves the potential for significant expansion of agricultural activities.

With regards to growth management, it is the intent of the RGS to reinforce the policies and procedures within the ALR in order to support agricultural practices.

MG Policy 2B-1 – Agricultural Areas

Official community plans shall contain policies for Agricultural Areas that are consistent with the *Agricultural Land Commission Act* and regulations established under the Act, including the establishment of adequate buffers that ensure abutting farm and non-farm

uses do not conflict and that non-farm uses do not impede agricultural activity within the ALR.

MG Policy 2B-2 – Re-designation of Agricultural Areas

In the event that lands are removed from the ALR by the Agricultural Land Commission, the *Agricultural Areas* designation in the RGS shall still remain. In such cases, a redesignation of such lands will require a minor amendment to this RGS, as detailed in Part 5, in order to establish an appropriate new land-use designation.

MG Policy 2B-3 – Environmental Protection within Agricultural Areas

Policies regarding environmental protection must be applied with careful consideration in *Agricultural Areas*. New environmental regulations should require further consultation and collaborative planning with the agricultural community and local governments. In particular, any new policies respecting the Regional Conservation Framework set out in this RGS must recognize the environmental, social and economic benefits provided by a strong local agricultural industry in the Comox Valley. In particular, the participation of private landowners in *Agricultural Areas* within biodiversity corridors should be on a voluntary basis.

3. Resource Areas and Parks

Resource Areas and Parks identify lands that are predominantly natural resource areas, where residential settlement is prohibited. These are areas where large lot sizes should be preserved in order to facilitate resource production and/or to retain connectivity of ecosystems throughout the *Resource Areas and Parks*. *Resource Areas and Parks* are comprised of two land use designations *Resource Areas* and *Provincial Parks*.

3. (a) Resource Areas

Resource Areas encompass areas designated as Upland Resource Areas in OCPs. Mainly located to the west of the inland Highway 19, this area is primarily covered by privately managed working forests. For the most part, these lands fall under the “Class 7 Managed Forest Land” category of the BC Land Classification and must comply with the Private Managed Forest Act.

MG Policy 3A-1 – Resource Areas

Lands within *Resource Areas* should be protected and used for resource-focused and related value-added uses to support local economic development. In order to maintain the integrity of these forested areas, the following policies shall apply and be established through OCPs:

- (a) a minimum lot size of 400 hectares will be established;
- (b) residential uses are restricted, except to permit owner/operator residences related to the resource activity; and,
- (c) subject to Policy 5B-1 and 5B-4 protecting the watershed of water supply lakes, resort developments are permitted subject to a minor amendment of this RGS, as detailed in Part 5, and subject to restrictions on the overall size of development and conditions that such development do not include full-time residential uses and do not locate adjacent to the Inland Highway.
- (d) recreational trails and supporting infrastructure, but not including commercial or residential buildings, are permitted within Resource Areas.

MG Policy 3A-2 – K'ómoks First Nation Tourist Commercial

Notwithstanding the Resource Policies above, should the ownership of lands legally described as the South ½ of the NE ¼ of Section 30, Township 9, Comox District, Plan 552G Except Part in Plan VIP66479 and the North ½ of the NE ¼ of Section 30, Township 9, Comox District, Plan 552G Except Part in Plans 43227, VIP66479 and VIP67100 be transferred to K'ómoks First Nation, the regional growth strategy will permit the development of tourist commercial uses with the allowance for temporary staff housing subject to official community plan and zoning approvals.

MG Policy 3A-3 – Mount Washington Tourist Commercial

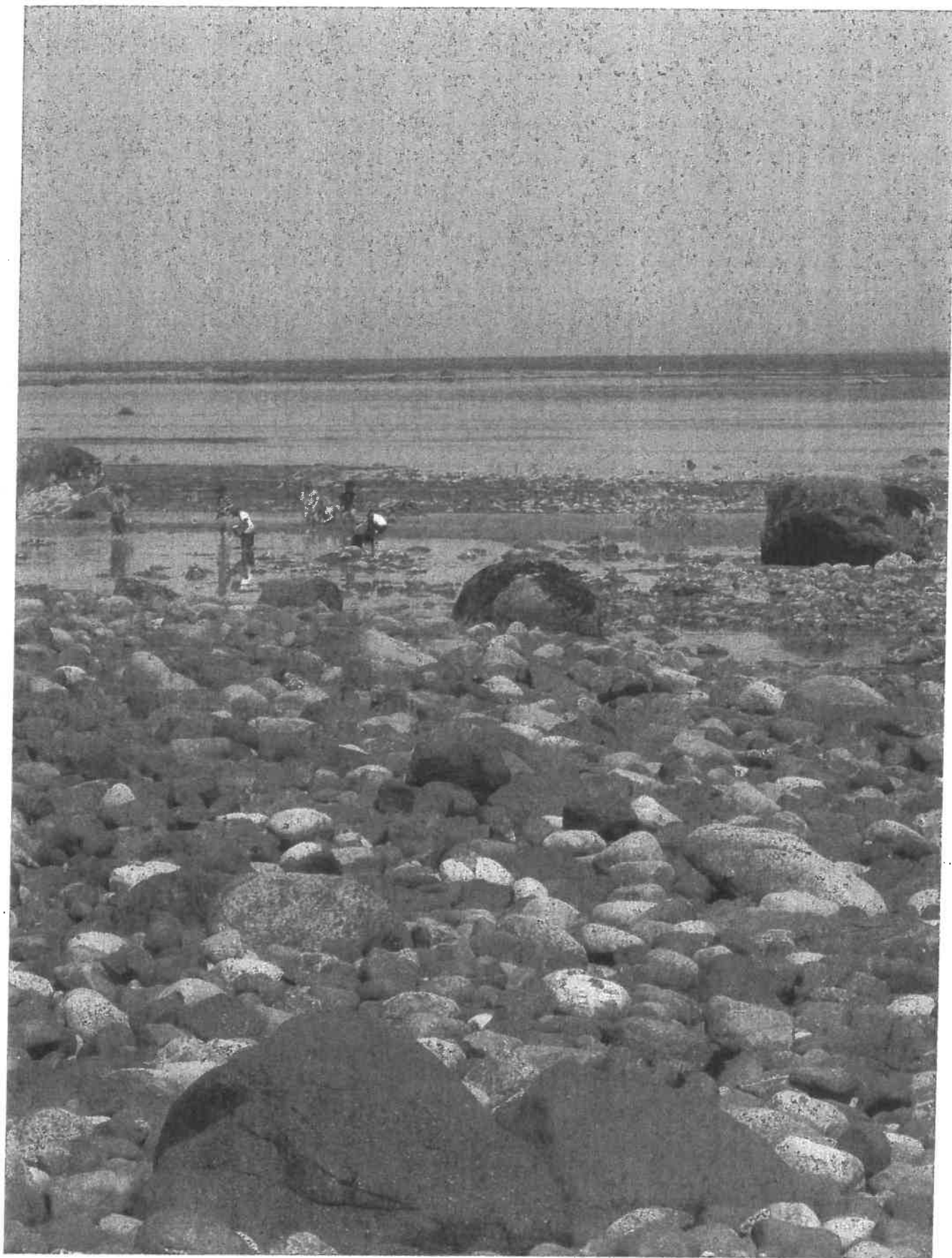
Notwithstanding the resource policies above, on the Crown Land described as District Lot 119G, the regional growth strategy will permit the development of tourist commercial uses with the allowance for temporary staff housing subject to official community plan and zoning approvals.

3. (b) Provincial Parks

There are four provincial parks within the Comox Valley Regional District (excluding Denman and Hornby Islands). These parks include the largest, Strathcona Provincial Park, and the coastal provincial parks of Miracle Beach, Kitty Coleman and Kin Beach. These areas are protected and run by the Province. They provide opportunities for greenway linkages and recreation throughout the region.

MG Policy 3B-1 – Provincial Parks

The Provincial Parks located in the Comox Valley and identified on *Map No. 5 Growth Management Map* shall be recognized and appropriately designated with official community plans.



05 Implementation and Monitoring

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Part 5: Implementation and Monitoring

This chapter sets out the tools and partnerships that will help to implement the RGS and a strategy for monitoring its performance in meeting its objectives. The RGS is a strategic guide to future land use and services, developed in accordance with the *Local Government Act*. The operational issues related to implementing the RGS include:

- establishing local government policies and actions that are consistent with and further the goals, objectives and policies of this RGS, as set out in Part 3;
- working cooperatively at the local government level to manage growth and land-use activity in a manner that is consistent with and furthers the growth management strategy, as set out in Part 4; and,
- developing processes for ongoing communication and cooperation between local governments, provincial and federal agencies and the K'ómoks First Nation in a common commitment to responsible land-use planning and management.

5.1 Implementation Process

Once the RGS has been adopted, all subsequent regional district and local government bylaws, works and services undertaken by the regional district and local government must be consistent with the RGS.

The RGS implementation process involves the following tasks:

1. Review OCPs, Prepare and Include Regional Context Statements
2. Develop and Adopt Implementation Agreements
3. Create Monitoring and Evaluation Program
4. Plan for Five-year reviews
5. Undertake Related Studies and Projects

1. Review OCPs, Prepare and Include Regional Context Statements

Official community plans are an essential means of implementing the RGS. Once the RGS has been adopted, municipalities have two years to update their OCPs and adopt Regional Context Statements, as required by the *Local Government Act s.866*. The Regional Context Statements are prepared as an OCP amendment and will:

- identify the relationship between the OCP and the content of a RGS; and,
- specify how the OCP and the RGS will be made consistent over time.

These statements are to be reviewed and accepted by the regional district. To ensure that the OCP and RGS remain compatible over time, the context statement is required to be referred to the regional district for acceptance every five years.

The Comox Valley Regional District electoral areas must conform with the RGS and update the Comox Valley Rural OCP within one year of the adoption of the RGS in the following manner:

- All bylaws adopted by a regional district board after the board has adopted a RGS, and all services undertaken by a regional district after the board has adopted a RGS, must be consistent with the RGS.

In doing so, other policies may need to be amended as appropriate and eventually zoning bylaw changes may also occur.

2. Develop and Adopt Implementation Agreements

Implementation Agreements (IAs) provide operational tools for implementing the RGS policies and growth strategy. These agreements will identify processes and activities to implement certain provisions of the RGS.

The IAs provide for the development of collaborative land use planning processes and relationships with a focus on the following implementation objectives:

Growth Management Implementation Agreement

To resolve specific issues related to the application of the RGS growth management strategy.

- Prepare a RGS Implementation Agreement on *Managing Growth* – Continue the role of the Technical Advisory Committee (TAC), Steering Committee (SC) and Elected Officials Forum (EOF)¹⁸ through an IA that further defines the manner in which long-term settlement growth and development will be encouraged consistent with the RGS. This will focus on preparation of Regional Context Statement to be included with the official community plans and the role of *Map No. 5 Growth Management Map*. The IA should also identify how *Settlement Expansion Areas* will be incorporated in the OCPs.
- Continue using the round table format (i.e. the elected officials forum) on a regular basis as a means for continued cross-regional communication and coordination.

First Nations Growth Management Implementation Agreement

Further develop effective dialogue and working relationships with the K'ómoks First Nation regarding their economic development aspirations and sustainable land use strategies. K'ómoks First Nation IR lands, Treaty Settlement lands and other lands that may be identified through negotiated agreement between the Province and the K'ómoks First Nation would be outside of the RGS legislative authority and, therefore, it is important to ensure that local government has a cooperative and collaborative government-to-government relationship where communications are improved, concerns are addressed as they may arise, and there is an awareness and understanding of K'ómoks First Nation title and rights as well as recognition of the importance of land development in creating economic development opportunities for the K'ómoks First Nation.

- Prepare an RGS Implementation Agreement on *First Nations Land Use Planning and Development* – An IA between the CVRD and member municipalities and K'ómoks First Nation should establish an arrangement, without prejudice to ongoing treaty negotiations, for information exchange and coordination of land use planning of Crown land transfers and other land development initiatives in an effort to encourage cooperative approaches to long term development, sustainability and long-term regional land use harmonization.

¹⁸ These committees were established through a MoU in July 2008 to develop the Regional Growth Strategy. The TAC consists of senior planning staff from the four local governments; the SC consists of the Chief Administrative Officers from the four local governments.

- The CVRD understands that the K'ómoks First Nation's Treaty negotiations are evolving and that additional discussions, planning (and land use harmonization) may be required when final treaty settlement lands are identified by K'ómoks First Nation and/or as K'ómoks First Nation moves forward through the Treaty process. The RGS may be amended, as appropriate and in accordance with the applicable statutory process, as a result of the treaty settlement process.
- The Implementation Agreement will help to identify land interests and appropriate uses for K'ómoks First Nations Lands. Appropriate land uses shall be in accordance with Part 4 policies pertaining to K'ómoks First Nation Lands and should support K'ómoks First Nation economic development objectives and opportunities, while also being sustainable and supportive of RGS policies. K'ómoks First Nation and local governments will also work together, through the Implementation Agreement, to ensure, where possible, that identified land uses can be properly serviced in an environmentally and financially sustainable manner.
- In the interim, between the implementation of the RGS and the effective date of any final K'ómoks Treaty, water and sewer servicing may be incorporated into an Implementation Agreement that identifies appropriate land uses for IR 1, IR 2, and IR 3. These land uses will be identified in partnership with K'ómoks First Nation.

Ministry of Transportation and Infrastructure Implementation Process

To ensure a collaborative planning process between local governments and MoTI to implement the goals and policies of the RGS. In the electoral areas, the MoTI is currently the approving officer for plans of subdivision. Therefore, to achieve the goals and objectives of the RGS related to regional growth management, it is important that MoTI work cooperatively with the CVRD.

- Prepare an RGS Implementation Agreement with MoTI on subdivision approval to address RGS policies and interests of local government including road network planning, stormwater management, cycling infrastructure, alternative infrastructure standards, transit infrastructure and road design standards.
- RGS policies and goals will frame the Implementation Agreement and the principles outlined in Appendix A of the RGS.

Other Implementation Agreements

Continue to identify additional Implementation Agreements with stakeholders, as needed.

3. Create Monitoring and Evaluation Programs

Monitoring and evaluation has two purposes – to measure progress in the RGS implementation and to measure substantive improvements that result from RGS policies.

To facilitate the monitoring and reporting process, the RGS policies have Targets and Measures that will be used to measure overall implementation of the RGS. Data sources and reporting procedures will be specified in the Monitoring and Evaluation Program.

Within one year of the adoption of the regional growth strategy, a Monitoring and Evaluation Program will be established that will monitor, evaluate and periodically report on regional economic, population, social and environmental trends and progress towards achievement of regional growth strategy vision and objectives. The process and program should include the following:

- the four local governments will meet and agree on the best form of monitoring (consideration should be given to hiring a third party to perform the assessment);
- development of additional targets and measures as needed;
- preparation of annual reports on implementation and progress toward the goals and objectives of the regional growth strategy;
- assessment of longer-term trends in conjunction with five year RGS reviews; and,
- commitment to conducting all reviews and progress reports within a larger, open public process as required in section 855 of the *Local Government Act*.

4. Plan for Five-year Reviews

To ensure that the RGS continues to respond to current issues, the RGS should be reviewed every 5 years from the adoption of the RGS pursuant to the *Local Government Act* section 869. As part of this review process, a report on current trends and issues should be prepared that will inform the review of the RGS. Key to the review will be performance based on objectives in the plan. Subsequent amendments to the RGS may be required to ensure that it reflects and adequately responds to changing circumstances of the Comox Valley.

5. Undertake Additional Studies and Projects

To implement the goals and objectives of the RGS, there may be additional related studies or projects such as the Courtenay River Estuary Management Plan, needed to address specific issues. These should be undertaken on an ongoing basis as necessary.

5.2 Amendments to the RGS

1. Standard Amendments

An amendment to the RGS, other than those considered to be a minor amendment, is considered a standard amendment and will follow the same process that is required to adopt a RGS as set out in *Part 25 of the Local Government Act*.

