

## Public Information Meeting February 7, 2018

A public information meeting will take place at 7:00pm on Wednesday, February 7, 2018 at the Hyde Creek Community Hall located at 1105 Hyde Creek Road. This public information meeting will be used to share information with residents about matters that affect Hyde Creek as follows:

- 1) Progress on proposed changes to the RDMW's Electoral Area boundaries. Hyde Creek will remain in Electoral Area 'C', but changes to the boundaries would see the communities of Coal Harbour and Quatsino and surrounding lands shifted to Electoral Area 'B'. The Cheslakees reserve, adjacent to Hyde Creek is proposed to become part of Electoral Area 'D'.
- 2) Hyde Creek Fire protection service - recruitment issues as well as capital and operational budgets.
- 3) Demand for a garbage / recycling collection service in Hyde Creek.
- 4) Options for beach access development / maintenance in Hyde Creek.

## Land Use Planning & Development in Hyde Creek

### **Bylaw No. 923 and the Hyde Creek Official Community Plan**

In September of 2017, the Regional District of Mount Waddington (RDMW) conducted a public hearing for the purpose of receiving input from the public on proposed housekeeping type changes associated with a number of local land use zoning bylaws that apply to various communities in the RDMW. This included matters of clarification related to a few of the definitions associated with the Hyde Creek Zoning Bylaw (Bylaw No. 648 which also covers Nimpkish Heights and Twin Peaks). As a result, a number of Hyde Creek residents and property owners attended the public hearing to share their views about a number of land use matters. Some of the discussion focused around such things as:

- 1) The fact that secondary suite dwellings are not permitted;
- 2) Preclusion of the use of guesthouses for commercial enterprise purposes including rental as residential dwellings and short term vacation rentals;
- 3) Not allowing a recreational vehicle to be used as a dwelling in residential zones; and,
- 4) The range of uses that are permitted to be undertaken in buildings that are accessory to a principal residential dwelling.

The complete range of matters that were addressed are included in the September 19, 2017 public hearing minutes found on the RDMW website at:

<http://www.rdmw.bc.ca/news-and-events/meetings-&-postings/>

As a result of the input that was provided at the public hearing, the Board of Directors of the RDMW decided not to process Bylaw No. 923 any further pending additional consultation with the Hyde Creek community.

Some of the items that were raised at the public hearing link back to the policies that are included in the Hyde Creek Official Community Plan (Bylaw No. 613). An official community plan (OCP) outlines the vision / goal for the community. It includes objectives and policies in relation to the management of land use planning and development, and guides decision making accordingly. The goal of the Hyde Creek OCP is:

*To promote, protect and enhance the rural residential lifestyle choices of the residents and to protect the sensitive environmental features of the plan area.*

The objectives that are included in the Hyde Creek OCP and designed to implement the goal are to:

- 1) *Establish a pattern of land use that will retain the rural residential character of the area;*
- 2) *Ensure that there is enough residential land to meet the needs of the community;*
- 3) *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;*

- 4) *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;*
- 5) *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;*
- 6) *Provide points of public access to Broughton Strait and the Nimpkish River for recreational purposes; and,*
- 7) *Encourage the development of more community recreational activities and related facilities.*

The Hyde Creek OCP includes detailed development policies for the various land use designations which are applied to areas throughout Hyde Creek. These include the residential, residential recreational, general commercial, industrial, forestry industrial, forestry, airport, marine-restricted, park area and environmentally sensitive land use designations. Policies are included that relate to other matters as well, including such things as roads and servicing and the issuance of temporary use permits.

Given that the Hyde Creek OCP was adopted over 16 years ago in 2001 it may be in need of updating. As a result, the Hyde Creek Advisory Planning Commission (HCAPC) is currently undertaking a review of the OCP.

The HCAPC is comprised of seven Hyde Creek residents who are appointed by the Board of Directors of the RDMW based on recommendations provided by the Electoral Area Director. The purpose of the HCAPC is to provide input to the RDMW on all matters that are referred to it respecting land use planning including, but not limited to the preparation and approval of an official community plan, zoning bylaw or permit.

The consideration of Bylaw No. 923 by the Board of Directors and the review of the Hyde Creek OCP by the HCAPC is timely. As part of the OCP review exercise, consultation with Hyde Creek residents and property owners will be undertaken to obtain input in relation to the current OCP policies, as well as changes that the HCAPC may propose to the current OCP as a result of its review. Stay tuned for more information.

### **Hyde Creek Zoning Bylaw and Site Permits**

Development in Hyde Creek is subject to the regulations of the Hyde Creek Zoning Bylaw (Bylaw No. 648). The siting of buildings and structures over 10 square metres (107 square feet) in area are subject to submission of an Application for Site Permit to the Regional District, and subsequent approval of a Site Permit. The purpose of this process is to ensure that proposed buildings and structures comply with the applicable requirements of the Hyde Creek Zoning Bylaw. The process involves submission of a completed Application for Site Permit as well as a site plan that provides a bird's eye view of the property. An Owner's Acknowledgement of Responsibility Form must also be signed and dated by the property owner(s). The application, form and an example site plan are available on the RDMW website at:

<http://www.rdmw.bc.ca/our-communities/hyde-creek/>

For convenience purposes, the application package can be submitted by email (info@rdmw.bc.ca) to the attention of Jeff Long at the RDMW, while the \$75 fee can be paid by credit card over the phone.

