

SECTION 5 – THE DEVELOPMENT STRATEGY

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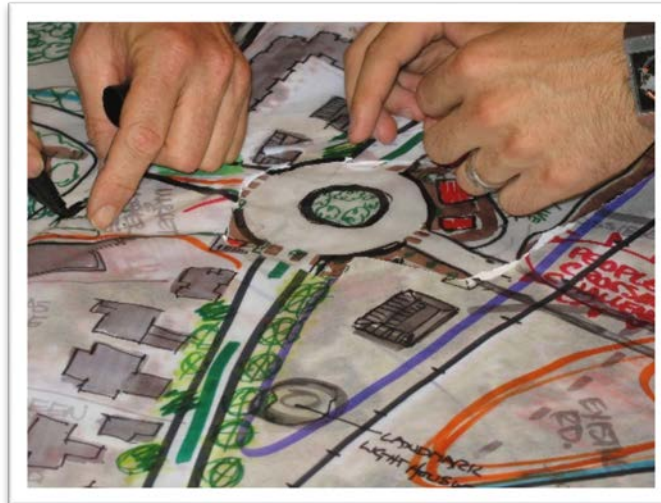
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The Development Strategy is a key component of this Plan and sets the parameters for development within the community. The development strategy provides a framework for focusing future growth into Rural Village Centres and protecting rural character. The strategy for this Plan is driven by the Community Values Statement (see Section 1 of this OCP) and the Development Guideline Criteria (paragraph 5.1) and is consistent with the Regional Growth Strategy (RGS). Where revisions during the 2016/17 review of this Plan added policies that require changes to the RGS, the actions or uses identified in the policies shall not be supported unless there is an amendment to the RGS.

The Development Strategy is illustrated through mapped 'Land Use Designations' that match the written objectives and policies to land uses, densities and parcel sizes. These Designations are shown on Map No. 5.

There are three designated Rural Village Centres in this OCP: Dunsmuir, Qualicum Bay, and Bowser. In addition, the area near Deep Bay Harbour is an important focal point for marine, aquaculture, and tourism industries, and neighbourhood services for local residents.

This Plan encourages and supports Home Based Businesses as an economic activity conducted as an accessory use on any parcel consistent with zoning regulations.

5.1 Development Guideline Criteria

In Electoral Area 'H', prior to considering an application to amend this Official Community Plan or the applicable zoning bylaw, an applicant must show that the proposal:

1. Is consistent with the Community Values Statement, the rest of the Official Community Plan and the Regional Growth Strategy;
2. Preserves and protects the rural character of the area and contains urban development to the Rural Village Nodes;
3. Protects and promotes natural, environmental, and geographic features through an environmental impact study.
4. Where outside a community water service area, identifies a source of water with sufficient quantity and quality for the proposed use and mitigation measures for any anticipated impacts on the aquifer or surface water through a hydro-geologic assessment in accordance with the Board Policy on "Groundwater – Application requirements for rezoning of un-serviced lands" as amended from time to time.
5. Preserves, enhances, and dedicates useable parkland that provides linkages to public lands, and integrated trail system and waterfront access where appropriate;
6. Minimizes greenhouse gas emissions resulting from the development through energy efficient site design, and consideration of active transportation where applicable.
7. Proposes a comprehensive approach to management and disposal of sewage and/or septage;
8. Proposes a comprehensive approach to drainage and management of rainwater demonstrating that impervious surfaces are minimized, slowing, detaining and infiltrating rainwater is considered, and that there is no increase to rainwater flow onto adjacent lands;
9. Protects and conserves archaeological sites through adherence to the provincial *Heritage Conservation Act*;
10. Has been presented to the community for review and comment on the overall proposal including any studies prepared to satisfy the above.

Where development is within a community water service area:

11. the Regional District will refer the application to the local water provider for comment.

DEVELOPMENT APPROVAL INFORMATION – CIRCUMSTANCES AND SPECIAL CONDITIONS

12. Applicants for zoning amendment, development permit, or temporary use permit in all designations of this Plan may be required to provide development approval information.
13. This Plan attempts to embrace compatible development while at the same time maintaining the values that are fundamental to the health and prosperity of the community. In order to achieve the goals of this Plan and ensure compatibility with the Community Values Statement and the Development Guideline Criteria, future land use and development decisions must consider the anticipated impacts of proposed development on the environment and community resources; the Plan Area is designated a development approval information area. Development approval information may be required to ensure that development may be adequately serviced and accommodated in a manner that sustains natural resources, environmentally sensitive areas and protects rural character while containing urban development to Rural Village nodes. Development approval information may be required to help the Regional District of Nanaimo determine appropriate uses, density and siting of future development.

5.2 Resource

INTRODUCTION

This land use designation applies to lands that are used and valued for agriculture, land-based components of aquaculture, forestry, natural resource extraction, or environmental conservation. All lands within the Agricultural Land Reserve are in this land use designation. Lands that are classified as Private Managed Forest Lands and large parcel Crown lands (other than those designated as Park Lands) are also within this land use designation.

Where land is in the Agricultural Land Reserve and is proposed for subdivision or a non-farm use, approval must first be obtained from the Agricultural Land Commission.

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

RESOURCE POLICIES

1. Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
2. Lands within the Agricultural Land Reserve are designated “Resource – Agricultural”, and an 8.0-hectare minimum permitted parcel size is supported .
3. Notwithstanding Resource Policy 2 above, any lands within the Agricultural Land Reserve having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum parcel size.

ADVOCACY POLICIES

4. Areas with environmentally sensitive or significant ecological resources within the Resource Lands designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives. The Regional District may consider proposals for increased development on a portion of a property to facilitate conservation of the environmentally sensitive areas elsewhere on the property, where the proposal meets the values, criteria, objectives and policies of this Plan.
5. All development in the Resource designation is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings and property to fire.