2. Minor Amendments

Recognizing that the RGS will require some flexibility to respond to changing conditions in the region, the minor amendment process will provide a more streamlined amendment process for minor changes, while ensuring that amendments which substantially change the vision and direction of the strategy remain subject to acceptance by all affected local governments.

The CVRD and member municipalities will work to ensure official community plan policies are consistent with the goals, objectives and policies in part three and with *Map No. 5: Growth Management Map*, or provide for a process that will lead to consistency over time, recognizing the economic, social and environmental benefits of compact community development, preservation and connection of natural features, and ongoing land use planning cooperation, collaboration and harmonization with K'ómoks First Nation.

Amendments to the RGS may only be made by bylaw. Under the *Local Government Act* a RGS amendment bylaw, other than one that is considered to be a minor amendment, must follow the same process that is required to first adopt the RGS. The *Local Government Act* enables minor amendments where a process has been established pursuant to section 857.1 that includes the following:

- criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;
- a means for the views of affected local governments respecting a proposed minor amendment to be obtained and considered;

- a means for providing notice to affected local governments respecting a proposed minor amendment;
- a means for providing public consultation and input into the proposed minor amendment; and,
- procedures for adopting the minor amendment bylaw.

3. Criteria for Minor Amendments

Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

- a. Where a land use or development proposal is inconsistent with the Regional Growth Strategy, and, in the opinion of the CVRD Board:
 - is not to be of regional significance in terms of scale, impacts or precedence;
 - contributes to achieving the goals and objectives set out in Part 3; and,
 - contributes to achieving the general principles contained in the growth management strategy Part 4.
- b. Text and map amendments which are not directly related to enabling specific proposed developments may be considered minor if, in the opinion of the Board, the amendment is not of regional significance.
- c. Boundary extensions for the purposes of incorporating designated *Settlement Expansion Areas* into a *Municipal Area*, consistent with MG Policies 1E-1 through 1E-6, shall be deemed in conformity with the RGS and not require either a minor amendment or standard amendment. Under such circumstances, the RGS designation and other CVRD planning regulations will continue to apply until such time as the local jurisdiction amends its OCP, at which time the RGS designation will change to *Municipal Area*.
- d. For boundary extensions beyond the *Settlement Expansion Areas*, an RGS amendment will not be required. However, under such circumstances the *Municipal Area* undertaking the boundary extension must adopt OCP policies that are consistent with the RGS designation for such lands. Should the *Municipal Area* seek to adopt OCP policies that differ from the policies of the RGS, at either the time of the boundary

extension or at a future date, then a standard amendment to the RGS will be required to follow the regular process as outlined in the *Local Government Act*.

- e. Any proposal that does not meet the criteria set out above would be considered a standard amendment and will be required to follow the regular process as outlined in the *Local Government Act, Part 25*.

4. Minor Amendment Process

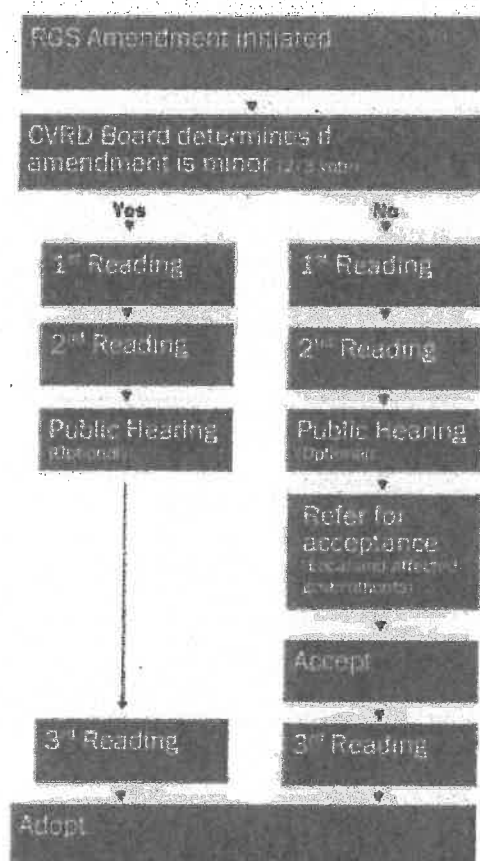
Minor amendments may be applied for by a member municipality, the regional district, external agency, private land owner or developer. Once a minor amendment application has been received, the process for review and adoption is as follows:

- Upon receiving a minor amendment application, the CVRD will set up a Technical Advisory Committee (TAC) meeting for review and discussion of the application and provide comments to CVRD staff.
- On receipt of an application with comments from the technical advisory committee, CVRD staff will prepare a preliminary report for review by the RGS steering committee. Steering committee comments and recommendations will be forwarded to the CVRD Board to assist in its decision on whether the application should be processed as a minor amendment.
- The CVRD board will assess any proposed amendment in terms of the minor amendment criteria. The Board may resolve, by an *affirmative* vote of 2/3 of the board members present, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
 - Refer the application to TAC for comment.
 - Determine the appropriate form of public consultation required in conjunction with the proposed minor amendment.
 - Give 30 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment

and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading.

- Direct staff to prepare a report on the minor amendment with an analysis that examines the benefits of the proposed change, and how the proposed change is consistent with the principles and goals of the RGS and the relationship between targets and performance measures.
- Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
- At the time of consideration of first reading, the Board will determine whether a public hearing on the RGS minor amendment bylaw is required.
- Any minor amendment bylaw shall be adopted in accordance with the procedures that apply to the adoption of a RGS under section 791 of the *Local Government Act* and Comox Valley Regional District Procedure Bylaw No. 1, 2008

RGS Amendment Summary Chart

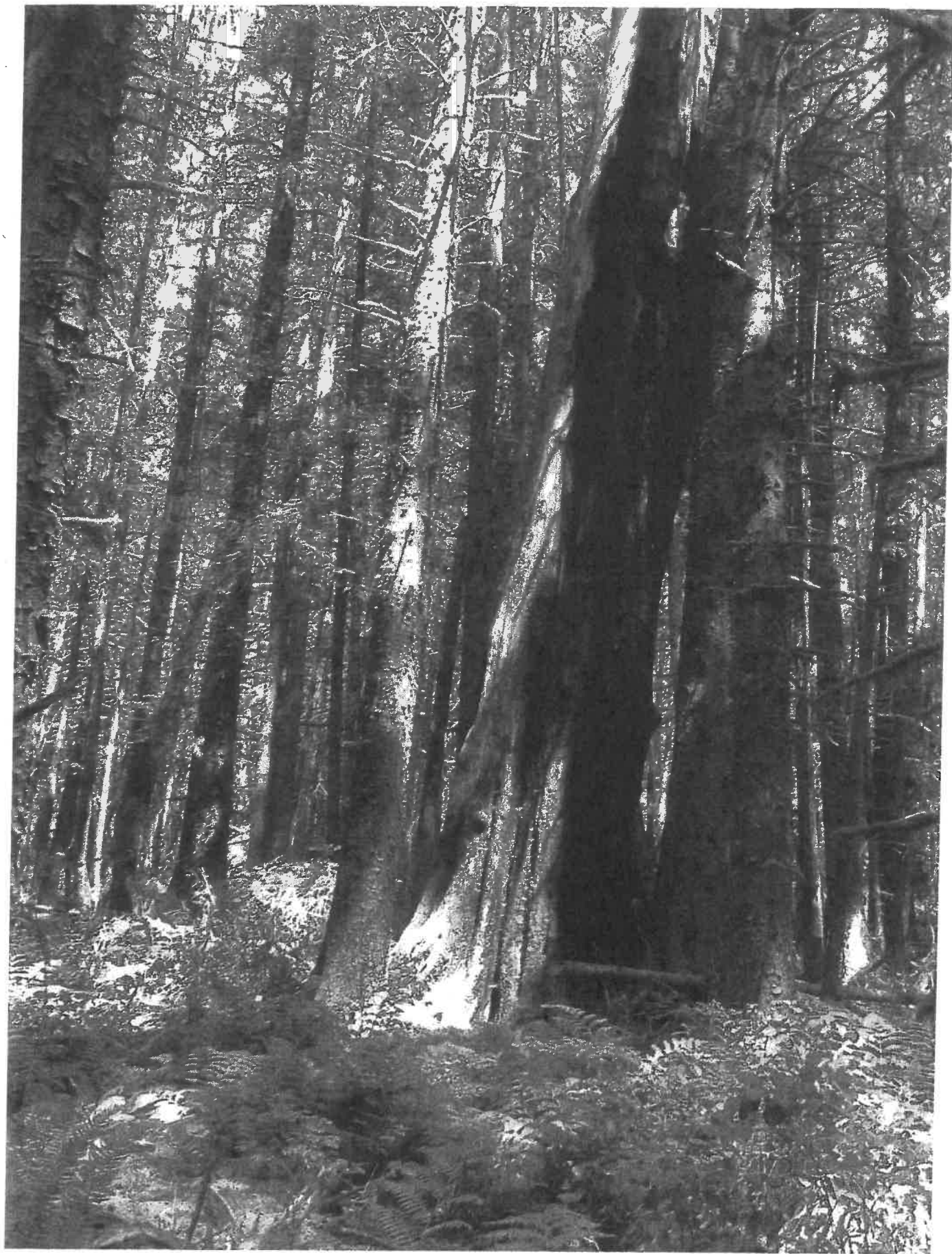


5.3 Roles and Responsibilities

The success of the regional growth strategy depends on ongoing cooperation and collaborative planning efforts between the local governments, provincial and federal agencies and the public.

To implement the RGS, the CVRD board, working in partnership with its member municipalities, the province, the federal government, K'ómoks First Nation and others, will:

- maintain a collaborative, agreement-seeking regional strategic planning program directed to work towards achievement of the long-term objectives of the regional growth strategy;
- commit to ongoing communication with the public including on the RGS review process (annual and every five years), minor amendment and amendment processes;
- commit to consultation with and consideration of the interests of areas serviced outside the CVRD; and,
- commit to consultation with and consideration of the interest of the SRD with respects to potential impacts of inter-regional services, including the solid waste service and service to Electoral Area D, water service through the Black Creek/Oyster Bay Water Local Service Area and fire protection through Black Creek/Oyster Bay Fire Protection service.



Glossary

Affordable housing

Affordable rent is defined as costing no more than 30% of a household's total gross monthly income.

Agricultural Areas

Agricultural Areas have been established using the Agricultural Land Reserve (ALR) boundaries. The land use designation of *Agricultural Areas* to protect and enhance these areas as working landscapes. *Agricultural Areas* cover approximately 12 percent of the Comox Valley.

Agricultural Land Commission (ALC)

The ALC is the administrative body of the Agricultural Land Reserve. It is an independent provincial agency responsible for administering the Province's land use zone in favour of agriculture, through the Agricultural Land Commission Act. The purpose of the Commission is to preserve agricultural land; encourage farming in collaboration with other communities of interest; and, to encourage local governments, First Nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Agricultural Land Reserve (ALR)

The ALR was established in 1973 as a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are controlled. The ALR covers approximately 4.7 million hectares and includes both private and public lands that may be farmed, forested or vacant, but where agriculture is recognized as the priority use. It is administered by the Agricultural Land Commission (ALC).

Aquaculture

Aquaculture is the farming of freshwater and saltwater organisms and aquatic plants. This process implies some form of human intervention in the rearing process to enhance production, such as regular stocking and protection from predators; it also implies individual or corporate ownership of the stock being cultivated.

Baseline level of emissions

Indicates the total GHG emissions for a given year and provides municipalities with a point in time in which to compare all future GHG emission levels.

Biodiversity

The variety of life on earth in all its forms including genes, species, and ecosystems and the natural processes that link and maintain them.

Community Energy and Emissions Inventory (CEEI)

The CEEI is an initiative of the BC Ministry of Environment. The CEEI represents energy consumption and greenhouse gas emissions from community activities in on-road transportation, buildings and solid waste. Estimates of land-use change from deforestation activities are also available at the regional district level.

Comox Valley Regional District Board

The CVRD has a board of nine directors, comprising electoral area directors who are elected directly by rural area voters and serve three-year terms, and municipal directors who are first elected to a municipal council and are then appointed by council to the regional district board for a maximum term of three years. Annually, the board elects its chair who established committees to deal with issues such as land use planning, environmental management, water supply etc.

Contiguous

Describes objects such as land parcels that adjoin and share a common border.

Core Settlement Areas

Within the RGS, *Core Settlement Areas* are comprised of four land use designations: *Municipal Areas*, *Settlement Nodes*, *Sports and Education Node* and *Settlement Expansion Areas*. A minimum of 90 percent of the growth within the Comox Valley will be directed to *Core Settlement Areas*, in order to promote the efficient use of land and public infrastructure, provide densities supportive of alternative transportation choices, and achieve environmental benefits resulting from compact growth.

Density

Measure of urban and rural form; can be measured in a number of different ways including the number of people, jobs or buildings in a given area.

Ecosystem

A complete system of living organisms interacting with the soil, land, water, and nutrients that make up their environment. An ecosystem is the home of living things, including humans. An ecosystem can be any size - a log, pond, field, forest, or the earth's biosphere - but it always functions as a whole unit. Ecosystems are commonly described according to the major type of vegetation - for example, old-growth forest or grassland ecosystem.

Ecosystem functions

The physical, chemical and biological processes that keep an ecosystem operating. Examples include infiltration of surface water, evapo-transpiration and nutrient cycling.

Ecosystem services

The benefits people derive from ecosystems (e.g. resources like food, wood and other raw materials, pollination of crops, water purification and erosion prevention).

Environmental Farm Plan (EFP)

The EFP is a joint federal and provincial funding program that works with farmers to do an environmental audit of their agricultural operation and to identify goals to reduce the environmental impact of their operation. Farmers receive funds of up to 50 percent of costs to mitigate environmental impacts of farming and to improve wildlife habitat on agricultural lands (e.g. by planting hedgerows).

Estuary

An estuary is a partly enclosed coastal body of water with one or more rivers or streams flowing into it and a free connection to the open sea. Estuaries form a transition zone between river environments and ocean environments and are subject to both marine influences, such as tides, waves, and the influx of saline water; and riverine influences, such as flows of fresh water and sediment. These conditions make estuaries among the most productive natural habitats in the world.

Green house gas (GHG)

GHGs are gasses in an atmosphere that absorb and emit radiation within the thermal infrared range. This process is the fundamental cause of the greenhouse effect. The main greenhouse gases in the Earth's atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone. The burning of fossil fuels since the beginning of the Industrial revolution has substantially increased the levels of carbon dioxide in the atmosphere.

GHGs are typically generated from the use of fossil fuels to light, heat, cool and ventilate buildings (including homes and offices) and to power motorized vehicles, municipal operations, and industrial processes; and the decomposition of organic waste in landfills.

Ground-truth

In the earth sciences, the facts that are confirmed in an actual field check that is done at a location, specifically the determination of facts by examining the ground for patterns revealed by remote sensing or aerial photography.

Habitat

The area or natural environment where an organism or biological population lives, grows and interacts.

Implementation Agreements (IAs)

An IA is a partnership agreement between a regional district and other levels of government, their agencies or other bodies which spells out the details of how certain aspects of a regional growth strategy will be carried out.

Improvement Districts

Improvement Districts are autonomous local authorities governed by elected trustees, focused on providing services to local landowners e.g. water provision. They are granted powers by the Province to enact and enforce regulations and charges, to assess and collect taxes, to acquire, hold and dispose of lands, to borrow money and to expropriate lands required to carry out its functions. Within the Comox Valley there are five Improvement Districts: Ship's Point Improvement District, Fanny Bay Waterworks District, Union Bay Improvement District, and Sandwich Improvement District.

Integrated Stormwater Management Plan (ISMP)

An ISMP is a stormwater management plan that will result in no net loss of environmental quality and protect communities from localized flooding. The process actively seeks and uses input from various stakeholder groups within each watershed and brings together planning, engineering, ecology, and flood and erosion protection within an adaptive management methodology.

