

III. COMMUNITY PLAN POLICIES

One of the Official Community Plan's primary functions is to provide direction in developing future land use options. To a large degree planning alternatives are influenced by the area's current development pattern, the carrying capacity of the Island's environment and the desires of local residents respecting the quality of life they wish to have in their community. The optimal land use configuration is one which maximizes the net benefits to area residents, while minimizing the negative impacts.

This section of the Plan discusses Plan policies related to the various land use designations and development activities which may be expected in the study area over the next five to fifteen years. Policies are also provided for resource management and transportation planning.

The policies as outlined relate to:

- settlement
- agriculture
- commercial activity
- industrial development
- institutional uses
- park development
- forestry areas
- coastal and freshwater resource areas
- environmental management
- transportation planning

A. Settlement

The principal means available to influence population growth and settlement patterns are through regulating zoning and parcel size. As a means of allowing for a responsible rate of population growth in Electoral Area I while safeguarding those amenities which make the area a pleasing rural Island community in which to live, the following settlement policies are provided.

The Community Plan makes provision for four land use designations where settlement use is the primary land use activity permitted on a parcel. These designations are:

- Settlement;
- Rural Residential;
- Rural; and
- Community Land Stewardship.

Policies - Settlement (General)

The following general residential policies are applicable with respect to all settlement designations in the planning area:

Policy 1.1: All parcels shall have a liquid waste disposal system approved by the Ministry of Health or Ministry of Environment, Lands and Parks.

Policy 1.2: Proof of an adequate supply of potable water shall be provided to the Provincial Approving Officer in respect of all proposed parcels of land.

Policy 1.3: The retention, protection, and enhancement of Agricultural Land Reserve (ALR) lands shall be encouraged.

Policy 1.4: Where land is located within the Agricultural Land Reserve the minimum parcel size specified for any settlement designation shall only apply when that land is:

- 1) excluded from the ALR, or
- 2) approved for subdivision within the ALR pursuant to the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission, or
- 3) exempted by the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission.

Policy 1.5: Subject to the other policies of this plan (including the minimum parcel size provisions specified for each residential designation), subdivision for residential purposes may be designed on the basis of density averaging where it would permit the more efficient use of the amenities and features of a specific site.

In cases where density averaging is used:

- i) the maximum number of parcels to be created by subdivision shall be calculated as an average of the number of parcels that may be created as a function of the total area to be subdivided, exclusive of land dedicated for roads, parks and schools;
- ii) to create a subdivision pursuant to the provisions of the Land Title Act and the Regional District Bylaws, it will be necessary for a restrictive covenant to be registered in the name of the Regional District of Comox-Strathcona against the title of and prior to final approval of the subdivision, prohibiting the further subdivision of any lot in the original parcel where the aggregate average of all lot sizes does not permit further subdivision of the original parcel;

- iii) to help retain the rural character of the area, applicants with subdivision proposals where density averaging or strata title developments are being considered shall be encouraged to cluster lots/units away from major public roads and shoreline areas;
- iv) in addition to the policies outlined above, where it is proposed to undertake a bare land strata subdivision (under the provisions of the Condominium Act), it shall be necessary for the remaining undeveloped portion of the property to be designated as common property; and further that it shall be necessary for a Restrictive Covenant to be registered in the name of the Regional District against the title of land at the time of registration of a strata subdivision plan restricting further subdivision.

Policy 1.6: A professional practice, home craft/hobby activity and home occupational use shall be permitted in any designated settlement area.

The zoning bylaw shall specify conditions of use applicable with respect to these uses.

Policy 1.7: A bed and breakfast use shall be permitted in any settlement designation subject to compliance with the conditions set out in the zoning bylaw.

Policy 1.8: So as to prevent crowding and a scale of residential development which is out of character with the rural nature of Cortes Island, the average parcel width within any designated settlement area shall be not less than 25% of the parcel's depth.

Policy 1.9: Secondary dwellings shall be permitted in any designated settlement area, subject to conditions set out in the zoning bylaw and applicable Provincial regulations.

Policy 1.10: Affordable housing on Cortes will be promoted in the following manner:

- the allowance of secondary dwellings and suites;
- the allowance of a variety of tenures;
- the allowance for additional dwellings depending on parcel size;
- the allowance of density averaging in all zones to reduce the costs of subdivision;

- the establishment in the zoning bylaw of increased permissible densities in exchange for specified amenities or housing for special needs groups;
- the opportunity for property owners to enter into housing agreements for the provision of housing for special needs groups;
- the establishment of "comprehensive development" zones, as required in existing communities.

Policy 1.11: Development proponents are encouraged to consider archaeological resources during all phases of project planning, design, and implementation.

Policy 1.12: In order to achieve the environmental, recreational, and rural character objectives identified in the plan, density bonusing may be considered in any designated settlement area.

Policies - Residential:

In addition to the General Settlement policies, the following policies are also applicable respecting the Settlement land use designation:

Policy 1.13: The Residential designation shall be encouraged to be located on lands within the seven already established communities on Cortes Island, namely:

- in Whaletown;
- along the north shore of Gorge Harbour;
- at Squirrel Cove;
- adjacent to Cortes Bay;
- at Manson's Landing;
- near Hague Lake;
- in the Smelt Bay area;

The Plan Map, Schedule A-1, shows the location of lands designated Settlement.

