



Bylaw No. 2973

***CROTEAU BEACH
NEIGHBOURHOOD PLAN***

SCHEDULE "L"

***TO BYLAW NO. 2042, BEING THE
RURAL COMOX VALLEY
OFFICIAL COMMUNITY PLAN, BYLAW, 1998***

COMOX STRATHCONA REGIONAL DISTRICT

BYLAW NO. 2973

**A BYLAW TO AMEND THE
"RURAL COMOX VALLEY OFFICIAL COMMUNITY PLAN BYLAW, 1998"
BEING BYLAW NO. 2042**

The board of the Comox Strathcona Regional District in open meeting assembled, enacts the following amendments to the **"RURAL COMOX VALLEY OFFICIAL COMMUNITY PLAN BYLAW, 1998"**, BEING BYLAW NO. 2042:

SECTION ONE TEXT AMENDMENT

- 1) Bylaw No. 2042, being the **"RURAL COMOX VALLEY OFFICIAL COMMUNITY PLAN BYLAW, 1998"**, is hereby amended as set out in Schedule "A" attached to and forming part of this bylaw.

SECTION TWO TITLE

- 1) This bylaw may be cited as the **"RURAL COMOX VALLEY OFFICIAL COMMUNITY PLAN BYLAW, 1998, AMENDMENT NO. 20"**.

READ A FIRST AND SECOND TIME THIS	29TH	DAY OF	JANUARY	2007.
PUBLIC HEARING HELD THIS	8TH	DAY OF	MARCH	2007.
READ A THIRD TIME THIS	20TH	DAY OF	MARCH	2007.
APPROVED BY THE MINISTRY OF COMMUNITY SERVICES THIS	8TH	DAY OF	MAY	2007.
ADOPTED THIS	28TH	DAY OF	JUNE	2007.

S. Winchester
Chair

J. Warren
Manager of Legislative Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2973, being the **"RURAL COMOX VALLEY OFFICIAL COMMUNITY PLAN BYLAW, 1998, AMENDMENT NO. 20"**, as adopted by the board of the Comox Strathcona Regional District on the 28th day of June, 2007.

J. Warren
Manager of Legislative Services

SCHEDULE "A"

SECTION ONE TEXT AMENDMENT

Bylaw No. 2042 is hereby amended by the addition of the attached text and maps that are identified as Schedule "L" and from the "Croteau Beach Neighbourhood Plan".

Croteau Beach Neighbourhood Plan



Beech Road

Acknowledgements

The Regional District of Comox-Strathcona would like to extend its thanks and appreciation to the residents of the Croteau Beach neighbourhood and the Croteau Beach Working Group for their participation in the development of the Croteau Beach Neighbourhood Plan.

All residents were welcome to join the working group, and approximately 25 people were involved at various stages of the plan's development. The working group represented a good cross-section of the neighbourhood interests of people and their varied interests. Typically attendance at the meetings varied from 8 – 12 people.

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1. Plan Purpose Statement

The purpose of the plan is to clearly articulate the values of the Croteau Beach neighbourhood and to provide a vision for the future of the neighbourhood that is consistent with these values.

2. Context

Croteau Beach lies within Electoral Area B – Lazo North area, of the Regional District of Comox-Strathcona, immediately adjacent to the Town of Comox Eastern boundary, on the Comox Bay. It is an established neighbourhood that enjoys an enviable location bounded by Macdonald Wood Park to the west and Hawkins Road to the north and east, with Comox Bay to the south. There are approximately 60 land parcels in the neighbourhood including 53 homes and several vacant parcels of land.

The neighbourhood is zoned Country Residential with a minimum lot size for subdivision purposes of 2 hectares (5 acres). The area is not serviced by community water or sewer. It is an area that was settled at the turn of the century. It has a rich history and heritage.



Figure 1: Eugene Croteau’s Horse Barn

3. Introduction

“A unique neighbourhood surely deserves special designation and consideration. The history of Croteau Beach began 4000 years ago when First Nations people lived on this fertile shore. Their legacy, the last remnant of the Great Comox Midden, runs through Macdonald Wood, Midden Road and even to Hawkins Road cut. Through all of these centuries the bay provided a great bounty of shellfish and waterfowl. We occupy a rich and desirable site with a micro-climate of its own, south facing, through receiving the brush of winter southeaster storms.

Elements of a typical coastal forest still exist in Macdonald Wood, the woods upland from the beach and up to Hawkins Road. Douglas fir is a predominant tree with an understory and edge of medicinal and edible shrubs and plants (dock, cascara, Pacific crabapple, black hawthorne, red huckleberry, serviceberry, black cap raspberry, gooseberry and trailing blackberry). “When we lose the resource we also lose the traditional knowledge of its value” Nancy Turner, ethnobotanist, University of Victoria). There are patches of fawn lily, skunk cabbage, devil’s club, and ferns –all parts of the once extensive coastal forest. Some of the largest cedars in the Comox area grow here. The many springs and seeps keep much of the vegetation damp year round, allowing a wide variety of plants to prosper and the many migratory and resident birds to thrive.