Municipal Areas

Municipal Areas are comprised of the City of Courtenay, the Town of Comox and the Village of Cumberland, as defined by their jurisdictional borders. *Municipal Areas* have considerable capacity to accommodate growth through both intensification (by means of secondary suites and infill development) and new compact development.

Natural systems

A set of interacting and interdependent entities forming an integrated whole. Properties of systems include: they have structure, behaviour, interconnectivity and functions or groups of functions. Natural systems (e.g. the solar system) are different from *designed* systems; which are designed by humans (e.g. transportation system).

Provincial Parks

There are four provincial parks within the Comox Valley Regional District (excluding Denman and Hornby Islands). These parks include the largest, Strathcona Provincial Park, and the coastal provincial parks of Miracle Beach, Kitty Coleman and Kin Beach. These areas are protected and run by the Province. They provide opportunities for greenway linkages and recreation throughout the region.

Publicly owned

An organization supplying a service operated by a private corporation under government regulation or by the government directly.

Regional Growth Strategy (RGS)

The RGS is a regional vision that commits affected municipalities and regional districts to a course of action to meet common social, economic and environmental objectives. It is initiated and adopted by a regional district and referred to all affected local governments for acceptance.

Regional Context Statement (RCS)

The RGS forms a portion of a municipality's official community plan (OCP) and sets out the relationship between the regional growth strategy and the municipality's plan. This statement is prepared by the municipality and referred to the regional district for acceptance.

Resource Areas

Resource Areas encompass designated Upland Resource Areas in OCPs. They are mainly located to the west of the inland Highway 19 and fall under the “Class 7 Managed Forest Land” category of the BC Land Classification and must comply with the Private Managed Forest Act.

Rural Areas

Rural Areas are comprised of designated *Rural Settlement Areas* and *Agricultural Areas*. Supporting the rural character and function of these areas, including the working agricultural land base and aquaculture areas, will be prioritized in planning considerations.

Rural Settlement Areas

The *Rural Settlement Areas* encompass all lands within the electoral areas outside of *Core Settlement Areas* that are not otherwise designated as *Agricultural Areas*, *Resource Areas*, or *Provincial Parks*.

Sage Hills Sports and Education Node

The *Sage Hills Sports and Education Node* is the only development area established in the RGS that is not adjacent to, or forms part of, an existing settlement area. Any development in this area will be carefully planned to ensure that the overall goals, objectives, policies and principles of this RGS are achieved.

Sensitive Ecosystem Inventory (SEI)

The SEI is a federal and provincial government mapping project to systematically identify and map rare and fragile ecosystems in a given area. The SEI is intended for use in a variety of land-use planning processes to identify remnants of rare and fragile ecosystems (on land) and to encourage land-use decisions that will ensure the continued integrity of these ecosystems.

Sensitive Ecosystems

Sensitive ecosystems are areas that may contain rare, threatened and fragile ecosystems and support high levels of biodiversity.

Settlement Expansion Areas

Settlement Expansion Areas are located on the fringe of *Municipal Areas*. They have been identified for either or a combination of the following: (1) they contain existing settlements with private water and/or sewer servicing that will eventually require the extension of publicly operated water and sewer services, coincident with boundary extensions, or satisfactory servicing agreements, in order to address public health and environmental issues before they arise; or, (2) they have the potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water or sewer services.

Settlement Nodes

Settlement Nodes reflect the planned settlement areas in Union Bay, Saratoga Beach and Mount Washington, as established through existing Local Area Plans. They are areas where there is planned growth to accommodate urban forms of development, but they are not contiguous with *Municipal Areas*.

Town Centres

Town Centres are located within the *Core Settlement Areas* and are to be developed as walkable and complete communities, providing for the broadest range of housing, employment and commercial uses. *Town Centres* should support transit-oriented development through the establishment of minimum densities, in the range of 100-150 combined residents and jobs per hectare with a reduced minimum of 75 combined residents and jobs per hectare for ground orientated housing, within the OCPs.

Transit-oriented development

A general term for strategies that result in more efficient use of transportation resources; emphasizes the movement of people and goods rather than private motor vehicles; and gives priority to walking, cycling, ridesharing, and public transit.

Treaty negotiations

A treaty is a negotiated agreement that will spell out the rights, responsibilities and relationships of First Nations and the federal and provincial governments. The negotiation process is likely to deal with far-reaching issues such as land ownership, governance, wildlife and environmental management.

Watershed

An area of land that contributes runoff to a specific delivery point, such as the mouth of a river. Large watersheds may be composed of many smaller sub-watersheds, each contributing runoff to various streams and rivers that ultimately combine at a common delivery point.

Wildfire interface zone

A wildfire interface zone is an area where structures and other human development meet with wildland areas containing flammable vegetation such as trees and grasses.

Xeriscaping

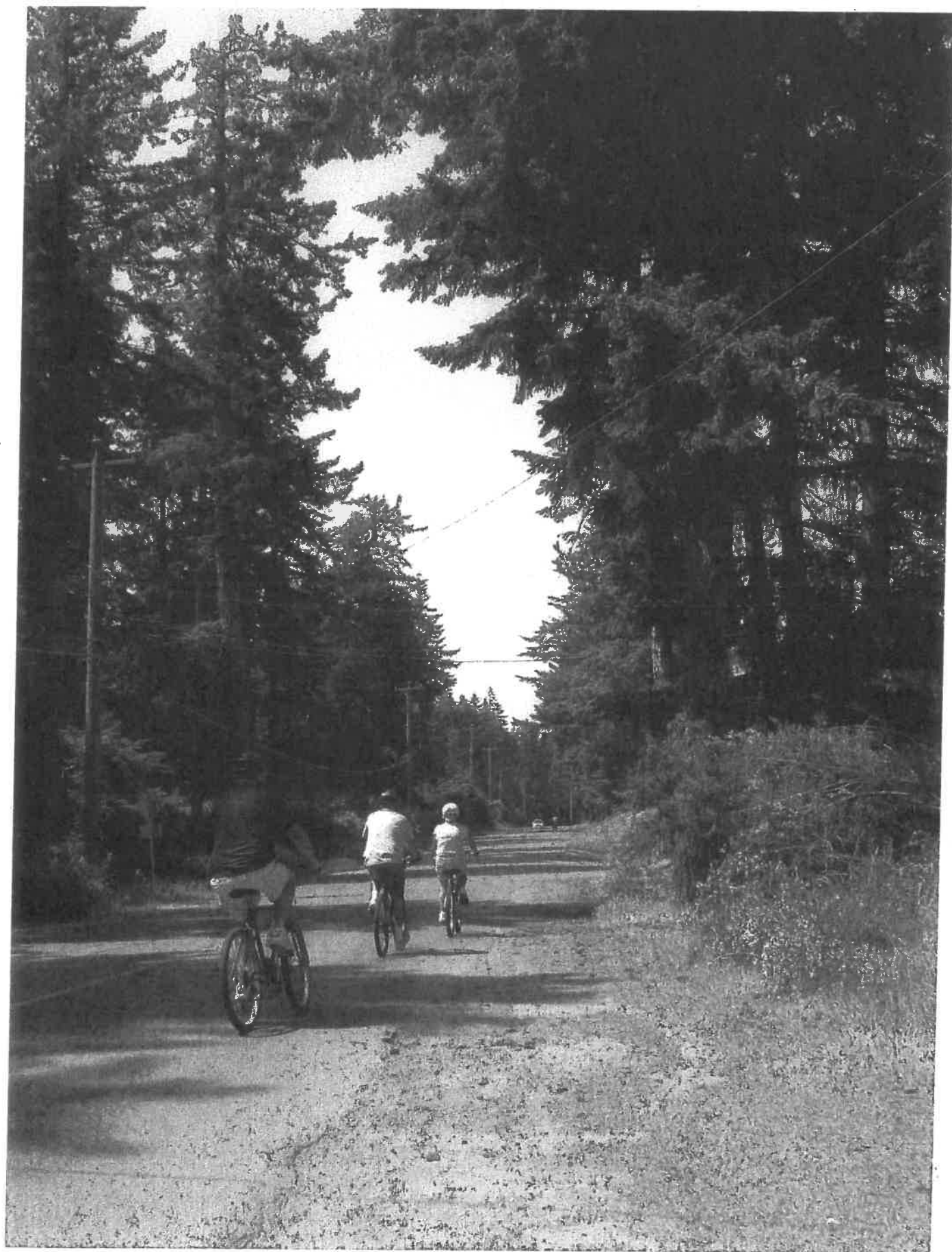
Xeriscaping refers to landscaping and gardening in ways that reduce or eliminate the need for supplemental irrigation. It is promoted in areas that do not have easily accessible supplies of fresh water, and is gaining acceptance in other areas as climate patterns shift.

Zero Net Deforestation (ZND)

Legislated by the BC government in March 2010, the goal of the Act is to achieve ZND by December 31, 2015. The Act sets the ZND goal in legislation, defines key terms and sets out the reporting requirements for government. Encourages an equal area of trees to be planted for carbon storage to offset any forest land that is permanently cleared for another use. Measured by area, the amount of afforestation is not less than the amount of deforestation.

Zero Net Deforestation Act

Legislated by the BC government in March 2010, the goal of the Act is to achieve ZND by December 31, 2015. The Act sets the ZND goal in legislation, defines key terms and sets out the reporting requirements for government.



Appendices

Appendix A: Principles/Policy Objectives Matrix

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Appendix A
Principles/Policy Objectives Matrix

Appendix A: Principles/Policy objectives matrix

Policy Objectives		Growth Management Principles													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
Housing	1A			✓	✓	✓	✓	✓	✓		✓				
	1B			✓	✓	✓		✓	✓		✓		✓		
	1C			✓	✓	✓		✓	✓		✓		✓		
	1D					✓	✓	✓	✓	✓	✓				
Ecosystems, Natural Areas and Parks	2A	✓	✓		✓										
	2B	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
	2C	✓	✓	✓	✓							✓		✓	
Local Economic Development	3A			✓	✓	✓	✓					✓	✓	✓	✓
	3B				✓			✓	✓		✓	✓		✓	
	3C			✓										✓	
	3D					✓	✓	✓	✓		✓				✓
Transpor- tation	4A			✓	✓	✓	✓	✓	✓		✓				✓
	4B			✓	✓	✓	✓	✓	✓		✓				
	4C			✓		✓	✓								✓
Infrastructure	5A		✓			✓	✓			✓	✓				
	5B	✓	✓		✓	✓	✓	✓	✓	✓	✓				
	5C	✓	✓		✓										
	5D		✓		✓	✓				✓	✓				
	5E	✓	✓		✓	✓									
Food Systems	6A			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	
	6B			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	
	6C			✓			✓						✓		
	6D			✓									✓	✓	
	6E			✓									✓		
Public Health and Safety	7A		✓	✓	✓	✓	✓	✓	✓		✓				
	7B		✓	✓	✓	✓	✓	✓	✓		✓				
	7C		✓	✓			✓								
Climate Change	8A		✓	✓	✓										
	8B		✓	✓	✓	✓	✓	✓	✓		✓				
	8C		✓	✓	✓		✓								
	8D	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓	
	8E		✓	✓	✓							✓	✓	✓	
	8F	✓	✓	✓	✓										

GOAL 1: HOUSING

Ensure a diversity of affordable housing options to meet evolving regional demographics and needs.

Objective 1-A: Locate housing close to existing services

Objective 1-B: Increase affordable housing options

Objective 1-C: Develop and maintain a diverse, flexible housing stock

Objective 1-D: Minimize the public costs of housing

GOAL 2: ECOSYSTEMS, NATURAL AREAS AND PARKS

Protect, steward and enhance the natural environment and ecological connections and systems.

Objective 2-A: Identify and map areas for conservation.

Objective 2-B: Frame environmental protection and policies around the principles of precaution, connectivity and restoration.

Objective 2-C: Promote environmental best practices in *Agricultural and Resource Areas*.

GOAL 3: LOCAL ECONOMIC DEVELOPMENT

Achieve a sustainable, resilient and dynamic local economy that supports businesses and the region's entrepreneurial spirit.

Objective 3-A: Support local business retention, development and investment

Objective 3-B: Increase regional job base

Objective 3-C: Support resource-based employment opportunities

Objective 3-D: Promote designated Town Centres as regional employment centres.

GOAL 4: TRANSPORTATION

Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Objective 4-A: Increase public transit use.

Objective 4-B: Improve bicycle and pedestrian infrastructure to increase the use of active transportation options.

Objective 4-C: Develop and maintain an inter-regional transportation system that efficiently and safely facilitates the movement of people and goods.

GOAL 5: INFRASTRUCTURE

Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.

Objective 5-A: Promote water conservation and efficiency throughout the Comox Valley.

Objective 5-B: Protect the quality of water sources.

Objective 5-C: Stormwater is managed to preserve ecosystem and watershed health.

Objective 5-D: Encourage sewage management approaches and technologies that respond to public health needs and maximize existing infrastructure.

Objective 5-E: Reduce regional solid waste and improve landfill performance.

GOAL 6: FOOD SYSTEMS

Support and enhance the agricultural and aquaculture sectors and increase local food security.

Objective 6-A: Protect land for existing and future agriculture and associated activities and allow for the growth and expansion of such activities.

Objective 6-B: Protect shoreline areas for existing and future aquaculture and associated activities

Objective 6-C: Improve and expand agricultural irrigation practices and infrastructure

Objective 6-D: Increase farming activity in the Comox Valley

Objective 6-E: Raise awareness of the regional importance of the local food system

GOAL 7: PUBLIC HEALTH AND SAFETY

Support a high quality of life through the protection and enhancement of community health, safety and well-being.

Objective 7-A: Increase the number of pedestrians and cyclists in the Comox Valley.

Objective 7-B: Increase public education and awareness around the links between population health and land use planning

Objective 7-C: Improve regional fire safety

GOAL 8: CLIMATE CHANGE

Minimize regional greenhouse gas (GHG) emissions and plan for adaptation.

Objective 8-A: Reduce GHG emissions created by the building sector.

Objective 8-B: Reduce GHG emissions created by the on-road transportation sector

Objective 8-C: Reduce GHG emissions in the solid waste sector.

Objective 8-D: Reduce GHG emissions created by deforestation (land use change).