Policy 1.14: Designation of additional lands as Residential shall be considered in light of demand and opportunity at the time, with a preference given to those lands in close proximity to the seven established communities identified in Policy 1.12.

Policy 1.15: An average lot size of 8,000 square metres (1.98 acres) shall apply to those lands designated Residential where the land being proposed for subdivision is serviced by an approved waterworks and/or community sewer system, or both where site specifics dictate. Where lands are not serviced as outlined above, these lands shall be subdivided in accordance with the Upper Island Health Units' On-Site Sewage Disposal Standard for Subdivision Assessment, in which case the minimum lot size shall not be less than 10,000 square metres (2.47 acres).

Policies - Rural Residential

In addition to the General Settlement policies, the following policies are also applicable respecting the Rural Residential land use designation:

Policy 1.16: In order to provide an intermediate parcel size for residential purposes and based on the existing settlement pattern, proximity to current developed areas and existing special features, the Plan designates certain parts of Cortes Island as Rural Residential.

Policy 1.17: Lands designated Rural Residential shall be restricted to a minimum parcel size of not less than 2.0 hectares.

Policies - Rural:

In addition to the General Settlement policies, the following policies are also applicable respecting the Rural land use designation:

Policy 1.18: The Rural land use designation is intended to permit a limited scale of residential development while protecting lands deemed to potentially be suitable for agricultural use (as recognized by their inclusion in the Agricultural Land Reserve) or of importance to the surrounding area for watershed or habitat protection purposes.

Policy 1.19: Lands designated Rural shall be restricted to a minimum parcel size of not less than 4.0 hectares.

Policies - Community Land Stewardship (CLS):

Consideration shall be given to applications which offer protection for sensitive natural areas, including the foreshore, safeguard significant forested areas and develop interior roads at a scale and design standard in keeping with the rural character of Cortes Island:

Policy 1.20: On lands designated CLS up to a maximum of 15 residential dwelling units, inclusive of guest cabins, suites, and trailers, shall be permitted subject to the parcel's density not being greater than one dwelling unit for every 4.0 hectares.

The zoning bylaw shall elaborate on ancillary uses permitted in this designation.

Policy 1.21: Applications for inclusion in the CLS designation shall be evaluated on individual merit and applicants may be required to provide details with respect to:

- the proposed siting of buildings;
- access provided to the waterfront and lands beyond;
- the provision of services (water supply, sewage disposal and internal roads);
- the scale and nature of other uses, which are ancillary to the primary residential uses to be conducted on the parcel;
- visual and environmental impact of development with respect to the foreshore;
- land use, tenure and asset disposition agreements which are associated with the subject property; and
- such other details as the Regional Board may consider appropriate in fully evaluating such application.

Policy 1.22: Amenities or unique features of lands designated CLS may be protected, preserved or conserved by a Section 215 Covenant (Land Title Act) which shall run with the land.

Policy 1.23: Lands designated CLS shall be restricted to a minimum parcel size of not less than 16 hectares.

Policy 1.24: The owners of properties being considered for CLS designation shall be encouraged to form a corporation to hold and manage these properties to the benefit of the entire owner group.

Policy 1.25: On properties designated CLS a Section 215 Covenant (Land Title Act) precluding future subdivision shall be registered against the property in favour of the Regional District.

Policy 1.26: Given the strata type development associated with CLS lands the provision of 5% parkland dedication or cash-in-lieu will be strongly encouraged for all parcels greater than 20 hectares in area at the time the subject lands are zoned to permit CLS.

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Policies – Forest Land Stewardship (FLS):

The following policies are to address the transition between forestry lands and residential lands with an emphasis on forest conservation, selective logging, and clustered residential development.

Forest Conservation Area:

Policy 1.27: Silviculture and forest conservation areas, amenities or environmentally sensitive areas shall be protected through conservation covenants that shall run with the land in perpetuity.

- Policy 1.28: Innovative and sustainable forestry practices that preserve biological diversity and forest ecosystems are required.
- Policy 1.29: Forestry uses shall be practiced so that they conserve greenways, trails, parks, environmentally sensitive areas and residential areas and minimize scenic and vegetation disturbances.
- Policy 1.30: Forest management plans shall utilize and promote environmentally sound logging and avoid clear cutting of the land.
- Policy 1.31: Private forest holders are encouraged to actively consult with the residents of Cortes Island from the early stage in the development of their forest management plans, and regarding the implementation of forest management plans.
- Policy 1.32: Where possible, forest management practice shall be oriented to encourage local economic benefit.

Residential Use and Conservation Area:

- Policy 1.33: A Section 219 Covenant (Land Title Act) precluding future subdivision shall be registered on the property.
- Policy 1.34: Residential development shall be clustered to maximize forest conservation areas, trails, greenways and parks.
- Policy 1.35: The setback distance for all tree clearing, vegetation removal and structures is 15.0 metres from all streams, wetlands, environmentally sensitive areas and parks.
- Policy 1.36: Rural Road Standards shall be utilized to ensure that the character of the Island is maintained.

Public Trails and Parkland:

- Policy 1.37: Trails and greenways shall form a continuous network of pathways throughout the designated lands.
- Policy 1.38: Trails and greenways shall be protected corridors of open space for land conservation and park planning by serving both recreational and conservation functions.
- Policy 1.39: Neighbourhood park areas, park lands, or cash- in-lieu of park land dedication be secured by the Regional District at the time of plan development or subdivision, or where possible, at the discretion of the Approving Officer.
- Policy 1.40: Private forest holders are encouraged to provide public trail access.