Little wonder early settlers in this neighbourhood – Hamilton Mack Laing and Major Alan Brooks- considered this “a little piece of paradise”. These two men were prominent and respected ornithologists, nature writers and illustrators of native birds and animals in the 1920-1940’s. They accomplished significant work for the National Museum. Laing built near the mouth of Brooklyn Creek (Stubb’s Property) and Brooks upland at the end of the present Isabel Road (Ptak-Hagarty property). Eugene Croteau built in 1936 at what is now Midden and Croteau Roads where his horse barn still stands. Some old timers continue to refer to the areas as “Croteau’s Beach’.

The earliest survey occurred in 1884 when the land (as part of 2.1 million acres) was given to Robert Dunsmuir and his company, Esquimalt & Nanaimo Railway. Transferred to Michael King and Lewis Casey in 1889, their ownership of 160 acres comprised roughly the area east of Pritchard and south of Balmoral. The small lots of Midden and Docliddle were surveyed in 1911. Early agriculture consisted of fruit trees, many planted by Eugene Croteau on Midden Road. Jack Mackenzie planted the orchard on Beech Road (Oven’s). The community evolved slowly even into the later years of the 1900’s. Passion for the neighbourhood and the adjoining “Macdonald Bush” created strong, enduring bonds. Working together, residents overcame many obstacles and secured Macdonald Wood Park for everyone’s pleasure.

Faced with possible total urbanization we have to pause:

“Rapid change disconnects people from place and landscape; slow paced change allows people to identify what parts of the landscape should be protected and what parts must be protected to preserve ecological integrity and cultural continuity.” (Katherine Dunster, geographer, biologists and landscape architect, Bowen Island).

In creating a neighbourhood plan we have an unusual opportunity to ensure a slow landscape, one that recalls heritage, respects our feelings and provides us all, residents and wildlife, with a quiet, diverse and safe refuge. A strong, committed community can address and solve problems for the present and for the future.”

By Fran Johnson

(A long time neighbourhood resident and member of the Croteau Beach Working Group)

November 2004

4. Plan Process

The following provides a brief timeline of significant milestones in the development of the Croteau Beach Neighbourhood Plan. The process of developing the plan was initiated by a group of concerned citizens in the Croteau Beach area that became the Croteau Beach Working Group. Over the past several years there has been much debate and concern with the potential for Croteau Beach becoming part of the town of Comox as a boundary extension area.

The Plan process was initiated to create a vehicle for residents to reach a consensus regarding how the neighbourhood would be considered and what role it would play regardless of its governance by any particular local government.

The appendix contains documents relative to each of the plan steps. Developing the Plan involved the following key steps:

1. June 2004 – Neighbourhood Survey designed by initial steering group
2. July 2004 – 1st Neighbourhood Survey distributed
3. October 2004 – Regional District Summary of Neighbourhood Survey
4. November 2004 – Regional District and Croteau Beach Working Group meeting re: Neighbourhood Goals, Issues and Concerns
5. December 2004 – 2nd Neighbourhood Survey and Open House
6. January 2005 – Croteau Beach Neighbourhood Interests (Draft), 3rd neighbourhood survey and Community Workshop
7. March, 2005 – Biophysical Sub-Group Report prepared by Ronna-Rae Leonard
8. June, 2005 – Draft Neighbourhood Plan submitted to Neighbourhood Working Group
9. July – November 2005 – Draft Neighbourhood Plan revisions.

5. Suggested Principles

The neighbourhood working group has clearly identified a series of principles to be applied to land use discussions in the Croteau Beach area. These principles describe the expectations about how decisions will be reached regarding the Croteau Beach neighbourhood.

Suggested Principles:

- i) Mack Laing and Macdonald Wood Parks serve as a transition zone between suburban and rural character neighbourhoods. This transition should be maintained;
- ii) Croteau Beach is a well-established and highly desirable neighbourhood. Changes, if any, within the neighbourhood should be incremental and should recognize that people have invested in homes in this neighbourhood at rates that are at a premium because this is the character they desire. Therefore, a precautionary approach should be utilized in regards to assessing any change within this neighbourhood; and

- iii) Croteau Beach, in the context of human settlement areas has a high biological diversity that is appreciated by residents. Most individual lots have areas that are wild and lightly maintained. Consequently, Croteau Beach on average contributes to the ecological functioning of Comox Bay and Macdonald Wood/Mack Laing Parks. Therefore, any proposals that threaten the current balance between nature and humans in the neighbourhood should be adjusted to ensure the current balance is maintained.