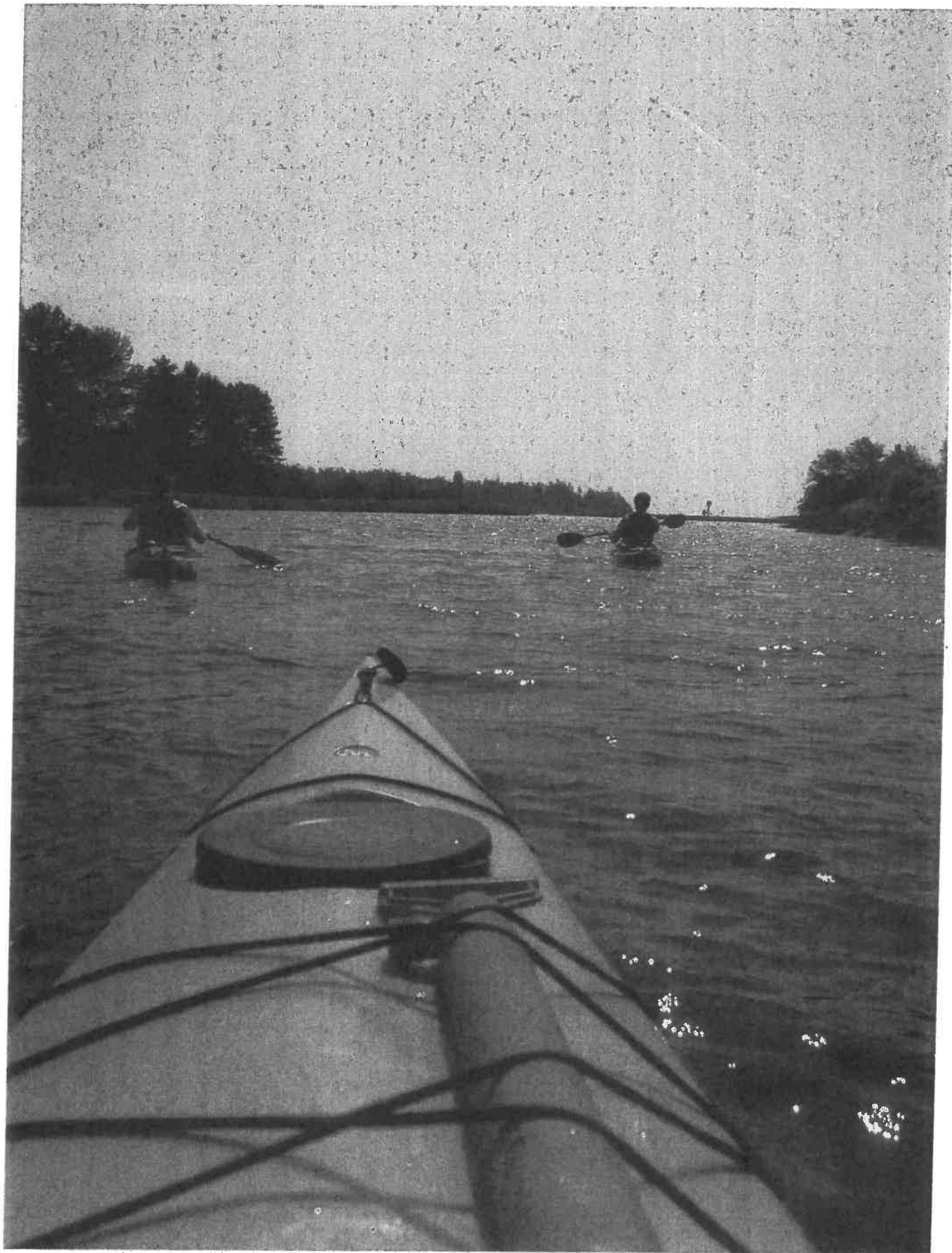
Objective 8-E: Plan for renewable energy generation

Objective 8-F: Plan for climate change adaptation.

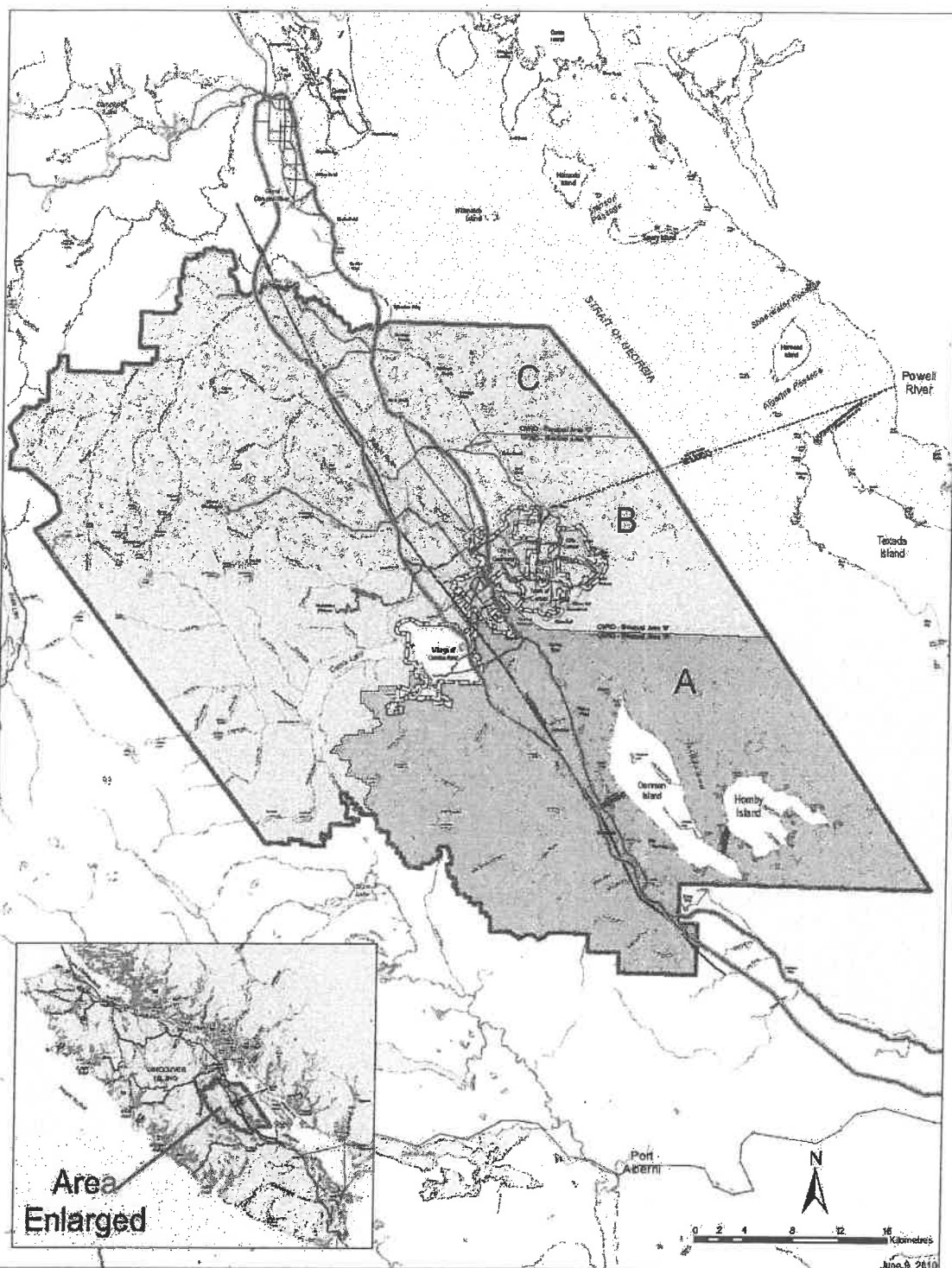
Growth Management Principles

1. Protect key natural and ecological features throughout the Comox Valley.
2. Take actions to address public health and environmental issues as they are identified and, where possible, before they arise.
3. Recognize the distinctiveness of existing communities and ensure the needs of both urban and rural areas are met.
4. Recognize that the K'ómoks First Nation is in the process of land settlement negotiations and that there should be ongoing collaboration and cooperation between the local governments and the K'ómoks First Nation.
5. Promote the efficient use of land, provide greater transportation choices, reduce public servicing costs and achieve environmental benefits through compact growth.
6. Ensure the efficient use and financial viability of existing and planned investment in public infrastructure.
7. Promote intensification, compact growth and supportive public transit services throughout *Municipal Areas* as the primary means of accommodating population and employment growth.

8. Limit the number of existing and planned *Settlement Nodes* outside of the *Municipal Areas* and ensure that such nodes are developed in a compact and transit-supportive manner.
9. Identify areas of existing development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.
10. Identify areas for new development on the fringes of *Municipal Areas* that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to allow for new growth opportunities in a phased and orderly manner.
11. Protect the character of *Rural Areas* as primarily working landscapes, including agricultural and aquaculture areas, so that such functions can remain economically viable and grow.
12. Promote and support growth within *Rural Areas*, provided that the rural character and primary rural functions are maintained.
13. Maintain resource areas as primarily working landscapes for resource extraction.
14. Promote and support the overall economic viability of the municipal areas so that they can continue to provide primary base for residential, commercial and institutional activities.



Maps



Context Map

- | | |
|---|-----------------------|
| Comox Valley Regional District Boundary | City of Courtenay |
| Baynes Sound-Denman/Hornby Islands (Electoral Area 'A') | Town of Comox |
| Lazo North (Electoral Area 'B') | Village of Cumberland |
| Puntledge-Black Creek (Electoral Area 'C') | |

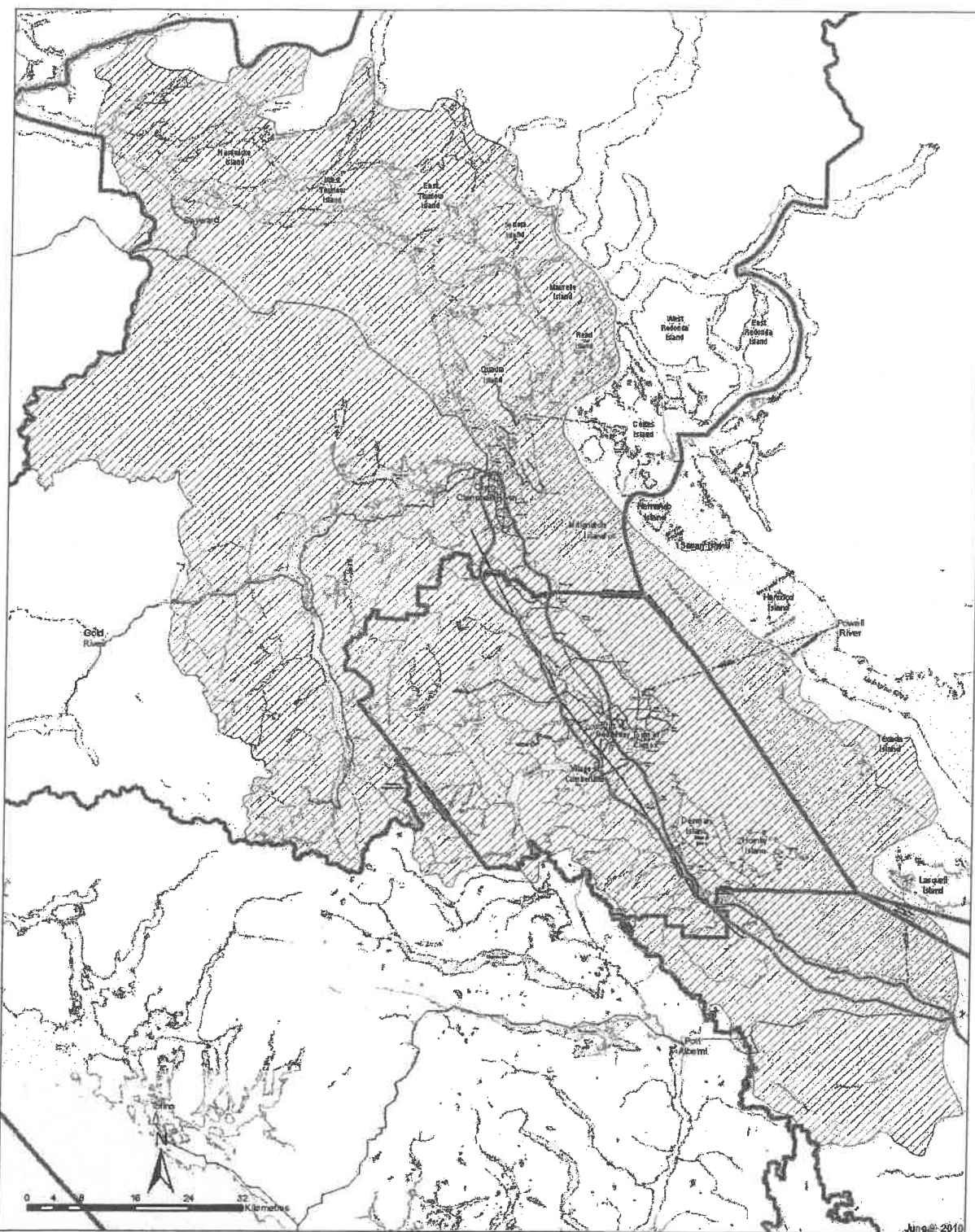
* Part 25 of the Local Government Act does not apply to lands within Islands Trust jurisdiction. Thus, the Comox Valley Regional Growth Strategy excludes Denman and Hornby Islands.

Comox Valley
Regional Growth Strategy

Comox Valley
REGIONAL DISTRICT

Map No. 1

"Comox Valley Regional Growth Strategy Bylaw No. 120, 2010"