B. Commercial - General:

Owing to its rural character and low population density, there has been limited commercial activity on Cortes Island.

The Plan map, Schedule A-1 shows the approximate locations of existing commercial activity. The greater part of future expansion is expected to be accommodated in specific commercial designations adapted to the needs of particular applications, evaluated on individual merit.

Policies - Commercial:

The following policies are applicable respecting Commercial land use designations:

- Policy 2.1: The Local Service Commercial designation is applied to parcels which are intended for commercial activities which serve the needs of the local community.
- Policy 2.2: Tourist - Recreational designation is applied to parcels which are intended to accommodate services and facilities catering to the needs of the vacationing public. These include motels, campsites, marinas, lodges, restaurants, and related activities.
- Policy 2.3: Resource Commercial designation is applied to parcels which are intended for use in the processing of marine products, secondary and value-added forest products, as well as processing of other Island natural resources. These include clams, oysters, crabs, shrimp, fish, salal, mushrooms, and other natural products.
- Policy 2.4: All lands, except those lands identified for park purposes and those designated for Residential Use, shall be designated as being eligible for consideration for the issuance of Temporary Commercial Use permits. The issuance of such a permit shall be conditional on the applicant providing:
- a detailed description of the proposed use and the duration of proposed activity;
 - plans for mitigation of potentially harmful impact on the environment and the local community;
 - provision of security to the local government to guarantee performance of the terms of the permit,
 - a plan for rehabilitation of the site following the discontinuance of the proposed temporary use; and
 - other information that the Regional Board may require to fully evaluate the application.

Policy 2.5: Applications to designate additional land for Commercial purposes shall be evaluated on the following criteria:

- i) The use is in keeping with the character of the area in which it is located.
- ii) The use shows due regard for adjacent land and water uses.
- iii) The use does not reduce or limit public access along the foreshore.
- iv) The use makes adequate provision for services (including land disposal of effluent, a potable water supply and adequate off-street parking).

Depending on the nature of the proposal and its location, the Regional Board may choose to designate a commercial site as a development permit area in order to provide a greater degree of control over the form and character of the development.

C. Industrial Development

With the exception of some small resource-based industrial uses on Cortes Island, such as small owner-operated sawmills and a small gravel pit, serving local needs, at present there is very little industrial activity on Cortes Island. In addition, due to the rural setting and local concern for protection of the environment, the Plan does not pre-designate any additional sites for future industrial use.

Policies - Industrial:

The following policies are applicable to the Industrial land use designation:

Policy 3.1: With the exception of the existing industrial sites identified on the Plan Map, Schedule A-1, the Community Plan, does not designate any undeveloped sites for future industrial use at this time.

Policy 3.2: All lands, except those lands identified for park purposes and those designated for Residential use, shall be designated as being eligible for consideration for the issuance of Temporary Industrial Use permits. The issuance of such a permit shall be conditional on the applicant providing:

- a detailed description of the proposed use and the duration of proposed activity;
- plans for mitigation of potentially harmful impact on the environment and the local community;
- provision of security to the local government to guarantee performance of the terms of the permit,

- a plan for rehabilitation of the site following the discontinuance of the proposed temporary use; and
- other information that the Regional Board may require to fully evaluate the application.

Policy 3.3: Depending on the nature of the proposal and its location, the Regional Board may choose to designate an industrial site as a development permit area in order to provide a greater degree of control over the form and character of the development.

Policies - Sand and Gravel:

The following policies are applicable to the Sand and Gravel land use designation:

Policy 3.4: The location and extent of known Gravel Deposits within the Plan Area are as delineated on Schedule A-1. It is anticipated that commercially viable gravel deposits may be found at other locations within the Plan area.

Policy 3.5: Gravel extraction is recognized as a permitted use in all areas except those lands identified for park purposes and those designated for Residential use. It is further recognized that the Regional District does not have direct jurisdiction over gravel extraction activities.

Policy 3.6: The appropriate Senior levels of government are encouraged to work with the Regional District to ensure that Mines Act standards are met for bonding, reclamation, health, and safety on sand and gravel operations permitted under the Mines Act, and to continue to refer proposals for sand and gravel operations to the Regional District for review and comment.

Policy 3.7: It is the policy of the Regional District to encourage gravel extraction from existing pits rather than opening new pits.

Policy 3.8: In order to maintain the visual quality of the landscape of the Plan Area, it is the policy of the Regional District to encourage gravel pit owners and operators to maintain a vegetative buffer of not less than 10 metres (32.8 feet) around their pits, and to reclaim exhausted or unused gravel pits through planting and landscaping, and to incrementally reclaim exhausted portions of gravel pits which are still in use. The appropriate Provincial agencies are encouraged to specify security/bonding requirements as part of any application process seeking approvals for operation of a sand and gravel pit.

D. Institutional Uses

Institutional Uses refers to the provision of public community service functions intend to serve the needs of the overall community. Accompanying background information (Appendix "A") provides an introduction to some of the institutional activities on the Island.

Policies - Institutional Uses:

The following policies apply with respect to Institutional uses on Cortes Island:

Policy 4.1: Institutional uses may be located in any land use designation in the planning area.