Figure 2: Entrance to Macdonald Wood Park

6. Vision

The overriding vision for Croteau Beach is to maintain the character of the neighbourhood. Character is often seen as a subjective issue, but may be fully appreciated by developing an awareness of the special qualities of this rural neighbourhood. Collectively, these qualities create the vision for the neighbourhood. Individually, these qualities may be used as a checklist for ensuring the special character of the neighbourhood is maintained over time.

6.1 *Desirable Neighbourhood Qualities*

- i) average low density with big yards, quiet, privacy, and fewer people;
- ii) slow, low traffic volume, narrow, no thru roads and rights-of-ways used as walking trails. Traffic flow negligible most times of day;
- iii) network of trails to adjacent parks including Goose Spit, Macdonald Wood, Mack Laing;
- iv) biodiversity – birds, wildlife, native vegetation;
- v) rural infrastructure (roadside swales, no sidewalks, no street lighting);
- vi) feeling of personal safety – where residents know one another and it is safe for children to play, pick blackberries and walk/bike/play on streets;
- vii) strong sense of social cohesion and neighbourhood; and
- viii) stable neighbourhood with long-term residents.



Figure 3: Rural Residential Neighbourhood

7. Land-Use

Croteau Beach is a well-established rural residential neighbourhood, with lot sizes ranging from 0.04 to 1.5 hectares (0.1 to 3.9 acres). The average parcel size is 0.2 hectares (0.6 acres). Subdivision within the planning area is not permitted due to current zoning regulations specifying minimum lot sizes of 2.0 hectares (5.0 acres).

Recognizing the established nature of the area, a number of policies are directed at maintaining the stability and character of the area as a rural residential neighbourhood.

7.1 Suggested Residential Objective:

That the neighbourhood be maintained as a rural residential single-family residential area. Special approvals should be considered for low impact additions such as “granny suites” subject to adequate land capabilities or services and support by adjacent and nearby neighbours. The policies below assume adequate servicing is available. High density multiple-family residential development is considered incompatible with the rural residential quality of the neighbourhood.

7.2 Suggested Residential Policies:

It is the policy of the Croteau Beach Neighbourhood that:

- i) the housing stock be primarily single family residential;
- ii) that large homes on small lots be discouraged to avoid “monster houses” next to small ones;

- iii) for lots of 6000 square feet and less that there be an **unofficial guideline** stating that the total square footage of living area including garages not exceed 2800 square feet;
- iv) that new structures be assessed to ensure that they minimize any undesirable impacts to adjacent properties;
- v) that any home based businesses have negligible or no offsite impacts.
- vi) wherever possible, maintain trees, minimize hard surface paving (*i.e.* water balance model), minimize building sizes and footprints, and minimize suburban style landscaping in favour of reserving land for nature to maintain the character and biodiversity of the neighbourhood;
- vii) view corridors be considered and protected wherever possible; and
- viii) adjacent lot owners are encouraged to register covenants protecting the other's interest in terms of view corridors.

7.3 Longer Term Considerations

During development of this plan, some large lot owners expressed concerns that although they like the neighborhood as it is now, they do not wish this plan to remove future development potential should circumstances change in the future. However, recognizing that there has been comfort expressed with a slow and very limited increase in dwelling units within the neighbourhood, this plan does not close the door to individual re-zoning proposals. This plan does not recommend any “across the board” changes to current minimum lot size.

More specifically, this plan does not seek to prohibit a lot owner from seeking a future rezoning in support of new legal lot creation or granny suite provided that:

- i) there is support demonstrated within the Croteau Beach neighbourhood for the rezoning;
- ii) that the re-zoning is not contrary to and supports the general neighbourhood goals contained in this plan; and
- iii) that any new lots be capable of being adequately serviced.



Figure 4: View Corridor



Figure 5: Character Home



Figure 6: Modern Home

8. Environment

The Croteau Beach neighbourhood enjoys a unique environment on a southerly facing slope, facing the Comox Bay, between Macdonald Wood Park and Goose Spit. Please see Map 3 for topography of the area. The Croteau Beach area provides a wealth of bio-diversity adjacent to the Town of Comox and leading towards Goose Spit. From the bay that fronts the neighbourhood to the significant forested areas in the neighbourhood, there are many environments for both wildlife and people.

Croteau Beach was logged more than half a century ago. A complex pattern of forest has regenerated, managed by individual owners that support nature while still creating a highly desired semi-wooded environment for residents. Macdonald Wood Park, lying immediately west of the neighbourhood, provides an “anchor stand” of natural woodland. Macdonald Wood’s purchase for nature park was spearheaded by residents in Croteau Beach.

Besides Macdonald Wood Park, an additional 2.5 acre private property protected by conservation covenant represents another significant zone west of Isabel Road. There are many other contributing stands of trees situated on private lots.

Noted birds in the area include Willow flycatchers, song sparrows, American Gold finches, wrens, thrushes, Gold Crown sparrows, flickers, Pileated and Hairy woodpeckers, herons, Barred owls, and eagles. Both eagle nests and heron rookeries are protected by Provincial legislation and Environmentally Sensitive Area Development Permit (ESA DP) process of the Regional District. An Eagle Nest ESA DP is required for any proposed construction within 200.0 metres (656.2 feet) of a nest tree. A Heron Nest ESA DP is required for any proposed construction within 300.0 metres (984.3 feet) of a nest tree or colony. Timing windows apply for construction to prevent eagles and herons from abandoning their nests during breeding season. Any proposed construction within 30.0 metres (98.0 feet) of the ocean, requires a foreshore ESA DP. See Map 5 for all development permit areas.

8.1 Suggested Environmental Objective

To maintain the overall biodiversity and capacity of the natural environment including trees, wetlands, springs, native shrub areas, foreshore areas and other environmentally sensitive areas.

8.2 Suggested Environmental Policies

It is the policy of the Croteau Beach Neighbourhood that:

- i) important bird habitat be maintained in road right-of-way swale areas;
- ii) as private lands are developed, property owners be made aware of the importance of maintaining significant forest patches as bird and wildlife habitat areas;
- iii) property owners in the area be made aware of the potential and process required to place conservation covenants on their lands;
- iv) eagle nests and heron rookeries continue to be protected by ESA DPs;

- v) protection for natural springs be encouraged; and
- vi) careful consideration be given to any development on the bay fronting the neighbourhood, as this is an important bird area.



Figure 7: Beach Access

9. Parks and Open Space

9.1 Suggested Parks and Open Spaces Objectives

That trails continue to serve local residents and visitors to Macdonald Wood Park and Goose Spit Park; and

- i) there be a less formal, but equally important “local knowledge” category of trails intended for short circle walks primarily for the use of residents within the neighbourhood;
- ii) that all the existing waterfront accesses and road right-of-ways be maintained in perpetuity as publicly held lands preferably as parks; and

- iii) that those waterfront accesses currently in an undeveloped natural state be considered for low key pedestrian waterfront access subject to full satisfaction of potential neighbourhood concerns relating to undesirable uses and human and dog impacts on estuarine wildlife.

9.2 Parks and Open Space Policies

Unconstructed road right-of-ways be reserved for uses as ecological greenways and/or trail connections through the neighbourhood and that they not be developed as automobile roadways or otherwise disposed of or alienated from the public domain.

A clear path be developed to guide pedestrians through the neighbourhood between the Macdonald Wood Park and Goose Spit Park.

10. Servicing

Until a neighbourhood plan exists that is effective in protecting existing neighbourhood livability, as set out in this plan, servicing that could increase development pressures is considered a low priority by the Croteau Beach neighbourhood.

Homes in the Croteau Beach neighbourhood are currently serviced by individual wells and septic systems. There are no community water and/or sewer services currently provided to the neighbourhood.

While some lots (chiefly the smaller ones) would benefit from improved water and sanitary services (public, private or on-site) many lots function adequately with on-site systems. Servicing discussions in the context of the small lots ultimately relate to resolving the need to know whether or not to plan and budget for future investments in “on-site solutions” or whether a municipal system will be provided.

Ministry of Health beach water sampling indicates that the waterfront in front of Croteau Beach is suitable for swimming. Because shellfish filter seawater, and are then eaten, tolerances for shellfish are much more stringent than for swimming. For this reason, Croteau Beach has long been closed to shellfish harvesting. As part of their shellfish expansion program, research by the Comox Indian Band attributes saltwater coliform levels in the Croteau Beach area chiefly to birds, deer, dogs and Brooklyn Creek discharges, (as opposed to failing septic systems in Croteau Beach). This information is provided for purposes of perspective but is not meant to infer that there is no need for small lots to deal with waste water concerns.

Roads in the neighbourhood are maintained by the Ministry of Transportation to a rural road standard. All of the roads used by vehicles are relatively narrow, with gravel shoulders and surface drainage.

There are no thru traffic routes in the neighbourhood and roads are used primarily by Croteau Beach residents and visitors to Macdonald Wood Park. The no thru status is fundamental to the liveability of the neighbourhood and is believed to contribute to the

safety of the neighbourhood from a nuisance and petty crime perspective. Hawkins Road that bounds two sides of the neighbourhood is the only road access to Goose Spit Park. While pedestrian and vehicular traffic co-exist with minimal problems within the Croteau Beach neighbourhood, the volumes and excessive speeds on Hawkins Road create a hazard and nuisance for pedestrians and cyclists alike.

There are no streetlights in the neighbourhood and residents support the philosophy of “dark skies” (maintaining visibility of planets and stars in the night time sky). The lack of light pollution from streetlights is appreciated.