K'ómoks First Nations Traditional Territory



Regional District Boundary

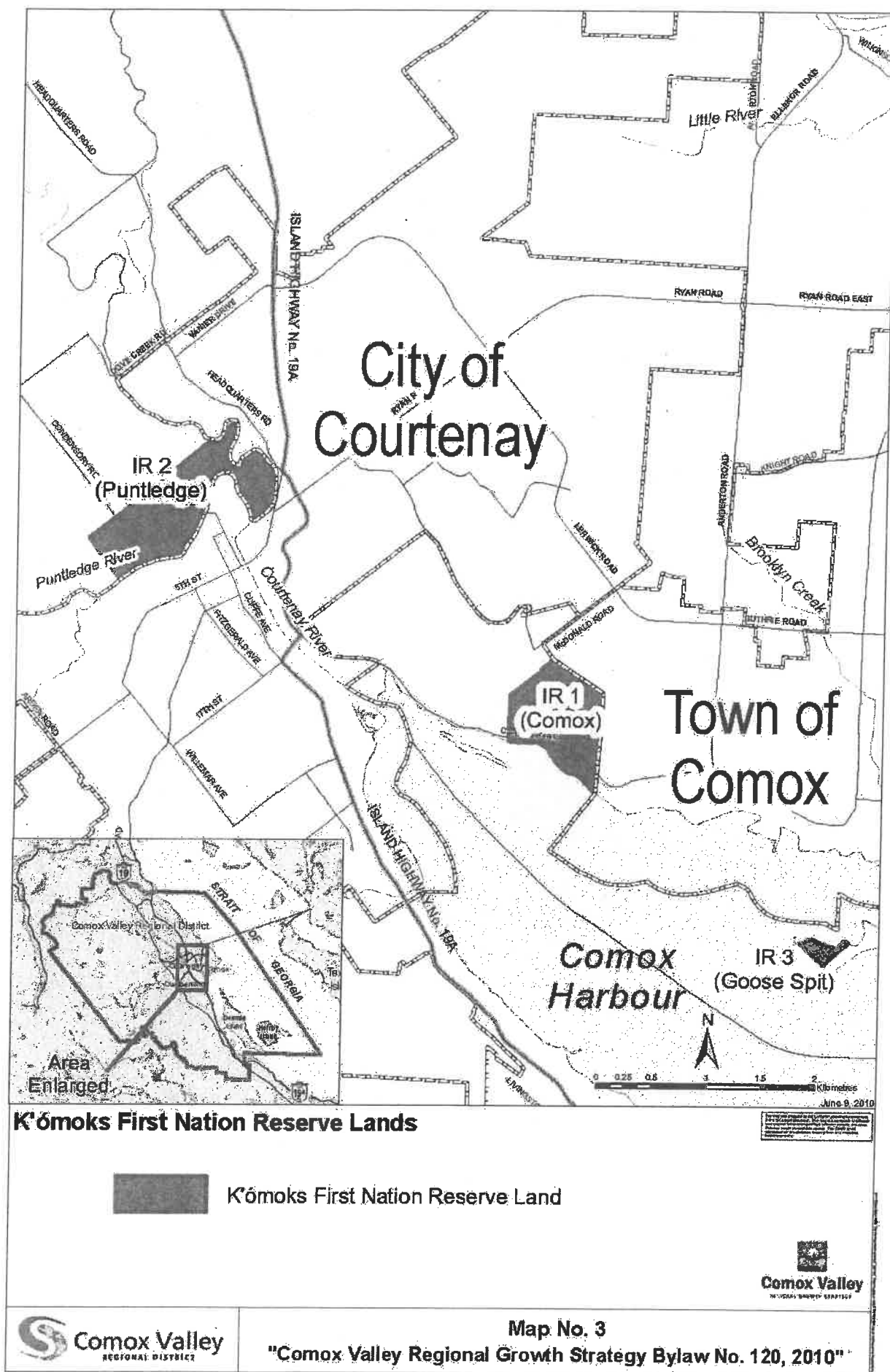


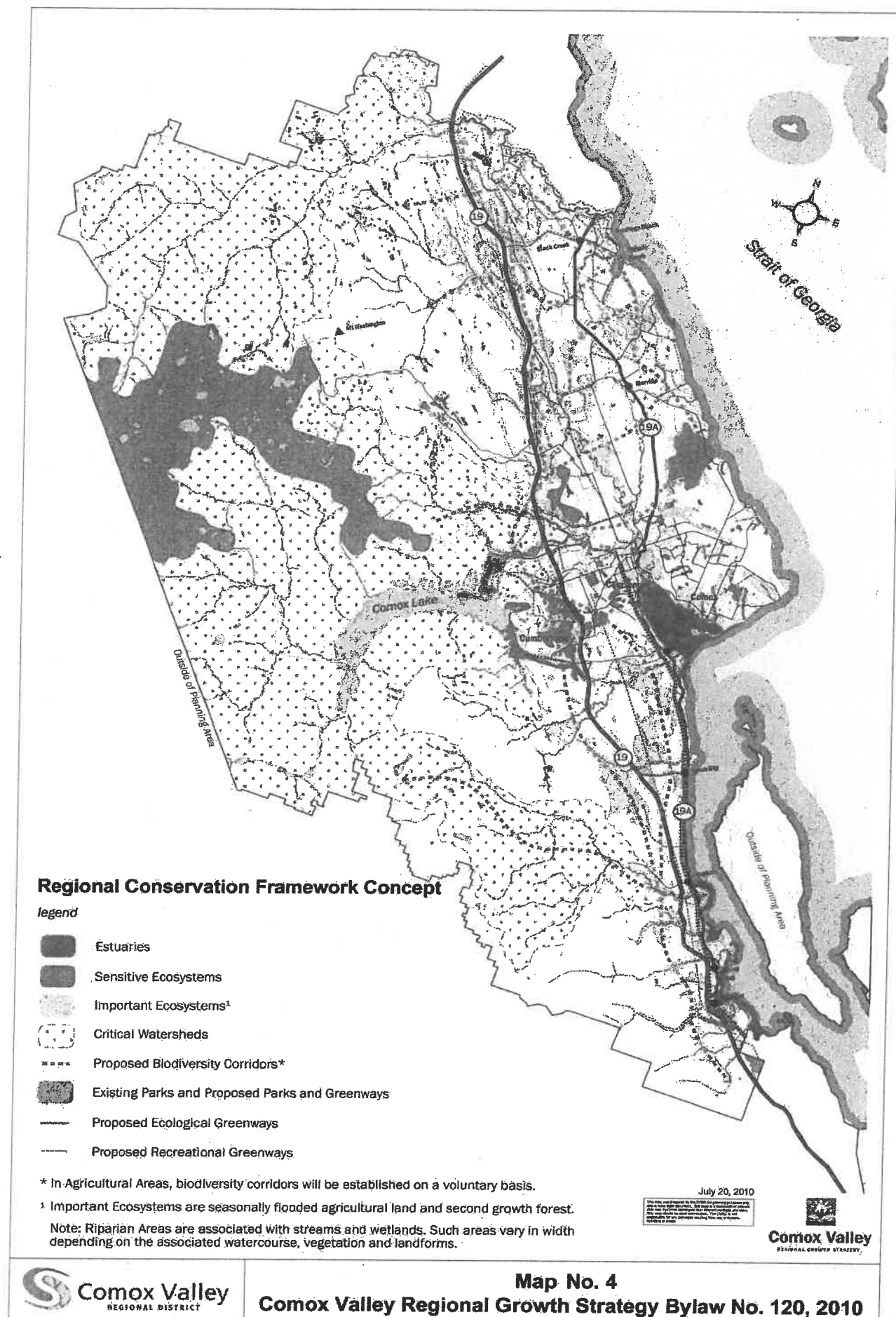
K'ómoks First Nations Traditional Territory

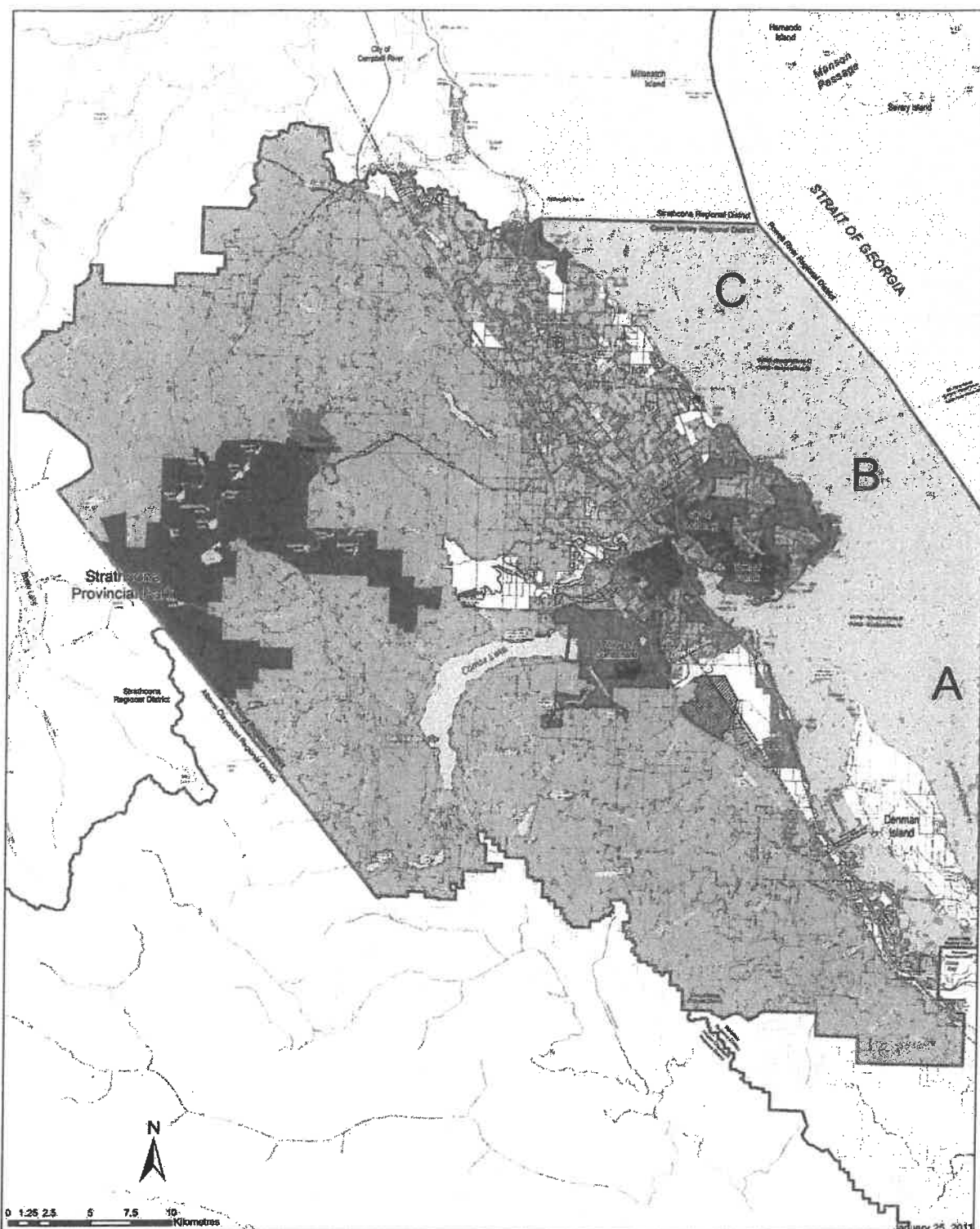
Note: The K'ómoks First Nation traditional territory overlaps with the traditional territory with Slammon, Homalco, Nanose, Cape Mudge, Campbell River, Qualicum and Kwikwaka'wakw First Nations.

Map No. 2
"Comox Valley Regional Growth Strategy Bylaw No. 120, 2010"









Growth Management Map

Core Settlement Areas:

- Municipal Areas
- Settlement Nodes
- Kómoks First Nation Lands
- Sage Hills Employment and Settlement Node
- Settlement Expansion Areas
- Agricultural Areas within Municipal Areas

Rural Areas:

- Rural Settlement Areas
- Agricultural Areas

Resource Areas and Provincial Parks:

- Resource Areas
- Provincial Park

Other:

- Regional District Boundary
- Electoral Area Boundary
- Municipal Boundary
- Major Highway

This is Exhibit "D" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia



REGIONAL GROWTH STRATEGY FEES AND CHARGES BYLAW

The following is a consolidated copy of the regional growth strategy fees and charges bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
274	Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014	March 18, 2014	To establish fees and charges for amending the Comox Valley regional growth strategy

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.** Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 274

A bylaw to establish fees and charges for amending the Comox Valley regional growth strategy

WHEREAS the Comox Valley Regional District adopted the Comox Valley regional growth strategy (RGS) by Bylaw No. 120 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" on the 29th day of March 2011;

AND WHEREAS the board may, by bylaw in accordance with section 363 of the *Local Government Act* impose a fee or charge payable in respect of all or part of a service of the regional district,

AND WHEREAS under section 803.1 of the *Local Government Act* all costs incurred by a regional district in relation to a service, including costs of administration attributable to the service, are part of the costs of that service;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Citation

This Bylaw No. 274 may be cited for all purposes as the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014".

Application

1. (1) This bylaw shall be applicable to all lands within the jurisdiction of the CVRD above the high-water mark of the east coast of Vancouver Island, that are subject to any amendment of the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010".
- (2) The fee schedule for the applications included in this bylaw is set out in schedule '1' attached hereto, which forms part of this bylaw.
- (3) The application requirements under which an applicant may apply for an amendment to the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" are set out in schedules '2' and '3' attached hereto, which forms part of this bylaw.
- (4) The procedures to process an amendment to the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" are set out in schedule '4' attached hereto, which forms part of this bylaw.

Relation to *Local Government Act* and severability

2. (1) This bylaw is not intended to conflict with any provision of the *Local Government Act* relating to any application nor to fetter any statutory authority of the regional district.
- (2) If any section or subsection of this bylaw is found to be invalid it may be severed without affecting the validity of the remainder of the bylaw.

SCHEDULE 1

The applicant shall be fully responsible for the following fees

1. Application fees for all applications to amend the RGS		
• Pre-application meeting - preliminary review of proposed amendment.		No charge
• Non-refundable processing fee for each application received to determine if board wants to initiate the amendment.		\$1,000.00
• A potentially refundable fee for board review to determine if the application warrants a minor or a standard amendment and to obtain board approval for the consultation plan.		\$9,000.00
2. Upon board approval of the consultation plan for the RGS amendment, when a public hearing is included		
• A potentially refundable advertising fee for each public hearing required.		\$1,500.00
3. Upon board approval of the consultation plan for the RGS amendment, when public meetings, public information sessions and open houses are included		
• A potentially refundable advertising fee for each public meeting, public information session and/or open house organized and conducted by CVRD staff as included in the approved consultation plan.		\$1,500.00
4. Upon board approval of the consultation plan, the full cost of renting venues and potential equipment for public hearings, public meetings, public information sessions and/or open houses specified in the consultation plan		
• A non-refundable fee for the deposit and rental of each venue and potential equipment when meetings are organized and conducted by CVRD staff.		T.b.d.
5. Upon receiving a bill, the full cost of potential direct legal expenses		
• A non-refundable fee to cover all potential direct legal expenses of the CVRD pertaining to the RGS amendment application received, amounts of which will be negotiated.		T.b.d.
6. Upon receiving a bill, the full cost of expenses relating to potential arbitration fees		
• A non-refundable fee for potential arbitration expenses of the CVRD pertaining to dispute resolution regarding the application received.		T.b.d.
7. Upon receiving a bill, the full cost of title searches for obtaining copies of covenants, easements, rights-of-way etcetera		
• A non-refundable fee on an at-cost basis, which includes all potential legal costs incurred by the CVRD to review or revise the necessary documentation pertaining to the amendment application received.		T.b.d.

SCHEDULE 2

Application requirements

1. *Application*

Any member municipality, the regional district, external agency, private land owner or developer may apply to amend the RGS. An application must be completed upon the form included as schedule '3' of this bylaw and submitted to the CVRD together with all plans, dimensions, and fees specified in this bylaw.

2. *Application acceptance*

To complete an application, the upfront application fee specified in schedule '1' of this bylaw are required to be paid upon submission of an application to amend the RGS.

The CVRD may refuse to receive any applications that fail to include the fees required in schedule '1' of this bylaw or any required information per the application requirements noted within this bylaw.

If payment is not received in accordance with this bylaw, the processing of the RGS amendment application shall not proceed.

The upfront application fees as specified in schedule '1' of this bylaw shall be paid to the CVRD at the time of submitting an application. The official date of application shall be when all information required for the application and the corresponding fee in accordance with this bylaw are received.

The application processing fee attached as schedule '1' of this bylaw may be waived in whole or in part when the board determines that the application warrants a minor amendment of the RGS and this amendment is reviewed and processed in conjunction with a five year review of the RGS that has been planned and budgeted.

In addition to the upfront application fee, the applicant shall be responsible for the full cost of all other fees and expenses specified in schedule '1' of this bylaw, which shall be paid to the CVRD before the processing of the application will continue. These other expenses include:

- (1) A potentially refundable processing fee for each application received to assess and let the board determine if the application warrants a minor or a standard amendment of the RGS and to obtain board approval for the consultation plan.
- (2) Advertising cost and staff resources (\$1,500.00) for each public hearing, and other public meetings, information sessions and/or open houses determined by the board-approved consultation plan.
- (3) The full cost of all meetings, potential rental of venues, potential renting of equipment such as microphones and speakers resulting from the board approved public consultation plan.
- (4) The full cost of direct legal expenses including, but not limited to, professional fees arising from legal work required in conjunction with the processing of any application in their entirety. An applicant shall not be responsible for paying legal expenses incurred by the regional district for obtaining advice or opinions which represent the district's interest.

- (5) The CVRD's portion of costs for resolution of non-acceptance of a RGS bylaw amendment including facilitation or arbitration by a neutral party.
- (6) The full at-cost of title searches for obtaining copies of covenants, easements, rights-of-way, etcetera, which includes all legal costs incurred by the CVRD to review or revise any of the aforementioned items.

3. Refunds

Where an application does not proceed or is withdrawn, a refund as outlined in schedule '1' of this bylaw will be provided to the applicant where an application is withdrawn in writing before a review by the technical advisory committee (TAC). In that instance, the applicant shall be eligible for a 50 per cent refund of the application fee. (\$4500)

No refunds of any portion of the application fee shall apply to any submission that has been considered by the board to determine if the proposed amendment warrants a minor or a standard amendment of the RGS or where the board declines to approve the amendment.

The advertising fees paid for each aforementioned public hearing or meeting shall be refundable if the regional district board declines to advance the application to the proposed public hearing or meeting.

4. Cancellation

Applications one year old or older, that are inactive for a period of six months due to an applicant not providing information or fees required, are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to schedules '1' and '2' of this bylaw.

5. Reapplication

- (1) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per schedule '1' of this bylaw are applicable to any new application.
- (2) Where an application has been withdrawn, fees as per schedule '1' of this bylaw are applicable to any new application.

6. Application requirements

At the time of submitting an application, the applicant shall provide:

- (1) The completed application form included as schedule '3' of this bylaw to the CVRD strategic and long range planning branch.
- (2) Detailed site plans of the proposed land use and any other information required by the CVRD. All drawings submitted must be clearly drawn to scale. Where applicable drawings must include an authorized professional's signature and seal.
- (3) A written brief to the satisfaction of the CVRD, describing the current and proposed amendment to the RGS:
 - (a) In the context of the RGS, describing the location of the subject land, and/or text portions that are subject to the amendment application and the reasons/rationale for the proposed amendment.