OBJECTIVES

1. *Maintain* the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. *Encourage* more comprehensive management of the resource land base.
3. *Protect* the environment.
4. *Encourage* and protect outdoor recreational opportunities.
5. Encourage farm activities on productive agricultural lands.
6. *Protect* agricultural lands for present and future food production.

5.3 Rural

INTRODUCTION

This land use designation applies to large lots, not located within the Agricultural Land Reserve, and generally 2.0 hectares or more in size. These lands are intended to provide for traditional rural pursuits, and serve as a buffer between Resource Lands and the more urbanized areas of Electoral Area 'H'. This designation also applies to lands in the Spider Lake Area, where larger parcel sizes are the typical form of development and where residents in the area promote the retention of large parcel sizes to protect each individual property's privacy and rural quality of life.

Rural lands are characterized by the suitability to accommodate unserviced rural activities. These parcels typically have an adequate water supply and wastewater can be treated and disposed of through on-site ground disposal systems.

RURAL POLICIES

1. Lands within the Rural designation shall have a minimum permitted parcel size of 4.0 hectares.
2. Notwithstanding Rural Policy 1, any lands within the Rural designation having a minimum permitted parcel size of less than 4.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum permitted parcel size (these parcels are illustrated on Map No. 5).
3. In addition, notwithstanding 5.3.2, lands within the Rural land use designation may be considered for a rezoning to the 2.0 hectare minimum permitted parcel size where the proposal meets the following criteria:
 - a) One dwelling unit per parcel
 - b) Bare land strata subdivision shall not be permitted
 - c) No frontage relaxation required
 - d) No further road dedication to accommodate parcel frontage or additional parcels (as verified as of the date of adoption of this Plan)
 - e) Provision of a comprehensive plan for subdivision of the area being rezoned with a report from a recognized professional with geotechnical and geohydraulic experience indicating an assessment of the environmental suitability of the subdivision that is accepted by the RDN, Water, Land and Air Protection, and the Environmental Health Officer.
4. New residential development shall be permitted at a maximum density of 1 dwelling unit per 2.0 hectares to a maximum of 2 per parcel. Allowing two dwellings on a lot in rural areas supports affordable housing and aging in place.
5. Secondary suites are supported in the Rural designation and regulated by the applicable zoning bylaw. Secondary suites are not included in the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
6. While this Plan recognizes an existing Industrial parcel within the Plan Area that is currently zoned for Industrial use, this Plan does not support additional heavy industrial zoning within the Rural designation. This Plan does support rezoning for additional light industrial use, or "service

OBJECTIVES

1. *Preserve* the rural character of lands within the Plan Area.
2. *Contain* the extent of growth of urban and suburban lands.
3. *Encourage* alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.
4. *Support* Tourist Commercial and service commercial development that is compatible with the local area and adjacent properties.

commercial” use in the Rural designation provided it is a value-added shellfish aquaculture use or small scale and suitable to the location by demonstrating the following:

- a) does not negatively impact ground or surface water or sensitive ecosystems;
 - b) does not unduly affect neighbouring properties through its scale and impacts such as noise, odour and significant increase to traffic;
 - c) is visually screened from neighbouring properties and roads; and
 - d) provides a community need that is not provided elsewhere in the Plan Area or where its location is optimal to the use.
7. This Plan supports rezoning for Tourist Commercial uses in the Rural Designation provided it complies with policies in section 5.6 of this Plan.

5.4 Rural Residential

INTRODUCTION

The Rural Residential designation recognizes the existing pattern of smaller lots primarily along the coastal areas near Highway No. 19A. All lots in the Rural Residential designation are served by one of the three improvement districts: Deep Bay Improvement District, Bowser Waterworks District, and Qualicum Bay Horne Lake Waterworks District.

Most lots in this designation are subdivided to their full potential with some infill subdivision potential remaining. However, the potential of some of the larger parcels may be constrained due to ground and soil conditions. It is essential that further infilling be provided in compliance with Ministry of Health regulations.

RURAL RESIDENTIAL POLICIES

1. The Rural Residential designation maintains the existing single and duplex residential and neighbourhood characteristics of the area.
2. Lands in the Rural Residential designation shall have a minimum permitted parcel size of 2000 m².
3. Residential development on Rural Residential designated lands shall be permitted at a maximum density of 1 dwelling unit per 2000 m² (5 units per hectare) with community water service to a maximum of two dwelling units per lot.
4. Secondary suites are supported in the Rural Residential designation and regulated by the zoning bylaw. Secondary suites are not included in the count of dwellings for the purpose of determining permitted dwelling density in this Plan.
5. Existing small scale commercial uses in Rural Residential areas shall be recognized for their benefits including accessibility and social contribution to the character of their neighbourhoods.

OBJECTIVES

1. *Protect and enhance* the characteristics of the Rural Residential neighbourhoods.
2. *Ensure* that the rural residential areas with natural hazards along the coastal shore of the Plan Area are identified and that development is protected from hazardous conditions.
3. *Ensure* that environmentally sensitive areas along marine and riparian coastlines within rural residential areas are protected from impacts associated with development.
4. *Encourage* alternative subdivision design to help limit sprawl, reduce fragmentation of ecological systems, and create more sustainable land use patterns.

5.5 Rural Village Centres

INTRODUCTION

Dunsmuir, Qualicum Bay and Bowser are designated as Rural Village Centres, which are the mixed-use ‘focal points’ of the Plan Area, and are intended to support a variety of commercial, recreational, community and professional services, as well as residential development. It is anticipated that future residential growth in the Plan Area will be accommodated within the Rural Village Centres, which will include a range of housing types. The objectives and policies below are intended to guide the development of these centres as strong community focal points. The Bowser Village Centre Plan (Schedule B) should be referred to for objectives and policies for that Rural Village Centre.