E. Park Development

Parks and open space are an essential ingredient in any land use plan. Parkland may serve a variety of purposes and should be located to satisfy these differing needs. "Establishing a Vision for Parks" (Planning Department, Regional District of Comox-Strathcona, 1992) is a source book for the regional parks system. It identifies Regional Parks on Cortes Island. Cortes Island has long been a favourite recreation area. The policies which follow are intended to ensure that Electoral Area's representative natural areas and significant recreational landscape features are retained and in some cases dedicated, for public recreational use, while protecting these sites from overuse.

Policies - Park Development

The following policies are applicable with respect to park development in Cortes Island:

Policy 5.1: Existing parks are designated and shown on the Plan map, Schedule A-1.

Policy 5.2: A park use may be located in any land use designation in the community plan area without requiring a plan amendment.

Policy 5.3: The Regional District and the appropriate levels of Government shall work cooperatively to secure for park purposes, properties which exhibit high recreational capability, with emphasis place on the acquisition of sites which provide good access to coastal and fresh water shorelines, and significant natural landmarks and scenic upland viewpoints such as:

- Von Donop Inlet and the surrounding upland (as a marine park);
- an upland area adjacent to Carrington Bay;
- additional waterfront property fronting on Hague Lake; and
- lands adjacent to Sutil Point and Smelt Bay Provincial Park.

Policy 5.4: To prevent the overuse of existing park properties, the securing of additional sites for park purposes with particular emphasis on the acquisition of land in the Whaletown, Manson's Landing, and Squirrel Cove areas for use as active community recreation areas shall be pursued.

Policy 5.5: The parkland policies, classification criteria and designations set out in Bylaw No. 872 being the "Campbell River Area Official Regional Parks Plan Designation Bylaw, 1986" are endorsed with respect to the establishment of "Regional" parks within the Plan area.

Policy 5.6: The Ministry of Transportation and Highways shall be encouraged to keep all rights-of-way which provide public access to the waterfront free of obstructions.

Policy 5.7: The Regional District and the appropriate levels of government shall work cooperatively to protect representative beach areas for public recreation, including beaches suitable for recreational harvesting of oysters and/or clams.

Policy 5.8: Ministry of Environment, Lands and Parks shall be encouraged to investigate boating restriction regulations which prohibit the operation of seadoos, jet skis and other similar personal water craft on all lakes and surfaces of water within the Plan Area.

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F. Forested Areas

Forestry is the most extensive land use in the planning area. Approximately two-thirds of Cortes Island is in some form of forest tenure either Crown Land or managed forest land. The community supports maintenance of a viable and sustainable forest industry on Cortes Island, provided forestry-based activities are undertaken in a manner which ensures that a sustainable forest ecosystem is preserved for the future of the forest itself and for the benefit of future generations of residents and visitors alike. The policies which follow have been developed with this in mind.

Policies - Forestry:

The following policies are applicable to the Forestry land use designation:

- Policy 6.1: Except where specifically prohibited by other policies contained in this Plan or the policies of the Provincial Government, forestry-related uses shall be given priority in this land use designation.
- Policy 6.2: Owners of forested property in the Forestry land use designation should be encouraged to manage the forest with practices that sustain and/or enhance landscape and stand level biodiversity values.
- Policy 6.3: The potential for outdoor recreation and wildcrafting that exists in the natural woodlands of this area should be protected for sustainable use by future generations in conjunction with the management of the forests.
- Policy 6.4: In addition to forestry and silviculture uses, lands in the Forest land use designation shall permit:
- one (1) single family dwelling per legal parcel;
 - agricultural use; and
 - the production of lumber from trees originating on that legal parcel.
- Policy 6.5: The Ministry of Forests is encouraged to consult with Island residents, and in particular the Cortes Island Forest Committee, prior to approving management plans for forest lands of Electoral Area "I".
- Policy 6.6: Owners of forested land within the Forestry designation, intending to undertake logging operations are encouraged to discuss their timber harvest plans with the neighbouring property owners sixty days prior to the commencement of logging activities.
- Policy 6.7: Forest road networks should be planned and constructed in a manner which minimizes the impact on the environment.
- Policy 6.8: The minimum parcel size in the Forestry designation, (for subdivision purposes) shall not be less than 40.0 hectares (98.9 acres). For those subdivisions on Forestry designated lands which are undertaken pursuant to Section 996 of the Municipal Act, the Approving Officer is encouraged to reject any subdivision where the new parcel or the remaining residual piece of the original parent parcel would be less than 40.0 hectares (98.9 acres).

Policy 6.9: The retention, protection, and enhancement of Forest Land Reserve (FLR) lands shall be encouraged.

Policy 6.10: Where land is located within the FLR, a minimum parcel size shall only apply when that land is:

- a) excluded from the FLR; or
- b) approved for subdivision within the FLR pursuant to the Forest Land Reserve Act, Regulations thereto, or Orders of the Commission; or
- c) exempted by the Forest Land Reserve Act, Regulations thereto, or Orders of the Commission.

G. Coastal and Fresh Water Resource Areas

Owing to the fact it is an island community, the residents of Electoral Area 'I' have for some time had an interest in ensuring that policies and regulations are in place to protect and preserve the area's rich coastal attributes and its limited fresh water resources.

The policies which follow are intended to ensure that a balance is maintained between the many economic activities which are derived from the coastal waters off Cortes Island and the need to protect these unique marine waters which are ideal for recreational purposes and aquatic life. Marine-based activities at present include oyster and clam culture, clam digging, commercial and sport fishing, pleasure boating, beachcombing, swimming and related activities. This section also presents policies respecting the Island's limited bodies of fresh water.