10.1 Servicing Objectives

- i) that new services and upgrades be minimized (except in cases of public health and safety) to maintain the character of the neighbourhood and minimize tax increases.
- ii) that groundwater aquifers are aggressively protected through a neighbourhood education program against fuel spills and other chemicals.



Figure 8: Rural Road

10.2 Suggested Servicing Policies

In the Croteau Beach Neighbourhood suggested servicing policies are:

- i) due to the concerns related to neighbourhood character, environment and affordability, provision of municipal sewer and water services be considered low priority and only after an adequate plan is formalized that will protect the liveability of the neighbourhood;
- ii) any poorly functioning on-site water and sanitary systems be upgraded and maintained as necessary by individual lot owners;
- iii) all residents take steps to minimize effluent discharges (e.g. low water use fixtures, leaking taps)
- iv) that the Regional District and the Croteau Beach working group work together to confirm a long term servicing strategy consistent with the goals of this plan with the purpose being to provide Croteau Beach residents with certainty regarding needed investments for water supply and sewage disposal;
- v) dark skies be maintained (e.g. no streetlights);
- vi) six metre wide paved roads with roadside swales be maintained;
- vii) existing roadways be utilized for a combination of pedestrian and motorized traffic, without sidewalks;
- viii) no through roads be maintained as no through roads;
- ix) unconstructed roads remain as public lands primarily as natural habitat areas and where appropriate provide for pedestrian access;
- x) pedestrian movement along Hawkins Road to Goose Spit be separated from the road right of way by means of a packed gravel trail on the boulevard.
- xi) pedestrian safety and comfort measures be provided where traffic speeds are high especially on Hawkins Road.

11. How to use this Plan

This Croteau Beach Neighbourhood Plan should be used as a guideline document to inform future study and growth management for the neighbourhood. It is a starting point for further discussion and dialogue and may be refined and developed over time. The policies within the plan are statements of what the neighbourhood values and would like to see maintained in the future. How these values will play out on the landscape will involve further study and consideration. The Plan has been assembled as a “statement” of interests, values, objectives and policies to promote understanding and awareness of the Croteau Beach neighbourhood and its interests and desires.

12. Action Items

The working group has agreed to a number of actions items as a result of developing the neighbourhood plan. These actions items for the future are captured to provide guidance and direction for future implementation of the plan:

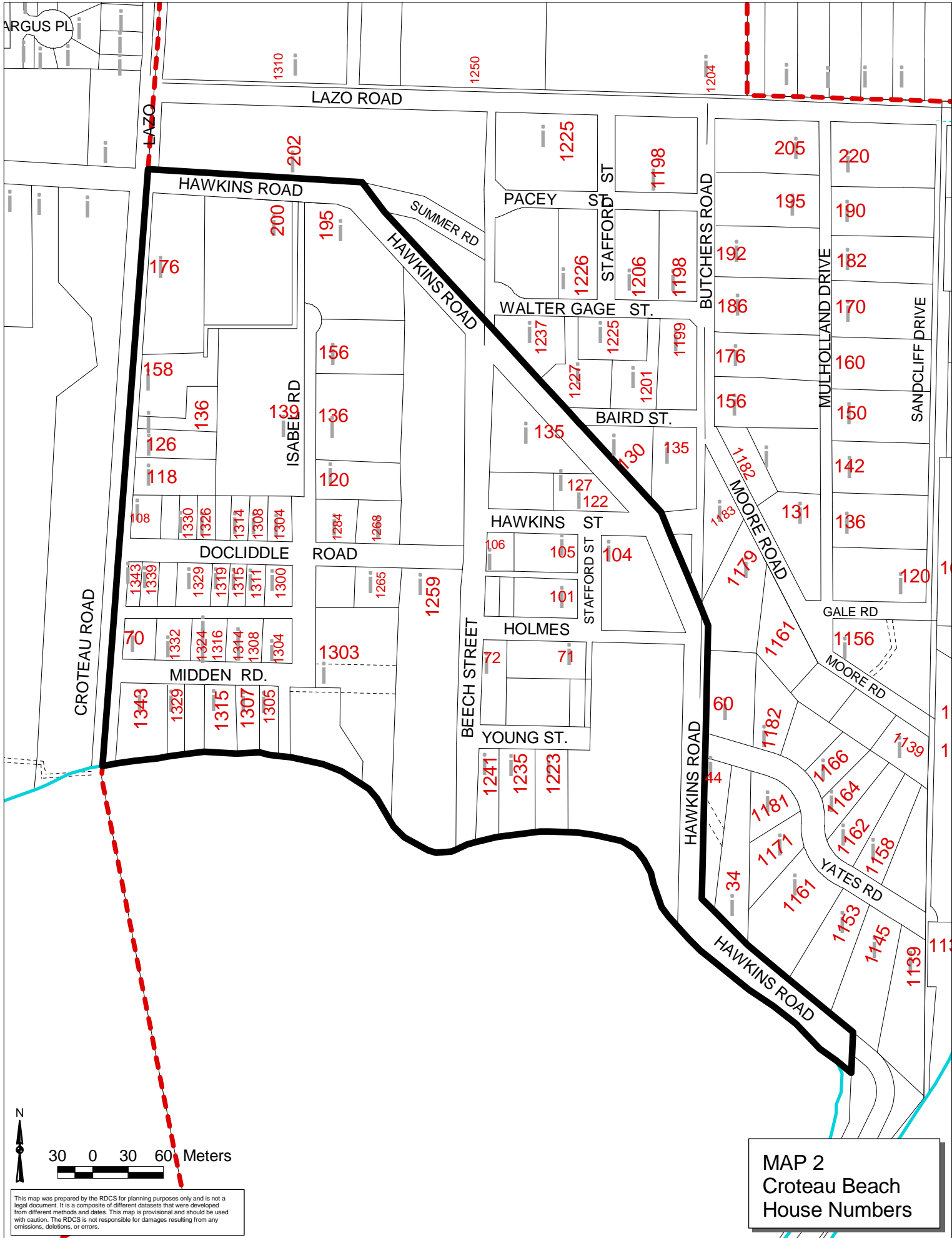
- i) the neighbourhood working group has agreed to invite the Town of Comox to meet to discuss our vision for the neighbourhood;
- ii) more information is required regarding sewer and water options;

