

REGIONAL DISTRICT OF MOUNT WADDINGTON

BYLAW NO. 613

A bylaw of the Regional District of Mount Waddington
to adopt the Hyde Creek Official Community Plan.

WHEREAS the Regional District of Mount Waddington is empowered by part of the *Local Government Act* to adopt a Hyde Creek Official Community Plan prepared pursuant to the provisions of Part 26 of the said Act;

AND WHEREAS the Board of the Regional District of Mount Waddington deems it advisable and expedient to adopt the Hyde Creek Official Community Plan Bylaw;

NOW THEREFORE the Board of the Regional District of Mount Waddington in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the “Hyde Creek Official Community Plan Bylaw No. 613, 2001.”
2. The Hyde Creek Official Community Plan Schedule “A” attached to and hereby forming part of this bylaw is designated as the Hyde Creek Official Community Plan.
3. The Hyde Creek Official Community Plan Map No. 1 is attached to and hereby forms a part of this bylaw.

READ A FIRST TIME THIS 19th DAY OF JUNE, 2001

READ A SECOND TIME THIS 19th DAY OF JUNE, 2001.

PUBLIC HEARING HELD THIS 18th DAY OF JULY, 2001.

READ A THIRD TIME THIS 21st DAY OF AUGUST, 2001.

APPROVED BY THE MINISTER RESPONSIBLE FOR MUNICIPAL AFFAIRS
THIS 10th DAY OF OCTOBER, 2001.

ADOPTED THIS 16th DAY OF OCTOBER, 2001.

Original Bylaw Signed by Administrator and Chairperson

ADMINISTRATOR

CHAIRPERSON

**BYLAW 613, 2001
SCHEDULE A
HYDE CREEK
OFFICIAL COMMUNITY PLAN**

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SECTION 1.0 TITLE

This Bylaw may be cited for all purposes as the “Hyde Creek Official Community Plan Bylaw No. 613, 2001”.

SECTION 2.0 REPEAL

The Regional District of Mount Waddington Bylaw No. 149, “Regional District of Mount Waddington Official Hyde Creek Settlement Plan Designation By-Law 1980” and all amendment bylaws, namely Bylaw 270, “Hyde Creek Settlement Plan Amendment #1,1986”; Bylaw 367, “Official Hyde Creek Area Settlement Plan Amendment Bylaw # 1,1991”; Bylaw 375, “Hyde Creek Area Settlement Plan amendment #2,1991 (Service Commercial) bylaw”; and Bylaw 423, “The Hyde Creek Area Settlement Plan Amendment #1,1993 – Industrial” thereto are hereby repealed.

SECTION 3.0 INTRODUCTION AND BACKGROUND INFORMATION

Over the past 20 years, the community of Hyde Creek has expanded from approximately 60 dwellings to 150 dwellings and 28 industrial lots. Despite the development that has taken place, the Hyde Creek settlement area has remained predominantly rural in nature, for two basic reasons. First, development has consisted of large lots and has dispersed across the area and second, large blocks of undisturbed forestland are located throughout the settlement area. Approximately 120 hectares of residentially designated land remains undeveloped in the plan area. With these recent changes and the fact that the current settlement plan was adopted in 1983, it is now necessary to re-examine the community goals and objectives and to develop a new foundation to guide future growth.

As the Hyde Creek community developed it has also been able to address various quality of life issues, such as the establishment of a volunteer fire department and a recreation society. The recreation society has developed a community recreation centre, a baseball diamond, a gymkhana area and a children’s playground. The recreation site is located adjacent to the fire hall. The Village of Alert Bay has requested that there be future consideration for a ferry terminal site in the plan area. At this time, the residents of Hyde Creek have indicated strong opposition to such an idea.

The industrial area of Hyde Creek, the Twin Peaks Industrial Park, is becoming one of the main small business forestry centres on the North Island. There are currently several sawmills, shake mills, and a number of other commercial/industrial businesses located within this park. A highway, service commercial development has located on the east side of the highway to support increasing traffic largely related to a growing regional tourism sector.