Policies - Water Resource Areas:

The following policies are applicable with respect to the Water Resource areas of Cortes Island:

Policy 7.1: The Regional District and the appropriate agencies of the Federal and Provincial Governments shall be encouraged to work with local residents to assemble an inventory of significant water resource sites and identify community watersheds.

Policy 7.2: The foreshore and coastal waters of Cortes Island should be protected from activities which would disrupt or pollute marine life and the environment and associated land-based wildlife, or which may not be compatible with existing economic activity.

Particular attention should be directed towards protecting areas of embayed waters and existing shellfish tenures against land and water borne pollution.

- Policy 7.3: The senior levels of government are strongly encouraged to provide approved pump-out stations and to bring forward regulations prohibiting the dumping of effluent from all vessels except at approved pump-out facilities.
- Policy 7.4: Appropriate forms of water-based development may be permitted in the planning area's coastal areas where it can be demonstrated that such activity will not negatively affect presently occurring economic activities or adversely affect the scenic and environmental qualities of the Island and its foreshore resource.
- Policy 7.5: The surface of all freshwater lakes shall be placed in a water conservancy zone so as to preserve their tranquillity and water quality.
- Policy 7.6: In accordance with appropriate Federal and Provincial agencies, efforts will be made in the zoning bylaw to identify foreshore and water areas for; shellfish culture and harvesting, including recreational harvesting areas, log booming and storage, marina and boat moorage operations, and finfish farm sites. Areas so identified will reflect the designations set out in the Provincial Governments' Vancouver Island Land Use Plan (VILUP).
- Policy 7.7: Clam beaches shall be protected against indiscriminate forms of development which may threaten their continued harvest on a sustained yield basis. The Provincial and Federal Governments should be encouraged to develop appropriate clam management policies which perpetuate clam production from intertidal sources and do not alienate local residents from the fishery.
- Policy 7.8: Public access to the foreshore shall be maintained to enable residents and visitors the use and enjoyment of the coastal areas of the Island.
- Policy 7.9: Forms of permanent marine residences, such as float homes, shall be prohibited, except when sited in accordance with zoning bylaw provisions, and when outfitted with an approved on-board liquid waste management system, and/or where liquid wastes are disposed of in a land-based, Provincial Agency approved sewerage system.
- Policy 7.10: In evaluating applications for foreshore leases and/or the rezoning of foreshore sites, the Regional Board shall recognize and give due regard to historic uses and to the interests of upland owners, nearby owners, and tenure holders.

H. Environmental Management

The protection of the environment of Cortes Island is the over-riding concern of most of the Island's residents. In this Community Plan environmental considerations take the form of policies pertaining to:

- the protection of significant environmental areas and hazard lands;
- the safety of the area's sources of freshwater; and
- the suitable disposal of sewage effluent and other wastes

A series of environmental policies with respect to each of these subject areas follows. In addition, this section of the Plan identifies areas deemed to be of sufficient environmental importance as to warrant inclusion in a development permit area designation.

Policies - Environmentally Sensitive Areas & Hazard Lands:

The following policies are applicable with respect to the protection of environmentally sensitive areas and hazard lands in Electoral Area "I":

- Policy 8.1: In conjunction with appropriate Provincial agencies, efforts should be directed towards identifying areas deemed to be environmentally sensitive by reason of their flora, fauna, landscape characteristics or unique features. Concerted effort should be directed towards ensuring that these areas are protected against abuse which would reduce or destroy their environmental integrity.
- Policy 8.2: Environmentally sensitive areas and hazard lands shall be protected through land use controls, including the use of development permit designations, and other means as agreed to through discussions with affected landowners.
- Policy 8.3: Particular effort shall be directed at ensuring that marshlands, riparian zones, intertidal areas, Island lakes, important watershed areas and beaches receive adequate protection.
- Policy 8.4: The removal of gravel and sand from foreshore beaches and the removal of topsoil from agricultural lands shall be discouraged. It is recognized that the Regional District does not have direct jurisdiction over these activities.
- Policy 8.5: The retention or the re-establishment of wildlife habitat areas shall be encouraged, as shall the regeneration of forest clearcuts.

- Policy 8.6: The Provincial and Federal Governments shall be encouraged to enact and enforce legislation to ensure that the area's rich supply of natural resources such as salal, yew, fungi, and marine life are managed on a sustainable yield basis.
- Policy 8.7 Landowners, whose lands are subject to flood or erosion hazards, are encouraged to site and construct new buildings in a manner which reduces the risk of damage due to flooding and erosion.

Policies - Watershed Protection and Water Supply

The following policies are applicable with respect to watershed protection and water supply in Electoral Area "I":

- Policy 8.8: Setbacks for buildings and sewage disposal systems adjacent to watercourses, waterbodies and the ocean frontage, and the removal of vegetation from these areas shall reflect guidelines established by the Provincial and Federal Governments.
- Policy 8.9: Land use activities which require the disposal of waste materials, including sewage effluent, should be prohibited where it would potentially impair the quality of surface or ground water resources to the detriment of existing or future users.
- Policy 8.10: The Provincial Government is encouraged to assist the local community in protecting its sources of groundwater supply by undertaking a study of the groundwater hydrology on Cortes Island.
- Policy 8.11: Any study results which confirm the location and extent of key groundwater recharge areas on the Island will be utilized to develop guidelines respecting the use of properties in and around the areas identified.
- Policy 8.12: Water purveyors shall have operating permits pursuant to the "BC Safe Drinking Water Regulations" and community water systems shall require approval for construction and operation under the B.C. Safe Drinking Water Regulations.
- Policy 8.13: The appropriate Provincial agencies are encouraged to evaluate applications for land use development in light of the known supply of local groundwater, and developments should not be established where the increased demand for water would:

- i) deplete supplies to the detriment of existing users;
- ii) lower the water table so much that the levels of nearby watercourses or waterbodies would be affected causing interference with other land uses; or
- iii) potentially lead to salt water intrusion into existing sources of water supply.

