



**Robyn Mawhinney, Director**

**Discovery Islands & Mainland Inlets – Electoral Area ‘C’**

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**To: Electoral Area Services Committee**

**March 8, 2023**

**SUBJECT: Taking action to secure groundwater in the face of climate change**

**Background:**

Across BC we are witnessing climate change upending traditional/historic weather patterns. We don't have to look far to see the effects: in 2022 the Campbell and Puntledge Rivers were in stage five drought until mid-December, an “unprecedented late summer drought” according to a BC Hydro news release. The drought was record-breaking for the Campbell River system, with lowest precipitation on record (41 years) at 41% of normal and record (53 years) low reservoir water inflows at 28% of normal. And in 2021 BC experienced the “deadliest weather event in Canada to date” according to BC Coroners Service who confirmed there were 619 heat-related deaths during the heat dome (June 25-July 1).

It is our role as leaders to look ahead, plan and prepare our communities. I believe ensuring water resources are conserved and managed for the benefit of residents human and wild is something we as local government leaders must take initiative on.

While groundwater extraction licenses are managed by the Province, I'm curious what influence we as a Regional District can have through zoning or other tools available to local government to limit groundwater extraction, water bottling, and bulk water sales. The Comox Valley Regional District, the cities of Courtenay & Comox and the Village of Cumberland have taken steps to protect their groundwater through zoning regulation.

One objective of Quadra Island's Official Community Plan is “To recognize the unique natural characteristics of the Island, and to safeguard sensitive areas including the Island's groundwater recharge areas from inappropriate forms of development and sources of pollution”. Islands have unique characteristics; limited aquifers are one of these.

I would like the Strathcona Regional District to investigate and report on the possibilities for limiting groundwater extraction and ancillary functions within Area C. Could we limit groundwater extraction by legislating it as a not-for-profit/social-profit commodity? This wouldn't necessarily override the province's ability to issue licenses but rather direct that such use would preserve it for residents. Water is life and a resource which deserves protection. I therefore present the following motion.

**Proposed motion:**

THAT the Strathcona Regional District investigate and report the options available to limit water bottling, bulk water sales and groundwater extraction in Area C for purposes other than not-for-profit or residents' benefit.

Sincerely,

*Robyn Mawhinney*

Director for Discovery Islands & Mainland Inlets (Electoral Area C)

With thanks to SRD staff for their assistance providing the following information...

**Comox Valley Regional District: Zoning Bylaw No. 520** on website - applies to all of their Electoral Areas and these 2 sections address the matter:

Bylaw No. 520  
"Rural Comox Valley Zoning Bylaw, No. 520, 2019"

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## Part 300

## General Regulations

### 301 Uses Permitted in All Zones

1. In addition to the uses specifically listed in particular zones as a principal use or an accessory use, the following uses are permitted in all zones:
  - i) Utility use
  - ii) Recycling drop-off centre
  - iii) Parks, recreational trails and associated structures and equipment
  - iv) Ecological reserves
  - v) Community based fish hatcheries
  - vi) Community gardens
  - vii) Composting of waste generated on-site
  - viii) Low impact recreational use.

### 302 Uses Prohibited in All Zones

1. Any use not expressly permitted in this bylaw is prohibited in every zone and where particular use is expressly permitted in one zone, such a use is prohibited in every zone where it is not also expressly permitted.
2. The following uses are prohibited in all zones unless otherwise permitted in this bylaw:
  - i) The use of a houseboat, float home, float camp, or other vessel for tourist accommodation or residential use on land and water.
  - ii) The use of a recreational vehicle as a residential dwelling unit.
  - iii) The use of an accessory building or structure for a residential dwelling unit.
  - iv) Automobile wrecking yard, storage of waste, or salvage material.
  - v) The wrecking or storage of more than one derelict vehicle on any lot.
  - vi) The storage of a single detached dwelling, mobile home or accessory building which is being moved from one lot to another.
  - vii) The parking of more than one commercial or industrial vehicle on a lot not zoned for commercial or industrial use.
  - viii) Gaming and gambling establishments, other than charity gaming.
  - ix) Water and beverage bottling facility.
  - x) Cannabis production, or any component thereof.
  - xi) Wholesale or retail sale of cannabis.