In preparation for the Official Community Plan update, a community questionnaire was developed and circulated throughout the community. A number of issues arising from the survey will be addressed as part of the plan update. These include:

- Relocation of major “industrial” uses to the industrial area
- Addressing environmental issues
- Expansion of the residential areas

Geography

The Hyde Creek Official Community Plan area is situated approximately 2.5 kilometres east of the municipality of Port McNeill on the northern end of Vancouver Island. The area is approximately 1000 hectares in size and is bordered on the north by Broughton Strait, on the east by the estuary of the Nimpkish River and the Nimpkish River on the south and west by a tree farm license area.

The area is relatively flat ranging from sea level to approximately 130 metres in the southwesterly corner. Vegetation consists of a typical coastal coniferous forest cover such as, Douglas fir, Western red cedar and Western hemlock. Most of the area has been logged during the last 30 years and is currently covered with immature second growth.

The soils of the area predominately consist of sandy, gravelly, loamy textures, that are characteristic of coastal forest areas. In flat, swampy areas, boggy, poorly drained peat soils are common. Surface water flows into the two main drainage systems for the area, the Nimpkish River located on the easterly half of the area or Hyde Creek, located on the westerly half of the community.

The coastal marine climate is characterized by damp, cool winters and relatively drier summers with an average of 180 centimetres of precipitation annually.

Land Use Inventory of the Study Area

The residential component of the Hyde Creek community consists of 98 lots north of the Island Highway and approximately 60 lots south of the Island Highway. There are 28 industrial lots in the Twin Peaks Industrial Park with residences on eight of them. Approximately 600 people currently live within the study area.

The Hyde Creek Official Community Plan area is unique in that it borders on one of the most productive wildlife areas along the Central Coast region of British Columbia. The Nimpkish River has important runs of all five species of salmon as well as steelhead and cutthroat trout. Hyde Creek also has runs of coho, chum, and pink salmon. The estuary of the Nimpkish River is an important wildfowl resting area during migration and wintering areas with trumpeter swans and Canada geese wintering here. These wildfowl and fishery assets must be protected and enhanced for future generations. Please see the summary of uses for each sub-area of the overall Official Community Plan area below:

Hyde Creek Area

The predominant land use is residential, with an average lot size of 1.547 Ha (3.823 Acres.) The residential area also includes a scattering of home occupations, home businesses, small hobby farms, park areas, and a commercial site. The lots range in size from a low of .016 Ha (.04 Acres) to 32.37 Ha (80 Acres). Currently, 26 lots out of a total of 146 lots are vacant.

Twin Peaks Industrial Area

The average size of the lots in this area is 1.34 Ha (3.312 Acres) and the predominant land use is industrial with residential dwellings used as watchman's quarters. Currently 4 lots out of a total of 28 lots in this area, are vacant.

Nimpkish Heights Area

The average size of the lots in this area is 0.83 Ha (2.067 Acres.) The predominant land use is residential, home occupations and industries, a bed and breakfast operation and small hobby farms. The lots range in size from 0.79 Ha (1.97 Acres) to 2.63 Ha (6.5 Acres). All of 59 lots in this area are developed.

Ecoregion Classification of the Hyde Creek Official Community Plan Area

The ecoregion classification system in British Columbia is used to describe the relationship between the local landforms, the local climate and the local ecosystems of the various regions of British Columbia. The Hyde Creek region is located within the following ecoregions:

- The Coast and Mountain Ecoprovince
- The Western Vancouver Island Ecoregion, and
- The Nahwitti Lowland Ecoregion

The Hyde Creek area consists of low to rolling topography with high precipitation rates. There is also a strong estuarine gradient across this region at the freshwater/seawater interface regions, such as is found at interface region or the confluence of Nimpkish River and Broughton Strait.

Geology

The parent material is derived from material of the Upper Triassic Period during the Mesozoic era. This area was heavily glaciated during the last ice age and the fluvial materials that were deposited either had contact with, or were directly in front of the various glaciers that helped shape this area. Soils generally consist of poorly sorted gravels, sand and clay.