The Bowser Village Centre Plan is the principal guiding document for all land use decisions within the Bowser Village Centre boundary. The Bowser Village Centre Plan forms a part of this Plan as a schedule to the Electoral Area ‘H’ OCP. Where a particular issue is not covered by the Bowser Village Centre Plan, the Electoral Area ‘H’ OCP will be consulted for direction. Where a conflict exists between the OCP and the Bowser Village Centre Plan, the designations and/or policies of the Bowser Village Centre Plan will take precedence within the designated Bowser Village Centre Plan Area.

For Qualicum Bay and Dunsmuir Rural Village Centres, the Rural Village Centre land use designation encourages further mixed use, residential and commercial zoning of land as part of comprehensive development of the centres. Existing local commercial sites may be redeveloped over time which will benefit the viability, character and form of the Rural Village Centres.

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

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

RURAL VILLAGE CENTRES POLICIES

1. New commercial sites shall only be located within Rural Village Centres with the exception of service commercial and Tourist Commercial uses pursuant to Rural Policies 4 and 5.
2. Lands within the Rural Village Centres are designated as Development Permit Areas for revitalization of an area in which a commercial use is permitted, and to establish objectives for the form and character of commercial and industrial development.

OBJECTIVES

1. *Concentrate* compatible uses within the Rural Village Centres.
2. *Promote* the provision of full community services (sewer and water) to parcels within the Rural Village Centre Designation.
3. *Encourage* development of mixed commercial uses in the Rural Village Centre designation.
4. *Avoid* conflicts between residential and commercial uses.
5. *Ensure* that the type and scale of commercial development follows community preferences.
6. *Encourage* the location of commercial development and services to support Rural Village Centres and serve the needs of local residents and the traveling public.
7. *Accommodate* a range of housing types and sizes, including affordable housing.

3. Bowser Village Centre is the primary commercial and service centre of the Plan Area. All land use within the Bowser Village Centre boundary must be consistent with the Bowser Village Centre Plan.
4. Affordable housing is encouraged to be located within the Rural Village Centre designation through secondary suites where suitable, and through amenity contribution at the time of rezoning.
5. Development within Rural Village Centres must be consistent with the objectives and policies of this section and with Section 5.1 Development Guideline Criteria.
6. In order to achieve a compact form of development in Village Centres, rezoning for low-density residential development generally less than 15 units per hectare will not be supported. Incremental development over time is supported where an initial phase or phases are clustered on a portion of a property to allow for future development on the rest of the property.
7. Rezoning which includes a privately owned wastewater treatment system must be accompanied by a covenant requiring connection to a Regional District sewer service should one be established.
8. A future review of this Plan should consider reducing the area of Qualicum Bay and Dunsmuir Village Centres and re-designating them as Local Service Areas in order to focus the commercial mixed-use centre of the area in Bowser, and encourage local services or tourist commercial uses in the other two Village Centres.

5.6 Tourist Commercial

INTRODUCTION

Beyond the boundaries of the Rural Village Centres, it is recognized that there are commercial uses that cater to the traveling public and are generally located along the Highway No. 19A corridor and near Deep Bay Harbour. These tourism-related commercial uses include a variety of facilities: marinas, cabins, boat launches, small resorts, motels, and recreational vehicle parks. In recent years, many of the tourist accommodation businesses have closed or converted to year-round housing and community members have expressed a need for more tourist accommodation.

TOURIST COMMERCIAL POLICIES

1. This Plan recognizes existing tourist commercial uses in the Plan Area. These uses will be encouraged to continue and the Regional District will consider rezoning applications for expansion of such facilities subject to Development Permit Area guidelines in the zoning bylaw⁵.
2. Lands designated as Tourist Commercial shall be within designated development permit areas.
3. This Plan supports rezoning for new, small-scale, tourist commercial use in the Rural designation provided it:
 - a) is primarily accommodation intended to serve the travelling public and may include associated tourism services
 - b) is not expected to negatively impact ground or surface water or sensitive ecosystems;
 - c) does not unduly affect neighbouring properties through its scale and impacts such as noise and significant increase to traffic; and
 - d) complies with the objectives and policies of this Plan.
4. The Regional District shall not support strata conversion of tourist commercial uses to residential uses where it would reduce opportunities for tourism.
5. Proposals for new or expanded tourist commercial accommodation should consider providing staff housing on site, and the Regional District will consider securing the staff housing through housing agreement.

OBJECTIVES

1. **Recognize** existing tourist commercial uses in the Plan Area.
2. **Encourage** the development of the coastal zone of the Plan Area as a tourist commercial destination in a manner that does not detract from Qualicum Bay Village Centre and the Bowser Village Centre as the focus for tourism services.
3. **Ensure** that the type and scale of new tourist commercial development follows community preference as determined through public consultation.

⁵ Bylaw 1335.07, adopted December 4, 2018

5.7 Recreation

INTRODUCTION

The Plan Area includes various Recreation Land uses that may be distinguished from Tourist Commercial Land uses by their orientation to recreational-type activities benefiting from rural environmental settings. At the time of writing this Plan there are three areas with this designation: Arrowsmith Golf course, Spider Lake Springs Resort, and the seasonal, off-grid strata community around the shores of Horne Lake. The latter two such Recreation Lands provide regular seasonal use opportunities to a longer-term resort population than would normally be associated with hotels, motels, overnight campgrounds or RV parks.

