

Village of Zeballos

Bylaw # 330

A bylaw pursuant to Sections 944, 945, 947 and 949 of the Municipal Act containing broad objectives and policies for the use and servicing of all land within the municipal boundaries of the Village of Zeballos to be used to guide the decisions of Council on matters addressed by the Plan.

The Council of the Village of Zeballos in open meeting assembled enacts as follows:

1.0 Schedules

1.1 Schedule "A" attached hereto and made part of this Bylaw is the Village of Zeballos Official Community Plan.

1.2 The Plan map, Schedule "B -1", is attached to and forms part of this Official Community Plan Bylaw.

2.0 Other

- (1) The Official Community Plan applies to all land within the boundaries of the municipality of the Village of Zeballos.
- (2) This bylaw does not commit or authorize the Village of Zeballos to proceed with any project that is specified in the Plan.
- (3) All bylaws enacted or works undertaken by the Council shall be consistent with the policies contained within this Official Community Plan Bylaw.

3.0 Severability

3.1 If any section, subsection, clause, or phrase of this bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been enacted and adopted without the invalid or severed section, subsection, clause or phrase.

Bylaw #330
Official Community Plan

4.0 Citation

4.1 This bylaw may be cited for all purposes as the "Village of Zeballos Official Community Plan Bylaw #330, 1996".

5.0 Adoption

Each reading of the Official Community Plan bylaw has received an affirmative vote of a majority of all the members of the Council.

Council referred the Plan for comment to the Regional District of Comox-Strathcona on the 16th day of May, 1995.

READ A FIRST TIME this 20th day of June, 1995.

Council examined for consistency the Capital Expenditure Program on the 20th day of June, 1995.

READ A SECOND TIME as amended this 5th day of March, 1996.

PUBLIC HEARING was held on the 11th day of April, 1996 WHICH WAS ADVERTISED IN TWO CONSECUTIVE ISSUES OF THE NORTH ISLAND GAZETTE ON March 27, 1996 AND April 3, 1996.

READ A THIRD TIME this 16th day of April, 1996.

RECONSIDERED AND ADOPTED this 17th day of May, 1996.

A true copy of By-Law No. 330 registered in the office of the Inspector of Municipalities this 24th day of July 1996.

Deputy Inspector of Municipalities



Mayor



Clerk

Certified a true copy of
Bylaw #330, 1996, duly passed by the Council
of the Village of Zeballos on the 17th day of May, 1996.



Clerk

SCHEDULE "A"
PART A

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1.1 Application

This plan applies to all of the land and water areas within the boundaries of the Village of Zeballos.

Schedule B-1, Plan Map to this Official Community Plan will be interpreted as follows:

- a) Where a land use designation boundary follows a street, the boundary is deemed to be at the center line of the street;
- b) Where a land use designation boundary lies between two parcels, the boundary is deemed to be the parcel boundary; and
- c) Where a land use designation boundary follows a shore line, the boundary is deemed to be located at the ordinary high water mark.

1.2 Purpose

This Official Community Plan is most importantly a statement of intent made by and for the community of Zeballos. The purpose of the plan is to provide guidance for the elected representatives regarding future land use decisions. This plan is a result of extensive public input obtained through public workshops, and personal discussions in and out of the office.

This plan is not engraved in stone. As situations change, new opportunities arise or further consideration of any objective occurs, it may be desirable to amend the Plan as it is presently constructed. This amendment requires formal procedures as indicated within the Municipal Act.

1.3 General Goals

The following goals provide a framework for the land use policies of this Plan:

- a) To preserve the small town atmosphere Zeballos currently enjoys.
- b) To maintain a mixture of residential, small commercial and cottage industry uses along Maquinna Avenue.
- c) To maintain a sustainable economic base by encouraging businesses and industry appropriate for this area.
- d) To give reasonable consideration to innovative housing options as a way of accommodating a variety of housing needs, incomes and lifestyles.
- e) To protect the environmentally sensitive estuary area and encourage leave strips and buffers for all tributaries, overflow channels and creeks found within the municipal boundaries.
- f) To develop community pride through co-operative community improvement projects by working together to create a safe, healthy and clean living environment.
- g) To work co-operatively with Pacific Forest Products in the management of Crown Leased areas within the municipal boundaries.
- h) To optimise the use of available land resources by encouraging more intensive and efficient use of land and foreshore through co-operation with Crown Lands, private and public trustees.
- i) To co-operate with the Regional District of Comox Strathcona, provincial and federal governments in matters of regional interests, while also protecting local values.
- j) To encourage and facilitate the identification, protection and conservation of archaeological sites located within the Plan area.

