

Quadra Community Association
29, 2005
Box 271
Heriot Bay, B.C.
V0P 1H0

March

Mr. Jim Abram
Director, Area J, RDCS

Re: The complete list of Quadra Island community recommendations for the update of Zoning Bylaw 1213 gathered by the Quadra Community Association.

Dear Director Abram,

As promised in our last letter to you, here is the completed list of recommendations that we have gathered from the community over the last year. Rather than give you two partial lists, I have combined the original list with the items finalized over our two subsequent public meetings. The new items are marked with an asterisk. Again, we request that you present this letter, and the recommendations listed within, to the Regional District of Comox Strathcona along with a request that the RDCS proceed with the drafting and adoption of an updated Quadra Island Zoning Bylaw as soon as possible.

Please remember that these recommendations do not come to you from the QCA but from the Quadra Island community via the QCA. All of us involved in creating this list understand that our recommendations cannot be simply inserted into the existing bylaw but must be evaluated by the RDCS for legal and administrative feasibility. Please accept our recommendations in the spirit that they are offered, as a tool to help the RDCS update our zoning bylaw in a way that will meet the needs and gain the acceptance of our community.

***GENERAL PROVISIONS**

***1) Nuisance:**

- a) Add an allowance for local resolution of nuisance conflicts through some form of community-based, 3rd party mediation prior to proceeding with enforcement.
- b) Add a regulation to the effect that in all rural and residential zones noise louder than 70 decibels (peak) at the property line is not allowed between 10PM and 7AM. *(70 db is the level of moderate conversation and background music)*
- c) Add a regulation to the effect that in all rural and residential zones, outdoor storage; not including items being actively consumed, such as but not limited to firewood, hay and building materials; must be blocked from public view by natural vegetation or screening (wall, fence or hedge). Note that the definition of "items being actively consumed" should not

- include non-functional automobiles even if they are being used for parts.
- d) Define garbage as "non-recyclable, non-reusable refuse" and add a regulation to the effect that "all garbage accumulated on any lot must be temporary and generated by activities on that lot".
- *2) Land Uses Designated by Other Governmental Processes:
- a) Remove zone IR -1 (Indian Reserve) and consult the local First Nations bands as to how they would like these lands labelled.
 - b) For Provincial Parks, Federal Parks and Heritage Sites; which must be created by processes/agencies other than zoning; the zoning maps should use the official designation and boundaries set down by the originating agency/process.
 - c) Update section 3.1.4, which gives the Agricultural Land Commission Act precedence over zoning on ALR land, to reflect the changes in provincial legislation with respect to the Farm Practices Protection Act and it's definition of and jurisdiction over all "farming areas".
- *3) Junkyards/Auto wrecking: Replace the terms "junkyard", "auto wrecking yard" and "refuse disposal site" (sections 11.1.4 and 11.8.1) with "Recycling/Reuse Depot" and limit them to "the commercial storage, for resale, of used, non-organic items". Recycling/Reuse Depots should be allowed in industrial zones only and under the same conditions as auto wrecking yards are currently allowed. Note should be made that they must also meet provincial health and environmental regulations. Special allowance should be made for the recycling bins currently behind the shopping centre in Quathiaski Cove. General refuse disposal sites should not be permitted anywhere on Quadra Island.
- *4) Marine Residences: Adopt OCP Policy 3.1.9. in the following revised form: Allow permanent marine residences, such as float homes but excluding boats, only where permitted in specific zones and when outfitted with an approved, on-board liquid waste management system or where liquid wastes are disposed of in a provincially approved off-board system.
- *5) Mobile Home Parks: Adopt OCP Policy 3.1.8 Generally prohibit mobile home parks.
- *6) Airstrips: Correct the current bylaw clause, 11.1.4c, which prohibits private airports to reflect the OCP Policy 3.3.3.3 which states that "Private airstrips shall be discouraged" Private airstrip applications should be considered on a case by case basis and handled under the development permit process and the OCP policy.
- *7) Commercial Vehicle Parking: In parking regulation 10.7.5 which limits all properties to one licensed commercial vehicle, replace the phrase "Unless specified elsewhere in this bylaw" with "Unless accessory to a permitted

use". "Commercial vehicle" should be defined and the definition should **not** include resident-owned pickup trucks and vans that may have "commercial" license plates but are used primarily for to and from work and/or for pleasure.