The following soil unit descriptions are based upon the interpretation of maps prepared by the Geological Survey of Canada:

<u>Soil Unit Classification</u>	<u>General Description</u>	<u>Implications</u>
AT (Amphitrite Soils)	Stone Free Level-gentle slopes May or may not be treed	Very poorly drained Slopes are in the 6 to 9 degree range

The soil texture consists of an organic material that is in the intermediate stages of decomposition. This type of soil unit is found predominantly adjacent to the Nimpkish River and accounts for approximately 40 percent of the study area.

HP (Hooper Soils)	Gravelly Fluvial fans Level	Moderate to well drained An area in a state of flux Slopes are in the 6 to 9 degree range
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A fluvial process has created the landforms within this unit and the soil texture consists of gravels, sands and sandy loams. This soil unit accounts for approximately 40 percent of the study area.

KL (Kennedy Lake Soils)	Silt and clay Level to gentle slopes	Moderate to well drained Slopes are in the 6 to 9 degree range
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A marine process has created the landforms within this unit and the soil texture consists of silts and clays. This soil unit accounts for approximately 15 percent of the study area.

SR (Sarita Soils)	Gravelly Strong slopes	Moderate to well drained Slopes are in the 6 to 9 degree range
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A morainal process has created the landforms within this unit and the soil texture consists of gravels and sandy loams. This soil unit accounts for approximately 5 percent of the study area.

Historical Information

The former Ministry of Small Business, Tourism and Culture and Archaeology Branch have advised that evidence of pre-contact aboriginal habitation and use of the plan area have been found near the mouths of the Nimpkish River and Hyde Creek. The Archaeology Branch should be contacted for further information. Before the 1870's, the Nimpkish Village was situated at the mouth of the Nimpkish River. In the late 1800's two pioneers, S.A. Spencer and T. Earl, applied for, and were gazetted Crown land on November 17, 1884. However, the earliest European settlers were Kalle Tarkanen and his wife; Sanna. The Tarkanens applied for and received 102 acres in Hyde Creek on December 28, 1912. Although Kalle died shortly after he received his Crown grant, his family remained to farm and selectively log the site. The eldest son, Jack Tarkanen, built the old house, which is still standing in the Hyde Creek area. The family eventually moved to Sointula during the mid 1930's.

Since access to the settlement area was by water only, the development of this area was slow and difficult. Nevertheless, Whitey and Olive Souch moved to Hyde Creek in 1957. It was not however until the late 1960's, after development of the Island Highway, that there was any significant settlement in this area.

Economic Activities

The primary economic activity in the Hyde Creek/Port McNeill area is forestry. Four major logging companies are currently active in this area operating tree farm licenses for the extraction of primary wood products that are manufactured elsewhere.

The Twin Peaks Industrial Park area has developed into a small business, forestry-manufacturing area over the past fifteen years. The industrial park started out as a small group of special use permits, and in 1988 was subdivided into a strata title industrial subdivision. The park is currently home to three sawmills, three shingle mills and a number of other small contractors and industrial businesses.

The closest largest retail centre to Hyde Creek is the Town of Port McNeill. Within Hyde Creek, there is one convenience store in operation. It is located adjacent to the Island Highway at the intersection of Hyde Creek Road and the Island Highway.

A large number of home businesses have been established in the residential part of Hyde Creek. Many of these businesses contract their services locally.

Population (estimate)

While no exact population breakdown is available, the number of individuals living in the Hyde Creek area is estimated to be approximately 600. (Based upon information provided by the Hyde Creek Advisory Planning Commission.)

Historical Land Use

Until the early 1960's, the study area was predominantly used for forestry related activities, with the exception being Broad Point, a strip of residential development located along the oceanfront. Since then, development has resulted in 179 residential units, 24 industrial lots and one commercial lot.