OBJECTIVES

1. ***Recognize*** existing recreation resort uses in the Plan Area.
2. ***Ensure*** that recreation resort uses are developed in a manner that does not have negative impact on the environment.
3. ***Consider*** conditions under which Horne Lake Strata could be re-designated for residential use.

RECREATION POLICIES

1. Lands designated as Recreation Lands shall be within designated Development Permit Areas in order to assure that the type and scale of future expansions or alterations to the recreational development does not impact on the environment or the character of surrounding neighbourhoods.
2. This Plan supports a study of the impacts and benefits of re-designating the Horne Lake Strata properties (legally described in Strata Plan VIS5160) to residential use. If the considerations listed in this policy are addressed to the satisfaction of the Regional District, this Plan supports the re-designation. During the 2016/17 review of this Plan, many Horne Lake Strata property owners indicated they would like to make their recreational home their primary residence and be permitted to live there year-round. The following should be included in the study, as well as any other relevant considerations, and the study will be completed by the property owner(s) in consultation with the Regional District:
 - a) Analysis of the impacts and benefits to the region of the loss of 400 recreational lots; this change could put pressure on other areas for new recreational development.
 - b) Analysis of the impacts and benefits to the region of adding 400 residential lots outside the Growth Containment Boundary. While these lots are existing and there are some similarities between the impact of recreational and residential use, the study should provide an understanding of the increased expectation of services by residents such as school bussing, road improvements, and solid waste collection. The analysis should also include how the new market of year-round residential dwellings and lots at Horne Lake would affect the market demand inside the Growth Containment Boundary.
 - c) Analysis of the healthy built environment characteristics of the area to assess suitability for residential use.
 - d) Consultation with the Ministry of Environment and Fisheries and Oceans Canada, and an analysis of the impacts and benefits to the watershed of increasing the intensity of use to full-time with recommended mitigation measures. Horne Lake is within a significant watershed that includes the Big Qualicum River and supports salmon populations, and the existing recreational lots are located within a sensitive riparian area.
 - e) Consultation with Island Health regarding the potential need for community water and wastewater treatment to be established. The existing methods of wastewater disposal and provision of potable water were established for seasonal occupancy; wastewater disposal is

through pump and haul, and provision of water is under water license for individual intakes from Horne Lake.

- f) Access, road condition, emergency, utilities.
- g) Assessment of the expansion of hydro service to the properties.
- h) Analysis of improvements required for emergency services, including analysis of expansion of the Bow-Horn Bay fire service area to include the Horne Lake Strata.

5.8 Deep Bay

INTRODUCTION

The Deep Bay Harbour is a focal point of the Plan Area with several existing properties designated as Tourist Commercial. It is the only natural harbour in the Plan Area, is important to the aquaculture industry and for pleasure craft, and includes a marina operated by the Deep Bay Harbour Authority and adjacent private marina. It is an important local commercial area, and small-scale growth and development of the area is encouraged to support economic development including marine, aquaculture, tourism, and services for local residents while maintaining the primarily residential character beyond the immediate area of the marina.

Deep Bay is at the southern end of Baynes Sound which is a significant and economically important shellfish aquaculture area, has cultural significance as a major settlement for First Nations people in the past, and is ecologically important, designated as an Important Bird Area.

There is a strong sense of community identity, and the area covered by the Deep Bay Improvement District is often referred to by residents as what they consider to be the boundaries of the community of “Deep Bay”.

As identified at a community workshop in September, 2016, the vision for the Deep Bay community includes many things that are shared with the rest of the Plan Area such as protection of the natural environment and drinking water, and some that are unique to the local neighbourhood. The objectives and policies in this section of the Plan are intended to reflect the community vision unique to the Deep Bay area.

The presence of archaeological sites is a limiting factor for future development, as is sea level rise and climate change impacts particularly on the Deep Bay Spit.

The Vancouver Island University Marine Field Station is a recent addition to Deep Bay and draws students, researchers, and tourists to the area. Services and accommodations that are complimentary to the Marine Station could be developed to support it and to better connect it with the rest of the Deep Bay community.

Two large, undeveloped lots located between the developed portion of Deep Bay and the Marine Station known as Deep Bay Southwest, have been identified for possible additional development. Policies related to the development of these lots are found in this section.

OBJECTIVES

1. *Support* a diversity of businesses related to the marine, aquaculture and tourism industries.
2. *Encourage* growth of marine recreational opportunities.
3. *Encourage* commercial development of the area near the Deep Bay Harbour in a way that compliments and supports marine, aquaculture, and tourism activities, or provides services for local residents, while supporting Bowser Village Centre as the commercial and service centre for the area.
4. *Recognize* and *protect* archaeological sites.
5. *Improve* road connections.
6. *Ensure* compatibility and support for the Vancouver Island University Marine Station.
7. *Maintain* and *enhance* the sense of community, safe walking routes and trails, and natural environment.
8. *Provide* housing options for different ages and income levels.
9. *Ensure* wastewater disposal and rainwater management does not negatively impact the water quality of Baynes Sound.
10. *Recognize* the constraints to redevelopment of small waterfront lots, particularly on Deep Bay Spit.

DEEP BAY POLICIES

1. Redevelopment in the existing Tourist Commercial designation in the Deep Bay area is encouraged where it compliments and supports the marine, aquaculture and tourism industries centred around the harbour, and where sufficient off-street parking is provided.
2. Rezoning proposals for tourist commercial use in the Rural Residential or Rural designations near the Deep Bay Harbour may be supported if the proposal compliments and supports the marine, aquaculture or tourism industries, provides sufficient off street parking, is consistent with Tourist Commercial policies in section 5.6, and is of a scale consistent with the primarily residential character of the area.
3. When new roads are constructed or existing roads are improved, they should be designed to allow for safe walking and cycling on the shoulder or a separated path.
4. A second public boat launch in Deep Bay is supported, subject to development permit area guidelines in the zoning bylaw⁶ to ensure that environmental impact is minimized, and subject to sufficient off-street trailer parking being provided.