Policy 8.14: A development permit area designation may be placed on lands deemed important for the protection of the Island's water resources.

Policy 8.15: Road construction and other forms of development should be designed and executed in a manner which minimizes the risk of contamination and disruption to natural watercourses, overland runoff and the groundwater regime.

Policy 8.16: Property owners should be encouraged to develop freshwater catchment systems on their property as a means of relieving pressure on the area's sources of water supply.

Policies - Waste Management:

For purposes of this plan, waste management refers to the regulated disposal of all manner of effluent and solid wastes originating from or in the planning area. The purpose of the policies which follow is to ensure they are disposed of safely in a manner which maintains the Island's environmental integrity.

The following policies are applicable with respect to waste management in Electoral Area "I":

Policy 8.17: Senior levels of government shall be encouraged to require that all wastewater generated by the planning area shall be properly treated and disposed of by an appropriate means of land disposal. The discharge of untreated effluent into the marine waters of Electoral Area 'I' from either a sewage outfall or faulty septic system shall be discouraged.

Policy 8.18: The senior levels of government shall be encouraged to bring forward appropriate legislation requiring the provision of effluent holding tanks or treatment systems on marine craft which ply the waters off Cortes Island.

This should also entail the development of regulations preventing the dumping of marine holding tanks in nearshore waters.

- Policy 8.19: Senior levels of government shall be encouraged to require, at appropriate locations within the Plan Area, sewage pump-out stations to service water craft, each station to include a package treatment plant and disposal field, or an approved holding tank system from which marine craft wastewater is then transferred to an Island or off-Island site where it may be safely treated and disposed of.
- Policy 8.20: Efforts will be directed towards minimizing the solid waste stream originating from uses on Cortes Island. Materials which can not be reused shall be handled in accordance with Regional District and Provincial Government regulations.
- Policy 8.21: The storage for and disposal of poisons, toxic substances and hazardous wastes originating from off the Island should be strictly prohibited. Furthermore, Island residents should only dispose of such in accordance with Regional District and appropriate government agency regulations.
- Policy 8.22: The Provincial Government shall be encouraged to limit the use of spraying of pesticides, herbicides and dust suppression substances (including by aerial means) in the planning area, especially in settled areas, water supply sites and environmentally sensitive areas. Community consent should be sought prior to any such initiative being undertaken.

Policies - Environmental Development Permit Areas:

The purpose in establishing Development Permit areas is not to preclude development on designated parcels, but to provide notice that the area possesses unique characteristics which warrant further review and special considerations before development proceeds. Development Permit Areas in Electoral Area "I" are named, described below, given a map identifier number (i.e., Anvil Lake Corridor - D.P.A. 1.1) and illustrated in Schedule A-2.

Policy 8.23: The following sites shall be designated as development permit areas for purposes of ensuring the protection of the natural environment:

i) **Anvil Lake (D.P.A. 1.1)**

Justification: The lake and associated wetland area are an important breeding ground for waterfowl, aquatic mammals and other wildlife. It is also rich in plants and insects. Development in this area would have a highly deleterious effect on a significant part of Island wildlife.

Map Reference: That area shown outlined on Schedule A-2, where the boundary depicted is drawn 30 metres from the mapped boundary of Anvil Lake and wetland area extending from Anvil Lake to Gorge

Harbour. All topographic features and measured distances taken from map reference; M.O.E., 1:5000, 92K.006.3.3.

ii) **Carrington Lagoon (D.P.A. 1.2)**

Justification: A license of occupation has been received allowing for the development of regional park trails and picnic sites at Carrington Bay. The area contiguous to the proposed Carrington Bay Park and surrounding the lagoon should be protected from development that is unsuitable to or uncoordinated with the purposes and character of a park. A productive salmon stream runs into Carrington Lagoon from this area. There is also a heritage component in the old homestead lands of the area that must be respected.

Map Reference: That area of the Carrington Bay Lagoon as outlined on Schedule A-2 commencing at the northern boundary of the Northeast ¼ of Section 38 following the 30 metre contour line along Carrington Bay a distance of 350 m at which point the boundary is drawn across the river valley to the point of intersection between the 30m contour and western boundary of the Northwest ¼ of Section 39, thence along the 30m contour line along the west side of the Bay and Lagoon to a point 110m south of the intersection point between the 30m contour line and the southern boundary of the NW ¼ of Sec. 39 at which point the boundary is drawn across the valley to the 30m contour line on the southeasterly side of the Lagoon at which point the boundary continues to follow the 30m contour line along the east side of the Lagoon and Bay to the point of termination where the 30m contour line intersects with the northern boundary of the Northwest ¼ of Sec.39. Topographic map references: M.O.E., 1:5000, 92.K.15.2.2., 15.2.4., 16.1.1., and 16.1.3.