- (b) When applicable, indicating the present RGS growth management map designated use of the subject land and the proposed RGS use of the subject land.
 - (c) When applicable, listing all the policies of the RGS that support the proposed use of the subject land and those policies that need to be amended and a proposal of how the proposed amended policies should be worded to accommodate the proposed amendment.
 - (d) When applicable, indicating the text portions of the RGS that need to be amended and how the proposed amended text portions should be worded.
- (4) As every application is unique, there may be further requirements at the discretion of the CVRD that the applicant, at the cost of the applicant, has to provide. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses, and/or any other items described below. Any additional requirements not specified above in section 6 (1) to (3), will be set out in a letter from the CVRD to the applicant, which may include the following:
- (a) Servicing requirements: proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialists on any of these areas of interest prior to consideration by the CVRD. Terms of reference for these studies will be specified by the CVRD, when required.
 - (b) Certification of compliance as required prior to proceeding to a potential public hearing, where the proposed development falls within the scope of the contaminated sites regulations of the *Environmental Management Act*.
 - (c) A current (dated not more than 12 months prior to the date of application) compliance letter and septic report addressing the state of the septic system from a registered onsite wastewater practitioner (ROWP). Where the scope of the project is sufficiently large, it may require a community sewage disposal system with the appropriate permit from the environmental management branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for its review and comment. A letter of support from the VIHA may be requested by the CVRD.
 - (d) The feasibility of constructing and/or altering the sewer and water systems for the purpose of extending the infrastructure into the proposed development.
 - (e) An environmental assessment may be required, with the terms of reference specified by the CVRD, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.

SCHEDULE 3

Application form

Include the form together with all the information required in schedule '2' of this bylaw

Property information (Refer to your tax assessment notice or certificate of title.)

Legal description	
Civic address	
PID	BC Assessment roll no.

Owner information

Name(s)	Company	
Mailing address	City	Postal code
	Province	
Phone(s)	Email	

Applicant information (If the applicant is not the owner(s), complete this and the agent authorization sections. All communication will be forwarded to the applicant only.)

Name(s)	Company	
Mailing address	City	Postal code
	Province	
Phone(s)	Email	

Agent authorization (Complete only if the applicant is not the owner(s).)

I/we, (owner's name)	
declare that I am/we are the property owner(s) noted on this form, and hereby authorize	
(agent's name)	to act as agent in the matter of this application

Owner's name 1	Signature
Owner's name 2	Signature
Owner's name 3	Signature

All owners shown on the certificate of title must sign. Attach a separate page with additional signatures.

Imprint area

Office use

P&R	Date received	Received by
	Fee \$	Payment method
	File number	

Provincial site profile

Section 40(1) of the *Environmental Management Act* requires a site profile to be completed with an application when the applicant knows, or reasonably should know, that a site has been used or is being used for commercial or industrial purposes. If any activities found in schedule two of the *Contaminated Sites Regulation* apply to the subject property, the applicant is required to complete a site profile. The above-mentioned schedule two and the site profile application form are available in the "land remediation" section of the BC Government web site (www.gov.bc.ca), as well as at the CVRD. If any of the listed activities in schedule two applies, contact the CVRD. If any of the listed activities in schedule two does not apply, complete the following declaration:

I hereby declare that, based upon my current knowledge of the subject property, no schedule two activities listed in the Contaminated Sites Regulation have been carried out.

Signature

Date

Notice of collection of personal information

Personal information on this application form is collected for the administration, enforcement and processing of this application. The personal information is collected under the authority of the *Freedom of Information and Protection of Privacy Act* (FIPPA), *Local Government Act* and CVRD bylaws. All documentation, drawings, plans and information submitted in support of this application become part of the CVRD's records and therefore subject to the FIPPA. For questions about the collection of personal information, please contact the CVRD's corporate legislative officer at 600 Comox Road, Courtenay, BC or at 250-334-6000.

Declaration

I, the undersigned, am aware that a pre-consultation meeting with staff from strategic and long range planning branch is required as a part of the planning process. Together with the project proposal, I have attached the required documentation as noted on the this application form, along with the required application fee and hereby agree to submit further information deemed necessary for processing this application. I hereby certify that the documentation and information provided with respect to this application is full and complete¹ and is, to the best of my knowledge, a true statement of the facts related to this application. Lastly, I hereby acknowledge that an incomplete application will not be processed and will be returned to me, and that any fees paid are non-refundable except as noted in the RGS fees and charges bylaw.

Signature

Date

¹ **A complete application includes:** a completed application form, required attachments and all application fees paid; a complete set of plans and supporting information regarding the project proposal compiled by applicant; proof of compliance with potential development agreements identified on certificates of title and conditions of previous planning approvals; identification of existing easements and rights-of-way affecting the subject land(s). Incomplete applications will not be processed and will be returned.

Submit a complete application to:

Comox Valley Regional District, strategic and long range planning branch
 600 Comox Road
 Courtenay, BC V9N 3P6

Tel: 250-334-6000 Toll free: 1-800-331-6007
 Email: administration@comoxvalleyrd.ca
 Fax: 250-334-8156

SCHEDULE 4

Processing an application received

1. *Pre-application meeting*

Before an application in accordance with schedule '2' of this bylaw is prepared, the applicant is required to have a pre-application meeting with staff from the CVRD (strategic and long range planning, and planning services) to determine the details of the application and any additional information listed in schedule '2' section 6(4) of this bylaw that is required.

2. *The CVRD board initiates an RGS amendment*

Upon receipt of a completed application, staff will prepare a report to the board to determine if:

- (1) The board is in favour of initiating an RGS amendment process.
- (2) More information is required from the applicant in order for the board to make the decision.
- (3) Once the board has approved initiating an application, the application will be assessed and reviewed by the technical advisory committee and the steering committee and presented for a second time to the board to determine if it will proceed as a minor or standard amendment based on the CVRD regional growth strategy criteria, and to obtain board approval for the consultation plan.

If the board initiates the RGS amendment through a board resolution, the CVRD will set up a technical advisory committee and prepare a report for the meeting. The technical advisory committee will review the application against the RGS minor amendment criteria and provide comments to the steering committee.

The RGS steering committee will review the information gathered, comments from the technical advisory committee and make recommendations to the board.

3. *Processing an Application*

- (1) Once the board has, by resolution, determined if the application shall be considered a minor or standard amendment, and to proceed with the application, the application will be processed in accordance with the RGS and *Local Government Act* provisions.
- (2) These provisions include the design of a public consultation plan and written notice to each affected local government and in the case of a standard amendment, notification to the Minister of Community, Sport and Cultural Development.
- (3) Upon board approval of the consultation plan, the CVRD will notify the applicant in writing of the fees required in accordance with schedules '1' and '2' of this bylaw. These additional fees must be paid prior to the application proceeding.
- (4) The board may, at any time, amend the consultation plan and accordingly, the fees owed by the applicant, in response to issues that may emerge during the consultation phase of the application in accordance with the fee structure included in this bylaw.

4. *Public notification*

- (1) The *Local Government Act* sets out the requirements for designing a public consultation plan, which may or may not include public hearings, meetings, information sessions and/or open houses, and which must be approved by the board.
- (2) Notice of a public hearing shall be published in an appropriate newspaper, according to the policies of the board.
- (3) A project website will be used to notify the public of the progress made with the amendment of the RGS.

5. *Conclusion of the RGS bylaw amendment*

After the board has processed an amendment application, the applicant will be notified in writing of the outcome.

This is Exhibit "E" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia



**PLANNING
PROCEDURES
AND FEES BYLAW**

The following is a consolidated copy of the planning procedures and fees bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
328	Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.	July 29, 2014	A bylaw to establish the procedures and fees within the Comox Valley Regional District in accordance with Part 26 of the <i>Local Government Act</i>
370	Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014, Amendment No. 1	June 28, 2016	To amend "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014" in order to reference the development approval information bylaw.
435	Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014, Amendment No. 2.	August 30, 2016	To amend "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014" in order to reference TUP policy requirements.

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.** Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT
BYLAW NO. 328

A bylaw to establish the procedures and fees within the Comox Valley Regional District in accordance with Part 26 of the *Local Government Act*

WHEREAS the board of the Comox Valley Regional District has adopted an official community plan and a zoning bylaw;

AND WHEREAS the board of the Comox Valley Regional District has designated areas within which temporary use permits may be issued and within which development permits are required;

AND WHEREAS the board of the Comox Valley Regional District shall, under section 895 of the *Local Government Act*, by bylaw establish procedures to amend an official community plan or zoning bylaw or issue a permit under part 26 of the *Local Government Act*;

AND WHEREAS the board of the Comox Valley Regional District may, under section 892 of the *Local Government Act*, make requirements for the posting of development signs on properties that are subject to a proposed bylaw amendment;

AND WHEREAS the board of the Comox Valley Regional District may, under section 925 of the *Local Government Act*, require that the applicant for a permit under Part 26 of the *Local Government Act* provide security in an amount stated in the permit by an irrevocable letter of credit or the deposit of securities in a form satisfactory to the local government.

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Application

1. (1) This bylaw shall be applicable to all lands and surface of the water within the Comox Valley Regional District (CVRD) that are subject to any permit or application procedure as outlined in this bylaw.
- (2) Schedules 'A,' 'B' and 'C' attached hereto and forming part of this bylaw are hereby adopted as the planning procedures and fees for the Comox Valley Regional District.

Relation to *Local Government Act* and severability

2. (1) This bylaw is not intended to conflict with any provision of the *Local Government Act* relating to any application nor to fetter any statutory authority of the CVRD.
- (2) If any section, subsection, sentence, clause or phrase forming part of this bylaw is for any reason held to be invalid by the decision of any court or competent jurisdiction, the invalid portion shall be severed from the bylaw without affecting the validity of the bylaw or any remaining portions of the bylaw.

Repeal

3. Bylaw No. 3, being the "Comox Valley Regional District Planning Procedures and Fees Bylaw, 2008" and all amendments thereto is hereby repealed upon adoption of this bylaw.

Citation

This Bylaw No. 328 may be cited as the "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014."

Schedule 'A'

(1) General provisions

(a) Definitions

Applicant	means any person who makes application for development under the provisions of this bylaw as authorized by all owners of the land subject to the application.
Board	means the board of the Comox Valley Regional District (CVRD).
CVRD officer	means any person holding the officer positions of the CVRD as established in Bylaw No. 21, being "Comox Valley Regional District Officer Bylaw No. 21, 2008" and amendments thereto.
Electoral areas services committee (EASC)	means a standing committee established pursuant to section 795(2) of the <i>Local Government Act</i> . Comprising all electoral area directors, this committee considers matters relating to CVRD services that are delivered in electoral areas.
Pre-acceptance review	means an informal review by CVRD staff of a development proposal or planning application. The review may identify the requirements and materials to assist an applicant in their submission of a complete planning application. Based on the location, scale, complexity or other factors of the project, the review may lead to the need for a pre-application consultation meeting.
Pre-application consultation meeting	means a meeting between an applicant and CVRD staff to identify the requirements and materials to assist the applicant in their submission of a complete planning application. The meeting may involve flagging issues to address, sharing information that needs to be considered and identifying additional required reports or information. Any comments made at the meeting do not imply or suggest any decision of the board or staff to either support or refuse any subsequent detailed application. Substantial changes to the proposal at the time of application submission may invalidate comments received during the meeting.
Qualified professional	May include a landscape professional, qualified environmental professional, a registered professional biologist or a registered professional engineer, who is working within their field of expertise and is in good standing with any applicable professional organization.

(b) Application requirements

- (i) The minimum application requirements for all applications are:
 - (1) Complete application form including a description of the proposed works. The written explanation shall illustrate the need for the request.

- (2) A copy of all covenants, easements and encumbrances registered against the land title. These documents may be pulled by the CVRD for a fee pursuant to schedule 'B.'
- (3) A site plan prepared by a BC Land Surveyor (BCLS) in good standing. The site plan should show all existing and proposed buildings and development with all required setbacks. If a bylaw amendment is to permit future subdivision, the site plan should show all proposed lots and all watercourses, and must illustrate there is a buildable parcel on each parcel that is compliant with all applicable bylaws. If a biophysical assessment is involved for any application, the site plan should show all setbacks from the environmental features required under the applicable bylaws and regulations.
- (4) Professional reports as outlined in a pre-acceptance review or pre-application consultation meeting with staff. The requirement for these reports depends on the application type, and is defined in the official community plan (OCP) and/or development approval information bylaw. Professional reports may include geotechnical assessments, rainwater management plans, erosion and sedimentation plans, biophysical assessments and riparian areas regulation assessments.
- (5) All associated application fees.
- (6) Incomplete applications will not be accepted.

(c) Development approval information

- (i) Development approval information (DAI) applies to any area that has been designated in the OCP as a DAI area. Where DAI is applicable, the procedures and policies for reports and studies are set out in "Comox Valley Regional District Development Approval Information Bylaw No. 369, 2015" and amendments thereto.

(d) Independent review

- (i) A CVRD officer may request a report to be reviewed, at the applicant's expense, by a second qualified professional unrelated to and independent of, the qualified professional who prepared the initial submission.
- (ii) The applicant will be notified if an independent review of the report is required.

(e) Security deposit: a security deposit may be required for the following applications:

- (i) Development permit: where included as a condition of permit issuance.
 - (1) The amount of the security deposit shall be 125 per cent of the cost of the correction of the unsafe condition, damage to the environment or improvement determined by a qualified professional.
 - (2) The form of the security deposit shall be an irrevocable letter of credit or other form satisfactory to a CVRD officer. If an irrevocable letter of credit is chosen, it shall be automatically renewable unless cancelled, and shall be redeemable locally.

- (3) The procedures for the release of the security deposit shall be:
 - (a) Upon completion of the works, a letter from a qualified professional shall be submitted to the CVRD. The letter should state whether the works are in compliance with the recommendations of the professional reports included in the permit.
 - (b) Upon confirmation that the works are in compliance to the satisfaction of the CVRD officer or the board, the security deposit will be released.
- (ii) Temporary use permit: the board may require, as a condition of issuing the permit, a security deposit to guarantee the performance of the terms of the permit.
 - (1) The permit may provide for the form of the security; and the means for determining when there is default under the permit, and the amount that forfeits to the CVRD in the event of default.
 - (2) The form of the security deposit shall be an irrevocable letter of credit or other form satisfactory to a CVRD officer. If an irrevocable letter of credit is chosen, it shall be automatically renewable unless cancelled, and shall be redeemable locally.
 - (3) The procedures for the release of the security deposit shall be:
 - (a) The applicant confirms that buildings or structures are demolished and removed, and land restored to a condition specified in the permit, and requests in writing that the security deposit be released.
 - (b) Upon confirmation that buildings or structures are demolished and removed, and land restored to a condition specified in the permit, the board will authorize the release the security deposit.
 - (c) If the applicant fails to undertake such restoration works or defaults, the CVRD may enforce the undertaking of such works by doing the work using the security. Any remaining security deposit will be forfeited to the CVRD.
- (iii) Temporary occupation of an additional dwelling: when a property owner wishes to construct a dwelling unit on a lot that already has the maximum permitted number of dwelling units, the owner may apply for permission to occupy one of the existing dwelling units during the construction of the proposed dwelling unit, provided that the owner provides a form of security.
 - (1) There are two options:
 - (a) A \$5,000 security deposit in an irrevocable letter of credit or other form satisfactory to a CVRD officer, and a notarized terms of agreement signed by the property owner. If an irrevocable letter of credit is chosen, it shall be automatically renewable unless cancelled, and shall be redeemable locally; or
 - (b) A covenant, with priority, to demolish, remove or convert to a non-

residential use on one of the dwelling units. The covenant shall be a rent charge in the amount of \$5,000 against the land title of the subject property to ensure that one of the dwelling units be demolished, removed or converted to a non-residential use.

(2) An application fee pursuant to schedule 'B' applies.

(iv) Temporary occupation of a recreation vehicle: when a property owner wishes to construct a dwelling unit while staying in a recreational vehicle on the property, the owner may apply for permission to occupy the recreational vehicle, provided that the owner provides a form of security.

