

Land Use Designation

Rural Settlement Areas (RSA)

41 The rural settlement areas encompass the greatest diversity of land use within the CVRD. The RGS managing growth policies direct that the rural settlement areas grow at a rate which is no more than 10 per cent of any new residential development in the regional district over the next 25 years. Permitted uses in the rural settlement areas include all primary uses such as commercial, industrial, residential and institutional uses.

Objectives

- 42
- (1) To promote land uses that support rural lifestyles in the electoral areas of the Comox Valley.
 - (2) To provide opportunity for alternative and affordable forms of housing.
 - (3) To promote the use of agriculturally viable land for agricultural purposes.
 - (4) To restrict sprawl and parcel fragmentation in rural areas, per the RGS.
 - (5) To protect working landscapes from encroachment by residential or other uses.
 - (6) To minimize the impact of new development on existing neighbourhoods.
 - (7) To direct new commercial, industrial and institutional uses requiring public servicing into the settlement nodes.

Policies (subdivision)

- 43
- (1) The minimum lot size in the rural settlement area is between four hectares and twenty hectares, subject to soil conditions, ground water capacity, extension of existing subdivision areas, interface fire hazards and suitability of lands for rural development.
 - (2) Use the density bonusing framework below, through site specific rezoning, to support establishment of communities with shared common social, spiritual, economic or lifestyle visions, such as agriculture, co-living arrangement or intergenerational living.
 - (3) Consider requests to rezone for lot sizes between four hectares to twenty hectares using either the density bonusing framework or through the community amenity contributions policy included in this OCP.
 - (4) Apply the following framework to proposed rezoning applications in rural settlement areas:
 - (a) 20 hectare – basic permitted lot size;
 - (b) 15 hectare lots – where up to 10% of the total area is required for public dedication of greenspace or environmental protection;
 - (c) 10 hectare lots – where up to 15% of the total area is required for public dedication of greenspace or environmental protection;
 - (d) 8 hectare lots – where up to 20% of the total area is required for public dedication of greenspace or environmental protection;
 - (e) 6 hectare lots – where up to 25% of the total area is required for public dedication of greenspace or environmental protection;
 - (f) 4 hectare lots – where up to 30% of the total area is required for public dedication of greenspace or environmental protection; and

- (g) Where a combination of lot sizes is proposed, with an aim to create a diverse community with a range of rural lot sizes of at least four hectares, the amount of land required for public dedication of greenspace or environmental protection will be calculated based on the average lot size within the proposed subdivision. The average will be rounded down to the nearest whole number.
- (5) Assess new lot development in the rural settlement areas proposing to rezone as follows:
- (a) Soil conditions must be shown to have the capacity to provide long-term sustainable on-site sewage treatment including a primary and secondary onsite sewage disposal field location, in accordance with *Subdivision Standards* published by Island Health.
- (b) Ground water capacity must be demonstrated, by way of a water flow report provided by the applicant to show a source of potable water for each proposed lot. In the majority of cases, new rural residential development will be expected to provide potable water from a well.
- (c) Ability to meet the *Guidelines for Canadian Drinking Water Quality* and requirements of the *Drinking Water Protection Act* for two or more connections, and the *Health Hazard Regulations* which establish the duty of landlords to provide potable water.
- (d) The proposed development should be a natural extension of an existing subdivision where there is vehicle and pedestrian connectivity between the existing and proposed subdivision and where the applicant has provided a site plan that illustrates the proposed road and trail connections.
- (e) The applicant must provide a report prepared by a qualified professional that demonstrates how the proposed development addresses and mitigates any risks associated with interface forest fire hazards.
- (f) The suitability of land for rural residential development must be assessed in relation to the surrounding land uses, environmental features and the accessibility of the land.
- (g) New development should be designed to limit and mitigate any impacts on adjacent working landscapes through buffering and site design that avoids environmentally sensitive features as designated in the sensitive ecosystem inventory.

Policies (general)

44. (1) Existing residential, commercial, industrial, and institutional uses are permitted.
- (2) Encourage new commercial and institutional uses that reflect a scale and use that is complimentary to existing rural uses to locate in settlement nodes
- (3) Require new uses to meet minimum lot area requirements included in the zoning bylaw.
- (4) Regulate the location of residential, commercial, industrial and institutional uses by including permitted uses, setbacks and densities in the zoning bylaw.
- (5) Ensure new development in the rural settlement area maintains the rural character of the surrounding area and supports a functioning working landscape. In circumstances

where new proposed new development is adjacent to an active working parcel or ALR land consider a buffer to protect the integrity of the working landscape and implement through development permits and/or at the time of subdivision or bylaw amendment.

Policies (residential)

- 45 The rural settlement area will provide for a range of low density rural residential uses including accessory dwellings such as secondary dwelling, secondary suites and carriage houses.