Land Use Tenure Breakdown

The land tenure of the study area is as follows:

<u>Area of land</u>	<u>Tenure Type</u>	<u>Percentage of the Total volume</u>
273 Hectares (674 Acres)	Private	27%
212 Hectares (523 Acres)	Private (logging companies)	21%
524 Hectares (1295 Acres)	Crown Land	52%

Educational facilities

There are no school facilities located within the Official Community Plan area. All students are transported by a school bus into Port McNeill, the location of the closest school. The North Island School Board is not considering the development of a school site in this area within the next five years.

Water and Sewerage

There are no community water systems in the Official Community Plan area. However, there are two privately operated community sewer systems; one located in the industrial park and the other located in Section 15 of the residential area. Most home sewerage systems consist of private septic tank systems. This system is a chamber for the retention and partial treatment of domestic wastewater. Effluent from the tank is discharged to the land through tiles laid beneath the ground surface.

In order to successfully use this type of disposal system, suitable soil characteristics and sufficient soil depth above the ground water table is required. The population of the area must also be sufficiently sparse to allow for an adequate area for the drainage field portion of this system. Recently, the Ministry of Health has increased the minimum lot size for parcels serviced by septic

systems to one (1) hectare from 0.8 hectare. Soil types in the Hyde Creek Official Community Plan area tend to be sandy and gravelly giving adequate percolation for septic fields. In some clay soils and swampy areas, adequate percolation will be more difficult to develop.

Water is supplied by private surface and deep, drilled wells. There are no reported problems in maintaining adequate domestic supply at this time.

Parks/Recreation

There is one large community park in the centre of the community adjacent to the fire hall. This park includes a baseball diamond, equestrian facilities, a playground and a community clubhouse. It is proposed to expand this community centre site to accommodate other community recreational and cultural facilities as demand is identified.

An inventory of the current park facilities, outlined on the Official Community Plan map, are as follows:

- The community centre park and recreation area, which includes the equestrian, athletic and playground facilities at the community centre.
- Remnant of District Lot 27 north of the Island Highway. This land has been designated park reserve by the Province and will serve to provide a natural area, for the study area.
- A waterfront community picnic site/beach park in Section 14. It is anticipated that as adjoining properties are subdivided, the park could be expanded.
- A small waterfront park at the junction of Whitey's Way and the beach in Section 16.
- A stream corridor along Hyde Creek and its tributaries. It has been proposed that a hiking/equestrian trail be developed along the corridor with special attention to protecting the riparian areas along the creek.

Transportation

The Island Highway traverses the Plan area with all local roads connecting into this major provincial artery. As residential development has expanded over the years, most of the roads in the Plan area have been paved. The two main collectors for the community area are Nimpkish Heights Drive, south of the highway and Hyde Creek Road, north of the highway. It is anticipated that the Raven Hill Road/Eagle Ridge Road collector will be connected with Jekyll Road, which would form a "loop" road system in the community.

Twin Peaks Road, which services the industrial park, is a private road connecting the Island Highway and East Main, part of the Weyerhaeuser forest road network system.

Electrical Distribution and Communication System

BC Hydro and Telus serve the area. There is a private television cable service throughout most of the community.

SECTION 4.0 APPLICATION

This Official Community Plan applies to the Hyde Creek and Nimpkish Heights settlement areas as shown on the Hyde Creek Official Community Plan Map which is attached to and forms part of this Bylaw. Provincial legislation supersedes the policies, objectives and regulations of this Hyde Creek Official Community Plan in all matters within provincial jurisdiction. In particular, where the provisions of this Plan provide for the development of land located within the Forest or Agricultural Land Reserve, and these provisions are not consistent with the Agricultural Land Reserve Act or the Forest Land Reserve Act, regulations or orders made thereunder, the approval of the Land Reserve Commission is recognized as being a precondition for development.

4.1 Definitions

AQUACULTURE OPERATIONS

means the raising, growing or rearing of either fish or shellfish for either commercial or private purposes.

BOARD OR REGIONAL BOARD

means the Regional District of Mount Waddington Board.