(1) A \$1,000 security deposit in an irrevocable letter of credit or other form satisfactory to a CVRD officer, and a notarized terms of agreement signed by the property owner. If an irrevocable letter of credit is chosen, it shall be automatically renewable unless cancelled, and shall be redeemable locally.

(2) An application fee pursuant to schedule 'B' applies.

(f) Application abandonment, withdrawal or extension

(i) An application that is inactive for a period of six months is deemed to be abandoned and will be closed. A refund pursuant to schedule 'B' may be requested by the applicant in writing.

(ii) If an application does not proceed or is withdrawn in writing by the applicant, a refund pursuant to schedule 'B' may be requested by the applicant in writing.

(iii) An applicant may apply for an application extension of up to one year. Any extension approved by the board, whether for the maximum one year or a lesser time, is subject to the fees pursuant to schedule 'B.'

(iv) Where an application has been denied, no reapplication for a substantially similar application shall be considered within one year of denial date of the previous application. This time limit may be varied pursuant to the *Local Government Act*.

(v) If an application is closed, withdrawn or denied, fees pursuant to schedule 'B' are applicable to any new application.

(g) Permit amendment

(i) Application process to amend a permit will be the same as the process for a new permit.

(ii) Application fees to amend a permit are in schedule 'B.'

(h) Notices to owners and tenants

- (i) Where notice is required, the following radius will apply:

Designation according to the Comox Valley regional growth strategy	Radius measured from the lot lines of the subject property
(1) Settlement nodes	50.0 metres
(2) Settlement expansion areas	100.0 metres
(3) Rural settlement areas	100.0 metres
(4) Agricultural areas	500.0 metres
(5) Resource Areas	500.0 metres

- (ii) If different radii are applicable, the greatest radius shall be used.

(i) Development notice sign guidelines

- (i) The development notice sign must be installed, at the applicant's expense, at least 10 days prior to a statutory public hearing date. The applicant must submit photographs showing the installed sign on a visible location of the subject property. Failure to do so will require a rescheduling of the public hearing and additional fees.
- (ii) After the statutory public hearing, the development notice sign must be promptly removed at the applicant's expense.
- (iii) The sign shall be designed consistent with the template supplied by the CVRD and contain the following minimum information:
- (1) Application type, application number, street address and applicant's name;
 - (2) Subject property map, may be supplied by the CVRD, with a north arrow and street names; and
 - (3) Description of the project considering proposed uses, gross floor area, building height, number of units and any other relevant information.
- (iv) Specifications:
- (1) The minimum size of the sign is 1.2 metres in width and 1.2 metres in height.
 - (2) The bottom of the sign façade must be at least 1.2 metres above grade.

Schedule 'B'

- | | | |
|------|---|---------|
| (1) | Bylaw amendment | |
| (a) | Official community plan | |
| (i) | As a standalone application | |
| (1) | Minor (e.g., policy change without changing density nor land use designation) | \$4,000 |
| (2) | Major (e.g., change to density or land use designation) | \$5,000 |
| (ii) | In conjunction with a zoning bylaw amendment application | \$2,500 |
| (b) | Zoning bylaw | |
| (i) | Amendments limited to a zone exception | \$2,000 |
| (ii) | All other amendments | \$3,000 |
| (2) | Temporary use permit (per lot; see (14) for multiple lots) | |
| (a) | New application | \$1,500 |
| (b) | Renewal | \$750 |
| (3) | Development permit (DP) (per lot; see (14) for multiple lots) | |
| (a) | As a standalone application | |
| (i) | DP issuance has been delegated to CVRD officers | |
| (1) | Development permit area (DPA) No 1: Aquatic environmentally sensitive areas | \$300 |
| (2) | DPA No. 2: Eagles Drive | \$400 |
| (3) | DPA No. 3: Eagle nest trees | \$300 |
| (4) | DPA No. 4: Heron nest sites | \$300 |
| (5) | DPA No. 5: Back Road | \$400 |
| (6) | DPA No. 8: Steep slopes | \$400 |
| (7) | DPA No. 18: Shoreline protection devices | \$400 |
| (ii) | DP issuance by the board (variable fees may apply) | |
| (1) | If a DP has been issued for the subject property, signage DP area guidelines only | \$200 |
| (2) | DPA No. 6: Commercial and industrial uses | \$1,000 |
| (3) | DPA No. 7: Resort tourism | \$1,000 |

- | | | |
|------|--|---------|
| (4) | DPA No. 9: Buffer for agricultural land | \$400 |
| (5) | DPA No. 10: Union Bay – tourism highway commercial | |
| (a) | Residential, rural or agricultural use only | \$400 |
| (b) | All other uses (including mixed uses) | \$1,000 |
| (6) | DPA No. 11: Village core (Royston local area plan) | |
| (a) | Residential, rural or agricultural use only | \$400 |
| (b) | All other uses (including mixed uses) | \$1,000 |
| (7) | DPA No. 12: Residential – conservation design (Royston local area plan) | \$400 |
| (8) | Mount Washington mixed use DP | \$1,000 |
| (9) | DPA No. 17: Kensington comprehensive DPA | |
| (a) | Residential, rural or agricultural uses only | \$400 |
| (b) | All other uses (including mixed uses) | \$1,000 |
| (10) | Variable fees for DP issuance by the board | |
| (a) | If the proposal is for residential use, add \$25 per residential unit over two units | |
| (b) | If the proposal is for any other uses, add \$1 per one square metre of floor area over 500 square metres or add \$25 per 0.1 hectares of lot area over 1.0 hectare of lot area, whichever results in the greater fee | |
| (c) | If the proposal contains both residential and other uses, the application fee shall be the combined total of the two fees | |
- (b) In conjunction with another application
- (i) For multiple DP applications within the same issuance authority, the application fee shall be the greatest fee within that group
 - (ii) For multiple DP applications not within the same issuance authority, the application fee shall be the combined total of the greatest fee within those groups
- (c) Permit amendment for an approved DP
- (i) If the amendment is made within the first two years of permit issuance, the additional fee shall be 75 per cent of the new application fee
 - (ii) If the amendment is made after the first two years of permit issuance, the additional fee shall be the same as the new application fee

(4)	Development variance permit (per lot; see (14) for multiple lots)	\$500
(5)	Board of variance (per lot; see (14) for multiple lots)	\$500
(6)	Site specific amendment to floodplain management bylaw (per lot; see (14) for multiple lots)	\$600
(7)	Subdivision referral	
(a)	Lot line adjustment where no net increase in the number of lots or lot consolidation	\$750
(b)	Subdivision (base fee)	\$1,000
(i)	Variable fee: for each additional lot over two lots	\$100
(8)	Strata conversion	
(a)	Base fee	\$1,500
(i)	Variable fee: for each additional lot or unit over two lots or units	\$100
(9)	For each home occupation, bed and breakfast, domestic business or domestic industrial use compliance review (per lot; see (14) for multiple lots)	\$150
(10)	Temporary occupation of an additional dwelling (per lot; see (14) for multiple lots)	
(a)	If the \$5,000 security deposit is to be paid by cash, cheque, debit card, irrevocable letter of credit or other form satisfactory to a CVRD officer	\$100
(b)	If a section 219 restrictive covenant is to be registered as a "rent charge" on the land title of the subject property (plus the CVRD lawyer's expenses on an "at-cost" basis)	\$250
(11)	Temporary occupation of a recreational vehicle (per lot; see (14) for multiple lots)	\$100
(12)	Property information request report (per lot; see (14) for multiple lots)	\$150

- | | |
|---|-------|
| (13) Site profile (per lot; see (14) for multiple lots) | \$100 |
| | |
| (14) Multiple lots in one application | |
| <ul style="list-style-type: none"> (a) For sections (2) to (6) of this schedule, the additional fee for each additional lot shall be \$150 or 25 per cent of the application fee, whichever results in the greater fee (b) For sections (9) to (13) of this schedule, the additional fee for each additional lot shall be the separate application fee | |
| | |
| (15) Development proposal notice sign, statutory public hearing or public information session | |
| <ul style="list-style-type: none"> (a) If an application requires the installation of a development proposal notice sign, the applicant shall pay for the installation, maintenance and removal of such sign (b) Each statutory public hearing organized and conducted by CVRD staff (this fee includes the publication of notice in a newspaper, and this fee shall be fully refundable if the board declines to advance the application to statutory public hearing) \$1,500 (c) Each public information session organized and conducted by CVRD staff, at the request of a standing committee of the board or the board \$1,000 | |
| | |
| (16) Land title and related documents | |
| <ul style="list-style-type: none"> (a) All application fees include electronic retrieval of certificate of title, covenant, easement, right-of-way agreement, plan and development agreement (b) For each manual retrieval of covenant, easement, right-of-way, plan and development agreement from the Land Title Office, the additional fee shall be \$50 (c) Covenant, easement, right-of-way, plan and development agreement modification or discharge <ul style="list-style-type: none"> (i) If the document was registered in connection with a bylaw amendment, its modification or discharge requires a statutory public hearing; the application fee shall be the CVRD lawyer's expenses on an "at-cost" basis, plus the statutory public hearing fee (ii) If the document was not registered in connection with a bylaw amendment, the application fee for its modification or discharge shall be the CVRD lawyer's expenses on an "at-cost" basis | |

(17) Application extension

- (a) For each application extension, the additional annual fee shall be 75 per cent of the new application fee, payable prior to board approval and refundable if extension request is denied by the board

(18) Application withdrawal or refund

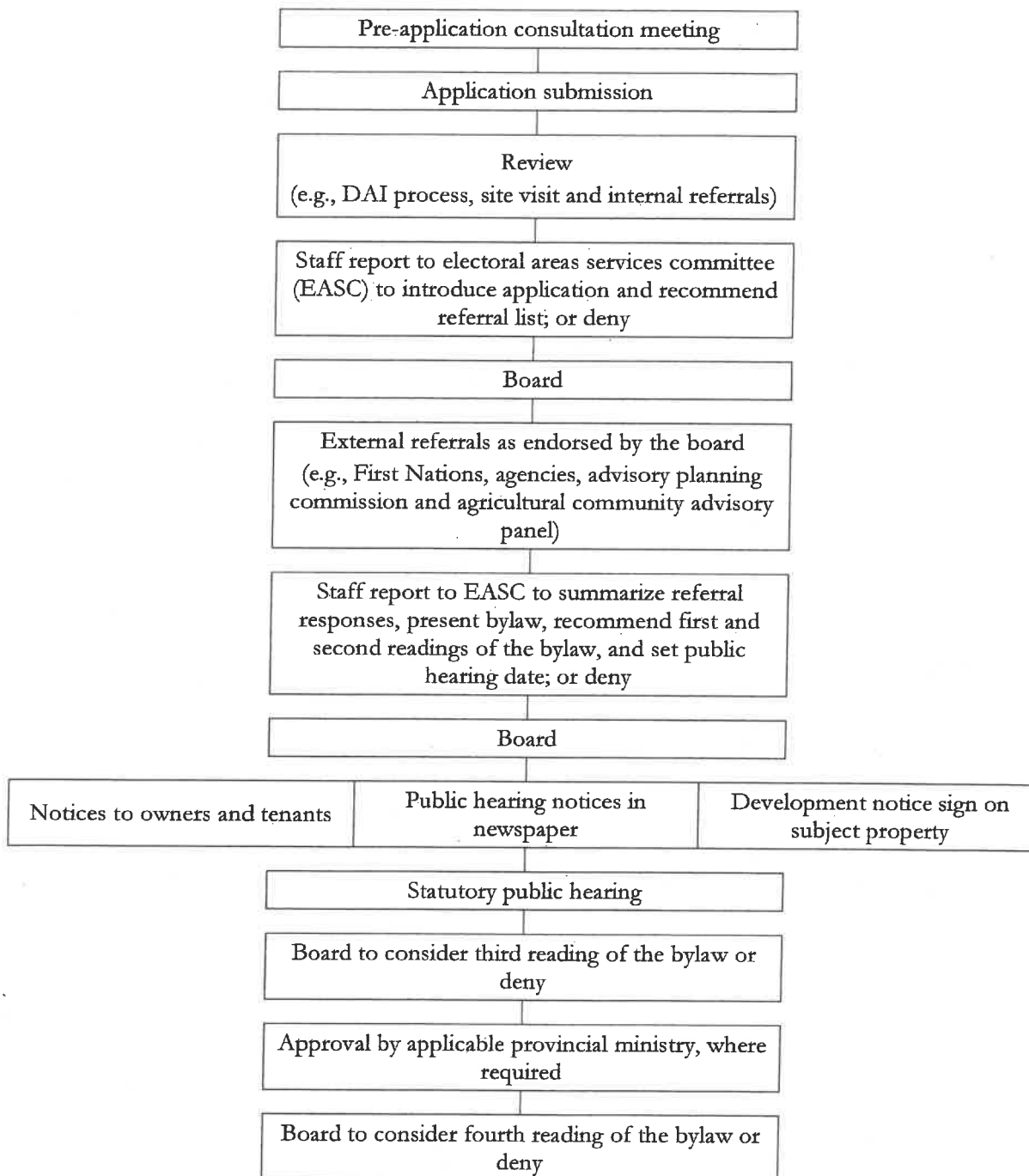
- (a) If an application is withdrawn in writing
 - (i) Before referral has been circulated for internal departments for comments, the refundable portion of the application fee shall be 75 per cent
 - (ii) Before a document, such as a staff report or the preliminary conditions for a subdivision, is signed by a CVRD officer, the refundable portion of the application fee shall be 50 per cent
- (b) Unless otherwise stated in this bylaw, no refunds for any application that has been considered by a CVRD officer or the board, unless upon written request by the applicant, and the board approves a refund by resolution

Schedule 'C'

(1) Procedures

(a) Official community plan (OCP) or zoning bylaw amendment

- (i) An OCP or zoning bylaw amendment application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

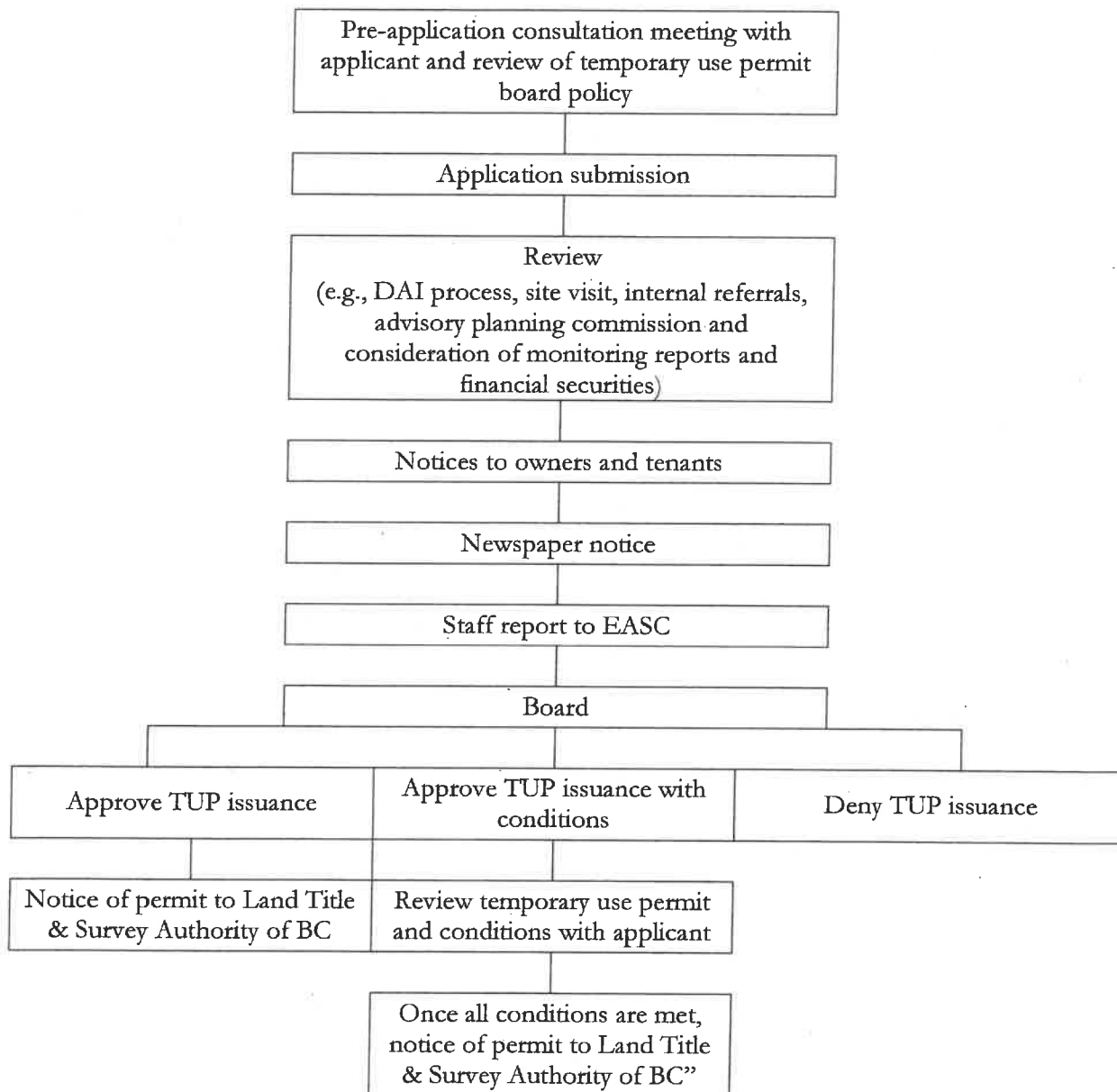


(ii) Notes

- (1) Staff may contact the applicant to identify any issues, conditions or requirements that need to be addressed. It will be the responsibility of the applicant to:
 - (a) resolve issues, conditions or requirements identified; and
 - (b) submit any necessary reports or studies.
- (2) The board may proceed as shown in the flowchart, may defer the application, may impose conditions or may deny the application. Additionally, the board may request that an applicant:
 - (a) advertise and host one or more public information sessions at their expense;
 - (b) conduct, or pay a consultant to conduct, any studies deemed necessary to the board's consideration of the application; or
 - (c) provide information or execute actions (e.g., register agreements).