SECTION 2 - Plan Objectives and Policies

2.0 Introduction

A generalised land use plan is shown as Schedule B-1, Plan Map. This map outlines the general land use designations within the plan area corresponding to the plan policies stated below.

2.1 Growth Management

Objectives

- To create an environment where the work place and the home can occupy the same parcel.
- To preserve the current mixture of land uses, residential and small commercial, which is indicative of the original one street towns.
- To work co-operatively with the Ehattesaht Tribe in maintaining and improving service facilities and infrastructure systems for both communities
- To investigate the removal of lands in TFL 19, currently managed by Pacific Forest Products and Ministry of Forests, that are currently within the municipal boundaries for future development for the Village of Zeballos.

Policies

- 2.1.1 It is the policy of the council that the future pattern of land use in the Village of Zeballos be consistent with the Official Community Plan map.
- 2.1.2 Recreational Residential and Rural Resource uses, such as Forestry, Mineral Extraction and Adventure Tourism, will be encouraged to developed in accordance with planning principles.

2.2 Housing and Residential

Objectives

- To encourage and allow a mixture of housing types, densities and tenure.
- To optimise the use of available land resources by encouraging more intensive and efficient use of land.
- To encourage housing for all incomes.
- To encourage adaptive housing for the disabled.
- To guide the future development of land in Zeballos in a fashion that would preserve the villages community and historical characteristics and to promote the history of Zeballos through protecting examples of its 1930's architecture and promoting new development to adopt a similar architectural style.

Policies

- 2.2.1 Residential Development is limited to those areas designated **Village Mix** in Schedule B-1.
- 2.2.2 A variety of housing types, densities and tenures are suitable in the **Village Mix** designated areas.
- 2.2.3 Higher density developments must be supported by the appropriate infrastructure.
- 2.2.4 The anticipated housing needs for the next five year period will be met through the development of vacant lands on the West side, and the encouragement of greater utilization of currently developed lands.

2.3 Commercial Areas

Objectives

- To promote a diversified commercial base while maintaining small town character.
- To establish commercial access for the future to the foreshore.
- To encourage the development of Eco-Adventure tourism, tourism services and secondary industries.

Policies

- 2.3.1 Commercial development is limited to those areas designated **Village Mix, Water Based Industrial and Land Based Industrial** in Schedule B-1 and as described in Section 2.
- 2.3.2 The maximum height of three storeys will be strongly encouraged for commercial buildings.

2.4 Industrial Areas

Objectives

- To create and maintain an area on the foreshore for water based industries.
- To encourage all land based industrial uses to areas within District Lot 52.
- To research the option to extend current municipal boundaries northwards for industrial use.

Policies

- 2.4.1 Due to perceived negative impacts of increased noise, pollution and aesthetic issues, industrial uses shall be located away from residential and tourist commercial areas.
- 2.4.2 Industrial uses are limited to those areas designated **Water Based Industrial and Land Based Industrial** in Schedule B-1.

2.5 Public and Institutional Uses

Objectives

- To designate land for a range of public institutional uses.
- To ensure that institutional development occurs in a manner which is sensitive to the character of Zeballos.

Policies

2.5.1 Institutional development is limited to those areas designated **Public Facilities** in Schedule B-1.

2.5.2 The alternate school site is identified on Schedule B-1, Plan Map.

2.6 Community Character

Objectives

- To promote the resource industry history in the area by displaying machinery and interesting memorabilia around the Village and to develop a network of signs that point out local spots and buildings of interest.
- To encourage murals that illustrate the native, logging, mining and trapping history of the Village.
- To maintain the Community Flower Bed program.