ADVOCACY POLICIES

5. Fisheries and Oceans Canada is encouraged to ensure derelict vessels are removed before they become an environmental or navigational hazard.
6. The Deep Bay Harbour Authority is encouraged to communicate with local residents and the Regional District regarding plans for expansion or other changes to facilities.
7. The Provincial government is encouraged to communicate with local residents regarding permits for beach cast seaweed harvest, and to consider the impact of the harvest on the enjoyment of waterfront property and on the marine and intertidal ecosystems and on archaeological sites when considering issuing and renewing permits.
8. The Provincial government and the shellfish aquaculture industry are encouraged to monitor water quality of Baynes Sound in order to determine if poorly-functioning onsite wastewater treatment systems are having an impact on the marine environment.

⁶ Bylaw 1335.07, adopted December 4, 2018

DEEP BAY SOUTHWEST

“Deep Bay Southwest” is a land use designation of this Plan comprised of two lots totaling approximately 75 hectares. Deep Bay Southwest is envisioned as a clustered residential development with tourist commercial and service commercial uses that complement the Deep Bay Harbour, existing tourist commercial uses, residential neighbourhoods, and the Deep Bay Marine Field Station. Development of Deep Bay Southwest must meet the objectives of the Deep Bay Section 5.8 and is pursuant to the following policies 9 to 25 of this section and all other relevant policies in this Plan.

Table 2 Dwelling and tourist accommodation maximums and secondary suite estimate for Deep Bay Southwest

Type of Unit	Fixed maximum	Estimated within maximum of 300	Possible scenario	Total
Dwelling unit through cluster (policy 10)		50		50
Dwelling unit through transfer (policy 11)		250		250
Tourist accommodation unit (policy 15)	40			40
Secondary suite			75 ¹	75
Total	40	300	75	415

This possible scenario is for illustrative purposes and is based on 50% of dwellings being single (150) and therefore permitted a secondary suite, and 50% of those permitted being constructed (75).

RESIDENTIAL POLICIES FOR DEEP BAY SOUTHWEST

9. The objectives and policies of the Rural designation in Section 5.3 apply to Deep Bay Southwest, and the policies in this section 5.8 support further development if specific access, servicing and amenities are provided.
10. In the Deep Bay Southwest designation, clustering residential dwelling unit potential is supported pursuant to Alternative Forms of Rural Development Policies in Section 5.10 through reduction of minimum lot size. Adjacent parcels may be considered as a single parcel for the purposes of design of the development.
11. The Deep Bay Southwest designation is an eligible receiver area for transfer of dwelling unit potential pursuant to Alternative Forms of Rural Development Policies in Section 5.10. Despite the maximum increase in number of dwelling units to receiver parcels in Section 5.10, Deep Bay Southwest may have a total of 300 residential units. For clarity, this does not include secondary suites, which are permitted in addition to this number.
12. The form of residential development must be consistent with the following:
 - a) dwelling units must include a mix of housing choices including single, townhouses to a maximum of a four-plex, and courtyard housing; and
 - b) secondary suites are permitted within single dwelling units.
13. Residential development is designated a development permit area for establishment of objectives for the form and character of intensive residential and multi-family residential development Area in accordance with Section 488.1 of the *Local Government Act*.
14. For subdivision of Deep Bay Southwest under the current zoning regulations, the Approving Officer is requested to require the following:

- a) road access from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access;
- b) road dedication from Highway 19A and construction to a level for emergency access;
- c) upgrades to Gainsburg Road necessary due to increased traffic which may include improvements for safety of bicycle and pedestrian travel;
- d) high level of wastewater treatment to ensure protection of the water quality of Baynes Sound;
- e) connection to the existing Deep Bay Waterworks community water system in accordance with Improvement District bylaws; and
- f) rainwater management designed to ensure protection of the water quality of Baynes Sound.

TOURIST COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST

15. In Deep Bay Southwest, the following tourist commercial uses are supported pursuant to Tourist Commercial Policy 3 in Section 5.6:
 - a) small-scale, 2 storey lodge-type accommodations with up to 20 rooms and up to 20 small cabins not exceeding 50 m² in gross floor area, which provide temporary accommodation to the travelling public as well as students and researchers and the adjacent Vancouver Island University Deep Bay Marine Field Station; and
 - b) restaurant, small-scale recreation facilities, and other amenities related to tourism services and that are not expected to compete with Bowser Village Centre as the commercial centre of the area.
16. In Deep Bay Southwest, tourist commercial uses are designated a Development Permit Area for establishment of objectives for the form and character of commercial development in accordance with Section 488.1 of the *Local Government Act*.

SERVICE COMMERCIAL POLICIES FOR DEEP BAY SOUTHWEST

17. In Deep Bay Southwest, service commercial uses that complement and enhance the aquaculture industry, aquaculture research, and marine tourism and business are supported pursuant to Rural Policy 4 in Section 5.3 that supports rezoning for service commercial use.