MANUFACTURING

means the making of products by either manual labour methods or with the assistance of machines or any combination of manual labour or machinery.

NATURAL RESOURCE PROCESSING

means the manufacturing of any primary natural resources extracted from either the earth's surface or water bodies. This may or may not include semi-processing the product extracted.

SECTION 5.0 GOALS AND OBJECTIVES

The policies in this section apply to the areas designated in Hyde Creek Official Community Plan Map and referenced in Section 7 of this bylaw.

5.1 Goals of this Plan

The goals of this Official Community Plan are to **promote, protect and enhance** the rural residential lifestyle choices of the residents and to **protect** the sensitive environmental features of the plan area.

5.2 Objectives of this Plan

- a) To establish a pattern of land use that will retain the rural residential character of the area,

- b) To ensure that there is enough residential land to meet the needs of the community.
- c) To allow small scale, clean, light industries in the Twin Peak Industrial Park. Commercial activities will be encouraged to locate in the community core area. Large scale industrial activities will not be permitted.
- d) To protect and preserve the natural resources within the plan area and the various environmentally sensitive regions, such as those found adjacent to and along the Nimpkish River and Hyde Creek watercourses and tributaries.
- e) To encourage the development of local roads to serve the projected land use pattern of the community. This includes but is not limited to the continuation and improvement of current roads and the proper alignment of the various intersections.
- f) To provide points of public access to Broughton Strait and the Nimpkish River for recreational purposes.
- g) To encourage the development of more community recreational activities and related facilities.

SECTION 6.0 CURRENT LAND USE STATISTICS

a) Residential Lands

The current amount of land designated for Residential use is approximately 366 hectares or 36 percent of the plan area.

b) Industrial Lands

The current amount of land designated for Industrial use is approximately 60 hectares or 6 percent of the plan area.

c) General Commercial

The current amount of land designated for General Commercial use is 9.6 hectares or 1 percent of the plan area.

d) Marine Restricted Area

The current amount of land designated as Marine Restricted use is approximately 162 hectares or 16 percent of the plan area.

e) Park Area

The current amount of land designated for Park use is 5 hectares or 0.5 percent of the plan area.

f) Environmentally Sensitive Area

The current amount of land designated as Environmentally Sensitive is approximately 43 hectares or 4.3 percent of the plan area.

g) Forestry Area

The current amount of land designated for Forestry is approximately 351 hectares or 35 percent of the plan area.

h) Institutional Area

The current amount of land designated Institutional is 1.4 hectares or 0.1 percent of the plan area.

i) Airport Area

The current amount of land designated Airport Area is 1.4 hectares or 0.1 percent of the plan area.

j) Residential Recreational Area

The current amount of land designated Residential Recreation is 10 hectares or 1 percent of the plan area.

SECTION 7.0 DEVELOPMENT POLICIES

The policies in this section apply to the areas designated in the Hyde Creek Official Community Plan Map.

7.1 Residential (R) Policies

Preamble

The Residential designation signifies that the predominant land use is for residential purposes. The primary focus of this policy is to ensure that the land area for housing stock in the plan area is designated and zoned to meet the needs and requirements of the market place for at least five (5) years, with adequate provision for residential use for the next 20 years. The Hyde Creek APC has expressed a desire to see DL 6 designated as “Residential” in the OCP in order to allow for future development along the waterfront. However, as these

lands are within the Forest Land Reserve, the Land Reserve Commission have indicated that it would be strongly opposed to such a designation especially since other opportunities exist to meet future residential needs closer to existing settled areas. Residential use includes but is not limited to private ownership, special needs housing and affordable housing. The housing stock may or may not be occupied on a full time basis. Home occupations or industries and hobby farms are considered as permitted accessory uses that can provide economic development activities for the individuals situated in an area with the residential designation.

