



# REGIONAL DISTRICT OF MOUNT WADDINGTON

## MEMORANDUM

**TO:** Board of Directors; Greg Fletcher - Chief Administrative Officer

**FROM:** Jeff Long, Manager of Planning & Development Services

**SUBJECT:** Proposed Revisions to Zoning Bylaw No. 21, Amendment Bylaw No. 895, 2016  
(Pacificus / Buttle – West Cracroft Island)

**DATE:** June 29, 2017

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At its meeting on February 16, 2016, the Board of Directors gave first reading to Zoning Bylaw No. 21, Amendment Bylaw No. 895, 2016 (hereafter referred to as "Bylaw No. 895). At the Regional Planning Committee (RPC) meeting on June 20, 2017, staff presented information pertaining to its recommended revised version of Bylaw No. 895 which was included in the RPC agenda package for that meeting. The proposed revisions are highlighted in the attached "Proposed Revised Version of Bylaw No. 895" and relate to the following:

- 1) Changes in the description of the principal permitted uses (section A.26.1) to more specifically describe the principal uses that are to be undertaken as part of the marine industrial operation, and to more closely align these uses in association with those uses permitted by the Crown land tenure (Licence No. V922020 under Land File 1414393) that has been issued by the Province for the marine area that is subject to Bylaw No. 895;
- 2) Changes in the description of the accessory permitted uses (section A.26.2) to more specifically describe the accessory uses, including buildings and structures, that would be utilized as part of the marine industrial operation;
- 3) Change to the proposed condition of use related to pollution of the environment (section A.26.3a) to require that chemical, fuel and related spills shall be reported to the appropriate authority immediately;
- 4) Change to the proposed condition of use related to the provision of potable water and sewage treatment / disposal services (section A.26.3b) to relate these services directly to staff accommodation buildings and elaborate on the servicing requirements as per Island Health's comments;
- 5) Inclusion of a new condition of use related to the storage of materials (section A.26.3c) given concerns raised by the RPC and public, to require that materials be stored in a manner that is tidy and orderly and where possible, prevents them from being openly visible from the ocean and land based residences in the vicinity, to the satisfaction of the Regional District;
- 6) Inclusion of a new condition of use related to the hours of operation (section A.26.3d) given concerns raised by the RPC and public about the potential for noise; and,
- 7) Inclusion of a setback exception for structures required to facilitate the movement of vessels and equipment to and from the upland to the marine area (section A.26.6).

I will present both versions of Bylaw No. 895 at the public hearing on July 18, 2017 where the public can provide input on them, and make them available as part of the public hearing materials to be provided to the public in advance of the hearing.

Thank you.

Jeff Long  
Manager of Planning & Development Services



- e) Barge loading ramp; and,
- f) One marine railway used to remove from the ocean or launch into the ocean, barges, float camps, float homes and marine structures ancillary to logging, shipping and aquaculture.

#### A.26.3 CONDITIONS OF USE

- a) Principal and accessory uses shall be undertaken in a manner that does not cause pollution of the environment. Chemicals and other potential harmful pollutants shall be handled and stored in a safe manner that minimizes the potential for escape into the environment and in accordance with provincial and federal requirements. Chemical, fuel and related spills shall be reported to the appropriate authority immediately.
- b) Buildings used to provide staff accommodations shall be connected to a water supply system that is constructed, operated and maintained in accordance with the requirements of Island Health. The supply source (e.g. creek or well) for the water supply system shall be developed and used in accordance with the requirements of the B.C. Ministry of Environment (MoE) and/or the B.C. Ministry of Forests, Lands and Natural Resource Operations. Buildings used for accommodations shall be connected to a waste disposal system constructed, operated and maintained in accordance with the requirements of the jurisdiction that has authority (e.g. Island Health, MoE or Environment Canada).  
~~Potable water and sewage treatment / disposal services shall be provided in association with the establishment of permitted principal and accessory uses, and such services shall require the approval of Island Health (formerly Vancouver Island Health Unit) or respective ministry or agency of the Province of British Columbia, depending on which agency has jurisdiction.~~
- c) The storage of materials shall be undertaken in a manner that is tidy and orderly and where possible, prevents them from being openly visible from the ocean and land based residences in the vicinity, to the satisfaction of the Regional District. Where possible, materials are to be screened from view from the ocean and residences by storing them in buildings, or utilizing landscaping materials (vegetation, earthen berms, fencing, etc.) to block them from view in recognition of the popularity of Port Harvey as a haven for the recreational boating community and an area in which residential dwellings are located.
- d) Construction activities and the repair of barges, float camps, float homes, and marine structures ancillary to logging, shipping and aquaculture shall only be undertaken between the hours of 7:00am to 7:00pm each day between May 1st and September 30<sup>th</sup> of each year, and between the hours of 7:00am through 10:00pm each day between October 1<sup>st</sup> and April 30<sup>th</sup> of each year.

#### A.26.4 MINIMUM LOT AREA

The minimum area of a lot or portion thereof, Crown land tenure or combination thereof shall be 4.0 hectares (9.88 acres).

#### A.26.5 DENSITY

Staff accommodations shall not exceed two buildings with a maximum combined gross floor area of 400 square metres (4,305.6 square feet).

A.26.6 SETBACKS

The minimum setback for buildings and structures from any property line or from the boundary between two or more zoning categories shall be 7.5 metres (24.6 feet), except that those structures required to facilitate the movement of vessels and equipment to and from the upland to the marine area (Crown foreshore or land covered by water) shall not be subject to a setback requirement. Setback requirements as they relate to a marine area included within a Crown land tenure shall be as prescribed by the Province of BC.

A.26.7 BUILDING HEIGHT

Buildings and structures shall not exceed 12.0 metres (39.4 feet) in height as measured from the finished grade or surface of the ocean, whichever is applicable.

3. Zoning Map Amendments

- a) Regional District of Mount Waddington Zoning Bylaw No. 21, 1972, is hereby amended by changing the applicable zoning category from the Rural Zone (A-1) to the Marine Industrial Zone (MI-1), for that portion of the property on West Cracroft Island described as District Lot 498, Range 1, Coast District and comprised of 4.35 hectares (10.75 acres), and that area of adjacent Crown foreshore or land covered by water being part of the bed of Port Harvey within Range 1, Coast District and comprised of 5.583 hectares (13.8 acres), as shown on Schedule "A" which is attached hereto and forms part of this Bylaw.

**READ A FIRST TIME THIS 16TH DAY OF FEBRUARY, 2016**

**PUBLIC HEARING HELD THIS DAY OF , 2017**

**READ A SECOND TIME THIS DAY OF , 2017**

**READ A THIRD TIME THIS DAY OF , 2017**

**ADOPTED THIS DAY OF , 2017**

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ADMINISTRATOR

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CHAIR

### SCHEDULE "A" TO BYLAW NO. 895, 2016

Northern property boundary of District Lot 498