2.7 Heritage Conservation

Objectives

- to encourage and facilitate the identification, protection and conservation of archaeological sites located within the Plan area.

Policy

2.7.1 Development proponents are encouraged to consider archeological resources during all phases of project planning, design and implementation.

2.7.2 Archeological sites pre-dating 1846 may not be altered without a permit, pursuant to section 7 of the *Heritage Conservation Act*.

2.8 Parks and Environment

Objectives

- To protect and preserve the natural environment in and around Zeballos.
- To support environmentally sensitive public access to natural areas in and around Zeballos.
- To research the possibility of reclaiming some land in the bay area for a seawall walk way; in conjunction with this plan a development for additional small craft moorage in the bay area.
- Develop the ball park to be a safe playing environment for children.

Policies

- 2.8.1 Develop a Parks Plan through combined government funding to clearly identify environmentally sensitive areas and areas which have potential to be developed for public use.
- 2.8.2 The council shall research the potential of developing the old Petro Can site for park use.
- 2.8.3 Parks shall be maintained, developed and/or improved at the following sites indicated on Schedule B-1.

2.9 Environmentally Sensitive Areas

Objectives

- To recognise and provide special protection for the Zeballos River Estuary habitat area and subsidiary creeks and over flow channels within the plan area and to direct growth away from this area.
- To follow land development guidelines with respect to the protection of fish populations and their habitat as noted in the Land Development Guidelines for Protection of Aquatic Habitat, produced by the Department of Fisheries and Oceans and the Ministry of Environment, Lands and Parks.
- To recognize the camp creek running through TFL 19 as Environmentally Sensitive; and to apply the appropriate guidelines to development in that area to protect that stream.

Policies

- 2.9.1 Environmentally Sensitive Areas (ESA's) are designated ESA in Schedule B-1 Plan Map.
- 2.9.2 All areas in the Zeballos River Estuary habitat area, subsidiary creeks and over flow channels within the plan area are considered Environmentally Sensitive.
- 2.9.3 The stream running through TFL 19 (camp creek) is considered Environmentally Sensitive; and the appropriate guidelines for development in that area shall be followed to protect that stream.
- 2.9.4 All waters found north of the line drawn from the northwest to the northeast corner of water Lot 48 to the northwest corner of BLK A of Lot 634, following the boundary between BLK A and BLK B to land are considered Environmentally Sensitive.
- 2.9.5 Land uses within the ESA designated areas are restricted to low impact recreational activities such as hiking, walking and recreational shellfish harvesting.

2.10 Hazardous Lands

Objective

- To recognise and protect areas identified as being environmentally sensitive or susceptible to flooding hazard and rock fall.
- To Identify areas susceptible to rock fall hazards.

Policies

- 2.10.1 In respect of those lands identified on the Flood Plain Map for the Zeballos River, dated September 30, 1992, produced by Klohn Leonoff Ltd., as 'Environmentally Sensitive', to protect against the loss of life and to minimise property damage associated with flooding events, the Council encourages park and open space recreational uses of flood susceptible lands. Where floodable lands are required for development, the construction and siting of buildings and mobile homes to be used for habitation, business or the storage of goods damaged by floodwaters shall be floodproofed to those standards specified by the Ministry of Environment, Lands and Parks.
- 2.10.2 All new construction shall be located a minimum of 30 metres (100 feet) if possible, from the banks of the Zeballos River.
- 2.10.3 To carry out a Risk Assessment to determine areas with a potential hazard from rockfall; and to establish possible mitigation measures to reduce the risk to life and property.

2.11 Servicing and Infrastructure

Water

Objectives

- To ensure a contaminate free water source and water distribution system.

Policies

- 2.11.1 To carry out a water system study to identify potential contamination sources to the water source and to the distribution system.

2.11.2 In order to reduce the requirement to use river water as a back up system, an aquifer fed water storage tank shall be erected on the West Side.

Liquid Waste Management

Objectives

- To collect, treat and dispose of all liquid wastes generated by residential, commercial, industrial and institutional uses in an environmentally acceptable manner.
- To work cooperatively with the Ehattesaht Band for future sewage system development and expansion.
- To discourage the disposal of raw sewage in the boat basin and to work cooperatively with the Regional District to create guidelines regarding boat sewage disposal.