- iii) drill logs for private wells be collected and analyzed to determine how private wells are affecting the ground water aquifer;
- iv) private wells be sampled on a regular basis; and
- v) dialogue be initiated with the Ministry of Transportation regarding road rights-of-way, trails, beach accesses and traffic calming measures.

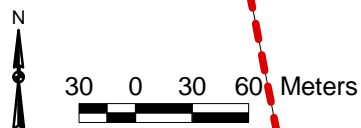


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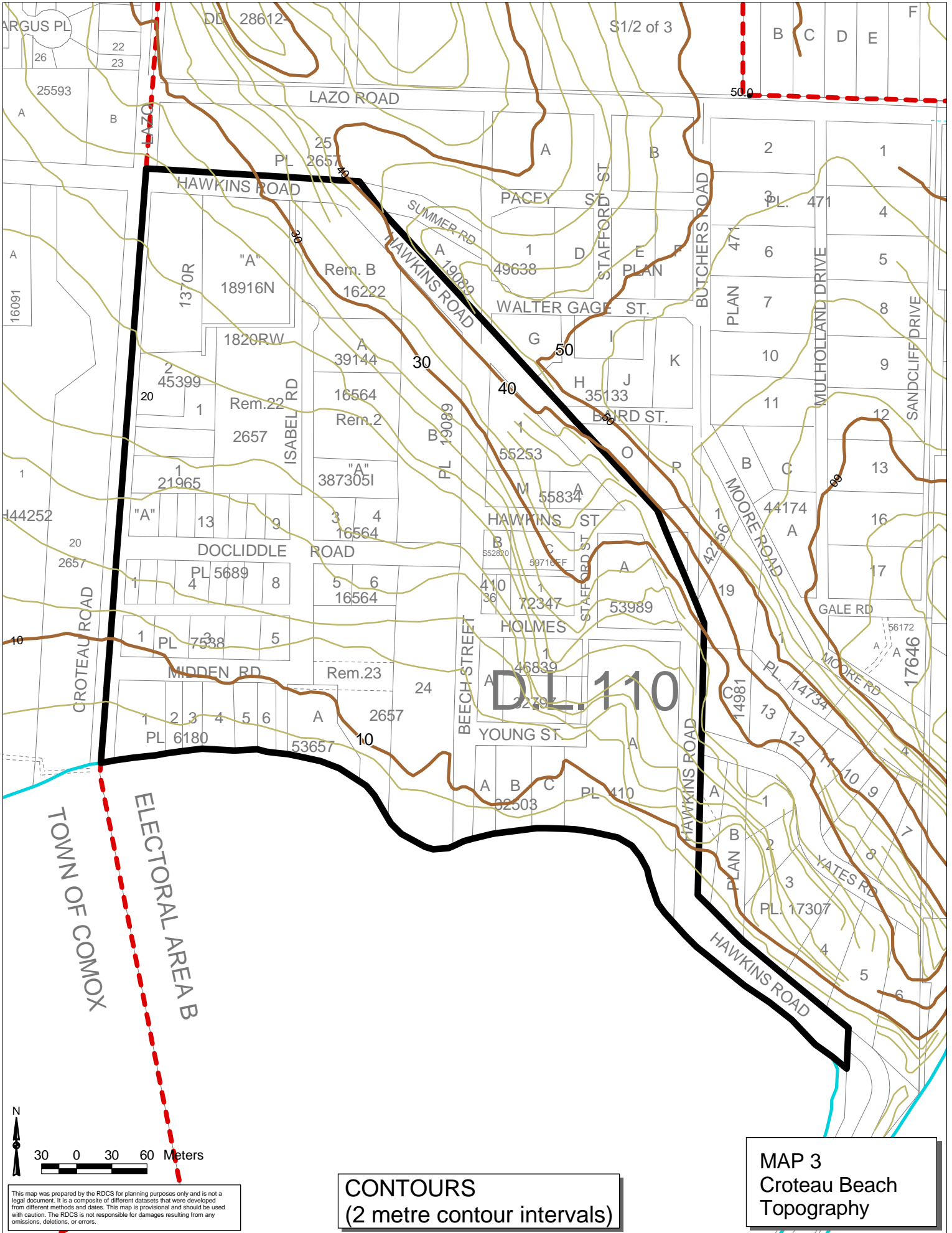
MAP 1
Croteau Beach
Orthophoto