ENVIRONMENTAL DESIGN AND CLIMATE CHANGE POLICIES FOR DEEP BAY SOUTHWEST

18. In Deep Bay Southwest, in addition to meeting Development Guideline Criteria in section 5.1 of this Plan, development proposals must also demonstrate that:
 - a) site design establishes areas to remain free from development and disturbance including the marine coastline, steep slopes, wetlands, ravines and watercourses, archaeological sites, and environmentally sensitive areas including eagle nest and perch trees;
 - b) approximately 40% of the area of each lot in which development is proposed (Lot A or Lot B) is free from development for environmental protection and/or public use in perpetuity;
 - c) on the portion of Lot C that is within the well protection area for the Deep Bay Improvement District wells, no uses that have the potential to contaminate the aquifer should be permitted, subject to approval from the Agricultural Land Commission for any proposed restrictions to agricultural use;

- d) the area described in 18b above is intended to meet the requirements of Alternative Forms of Rural Development policies in Section 5.10 in order to allow for smaller minimum lot sizes and/or transfer of potential dwelling units; and
- e) site design retains trees and vegetation where possible in and around the housing and tourist commercial development areas.

19. In Deep Bay Southwest, commercial and residential development is designated a development permit area for establishment of objectives to promote the reduction of greenhouse gas emissions, to promote water conservation and to promote energy conservation in accordance with section 488.1 of the *Local Government Act*.

ACCESS AND SERVICING POLICIES FOR DEEP BAY SOUTHWEST

- 20. Development proposals for Deep Bay Southwest must meet Development Guideline Criteria in Section 5.1. In addition, a high standard of wastewater treatment must be met in order to protect the waters of Baynes Sound from contamination.
- 21. In Deep Bay Southwest, road layout and design must emphasize pedestrian and bicycle mobility over vehicles in order to promote active transportation, and all roads must include roadside paths or trails for safe walking and cycling.
- 22. As a condition of any rezoning under Alternative Forms of Rural Development policies in Section 5.10, or to permit tourist commercial or service commercial use under Section 5.3 and Section 5.6:
 - a) road access must be constructed from Gainsburg Road to the development through the portion of Lot A that splits Deep Bay Creek 2 Community Park to ensure that the existing driveway extending beyond Crome Point Road and to the Deep Bay Marine Station is not used as the public access;
 - b) a road must be dedicated through the development and directly to Highway 19A and constructed to a level suitable for emergency access from the Deep Bay area and service vehicle access during construction; and
 - c) a road must be dedicated to the Vancouver Island University Deep Bay Marine Station property.
- 23. As a condition of any rezoning to permit additional residential units that would take the total number in Deep Bay Southwest to greater than 50, the road access directly to Highway 19A must be constructed to Ministry of Transportation and Infrastructure standards as a public road and must include a separated trail for active transportation.

COMMUNITY AMENITY POLICIES FOR DEEP BAY SOUTHWEST

- 24. The following community amenities have been identified as desirable in the Deep Bay area in general and on the Deep Bay Southwest properties specifically. In addition to Section 7.2, which identifies community amenity contributions, the following must be provided at the time of rezoning of Deep Bay Southwest, with the extent of amenity contributions being related to the additional value conferred on the land.
 - a) For rezoning pursuant to policy 10 (clustering):
 - i. construction of a comprehensive trail and park system that is connected to the rest of Deep Bay trail system, to the existing Deep Bay community, the Vancouver Island University Marine Research Station and waterfront viewing and picnic areas. The trail network must be publically owned or with legal public access. The trail network should be designed with

- areas along the trail in appropriate locations of a width suitable to be developed into playgrounds or meeting areas;
- ii. an area for boat trailer parking located as near to the Deep Bay Harbour as possible. At the time of writing this Plan, the portion of Lot A approximately 0.65 ha in area between Gainsburg Road and a portion of Deep Bay Creek 2 Community Park is identified as a suitable location. Other potential locations can be explored at the time of rezoning application;
- b) For rezoning pursuant to policy 15 (tourist commercial), policy 17 (service commercial), or policy 11 (transfer) or combination thereof:
- i. a small scale, publically accessible recreational building as part of the tourist commercial development;
 - ii. provision of affordable housing secured by housing agreement, or contribution to a Regional District affordable housing fund, should one be established;
 - iii. development of the parking area indicated in Policy 24a)ii above including clearing, grading, surfacing, and any other associated improvements to create a trailer parking area; and
 - iv. financial contribution to capital improvements or purchases of the Deep Bay Improvement District’s fire protection service.
- c) Additionally, for rezoning pursuant to policy 11 (transfer):
- i. a sewage collection, treatment and disposal system for the development, to be owned and operated by the Regional District, capable of expansion to at least 320 additional connections outside of Deep Bay Southwest which represents the number of existing dwellings accessible by road from Gainsburg Road.

REGIONAL GROWTH STRATEGY AMENDMENT FOR DEEP BAY SOUTHWEST

25. Subject to an amendment to the Regional Growth Strategy, Deep Bay Southwest may have up to 300 residential dwelling units without the requirement to transfer the residential dwelling unit potential from eligible donor parcels. The development must be in accordance with policies 9-24 above, the full extent of access, servicing and community amenities identified in these policies must be provided, and in addition:
- a) ten percent of dwelling units must be affordable as secured by housing agreement, and the form of affordability may be rental or affordable home ownership; and
 - b) the sewer collection system must also be constructed to the satisfaction of the Regional District, beyond the boundaries of Deep Bay Southwest to include at least the lots on Crome Point Road, Deep Bay Drive and Burne Road. This is to include all costs and works associated with design and approvals, to be determined at rezoning stage.

FUTURE REVIEW OF DEEP BAY SOUTHWEST POLICIES

26. During a future review of this Plan, the policies for Deep Bay Southwest should be reviewed in consideration of housing demand, growth patterns, and community need.

5.9 Affordable and Accessible Housing

INTRODUCTION

Area 'H' has a high retirement population with most of the recent population growth in the 50 – 70 age group. Increasing housing options to enable seniors to stay within the community as they age, and to allow people of all ages and abilities with moderate or low incomes to find adequate housing are important goals for this community.