HOME INDUSTRIES AND OCCUPATIONS

- 1) Signs: Add allowance for smaller direction signs: a) within the property to point customers to the correct building/location, b) on other properties with the permission of the owners. Direction signs should be less than 0.25 square meters and should contain only the logo and name or description of the business and a direction indicator. There should be no slogan or product/service promotion on these signs. It should be noted that the highway department must be contacted regarding signs on road allowances.
- 2) Staff : Change maximum staff from "2 persons outside the immediate family" to "5 staff, including at least one resident, working on the lot, at any one time". This would make the maximum number of staff constant from lot to lot and over time rather than dependent upon the size of the family occupying a given lot at a given time. It would also focus this regulation on activities on the lot which are what impact the neighbours.
- 3) Nuisance: Remove the nuisance clause from this section of the bylaw on condition that a nuisance regulation is added to the general provisions of the bylaw where it will apply to all rural and residential lots and not just home businesses.
- 4) Products: Add an allowance for the sale of products produced off-site so long as the distribution of those products takes place off-site. This would allow for the resident to represent a line of cosmetics or vitamins... but prohibit a retail outlet.

COMMERCIAL

- 1) C-1 (General Commercial) Permitted Uses: Add multifamily dwellings to permitted uses. This would bring the bylaw closer to the OCP which states that "rezoning applications for residential use other than for single family housing will be heard on a case by case basis... and if approved shall be designated as a development permit area". Allowing multifamily dwellings only in commercial zones automatically limits them to areas of existing high density and to development permit zones.
- 2) C-1 Conditions of Use: Decrease minimum lot area from 2000 sq. meters to 1000 sq. meters (.247 acres). This would allow for more efficient use of the existing commercial land thus helping the community comply with the OCP policy of not expanding commercial zoning. It would also provide an

opportunity for smaller businesses to own their own land.

- 3) C-3 (Business Commercial): Delete this zone and move existing C-3 lots to appropriate existing zone.

TOURISM

- 1) C-2 (Tourist Commercial) Permitted Uses: Change the term "tourist trailer sites" to "RV sites"
- 2) C-2, Conditions of Use: Add a clause specifying, "All structures for overnight accommodation shall not exceed a total of 60 rooms" This would bring the resort size restriction into line with existing resorts such as April Point and Tsakwaluten.
- *3) C-1, Permitted Uses: To allow for existing and future tourism-related businesses independent of resorts or hotels, add the rental of tourism-related equipment and the provision of adventure tourism activities and guiding.

INDUSTRIAL (I-1) To allow for more efficient use of the existing industrial land and help the community comply with the OCP policy of not expanding industrial zoning:

- 1) Setbacks: Side setbacks only apply when a side lot line is adjacent to a non-industrial lot.
- *2) Lot Area: Reduce the minimum from 4000 sq. meters to 2000 sq. meters (.494 acres). It is understood that this could only be applied when and where a community sewage system was available.

***UTILITIES (U-1):**

- *1) As the current general "Utilities Use" definition does not appear to allow for existing transmission towers or for existing sewage and water treatment facilities, create a Utility zone for these purposes. This zone should be applied only to existing utility facilities that do not fit the general utility use definition. All future U-1 designations should require rezoning applications and come under the development permit process.

AGRICULTURE

- 1) Add a definition for "upland". This term is used in the definition of Agricultural Use and in many other bylaw clauses. It should include all areas excluding beach and water.
- 2) Update the definition of "Agricultural Use" by adding "the storage and repair of machinery and implements used in agriculture", by adding "greenhouses and

nurseries” and by replacing the term “farm” with “lot”.