MAP 2
Croteau Beach
House Numbers



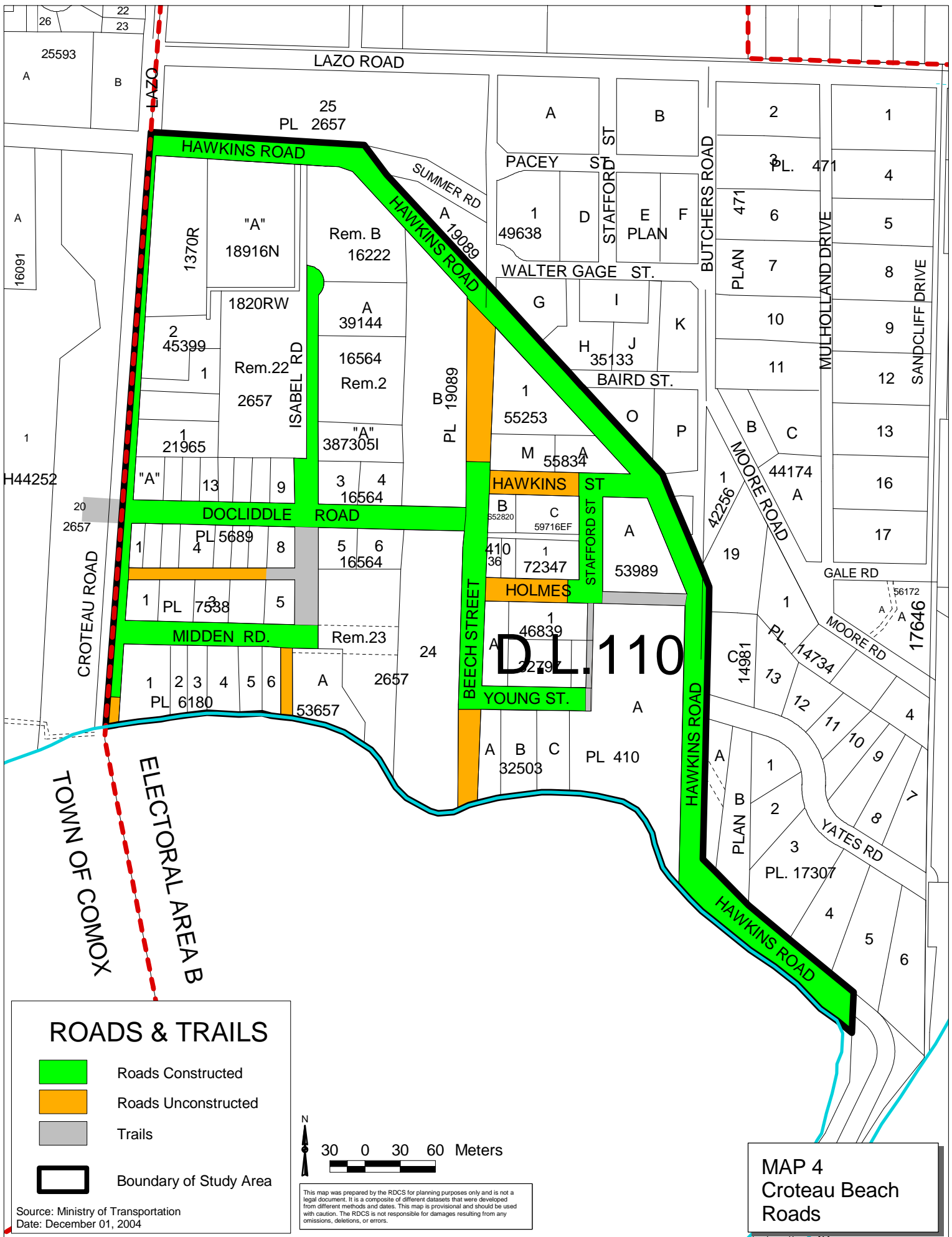
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CONTOURS
(2 metre contour intervals)