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iii) **Easter Bluff (D.P.A. 1.3)**

Justification: This is a high open area, with an unparalleled view across Desolation Sound and the south end of Cortes Island. It is a popular, relatively unspoiled destination of easy access for hikers, photographers, and naturalists.

Map Reference: That area as shown on Schedule A-2, commencing at the bottom Southwest corner of the Southwest ¼ of Section 14 extending west 500 metres to the centerline of the roadway and following the centerline of the roadway northwards to the intersection point of the common boundary of the Southwest ¼ of Section 14 and the Southeast ¼ of Section 15, thence extending 500 metres along the northern boundary of the Southwest ¼ of Section 14, thence south a distance of 800 metres to the southern boundary of the Southwest ¼ of Section 14, thence westerly along the section line to the point of commencement.

iv) **Green Mountain (D.P.A. 1.4)**

Justification: From Green Mountain, spectacular views can be obtained in all directions over Cortes, surrounding Islands and the mainland. It bears varied ecosystems: old growth, second growth of various ages, swamps, Nutshell Lake, etc. It is a major recreational destination for residents and tourists who wish to see the diversity of environments in the Northern Gulf Islands.

Map Reference: That area as shown outlined on Schedule A-2, more particularly described as the Southeast ¼ of Section 39 and the Northeast ¼ of Section 32 and that area known as Nutshell Lake; where the DPA boundary is drawn 30 metres from the mapped wetland edge surrounding Nutshell Lake. Topographic Map Reference: M.O.E., 1:5000, 92K.016.1.1.

v) **Marina Island south point and reef (D.P.A. 1.5)**

Justification: Marina Reef is a well-known breeding and resting place for harbour seals. The adjacent south point of Marina Island is an upland buffer to the reef and its seal population. The south point itself bears notable, old, broadleaf maple trees. Such areas with their forests and wildlife form an integral part of the character of Electoral Area "I". There are also middens in this area.

Map Reference: That area as shown outlined on Schedule A-2, being the foreshore or reef area outlined, as well as an upland area, defined by a boundary drawn eastward and westward a distance of 500 metres from the southern tip of Marina Island at a distance inland of 100 metres from the natural boundary of the sea. Topographic Map Reference: M.O.E. 1:5,000, 92K.005.4.1, 92K.005.4.2.

vi) **Red Granite Point (D.P.A. 1.6)**

Justification: This area refers to the granitic southern headland of Cortes Bay. Due to its rugged terrain and thin soil horizons exceptional care will be required if access, water supply and sewage disposal services are to be provided on the property without destroying the site's unique aesthetic appeal and the environmental quality of it and the surrounding area (including the marine waters).

Map Reference: That area as shown outlined on Schedule A-2, more particularly described as those properties within Sayward Land District legally described as follows: Lot 1, Plan 12035, Lot A, Plan 15458, Lot 1, Plan 18122 and that property described as (District Lot 307, Except Plans 12035, 15458, & 18122).

Policy 8.24: In order to ensure the protection of the environmentally significant areas identified in Policy 8.23 above the following guidelines shall apply:

- i) The lakes, wetlands, lagoon, foreshore and stream areas identified shall be protected and maintained as per Department of Fisheries and Oceans and Ministry of Environment, Lands and Parks "Land Development Guidelines for the Protection of Aquatic Habitat" which include structure siting criteria. (Guidelines available through the Regional District office).
- ii) Wildlife and/or fish habitat enhancement projects shall be encouraged in all development proposals.
- iii) The potential for adverse impacts on water quality and quantity shall be minimized during all phases of development and/or land use through the application of appropriate Federal and Provincial land development guidelines. (Guidelines available through the Regional District office).
- iv) A development permit will not be required for internal renovations or the maintenance of an existing structure.

Policy 8.25: The following site shall be designated as a development permit area for the purposes of ensuring the protection of development from hazardous conditions and the protection of the natural environment.

- i) ***The north shore of Marina Island, including Shark Spit (D.P.A. 2.1).***

Justification: Shark Spit is a unique marine feature which is revealed at low tide as an elongated expanse of sand and mud flats. This is a favourite area with visitors and local residents alike for clam digging, collecting flotsam, birdwatching, beachcombing and carrying out other recreational-based activities. Shark Spit has been formed by the continual erosion of the sandy-clay bluff of the adjoining upland portion of the north end of Marina Island. As a result, land in close proximity to the bluffs is considered to be unstable and ill-suited for development purposes. Furthermore, structural attempts to retard the erosional effects of nature on the bluffs would potentially negatively affect the condition of Shark Spit. This area should be protected from forms of development which would alter the activities of nature in this area.

Note: Designation of this area as a development permit area does not imply park status or park designation. Public use of the foreshore shall be cognizant of the private upland ownership.

Map Reference: That area as shown outlined on Schedule A-2, the boundaries extending from Shark Spit along the west side of Marina Island a distance of approximately 2,900 metres, depicted by a point of land and from Shark Spit along the east side of Marina Island a distance of approximately 2,500 metres, more accurately depicted by the southern point of Lot 462; these boundaries being drawn at a distance of 30 metres from the top of bank. The top of bank is defined by the 30 metre contour line. Topographic map reference: M.O.E., 1:5,000, 92K.005.4.3, 005.4.4.