Bylaw No. 520  
"Rural Comox Valley Zoning Bylaw, No. 520, 2019"

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## 906

## Industrial Light (IL)

### 1. Principal Use

- i) **On any lot:**
  - a) Light industrial
  - b) Wood processing
  - c) General contractor services and storage yard
  - d) Retail and wholesale sales
  - e) Industrial equipment, sales and service
  - f) Automobile body shop
  - g) Plant nursery and greenhouse
  - h) Veterinary establishment
  - i) Water and beverage bottling only at the properties legally described as Lot A, District Lot 50, Newcastle District, Plan 49534 and That Part of Lot 2, District Lot 50, Newcastle District, Plan 9853 Lying To The West of Berray Road As Said
  - j) Mini-storage only at the properties legally described as Lot A, Block 29, Comox District, Plan 18686; Lot 1, District Lot 114, Comox District, Plan 2280; Lot B, Plan 13432, District Lot 103, Comox District and Lot 5, District Lot 249, Comox District, Plan VIP20040

## Town of Comox: Comox Zoning Bylaw 1850

1927	November 20, 2019	Comox Zoning Amendment Bylaw 1927	Ban the bottling of water other than the municipal water supply supplied directly to the property on which the bottling is taking place
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### 5.10 Prohibited Uses

Notwithstanding any other provision of this Bylaw, the following uses are prohibited in all zones:

- (1) Abattoirs;
- (2) Cabarets;
- (3) Escort services;
- (4) Junkyards, wrecking yards, or impound yards;
- (5) Pawn shops;
- (6) Primary processing of minerals, cement plants, concrete plants, or other heavy industrial uses;
- (7) the retail sale of cannabis, or any other method of distributing cannabis other than by a recreational cannabis retail store, shipping authorized by the Access to Cannabis for Medical Purposes Regulations and undertaken by a medical cannabis production facility, or shipping authorized by a licence issued under the *Cannabis Control and Licencing Act*, and for clarity, this prohibition includes the distribution of cannabis at premises commonly known as compassion clubs, which distribute cannabis to club members or other persons at the premises, whether for use at the premises or at another location; and  
(Add #1880 Apr 18/18) (Rep #1890 Aug 1/18) (Rep #1896 Sep 19/18)
- (8) the bottling of **water** where the source of the water is other than the municipal water supply supplied directly to the property on which the bottling is taking place. (Add #1927 Nov 20/18)

## City of Courtenay:

### Part 17 Prohibited Uses in All Zones

- 2839 6.17.1 Unless specifically permitted in this Bylaw, the use of land, water, buildings or structures for the following purpose is prohibited:
- (a) *Medical Marihuana Production Facility*: with the exception of lands that are located within the Agricultural Land Reserve.
  - (b) A *Medical Marihuana Production Facility* is permitted on land located within the Agricultural Land Reserve if:
    - 2935 (i) the operation of medical marihuana is contained wholly within licensed facilities permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR).
    - (ii) The minimum setback for all structures associated with medical marihuana production is 30.0 metres from all property lines.
  - 2935 (c) Storefront cannabis retailer except as approved through rezoning.
  - 2959 (d) The bottling of water except where the source of the water is the municipal water supply, supplied directly to the property on which the bottling is taking place.

### Village of Cumberland:

1133	March 8, 2021	<p>Housekeeping and Regulatory Amendments</p> <ul style="list-style-type: none"> <li>• Adds definitions for apartment, breezeway, daycare in-home, nuc and residential unit</li> <li>• Amends definitions for agricultural use, bicycle parking stall – Class 1, community care facility, day care, floor area gross, hostel, hotel, motel, institutional use, lot coverage, manufactured home, renewable resource processing</li> <li>• Prohibits water and beverage bottling in all zones.</li> <li>• Amends the Vision Clearance section.</li> <li>• Clarifies that accessory buildings and accessory dwelling units do not become part of a principal building by virtue of being connected to the principal building by a breezeway.</li> <li>• Clarifies Accessory Dwelling Unit regulations with respect to emergency access requirements and no subdivision under the Strata Property Act.</li> <li>• Updates permitted home occupations.</li> <li>• Reduces the required outdoor space per child for in-home child care to comply with provincial regulations.</li> <li>• Clarifies that the mobile vending regulation includes goods.</li> <li>• Adds that secondary suites cannot be joined to the principal dwelling by a breezeway.</li> <li>• Permits the keeping of two nucs in addition to two hives.</li> </ul>
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### 3.3 Uses Prohibited in Zones

- a) No person shall keep or permit on any *lot* in any zone, any object or chattel which is unsafe, unsightly, or adversely affects the amenities of the zone. This includes but is not limited to dismantled or wrecked motor vehicles, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, and diesel fuel and gasoline products.
- b) A use not specifically permitted in a Zone, or identified in this Part as permitted in all Zones, is prohibited from that Zone.
- c) A use not specifically permitted in this Bylaw is prohibited from the *Village*.
- d) For greater certainty, the following uses are prohibited in all Zones except where permitted for in this Bylaw:
  - i) a track for the racing of motor vehicles;
  - ii) storage of explosives, unless authorized by Government Agencies under the Canada Explosive Act;
  - iii) a use involving the storage of scrap metal, *derelict vehicles*, disused items, or as a *junkyard*;
  - iv) the use of *recreational vehicles* or other vehicles for habitation, living or sleeping purposes, except as *temporary* accommodation within a *recreational vehicle park* or *campground*;
  - v) *Cannabis retail*;
  - vi) water and beverage **bottling** except where the source is the municipal water supply supplied directly to the property on which the bottling is taking place.

#1085

#1133