Policies (commercial)

- 46 (1) Existing commercial uses will be classified in zoning regulations as highway, neighbourhood and tourist commercial to reflect the commercial needs in the rural settlement area.
- (2) Discourage new commercial development in the rural settlement area and direct these developments to the settlement nodes. Consider small scale commercial uses to serve the day to day needs of the neighborhood residents where it can be demonstrated that the use is compatible with the surrounding land use and is sited within proximity of the local market.
- (3) Consider temporary use permits in the rural settlement area.
- (4) Classify home based commercial activities in zoning regulations as home occupations, domestic business and domestic industry. Permit home based businesses in accordance with the zoning bylaw. Home based businesses should:
- (a) Create minimal visual impact and not alter the rural character of the property or surrounding area;
 - (h) Rely on on-site servicing with minimal impact and ensure new development is in accordance with *Subdivision Standards* published by Island Health.
 - (b) Remain incidental and secondary to the principal residential or agricultural use on the property;
 - (c) Ensure proper disposal of waste and not produce or store any toxic or hazardous material;
 - (d) Ensure that any exterior lighting complies with the CVRD's dark sky policy.

Policies (industrial)

47. (1) Consider zoning amendments and temporary use permits for industrial uses such as heavy and light industrial, agriculture and aquaculture, and rural resource activities throughout the rural settlement area.
- (2) When rezoning is required to establish new industrial uses the following information is required:
- (a) how the proposal will maintain the rural character of its surroundings and support the function of a working rural landscape;

- (b) compatibility of intended use with adjacent land and water uses, natural resource areas and the ability to mitigate noise, odour, lighting, air pollution, idling of vehicles through potential landscaping, buffering and screening;
- (c) transportation links, access to the site and on-site parking arrangements, to mitigate traffic generation and air pollution through existing developed areas;
- (d) public access to the coastal waterfront, where applicable;
- (e) the identification and protection measures of environmental sensitive features on the land;
- (f) a rainwater management and drainage plan designed by a professional engineer.

Policies (industrial - heavy and light)

- 48
- (1) Permit existing heavy and light industrial uses included timber milling, aggregate extraction and processing, manufacturing, and other similar uses throughout the rural settlement area.
 - (2) Discourage zoning amendments to reduce the light and heavy industrial land base.
 - (3) Permit new heavy and light industrial uses subject to rezoning

Policies (industrial - agriculture)

- 49
- (1) Agricultural uses are permitted throughout the rural settlement area.
 - (2) Enable agriculture industries and related uses, such as small-scale agriculture operations, farm gate sales, food processing establishments, distribution centres, farmers' markets and agricultural research facilities.
 - (3) Require designs for new agriculture subdivisions to minimize potential negative impacts between agricultural and non-agricultural land uses.
 - (4) Avoid public road endings or road frontages adjacent to land designated agricultural area or agricultural land reserve in neighbouring jurisdictions except as may be necessary for access by farm vehicles.
 - (5) Support limited on-site sales of aquaculture products that meet legislative requirements in order to promote economic activities.

Policies (industrial - upland aquaculture)

- 50
- (1) Upland aquaculture uses may be permitted by rezoning throughout the rural settlement area.
 - (2) Promote establishment of aquaculture industries and related uses such as small-scale aquaculture operations, food processing establishments, distribution centres, farmers' markets and research facilities.
 - (3) Encourage subdivision designs that minimize potential negative impacts between aquaculture and non-aquaculture land uses.
 - (4) Consider the following when reviewing rezoning applications for upland aquaculture facilities, processing uses and structures:

- (a) compatibility of intended use with adjacent land and water uses, natural resource areas, and the ability to provide potential buffering and screening if required;
 - (b) provision of adequate water supply and liquid waste management systems;
 - (c) traffic and air pollution related to the proposed aquaculture facilities and processing structures and uses on existing developments;
 - (d) the provision of adequate transportation links, site access and on-site parking;
 - (e) the surrounding neighbourhood and community needs and sensitivities in regard to excessive noise, light and air pollution, odours, and effluents of the operation;
 - (f) on-site rainwater management, so that adjacent properties are not negatively impacted; and
 - (g) landscaping requirements, screening and buffering to mitigate potential traffic noise, truck idling, and cooling mechanisms; and
 - (h) cumulative impacts on water quality resulting from aquaculture facilities and processing structures and uses, including any measures to mitigate impacts;.
- (5) Support limited on-site sales of aquaculture products that meet legislative requirements in order to promote economic activities.

Policies (industrial - resource activities)

- 51
- (1) Existing resource activities are permitted.
 - (2) Support resource activities including timber harvesting and milling, aggregate extraction and processing and mineral extraction.
 - (3) Work with land owners to protect working landscapes when new resource activities are proposed and mitigate impacts with adjacent residential properties by encouraging buffering, setbacks and siting of operations.

Policies (institutional)

- 52
- (1) Existing institutional uses are permitted to continue within the rural settlement area. Direct new institutional uses toward settlement nodes.
 - (2) Consider new institutional uses within the rural settlement areas that can be supported by on-site servicing over the long term and when:
 - (a) the proposed use is located in or near an existing neighbourhood or target group; or
 - (b) where there is a demonstrated need for a proposed activity; or
 - (c) there is appropriate rationale for the use in a rural settlement area, and separate from uses typically found in the settlement nodes; or
 - (d) the proposed use is intertwined with a site specific amenity or natural environmental feature.
 - (3) Require a risk assessment be completed prior to a zoning amendment by an applicant proposing new residential or user group institutional uses in a rural settlement area

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