7.1.1 Residential (R) Development Policies

- 1] The subdivision of land and development of any residential lots may be supported subject to the following:
 - a) The site will have minimal impacts to existing natural resource operations in the area, and
 - b) The site offers an attractive residential setting, and
 - c) The development of the site supports clustered or infill development, and
 - d) Development is serviced by safe and secure individual supplies of potable water or by an approved community water supply and distribution system. The development of water supplies should not have a detrimental effect or impact on the water supply of adjacent properties or other users of the water resource.
- 2] The preferred development pattern is low-density clustered growth.
- 3] The development must respond to the physical constraints of the site.
- 4] The proposed development must reflect current market realities.
- 5] The proposed site should be artfully integrated with the other residential uses and/or clusters to create a unified land use plan.
- 6] When a residential subdivision is contemplated adjacent to any FLR or ALR lands, road endings will not be designed to abut the FLR/ALR boundary, except where road access is needed to support permitted or anticipated uses within the ALR/FLR area.
- 7] Setbacks and buffering shall be considered as local planning tools to minimize conflict between residential uses and commercial, industrial or permitted uses in the ALR/FLR.
- 8] Activities that serve to complement or enhance the rural residential lifestyle may be considered.

- 9] All proposed subdivision development fronting on Broughton Strait, will be reviewed and approved by the Provincial Approving Officer pursuant to Section 75(1)(c) of the Land Title Act.
- 10] The south half of the north east quarter of Section 9 and the north west portion of Section 10 are currently within the FLR and will remain in forestry use, but are recognized as areas for future residential use.
- 11] Developments shall not create or increase the risk from flooding and erosion, or negatively affect downstream water users.

7.2 Industrial (IND) Policies

Preamble

Land designated for Industrial (IND) purposes are intended for industrial, manufacturing, related commercial or storage purposes. This includes but is not limited to:

- a) Forestry and related manufacturing activities
- b) Manufacturing and storage activities
- c) Natural resource processing activities
- d) Commercial sales of products manufactured on site.

The predominant land use will be for industrial purposes.

7.2.1 Industrial Development (IND) Policies

- 1] Access to a primary or secondary highway system is will be required.
- 2] Adequate on-site parking spaces are available.
- 3] On-site loading and unloading space is required.
- 4] The development should be on land with slopes of less than 5%.
- 5] The site must be able to carry heavy loads and be located in areas that are well drained. The preferred soil type of the site is well-graded, well-compacted clay-sands or gravel.
- 6] Buffering by the use of berms, screens, fences or trees shall be required where any development is adjacent to any primary or secondary highways, residential areas or agricultural areas.

7.3 Forestry Industrial (FIND) Policies

Preamble

Land designated for Forestry Industrial (FIND) uses are intended for industrial, manufacturing, related commercial or storage purposes related to forestry as permitted within the Forest Land Reserve.

7.3.1 Forestry Industrial (FIND) Development Policies

- 1] Access to a primary or secondary highway system will be required.
- 2] Adequate on-site parking spaces are available.
- 3] On-site loading and unloading space is required.
- 4] The development should be on land with slopes of less than 5%.
- 5] The site must be able to carry heavy loads and be located in areas that are well drained. The preferred soil type is well-graded, well-compacted clay-sands or gravel.

7.4 General Commercial (COM) Policies

Preamble

Due to its location adjacent to the Island Highway, the general commercial area provides a wide range of services to the travelling public and the local residents. The focus of the general commercial designation is on providing commercial activities to the travelling public and the local residents. This includes but is not limited to the following:

- a) Commercial accommodations such as motels or cabins
- b) Vacation or tourism attractions
- c) Gasoline stations and convenience stores
- d) Related residential or other uses accessory to any of the above

7.4.1 General Commercial (COM) Development Policies

- 1] Mixed residential/commercial development may be considered.
- 2] A service road may be required for any activity that is located adjacent to the Island Highway.
- 3] Each commercial activity shall ensure that on-site parking is available.
- 4] The proposed development must respond to the site's physical environment and characteristics.

- 5] The preferred development pattern is clustered growth and the development must be artfully integrated with the existing surrounding land uses.