Housing is more affordable in the Plan Area than the rest of the Regional District and the province, yet 21% of households spend over 30% of their household income on housing, a commonly accepted measure of housing affordability (2011 Census). A 2009 Regional District-wide housing needs study identified that there is an insufficient supply of affordable housing throughout the region. A 2010 Affordable Housing Action Plan made recommendations for OCPs that have been included in objectives and policies in this section.

There is currently one seniors housing development in the Plan Area owned and operated by the Qualicum Bay Lions with 20 units, 10 of which are subsidized. In 2012, two Crown parcels in Bowser Village Centre were leased by the Regional District for several community purposes including a seniors supportive living housing complex. The Bowser Seniors Housing Society is currently developing plans to construct and manage such a facility on these lots.

AFFORDABLE AND ACCESSIBLE HOUSING POLICIES

1. This Plan supports the provision of affordable housing and does not prohibit rental housing or community care facilities under Section 20 of the *Community Care and Assisted Living Act*, in any land use designation in or any future zone created to implement this Plan.
2. Secondary suites are supported in the Rural, Rural Residential and Rural Village Centre land use designations.
3. Multi-unit seniors and affordable housing developments should be located in Rural Village Centres to be close to community amenities and transit.
4. The Regional District should use housing agreements entered into by bylaw, to secure new affordable housing stock.
5. Notwithstanding Agriculture and Aquaculture Policies 3 and 4, the Regional District supports the expansion of the seniors' subsidized housing development operated by the Qualicum Bay Lions, at the end of Lions Way.

OBJECTIVES

1. ***Support and facilitate*** the provision of affordable, attainable and accessible housing.
2. ***Increase*** the supply of housing to meet the needs of seniors, youth, those with special needs, those with moderate or low incomes, and the homeless.
3. ***Encourage*** universal design of all housing for accessibility to people with disabilities and older people.

6. Acquire affordable housing through provision of community amenity contributions at the time of rezoning, either through the housing itself or contribution to a Regional District affordable housing fund should one be established.

ADVOCACY POLICIES

7. The Regional District is supportive of partnerships between all levels of government and community groups to provide sufficient housing to meet the needs of a diverse community.
8. The Regional District encourages that all new housing, particularly secondary suites and rental housing, are constructed to universal design standards for accessibility to people with disabilities and older people.
9. The Regional District supports the Bowser Seniors Housing Society in their work to establish seniors supporting housing the Bowser Village Centre.
10. The Regional District supports energy retrofits to existing housing stock through education and rebates.

5.10 Alternative Forms of Rural Development

INTRODUCTION

In order to encourage more sustainable forms of rural development outside the Growth Containment Boundary (Rural Village Centres), this section provides opportunities for flexibility in minimum lot size and for transfer of dwelling unit potential where the overall number of potential dwelling units does not increase outside the Rural Village Centres.

Flexibility in minimum lot size and transfer of dwelling unit potential facilitates moving future residential development from sensitive and important areas to other areas more suited to development. These sensitive or important areas can be protected for a number of purposes such as aquifer protection, ecological conservation, agriculture, or public parks, trails and facilities.

ALTERNATIVE FORMS OF RURAL DEVELOPMENT POLICIES

1. Rezoning to permit subdivision with a smaller minimum lot size than otherwise set in this Plan is supported in the Rural Residential and Rural designations provided the proposal does not result in more dwellings than what is permitted by this Plan or the zoning bylaw at the time the application is made, and where it meets the following criteria. Where more than one dwelling unit is permitted on a lot by the current zoning bylaw, each dwelling unit can be counted as a lot where subdivision is designed pursuant to this policy.
 - a) Residential development is clustered on an area of land that has the best capacity for residential development and the least value for agriculture, ecological protection, aquifer protection, or another public good purpose.
 - b) An area of significance (the “protected parcel”) is protected in perpetuity for agricultural, , ecological, aquifer protection, or other public good purposes. No further subdivision of the protected parcel is permitted and this is ensured through rezoning and either covenant, transfer of ownership to a public body, or both.
 - c) The protected parcel must meet one of the following criteria:
 - i. If protected for agriculture, the parcel is suitable for farming as confirmed by an Agrolgist, and included in the ALR, If protected for ecological values, a report from a Registered Professional Biologist must indicate the ecological values that warrant protection, and recommend the size and location of the protected parcel to protect those values.
 - ii. If protected for aquifer protection, the parcel must be within the groundwater recharge area or well protection area of a community water system and a hydrogeological report indicates that moving the residential use to another part of the development is expected to have a positive impact on aquifer protection.

OBJECTIVES

1. *Encourage* creativity in forms of rural development without increasing the overall number of dwelling units permitted outside the Growth Containment Boundary.
2. *Support* the transfer of potential dwelling units in rural areas where residual lands are conserved in perpetuity for agricultural, ecological, aquifer protection purposes or other public good purposes.
3. *Support* retention of large land holdings for agriculture and forestry.