(b) Temporary use permit (TUP) application

- (i) A TUP application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

**(ii) TUP renewal**

- (1) An applicant may apply to renew the TUP and the permit may be renewed only once.
- (2) The renewal should be applied for and granted within the term of the original TUP.
- (3) The board may impose additional conditions, including those that were not imposed in the original TUP.

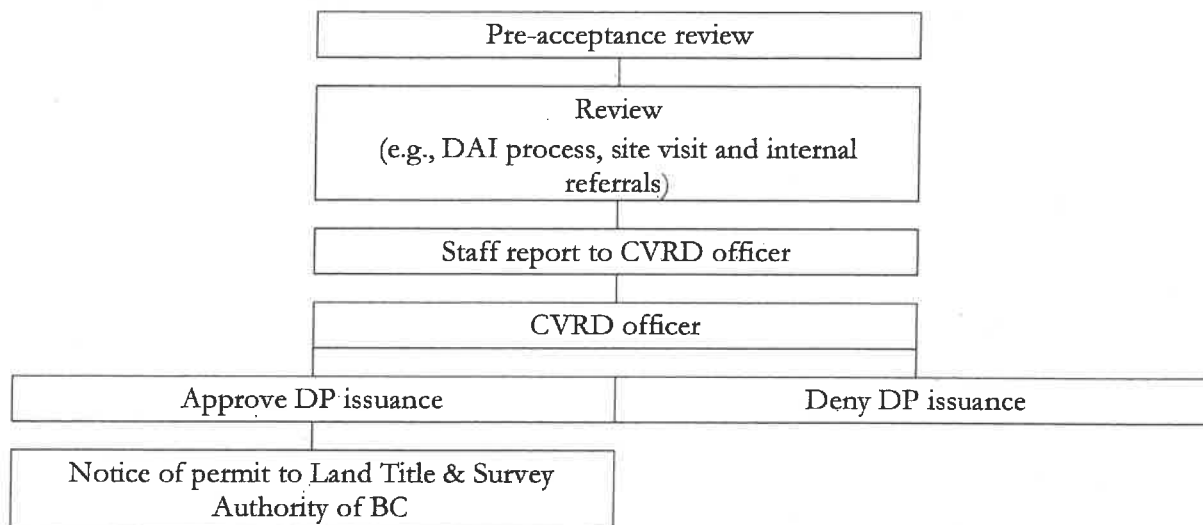
- (4) A renewal application is subject to notification under schedule 'A' section 1(H)."

(iii) Notes

- (1) Staff may contact the applicant to identify any issues, conditions or requirements that need to be addressed. It will be the responsibility of the applicant to:
 - (a) resolve issues, conditions or requirements identified; and
 - (b) submit any necessary reports or studies.
- (2) Periodic monitoring reports and/or a post activity report will be considered.

(c) Development permit (DP) application - issuance has been delegated to CVRD officers

- (i) A DP application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

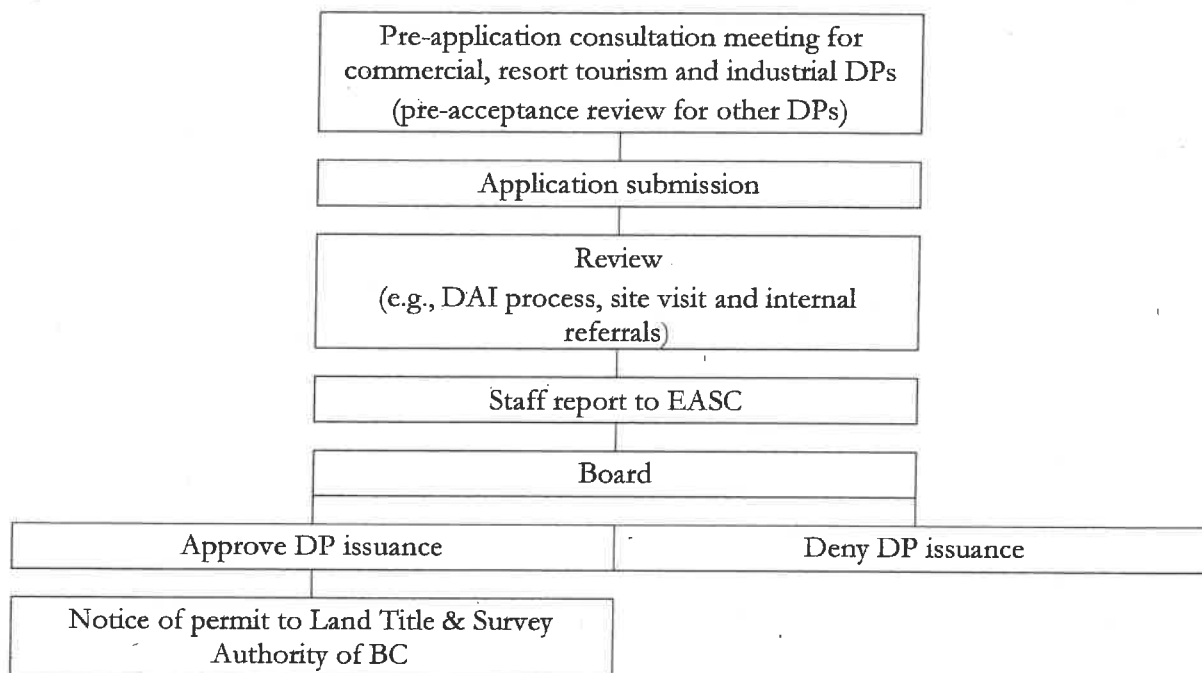


(ii) Notes

- (1) Staff may contact the applicant to identify any issues, conditions or requirements that need to be addressed. It will be the responsibility of the applicant to:
 - (a) resolve issues or requirements identified; and
 - (b) submit any necessary reports or studies.
- (2) If the applicant disagrees with the CVRD officer's decision, the applicant may have the decision reconsidered by the board. Process and requirements for the reconsideration request is set out in Bylaw No. 2365, being the "Development Permit Delegation Bylaw 2001" and amendments thereto.

(d) DP application - DP issuance by the board

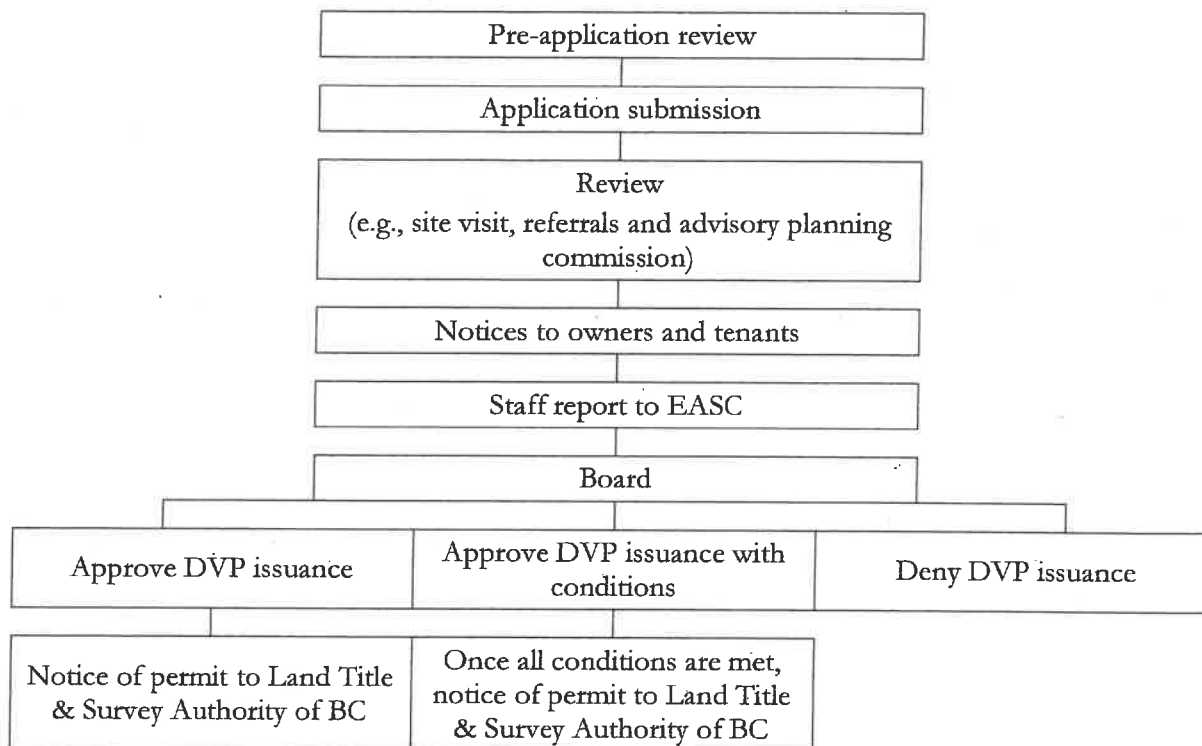
- (i) A DP application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

**(ii) Notes**

- (1) Staff may contact the applicant to identify any issues, conditions or requirements that need to be addressed. It will be the responsibility of the applicant to:
- (a) resolve issues, conditions or requirements identified; and
 - (b) submit any necessary reports or studies.

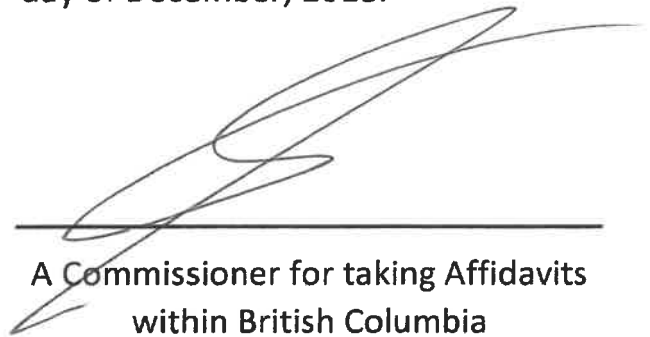
(e) Development variance permit (DVP) application

- (i) A DVP application submitted in accordance with this bylaw will be processed in substantial accordance with the following:

**(ii) Notes**

- (1) Staff may contact the applicant to identify any issues, conditions or requirements that need to be addressed. It will be the responsibility of the applicant to:
- (a) resolve issues, conditions or requirements identified; and
 - (b) submit any necessary reports or studies.

This is Exhibit "F" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 12th day of December, 2018.



A Commissioner for taking Affidavits
within British Columbia



**Rural Comox Valley
Official Community Plan**

The following is a consolidated copy of the Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014 and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
337	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014	November 13, 2014	To establish the rural Comox Valley official community plan
489	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 1	November 28, 2017	To amend the process for property owners seeking to install shoreline protection devices, both "hard" and "soft" approaches from rezoning to development permit in Electoral Area A (Baynes Sound, excluding Denman and Hornby Islands), Electoral Area B (Lazo North) and Electoral Area C (Puntledge – Black Creek)
514	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3	August 28, 2018	To remove Section 44.(6) of the Official Community Plan (OCP) that requires parcels proposed for subdivision in the electoral areas, in accordance with Section 514 (subdivision to provide residence for a relative) of the <i>Local Government Act</i> (RSBC, 2015, c. 1) (LGA), be two times the size of the minimum parcel size required in the zoning.

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. **THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES.** Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT
BYLAW NO. 337

A bylaw to establish the rural Comox Valley official community plan

WHEREAS the Comox Valley Regional District board delivers planning and land use management in Electoral Area 'A' (Baynes Sound, excluding Denman and Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek) under part 26 of the Local Government Act;

AND WHEREAS the board may, by bylaw, adopt one or more official community plans as a statement of objectives and policies to guide decisions on planning and land use management under division 2 of part 26 of the Local Government Act;

AND WHEREAS the board desires to adopt an official community plan for Electoral Area 'A' (Baynes Sound, excluding Denman and Hornby Islands), Electoral Area 'B' (Lazo North) and Electoral Area 'C' (Puntledge – Black Creek);

AND WHEREAS the board has

- considered the plan in conjunction with its financial plan and waste management plans
- considered the consultation matters set out in section 879 of the Local Government Act and carried out such consultation under that section as the board considered appropriate
- consulted with the board of trustees of School District #71 and sought the board's input on the matters set out in section 881(2) of the Local Government Act
- referred the plan to the Provincial Agricultural Land Commission for comment and
- held a public hearing on the proposed official community plan

AND WHEREAS each reading of this bylaw has received an affirmative vote of a majority of all directors entitled to vote on the bylaw;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Official community plan

1. (1) Pursuant to division 2 of part 26 of the Local Government Act, the official community plan forming schedule "A" to this bylaw is adopted as the rural Comox Valley official community plan for Electoral Areas "A" (Baynes Sound not including Denman and Hornby Islands), "B" (Lazo North), and "C" (Puntledge – Black Creek) of the Comox Valley Regional District.
- (2) Where matters included in this bylaw are beyond the regulatory jurisdiction of the Comox Valley Regional District board, such matters shall be interpreted as broad objectives of the board pursuant to section 878(2) of the Local Government Act.

- (3) This bylaw applies to all lands as noted in section 1(1) except in relation to those properties legally described as:

- PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15);
- PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 15, LNDDST 15); and
- PID 028-915-194 (roll no. 771 05768.145; Plan 552G, Sect 15, LNDDST 15)

and as shown on map 6 of schedule "A" to this bylaw.

Repeal

2. Bylaw No. 2042 being Rural Comox Valley Official Community Plan Bylaw No. 2042, 1998 is repealed upon adoption of this bylaw except in relation to those properties legally described as:

- PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15);
- PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 15, LNDDST 15); and
- PID 028-915-194 (roll no. 771 05768.145; Plan 552G, Sect 15, LNDDST 15)

and as shown on map 6 of schedule "A" to this bylaw.

Citation

This Bylaw No. 337 may be cited as the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014".