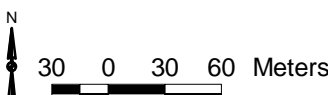
MAP 3
Croteau Beach
Topography

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ROADS & TRAILS

- Roads Constructed
- Roads Unconstructed
- Trails
- Boundary of Study Area

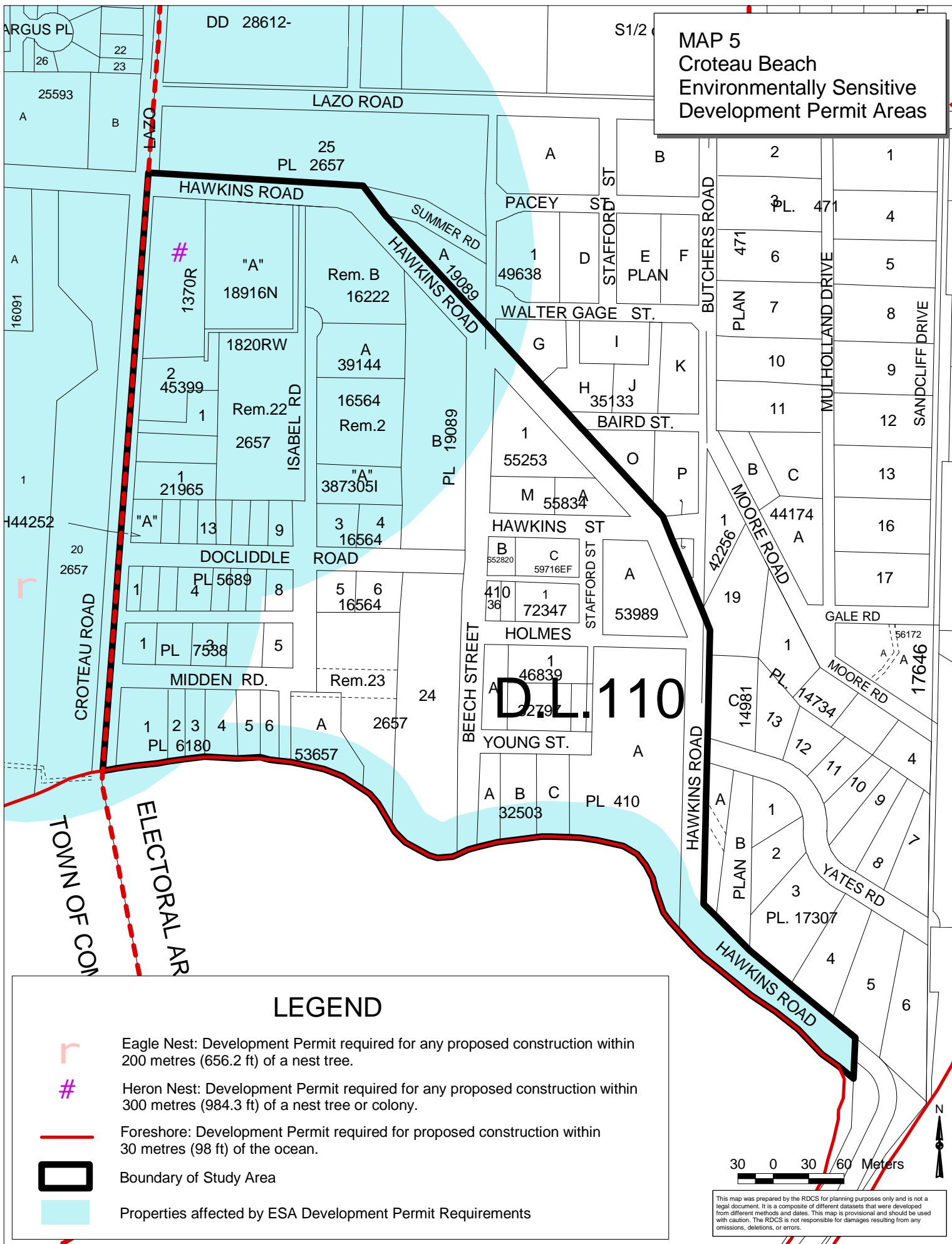


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Source: Ministry of Transportation
Date: December 01, 2004

MAP 4
Croteau Beach
Roads

MAP 5
Croteau Beach
Environmentally Sensitive
Development Permit Areas



LEGEND

-  Eagle Nest: Development Permit required for any proposed construction within 200 metres (656.2 ft) of a nest tree.
-  Heron Nest: Development Permit required for any proposed construction within 300 metres (984.3 ft) of a nest tree or colony.
-  Foreshore: Development Permit required for proposed construction within 30 metres (98 ft) of the ocean.
-  Boundary of Study Area
-  Properties affected by ESA Development Permit Requirements

30 0 30 60 Meters

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