- iii. If protected for other public good purposes, proposals may include donation of land for a community need such as a fire hall, school, playing field, or other community or institutional use, where an organization or government body has agreed to own and manage the parcel for that use.
 - d) The minimum lot size of the residential lots is sufficient to provide onsite wastewater disposal in a manner that does not degrade from the environment or water sources. In areas that are not within an existing community water system, the minimum lot size must also be sufficient for onsite provision of water.
 - e) Subject to Regional Growth Strategy amendment, shared wastewater disposal and shared provision of water are supported in the Rural Residential designation of this Plan in order to allow for smaller residential lots and a larger protected parcel.
 - f) In the Rural Residential designation, single and duplex dwelling units are permitted, and in the Rural designation, dwelling units may only be single.
 - g) Adjacent parcels may be considered as a single parcel for the purpose of subdivision design under this section.
2. Rezoning to permit transfer of dwelling unit potential involving lands outside the Growth Containment Boundary is supported by this Plan provided the proposal does not result in more dwellings than what is permitted by this Plan or the zoning bylaw at the time the application is made and where the proposal is consistent with the following. The parcel of land from which the dwelling unit potential is removed is referred to as the “donor parcel”, and the parcel of land to which the dwelling unit potential is transferred is referred to as the “receiver parcel”.
- a) Donor parcels shall be in the Resource – Agricultural, Rural or Rural Residential land use designations.
 - b) Removing or reducing development potential will benefit agriculture, ecological protection, aquifer protection, archaeological protection, or provide another public good purpose.
 - c) Receiver parcels shall be in the Rural and Rural Residential land use designations and only in the area eastward of Highway 19
 - d) The portion of the receiver parcel to be developed shall not include a sensitive ecosystem, hazardous area, archaeological site, or be within a well protection area or well capture zone for a community water system.
 - e) In the Rural Residential designation, the maximum number of potential dwelling units on a receiver parcel is equal to twice the number of potential dwelling units on the receiver parcel before the transfer.
 - f) In the Rural designation, the maximum number of potential dwelling units on a receiver parcel is equal to 1.5 times the number of potential dwelling units on the receiver parcel before the transfer.
 - g) The transfer is achieved by simultaneously amending the zoning on the donor and receiver parcels to reflect the changed subdivision potential or permitted number of units on each.
 - h) The donor parcel or the portion of the donor parcel with no residential development potential must be conserved in perpetuity for agricultural, ecological protection, archaeological site protection, aquifer protection, or other public good purpose.

- i) If all of the potential dwelling units are transferred from the donor parcel or a portion of the donor parcel that is intended to become a separate lot, ownership of that lot must be transferred to a public body.
3. Calculation of the number of potential dwelling units available for reduction of minimum lot size in Policy 1 or transfer from a donor parcel in Policy 2, will be through the following steps:
 - Step 1:** The area of the donor parcel is divided by the minimum average lot size for the zone in which the donor parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).

If this calculation results in 4 or more lots, it will be re-calculated reducing the parcel area by 20% before dividing by the minimum average or minimum lot size. This is to account for such requirements as road, sensitive areas, and park dedication that would likely be required if the donor parcel itself were to be subdivided.

If one dwelling unit is permitted per lot in the applicable zone for the donor parcel, then the number of potential dwelling units available for transfer equals the number of potential lots calculated in Step 1.
 - Step 2:** If more than one dwelling unit is permitted per lot in the applicable zone for the donor parcel, then another step is required as follows. To the resulting number of potential dwelling units from Step 1, the additional number of dwelling units permitted on each lot is added to the total number of potential dwelling units available for transfer. For clarity, a secondary suite is not counted as a dwelling unit for the purposes of this section.
4. The future use of a protected parcel or donor parcel in Policy 1 or 2 must be ensured through zoning that allows a reduced level of development or only a public use, registration of covenant to ensure the land will be conserved for the intended use in perpetuity, and one of the following:
 - a) Dedication to a public body or non-governmental conservation organization
 - b) inclusion in the Agricultural Land Reserve
 - c) Heritage designation as outlined in Section 611 of the Local Government Act
 - d) Protection mechanisms developed in consultation with First Nations where there are sites of significance to First Nations.
5. Applications where the donor parcel or protected parcel is in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission. If the existing zone regulations on a donor parcel in the Agricultural Land Reserve allows for two dwellings, potential for two dwellings units must remain in order to be consistent with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* that permits up to two dwelling units on a parcel where the second dwelling meets certain conditions.
6. Applicants for a zoning amendment to reduce minimum lot size or transfer potential dwelling units may be required to provide Development Approval Information for the special conditions outlined in Section 5.1 of this Plan.
7. Applicants shall hold a community information meeting prior to submitting a rezoning application in order to gauge community support, and to have the opportunity to incorporate changes suggested from the community before making a formal application. The Regional District will be notified of the meeting, and a record of the meeting must be kept and submitted with the application.
8. Transfer of dwelling potential may involve lands covered by other Official Community Plans of the Regional District of Nanaimo, subject to supportive policies in the relevant plan.

GUIDELINES FOR APPLICATIONS FOR TRANSFER OF DWELLING POTENTIAL

1. Generally, applications should demonstrate the overall unsuitability of the donor parcel for the zoned dwelling potential and the overall suitability of the receiver parcel for an increase in dwelling potential.
2. The Regional District should give consideration to the suitability of the receiver parcel for the proposed level of development. The following criteria, as appropriate, should be used in assessing the suitability of the land for development:
 - a) environmental values are identified prior to site clearing and design.
 - b) development is located away from areas with high environmental values, and natural buffers placed between the development site and sensitive features.
 - c) development is concentrated in areas with lower environmental values.
 - d) development is located away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.
 - e) the impacts of roads are minimized and development is located in proximity to and accessible to existing services, constructed roads and transit, and the development should have the potential to contribute to reducing community dependence of travel by automobile.
 - f) the fragmentation of habitat is minimized.
 - g) potable water quality is maintained and an adequate supply is available to support the permitted level of development.
 - h) air quality is maintained and energy efficient design, greenhouse gas emissions and climate change adaptation are considered.
 - i) energy- and water-efficient development is designed to conserve natural resources.
 - j) that the development would not compromise archaeological, First Nations cultural, historical, heritage sites or significant or outstanding landscape features.
 - k) that the development would be located away from groundwater recharge areas or well protection areas of a community water system.
3. Applications should be accompanied by a site plan that shows how the transferred development potential will be arranged to reduce impacts on the surrounding neighbourhood.