While Hyde Creek is not within the mandatory building inspection area of the RDMW, construction is required to be undertaken in accordance with the British Columbia Building Code. Electrical and gas work may require a permit from Technical Safety BC and you are advised to check with TSBS in this regard (Tel: 1-866-566-7233 / Web: <https://www.technicalsaftybc.ca/>).

### **Sanitary Sewage and Water Services**

There is no public water system available in Hyde Creek and as a result, onsite water wells are used to provide potable water.

The majority of Hyde Creek is not serviced by a public sewage system and as a result, onsite sewage collection and treatment systems are used. For more information on onsite water well and sewage collection systems, please contact Mr. Eric Bergsma, Environmental Health Officer with the Vancouver Island Health Authority, at 250-902-6078 or Eric.Bergsma@viha.ca. Information is also available at these website links:

Water:

<http://www.viha.ca/mho/water/index.html>

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights>

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/groundwater-wells>

Sewage:

[http://www.viha.ca/mho/Land\\_Use.html](http://www.viha.ca/mho/Land_Use.html)

<http://www.bcoffa.org/>

<http://www.wcowma.com/>

<https://owrp.asttbc.org/rowp-finder/>

There are two areas of Hyde Creek that do have communal sewage systems. Firstly, Twin Peaks is a bare land strata development that has a communal sewage system available to service the bare land strata lots in that development. Secondly, the Hyde Creek Sanitary Sewer System (HCSSS), which is owned and maintained by the RDMW, was originally constructed by the developer as part of the Lanqvist Road / Jekyll Road subdivision development. It has a capacity of approximately 80 dwelling units and over half of this capacity has been allocated. The lots that are serviced by the HCSSS are included as part of the service area which is designated by bylaw. It is possible to amend the bylaw to include additional lots in the HCSSS such that they can be connected to the HCSSS. To enquire about being included in the HCSSS service area or connecting to it, please contact Patrick Donaghy, Manager of Operations for the RDMW, at 250-956-3301 or pdonagy@rdmw.bc.ca.

### **Public Roads / Access**

Public roads are comprised of two key components: 1) A strip or area of land that is vested to government for access purposes; and 2) The actual physical road that has been constructed to government standards within that strip of land. In some cases, public roads do not include the second component. These are generally referred to as closed roads.

In the RDMW, public roads are vested in the Province (Ministry of Transportation and Infrastructure). In cases where public roads (non-forestry related) include a road constructed to Ministry standards, it is maintained by the Province. Routine maintenance of these public roads is usually conducted through a third-party contractor like Emcon Services Inc.

Construction of a single driveway access to a property from a public road does not require issuance of a permit by the Ministry however, the Ministry has published a residential driveway information guide that should be followed. This guide provides details related to construction of a driveway access. In cases where it is proposed that there be two or more accesses to a public road(s) from a single property, a permit is required to be obtained from the Ministry. Please see the following links for more information:

<http://www.th.gov.bc.ca/permits/Highway%20Access%20Permits.asp>

[http://www.th.gov.bc.ca/Development\\_Approvals/driveways.htm](http://www.th.gov.bc.ca/Development_Approvals/driveways.htm)

### **Homeowner Protection Act**

The Homeowner Protection Act (HPA) applies to a new home which includes a home that is being substantially reconstructed. The purpose of the HPA is to strengthen consumer protection for buyers of new homes, improve the quality of residential construction, and support research and education respecting residential construction in British Columbia. Among other things, the HPA may require builder licensing and mandatory home warranties.

In communities where a building permit process is in place, the local government (e.g. RDMW, Town of Port McNeill, etc.) cannot issue a building permit in relation to a new home until it has been demonstrated that certain requirements of the Homeowner Protection Act have been undertaken. While a building permit process is not in place for Hyde Creek, the requirements of the HPA still apply. In this regard, when a site permit is applied for in Hyde Creek, the RDMW does not withhold issuance of the site permit to ensure the HPA has been followed, as a site permit is not considered to be the same as a building permit. In addition, the RDMW does not voluntarily notify BC Housing when a site permit for a new home has been issued. This having been said, anyone who is

contemplating construction of a new home should make themselves aware of the HPA requirements as they would apply to their situation, as an attempt to thwart HPA requirements may result in enforcement action by BC Housing. In this regard, BC Housing is able to utilize tools and information sources to determine if a new home is being or has been built, even if applicable approvals processes have not been followed. The HPA is administered by Licensing & Consumer Services (branch of BC Housing) and can be contacted by telephone at 1-800-407-7757 or by email at [licensinginfo@bchousing.org](mailto:licensinginfo@bchousing.org). Please visit the BC Housing website for more information:

<https://www.bchousing.org/licensing-consumer-services>

**Information on Land Use Planning, Building and Development in Hyde Creek and the RDMW**

For more information on any planning, building and development matters that relate to Hyde Creek or the Regional District of Mount Waddington, please contact:

Jeff Long  
Manager of Planning & Development Services  
Regional District of Mount Waddington  
PO Box 729, 2044 McNeill Road  
Port McNeill, BC V0N 2R0  
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Email: [jlong@rdmw.bc.ca](mailto:jlong@rdmw.bc.ca)