Policies

2.11.3 A liquid waste management plan will be commenced in fiscal year 199-.

Included in this study will be:

The necessity for a sanitary sewer system to serve the East Side of the community.

The location of an alternate community disposal site.

A review of appropriate technology for a waste management system for the community.

Solid Waste Management

Objective

- To work cooperatively with the Regional District to effectively manage locally generated solid wastes.

Policies

2.11.4 Once adopted, the provisions of the Regional District Solid Waste Management Plan, which apply to the Village of Zeballos will be implemented.

Power

Objectives

- To promote the efficient use of existing energy resources.

Transportation

Objectives

- To create and maintain a safe pedestrian walkway along Maquinna and Parkway through a sign campaign and community awareness programs.
- To promote the development and maintenance of an effective local road network.

Policies

2.11.5 The feasibility of developing a two lane bridge crossing the Zeballos River with a safe pedestrian walkway shall be studied.

2.11.6 The access road for the east side of Zeballos Inlet shall be developed in an environmentally sensitive manner by the year **2000**.

2.12 Gravel Sources for the Future

Objectives

- To research the potential to access additional gravel sources at the Four Mile and Six Mile areas in the future.

Policies

2.12. 1 Future gravel sources are outlined on the Official Community Plan map.

2.13 Intergovernmental

Policies

2.13.1 The Council will work cooperatively with the Ministry of Forests and members of the community in order to develop a set of Visual Quality Objectives for the Zeballos Valley area.

2.13.2 The council will work cooperatively with the Ministry of Forests and other agencies and stakeholders in the operation of a Community Resource Board concept.

2.14 Land Use Designations

Land use designations have been broken up into 6 groups: ***Village Mix, Water Based Commercial - Industrial, Land Based Industrial, Tourist, Parks, and Environmentally Sensitive Area.***

Village Mix

Included in the 'Village Mix' designation are: Residential Uses, Home Based Businesses, Tourist Accommodation, Service and Retail, Educational facilities, Religious facilities, Cemeteries, Civic facilities, Government facilities, Emergency services, and Health Care facilities uses.

These uses are regulated as follows:

- a) Maximum height - three stories will be strongly encouraged
- b) The design and height of the building will be compatible with the adjacent buildings to promote visual harmony.
- c) Commercial activities shall not create a requirement for on street parking.
- d) Storage of materials, equipment, containers or finished products must be either in an enclosed building or screened from view by vegetation or a wooden fence.

Areas designated for "Village Mix" are shown on Schedule B-1 Plan Map.

Water Based Industrial

Included in the "Water Based Industrial" designation are: Service, Retail, Processing, Repairs, Bulk Storage, and Distribution and Maintenance of Goods uses. **This designation is focused on providing services for the logging, fisheries, and aquaculture industries and may include compatible public retail/commercial services.**

Areas designated for "Water Based Industrial"