7.5 Forestry (FOR) Policies

Preamble

Over one third of the planning area is designated for forestry use. Most of this forestry land is privately owned and located within the provincial Forest Land Reserve. It is the intention that these lands remain in forest use at the present time. Over the long term, if sufficient development within the plan area occurs and the need to remove these lands from the reserve can be justified, application to the Land Reserve Commission to develop portions of the forestry area for residential development may be pursued (see Residential Policies, 7.1).

7.5.1 Forestry (FOR) Development Policies

- 1] Timber production and utilization, and related uses such as roads, log sorting and scaling, and silviculture activities as permitted under the Forest Land Reserve Act will be encouraged.
- 2] All other commercial and industrial uses such as processing, communication sites, greenhouses, camps, offices, storage and marshalling will be directed to the Forestry Industrial area.

7.6 Marine-Restricted (MR) Policies

Preamble

The shoreline adjacent to the study area is under the jurisdiction of Province of British Columbia and Fisheries and Oceans Canada (FOC). The Regional District provides guidance and assistance to the province and FOC on land use activities along the foreshore region of the study area through the policies of an Official Community Plan. From a land use planning perspective, this area offers the following; access to Broughton Strait, views of Broughton Strait and the various islands in the Strait and various passive or active recreational opportunities. This area consists of two regions, a beach/rocky shore area and the confluence areas of Broughton Strait and Nimpkish and Hyde Creek watercourses.

- a) The beach/rocky area consists of rock platforms or shelves overlain with beach veneers of boulders or gravel
- b) The confluence area consists of the region where the freshwater of Hyde Creek and the saltwater of Broughton Strait meet.

This area extends out from the Hyde Creek Official Community Plan area across Broughton Strait for a distance of 300 metres from the foreshore area.

7.6.1 Marine Restricted (MR) Development Policies

- 1] There shall be no log booms or aquaculture operations allowed in this area.
- 2] Marine uses accessory to residential uses, such as boathouses, and private wharves, will be permitted subject to approval under federal and provincial policies and regulations.

7.7 Residential Recreational (RREC) Policies

Preamble

Recreation and tourism are a growing component of the North Island economy. Future growth in this sector will require attractions and accommodations that will appeal to both residents and visitors to the region. The intention of this designation is to support the development of seasonal and permanent accommodations such as residences, cabins, and guest houses as well as development of space extensive recreational uses such as golf courses and driving ranges.

7.7.1 Residential Recreational (RREC) Development Policies

- 1] Mixed residential/commercial development may be considered
- 2] The site offers an attractive residential setting, and
- 3] The development of the site supports clustered or infill development, and
- 4] Development is serviced by safe and secure individual supplies of potable water or by an approved community water supply and distribution system. The development of water supplies should not have a detrimental effect or impact on the water supply of adjacent properties or other users of the water resource.
- 5] Adequate on-site parking shall be provided for commercial activities.
- 6] The proposed development must respond to the site's physical environment and characteristics.
- 7] The preferred development pattern is clustered growth and the development must be artfully integrated with the existing surrounding land uses.
- 8] Screening and buffering of commercial uses, storage and parking areas, and appropriate management of lighting traffic, and

activities on site will be required to minimize impacts on adjacent residential uses.

7.8 Park Area (PARK) Policies

Preamble

The population of the Hyde Creek and Nimpkish Heights area is sufficient to require and to support and manage community recreation facilities and activities. The current community park includes playing fields, a community centre, playground and equestrian facilities. The community would like to expand services to include tennis courts and other activity areas in the future. The PARK designation is intended to recognize current public park areas in the community and to identify area for future development.

7.8.1 Park Area (PARK) Development Policies

- 1] Park areas shall be publicly owned or tenured to a community society.
- 2] Activities and facilities shall be for public use and shall be compatible with the needs and wishes of the community.
- 3] All areas and facilities shall meet regional, provincial and federal requirements as applicable to protect public health and safety.