- 3) “Agricultural use for domestic purposes”, which is allowed in all upland zones, should be defined and should allow for the incidental sales of agricultural products produced on the lot, in excess of domestic needs, to local markets.
- 4) To address concerns of water quality, setbacks recommended in the Ministry of Agriculture Food and Fisheries “Guide for Bylaw Development in Farming Areas” should be used.
- 5) All registered farms, whether on Agricultural Land Reserve (ALR) land or not, should be required to conform to the provincial standards set down in the “Farm Practices Protection Act”
- 6) As the provisions of the Agricultural Land Commission Act take precedence over zoning bylaws on ALR land, ALR status should be indicated on our zoning maps.
- *7) RU-2, Permitted Uses: Replace “Nurseries and commercial greenhouses” with “Agriculture”. General agricultural activities should be allowed so long as they conform to Health Act and Waste Management Act regulations and use setbacks listed in the Ministry of Agriculture’s “Guide to Bylaw Development in Farming Areas”. These setbacks should be listed in our zoning bylaw.

AQUACULTURE

- 1) AP-1 (Processing Plants): Increase the maximum height of upland buildings from 10 meters to 11.5 meters. This would bring the one AP-1 application, Walcan, into compliance.
- 2) AQ-2 (Shellfish Leases): Add staff accommodations to permitted accessory uses. This item as well as items 3 and 4 below would bring the bylaw into line with current standard practices and with the recommendations of the Ministry of Agriculture, Food and Fisheries and Land and Water BC Inc.
- 3) AQ-2: Increase the floor area of the storage, sorting and grading building from one square meter to 100 square meters.
- 4) AQ-3 (Finfish Leases): Add staff accommodations to permitted accessory uses.
- 5) AQ-3: Change structure height measurement to be from the float deck rather than from the tidemark. This would give a constant maximum height rather than one dependant on the loading of the float at a given time.

***SILVICULTURE: Create a new zone as per the OCP policy with the exception that the silviculture zone be applied only to existing crown silviculture land. Private lands designated silviculture in the “Quadra Island Official Settlement Plan Bylaw, 1985” & the “Quadra Island Official Community Plan, 1996 should have the conditions of their current zoning only. It is further recommended that the OCP silviculture designation and maps be amended to reflect this silviculture zone.**

The silviculture zone should include the following clauses:

- *1) Permitted Principle Uses: Forestry and Silviculture;
- *2) Permitted Accessory Uses: a) Residential; b) Agriculture; c) Accessory buildings and structures.
- *3) Conditions of Use: a) Residential use is limited to one dwelling unit per parcel
- *4) Lot Area: 16.0 hectare (39.5 acres) minimum lot size.
- *5) Setbacks: a) A minimum of 7.5 metres (24.6 feet) from a front line; b) A minimum of 7.5 metres (24.6 feet) from a rear lot line; c) A minimum of 7.5 metres (24.6 feet) from a side lot line.
- *6) Lot Coverage: The maximum coverage of all buildings and structures on a lot shall be 1%

Based on our experience over the last year and a half, the QCA also has two suggestions for improving communications between the Quadra Island community and the RDCS and for arriving at a successful first draft of a revised zoning bylaw. First, it would be very helpful if ongoing amendments to our bylaw were published locally (Discovery Islander and/or Hungry Eye) as soon as possible after the time that they are passed. Second, if the RDCS is considering substantive revisions in addition to the above list, it might save a lot of time if those revisions were discussed at a public meeting before the draft bylaw was drawn up.

Thank you very much for your help with this project. We hope our recommendations are helpful and we look forward to working with you through the rest of the zoning bylaw update process.

Sincerely,

Richard Desmarais,
President, Quadra Community Association

cc Bob Long, Chief Administrative Officer, RDCS