Policy 8.26: In order to ensure the protection of area referred to in Policy 8.25 above the guidelines referred to in Policy 8.24 shall apply, as well as the following additional guidelines:

- i) For any new development, other than the siting/construction of an accessory structure of less than 10.0 square metres (110 square feet) the applicant shall be required to submit for the Regional Board's review an Engineer's report, carried out at the land owners expense, which confirms that the proposed development will not impact adversely on the stability of the slopes/bluffs and further that areas proposed for the siting of buildings will not be subject to failure.
- ii) Removal of vegetation shall be restricted to that which is in accordance with the Engineer's report, and recommendations shall be provided with respect to remedial replanting programs and similar measures to control erosion.
- iii) Development proposals shall demonstrate site and design considerations which minimize the potential for surface water to impact on slope stability.

Policy 8.27: As addition sites are identified as requiring protection by reason of their environmental significance or hazardous site characteristics, they shall be considered for inclusion in this plan.

I. Archaeological Sites & Heritage Conservation Areas

Policy 9.1: Archaeological sites are protected under the Heritage Conservation Act through designation as Provincial heritage sites, or through automatic protection by virtue of being of particular historic or archaeological value. Protected archaeological sites may not be altered without a permit issued by the Minister responsible or designate. The appropriate levels of government are encouraged to draw upon legislative powers to ensure these heritage sites remain protected.

Policy 9.2: Pursuant to Part 30 - Heritage Conservation of the Municipal Act, the Regional District shall investigate the application of appropriate protective measures for the following significant heritage site(s) within the Plan Area:

- i) The Entrance to Gorge Harbour: The entrance to the Gorge opening (along its east side) was in the past a native village site. The cliff walls along the west side of the Gorge entrance are recognized as being an important, readily accessible site of ancient native pictographs. The unique heritage aspects of the Gorge entrance warrant protection. Development which would alter the significant heritage importance of this site shall be discouraged, including the removal of trees and the defacing or removal of any rock or stone surface."

Area of Interest: On the West side of the Gorge the area of interest commences at the northern property line of Lot C, Plan 52378 extending southward, (at a distance of 30 metres from the top of bank, which is defined as being the 30 metre contour), to a small point of land located approximately 250 metres east of the common section line between Section 19 and Section 18. On the east side of the Gorge the northern extent of interest commences at the northwestern corner of property described as Lot "A". DD 395622-I, where the boundary then follows the natural boundary of the sea southward a distance of approximately 350 metres to location of IP 3 at which point the boundary is then drawn inland at a bearing of 38 13' 40" to the point of intersection with the 30 metre contour line. The boundary then follows the 30 metre contour line northward to the point of intersection with the northern property line of Lot "A", DD395622-I at which point the boundary follows the property line westward to the point of commencement. Topographic Map Reference: M.O.E., 1:5000, 92K.005.4.4

Policy 9.3: As additional sites are identified as requiring protection by reason of their heritage value, they shall be considered for inclusion in this plan.

J. Transportation Planning

The movement of people and goods is an important consideration in determining how the planning area will grow and develop. The fact that Electoral Area 'I' is an island based community depending on water or air access to connect it with the rest of the Province has had a dramatic impact on population density, the scale of development and in some cases the types of activities carried out in the area.

Policies - Transportation Planning:

The following policies apply with respect to transportation planning in Electoral Area 'I':

Policy 10.1: The provision of a good ferry service to Cortes Island from Heriot Bay on Quadra Island is viewed as a vital link to the Electoral Area for the movement of goods and people.

(Appendix "C", attached to this Plan, provides details on the volume of ferry traffic to Cortes Island over the past twenty years.)

Policy 10.2: Due the importance of other private water-based transport to the community, the Senior levels of government are encouraged to maintain government wharves located at Whaletown, Cortes Bay, Manson's Landing, Gorge Harbour, and Squirrel Cove in good repair and available for use by Island residents and visitors alike.

Policy 10.3: The Ministry of Transportation and Highways is encouraged to retain all local arterial roads at a suitable all weather standard capable of supporting the limited volume of traffic experienced on Cortes Island.

Policy 10.4: Provided the existing network of main roads are maintained in good repair it is not anticipated that any major addition to the Island's road network should be required during at least the next five years.

Policy 10.5: Due to environmental, topographical and historical considerations, it is strongly recommended that any roads that may be built into the peninsulas on the south side of Gorge Harbour be planned for and constructed in an environmentally sensitive manner.

Policy 10.6: So as to reduce the cost of road construction at the time of subdivision, minimize the impact on the natural environment and aid in retaining the area's rural Island character, the Ministry of Transportation and Highways is encouraged to maintain a rural standard of road construction respecting future subdivisions on Cortes Island.

Reduced rights-of-way width dedications, reduced standards for clearing within the right-of-way, relaxed standards for road grades and turn radii of curves are all means which could be used to reduce the impact of new road construction on Cortes Island. The relaxation of these standards is actively supported by the residents of Cortes Island.

Policy 10.7: Due to Cortes Island's low population density and small overall population, it is not practical to think in terms of a public transit system being provided during the life of this plan.

Policy 10.8: In cases where public road rights-of-way dedicated at the time of subdivision provide access to the coastline or lake shoreline, the

Provincial Approving Officer is encouraged to ensure the right-of-way dedicated is, as much as is practical, located so as to permit reasonable access down to the water's edge.

Policy 10.9 Ministry of Transportation and Highways in consultation with School District No. 72 (Campbell River) shall be encouraged to plan for the provision of pull-off areas and turn-around points to meet future school transportation needs.