7.9 Airport Area Policies

Preamble

A portion of the Town of Port McNeill community airport is located within the Hyde Creek Planning area. The purpose of this designation is to recognize and support this use.

7.9.1 Airport Area (AIR) Development Policies

- 1] The use permitted is restricted to runway and related infrastructure use.
- 2] Development on adjacent lands may be required to provide setback areas and buffers from the runway area consistent with federal regulations and policies.

7.10 Temporary Commercial and Industrial Uses

The Regional Board, in consultation with the Hyde Creek Advisory Planning Commission hereby designates the entire Official Community Plan Area as a region

for the issuance of temporary commercial and industrial use permits. Permits may be issued by a resolution of the Regional Board pursuant to the Local Government Act. On Agricultural Land Reserve (ALR) or Forestry Land Reserve (FLR) designated lands, temporary commercial and industrial uses will require an application to the Land Reserve Commission.

7.10.1 Temporary Commercial Use Permits

The Regional Board may issue a temporary commercial use permit if the following conditions have been met:

- a. The site is adjacent to a major road or the airport.
- b. The impacts to any of the existing land uses are kept to a minimum.

7.10.2 Temporary Industrial Use Permits

The Regional Board may issue a temporary industrial use permit if the following conditions are met:

- a. The site is adjacent to a major road or the airport.
- b. The impacts to the existing land uses are kept to a minimum.
- c. All the other development policies for the industrial land use designation have been met as outlined in Section 7.3 of this Bylaw.

7.11 Land Reserve Commission Policies

- 1] Notwithstanding any policies or any land use regulations contained in this bylaw, land located within the Provincial Forestry Land Reserve or the Agricultural Land Reserve shall be subject to the orders and approval of the Land Reserve Commission.

7.12 General Development Policies

- 1] The Regional Board encourages developers and property owners to take appropriate measures to ensure that the public's safety will not be compromised by either potential or existing interface fire hazards.

7.13 Park Land and School Site Dedication Policies

Park Land

- 1] If the criteria for the dedication of parkland have been met as outlined through the Local Government Act, the developer/applicant/owner of the land being subdivided must either:
 - Provide without compensation, park land of an amount and in a location acceptable to the Regional District, or
 - Pay to the Regional District an amount that equals the market value of the land that may be required.

The maximum area of land required must not exceed 5 percent of the land being proposed for subdivision.

School Site Dedications

- 1] Subject to an agreement being in place with the local School Board, the developer/applicant/owner of the parcel of land being subdivided will be required to provide land for future school sites.

7.14 Environmentally Sensitive Areas

Preamble

Any environmental sensitive area should be preserved in its natural state, as much as possible. To protect and enhance fish stocks, riparian areas adjacent to watercourses should be protected and where necessary, rehabilitated to standards acceptable to the relevant provincial and/or federal agencies.

7.14.1 Development Polices

- 1] Limited to no growth in these regions is the desired development pattern.
- 2] Clustered low density development may be considered.
- 3] The preferred type of development would be one that compliments or enhances the natural environment.
- 4] A 30 metre (100 ft) riparian area setback has been designated from the top of bank of Nimpkish River and Hyde Creek, any other recognized watercourse, and along the Broughton Strait foreshore. Any development within this area may require approval from the relevant provincial and/or federal agency. Development may be conditional on setback of development, restoration of riparian vegetation and fish habitat. Existing development within these areas is encouraged to consult with federal and provincial agencies, and based on actions recommended by those agencies, to restore riparian vegetation and fish habitat.

7.15 Roads and Servicing

Preamble

The provision of roads and services of the land plays a major role in the shaping the land use development patterns in the Hyde Creek plan area.

7.15.1 Road Development Policies

- 1] The Ministry of Transportation road standards and requirements shall be adhered to.

7.15.2 Servicing Policies

- 1] The developer shall be responsible for obtaining all the necessary permits from relevant regional, provincial and federal agencies for the provision of either an on-site system or the development of an off-site system.
- 2] The Board may consider pursuing Public-Private Partnerships for the provision of off-site services.