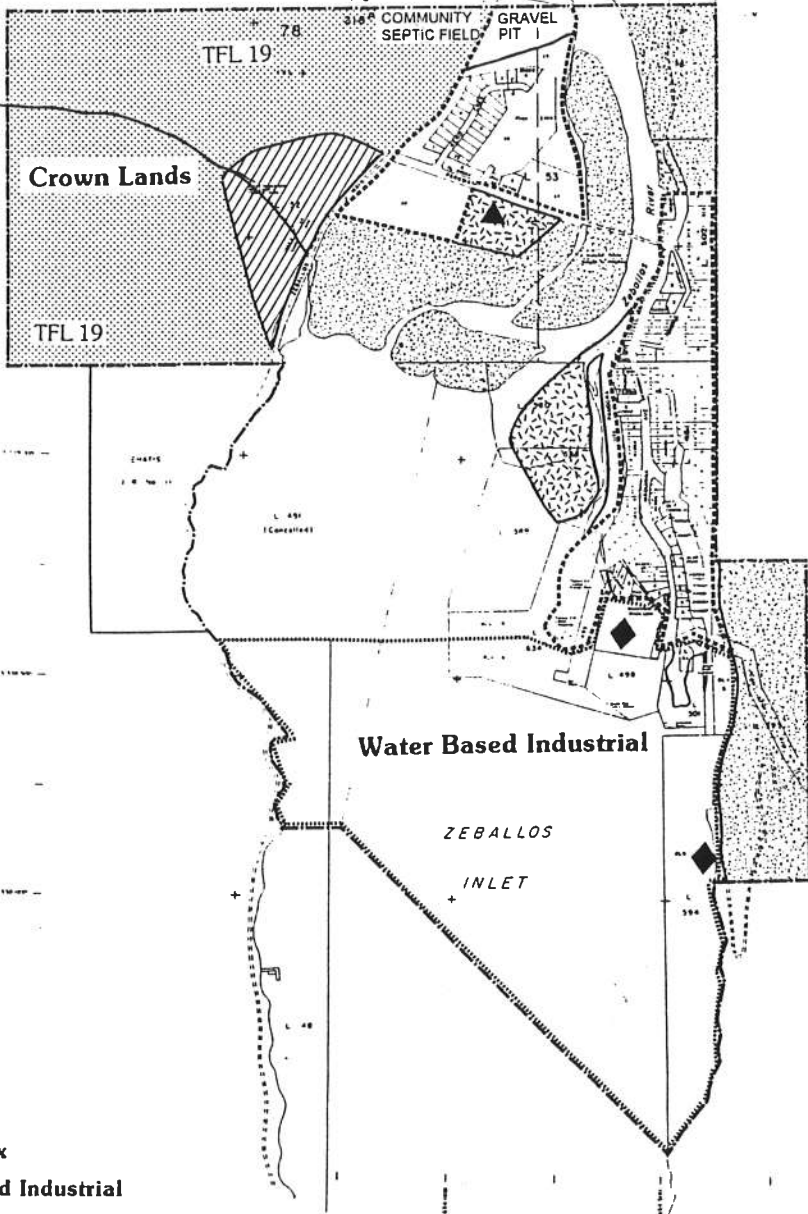
All those water areas south of the line drawn from the northwest to the northeast corner of water Lot 48 to the northwest corner of BLK A of Lot 634, following the boundary between BLK A and BLK B to the southwest corner of BLK C, and land areas found in Lot 501, Lot 61 and land areas on the west side of the old logging road in Lot 593 are designated as Water Based Industrial as shown on Schedule B-1 Plan Map.

Schedule B-1, Plan Map

Bylaw **330**

*Village of Zeballos
Official Community Plan*

Environmentally Sensitive Stream



LEGEND

-  Village Mix
-  Land Based Industrial
-  Environmentally Sensitive Areas
-  Park
-  Alternate School Site
-  Tourist Resort

Water Based Industrial - all lands and water areas found within the small dashed line found on the map (legal description found in OCP text).

VILLAGE OF ZEBALLOS

PLANNING SERVICES DIVISION
MUNICIPAL AFFAIRS - SECTION B & C
MUNICIPALITY OF ZEBALLOS

Land Based Industrial

Included in the "Land Based Industrial" designation are: Wholesale, processing, fabricating, warehousing, testing, assembling, service, repairs, manufacturing, distribution or maintenance of goods or materials and can include bulk storage, junkyards, wood processing, sawmills, recycling depots uses.

Areas designated for "Land Based Industrial" are shown on Schedule B-1 Plan Map.

Parks

Included in "Parks" designation are areas to be used for the public's recreational enjoyment, including walkways and trails and green spaces.

Areas designated for "Parks" are shown on Schedule B-1 Plan Map.

Environmentally Sensitive Areas

Areas of sensitive wildlife habitat that may be damaged by human developments. These areas could be used for public recreation if a proper trail was developed that avoided the most sensitive areas. A board walk system is encouraged.

Areas designated "Environmentally Sensitive Areas" are shown on Schedule B-1 Plan Map.

Tourist Resort

Included in "Tourist Resort" designation are Marinas, Resort Facilities, Retreats, Small Recreational Craft Moorage, Service and Retail uses.

Areas designated "Tourist Resort" are shown on Schedule B-1 Plan Map.