



## **NANTREE/PERI ROAD BYLAW ENFORCEMENT POLICY**

Applicability: Nantree/Peri Road neighbourhood (see Attached Map 1)

Effective Date: June 27, 2018

### **PURPOSE:**

To establish a policy for the enforcement of land use regulations for seasonal camping in the Nantree and Peri Road neighbourhood of Electoral Area I.

### **BACKGROUND:**

Much of the Nantree/Peri Road neighbourhood is below the 200-year flood elevation and is susceptible to flooding. Recreational camping is not a permitted use of the land in this area under Zoning Bylaw No. 2465. However, some properties in the neighbourhood have been used for seasonal camping and recreational use for decades, and Bylaw Enforcement staff anticipate that some property owners may claim lawful non-conforming use protection under Part 14 of the *Local Government Act*, if legal proceedings to enforce the Zoning Bylaw are commenced.

### **POLICY:**

1. The Cowichan Valley Regional District (CVRD) has limited resources for investigating the non-conforming use status of individual properties and pursuing bylaw enforcement action where the facts associated with the historic use of properties are unclear. It is therefore the policy of the Board to not pursue bylaw enforcement action under Zoning Bylaw No. 2465 for seasonal camping use in the Nantree/Peri Road Neighbourhood, as shown on Map 1, beyond documenting complaints received and monitoring the situation as resources permit, as long as the following circumstances remain in effect:
  - a. The number of recreational vehicles on a parcel at any time does not exceed three;
  - b. All recreational vehicles on a parcel are licensed under the *Motor Vehicle Act*;
  - c. All recreational vehicles are situated a minimum of 5 metres from any property boundary;
  - d. All black and grey water from properties used for seasonal camping is directed to a holding tank and discharged to a certified off-site facility, or is discharged to an on-site sewage disposal system authorized by Island Health;
  - e. All vehicle parking associated with parcels used for seasonal camping is on private property and not in the public road allowance; and
  - f. The seasonal camping use does not create noise or nuisance beyond that which might normally result from the residential use of property in the area.
2. The Board may authorize bylaw enforcement action for properties used for seasonal camping where a written complaint is received about noise or nuisance associated with the seasonal camping use and the disturbance caused by the noise or nuisance is occurring at a level beyond what normally occurs on a residential property.

3. Noise Control Bylaw No. 3723 and other applicable bylaws and regulations will be enforced in accordance with the Bylaw Compliance and Enforcement Policy.
4. The CVRD retains the discretion to amend or repeal the above enforcement policy, and to initiate enforcement action for non-compliant seasonal camping uses in the future. This policy does not amount to acceptance of recreational camping as a permitted use in this area, or of any other land uses that are not permitted under the terms of Zoning Bylaw No. 2465 and the *Local Government Act*.

Approved by: Board Resolution 18-306 Approval date: June 27, 2018
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Map 1:

