



**C·V·R·D**

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 2426**

**A Bylaw for the purpose of amending Official Community Plan Bylaw No. 1945,  
applicable to Electoral Area F – Cowichan Lake South/Skutz Falls  
and Electoral Area I – Youbou/Meade Creek**

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**WHEREAS** the Local Government Act, hereafter referred to as the “Act”, as amended, empowers the Regional Board to adopt and amend official community plan bylaws;

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area F & I – West Cowichan that being Official Community Plan Bylaw No. 1945;

**AND WHEREAS** the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the Act;

**AND WHEREAS** notices were published in consecutive issues of the “Lake Gazette” on Wednesday, July 2, 2003 and Wednesday, July 9, 2003 setting forth notice of a public hearing to be held on Wednesday, July 16, 2003 at 7:00 p.m., in the Youbou Community Hall, 8550 Hemlock Street, Youbou, BC, to hear all those people who deem themselves affected by the amendments as required by the Act;

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1945;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

**CITATION**

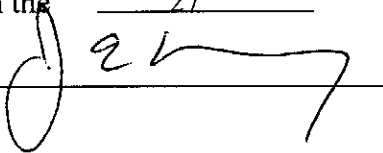
1. This bylaw shall be cited for all purposes as the “**CVRD Official Community Plan Amendment Bylaw No. 2426, 2003, Area F – Cowichan Lake South/Skutz Falls and Area I – Youbou/Meade Creek (Limona Construction Ltd.), amendment to CVRD Bylaw No. 1945**”.
2. That Cowichan Valley Regional District Official Community Plan Bylaw No. 1945, as amended from time to time, is hereby amended as outlined on the attached Schedule A.
3. This bylaw has been examined in light of the most recent Capital Expenditure Program of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this 28<sup>th</sup> day of May, 2003.

READ A SECOND TIME this 28<sup>th</sup> day of May, 2003.

READ A THIRD TIME this 27<sup>th</sup> day of August, 2003.


I hereby certify this to be a true and correct copy of Bylaw No. 2426 as given Third Reading on the 27<sup>th</sup> day of August, 2003.

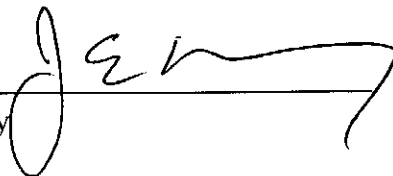
  
Secretary

AUG 29 2003  
Date

APPROVED BY THE MINISTER UNDER SECTION 882 OF THE LOCAL GOVERNMENT ACT this 2<sup>nd</sup> day of October, 2003.

ADOPTED with the consent of the Electoral Area Director for Electoral Area I this 12<sup>th</sup> day of November, 2003.

  
Chairperson

  
Secretary

**SCHEDULE A**  
to Bylaw No. 2426

Schedule A to West Cowichan Official Community Plan Bylaw No. 1945, is hereby amended as follows:

- 1) That the Table of Contents be amended by adding the following and renumbering accordingly:

“16. WATERFRONT SUBDIVISION DEVELOPMENT PERMIT AREA”  
“17. WATERFRONT COMMERCIAL DEVELOPMENT PERMIT AREA”

- 2) That the Table of Contents be amended by adding the following to Figures as Figure 8 and existing Figure 8 be renumbered accordingly; and that new Figure 8 (as shown outlined on Plan number Z-2426 attached hereto and forming Schedule B of this bylaw) be inserted accordingly:

“Figure 8 Waterfront Subdivision Development Permit Area”

- 3) That the Table of Contents be amended by adding the following to Figures as Figure 9 and existing Figure 9 be renumbered accordingly; and that new Figure 9 (as shown outlined on Plan number Z-2426 attached hereto and forming Schedule C of this bylaw) be inserted accordingly:

“Figure 9 Waterfront Commercial Development Permit Area”

- 4) That Part Six – Residential Development Policies be amended by adding the following Policy 6.1 and that existing Policy 6.1 through 6.34 be renumbered accordingly:

“POLICY 6.1:

In considering further designation of lands for residential purposes, the Regional Board shall give preference to the following:

- 1) Residential use shall only be considered if it is determined by the Regional Board that there is a demand for and insufficient supply of residentially zoned land;
- 2) Residential development shall be encouraged to locate as far away from Cowichan Lake shoreline as possible;
- 3) Lands designated for residential use shall be encouraged to locate adjacent to existing residential subdivisions;
- 4) Lands designated for residential use shall be encouraged to locate in close proximity to community amenities and services;
- 5) Lands designated for residential use shall be encouraged to connect to existing community water systems and community sewer systems.”

- 5) That Part Six – Residential Development Policy 6.14 be deleted and replaced with the following Policy 6.14:

“POLICY 6.14:

The residential designations which have been provided for in the Plan area and which are shown on Schedule “B” the Plan Map, are Rural Residential, Suburban Residential, Urban Residential, Manufactured Home Park Residential, Lakefront Residential, Waterfront Residential, and River Corridor.”

- 6) That Part Six – Residential Development be amended by adding the following land use designation and by adding the following Policy 6.29 after the “LAKEFRONT RESIDENTIAL” section, and that existing RIVER CORRIDOR and AFFORDABLE, SPECIAL NEEDS AND RENTAL HOUSING POLICIES 6.29 through 6.34 be renumbered accordingly:

“WATERFRONT RESIDENTIAL POLICIES

“POLICY 6.29:

The Regional Board may consider redesignating ‘Forestry’ lands which are zoned F-2 (Secondary Forestry) for Waterfront Residential use in Electoral Area I subject to the following:

- 1) The lands have public road access;
  - 2) The lands are immediately adjacent to existing residential subdivisions;
  - 3) The development is able to connect to existing community water systems;
  - 4) A community sewer system with a high level of effluent treatment be established for the development and provide expansion options to serve adjacent residential subdivisions;
  - 5) A substantial public land dedication is made;
  - 6) A continuous pedestrian trail is established through the development;
  - 7) That sensitive riparian areas are protected and that development of the lands be in accordance with the guidelines of the Ministry of Water, Land and Air Protection’s *Environmental Objectives, Best Management Practices and Requirements for Land Developments.*”
  - 8) Such other criteria as may be applied by the Regional Board.”
- 7) That existing Policy 6.32, which references Policy 6.29 be amended by renumbering the referenced Policy accordingly.
- 8) That existing Policy 6.34, which references Policies 6.15, 6.17, 6.20 and 6.24 be amended by renumbering the referenced Policies accordingly.

- 9) That Part Eight -- Commercial Areas be amended by adding the following land use designation and Policies 8.17 and 8.18:

**“WATERFRONT COMMERCIAL POLICIES**

In addition to the general Commercial policies, the following policies are applicable in areas designated as Lakefront Commercial:

**POLICY 8.17:**

Lands designated for Waterfront Commercial use in the Plan Area are intended to provide a limited combination of local amenities and recreational commercial uses that are in keeping with the lakefront character and which do not negatively impact upon environmentally sensitive areas.

**POLICY 8.18:**

Lands designated for Waterfront Commercial use shall be required to connect to an existing community water system and community sewer system.”

- 10) That the following Part 16 be added and existing Parts 16 and 17 be renumbered accordingly:

**“16. WATERFRONT SUBDIVISION DEVELOPMENT PERMIT AREA**

**POLICY 16.1: Category**

The Waterfront Subdivision Development Permit Area is designated pursuant to Section 919.1(a) and (b) of the Local Government Act, for the purpose of protecting the environment, its ecosystems and biological diversity; and protection of development from hazardous conditions.

**POLICY 16.2: Scope**

The Waterfront Subdivision Development Permit Area applies only to lands designated as ‘Waterfront Residential’ and ‘Waterfront Commercial’, within Electoral Area I, as shown on Figure 8 and includes:

- a) That portion of Block 118 south of Youbou Road, Cowichan Lake District.

**POLICY 16.3 Justification**

The objectives of the Waterfront Subdivision Development Permit Area are:

- a) To protect the environmental quality of Cowichan Lake and the Cowichan River;
- b) To encourage development that respects the environment, its ecosystems and biodiversity by minimizing impacts on lands during subdivision;
- c) To ensure a high level of sewage treatment to protect ground water and Cowichan Lake.

**POLICY 16.4 Guidelines**

No person shall subdivide land that is within the Waterfront Subdivision Development Permit Area, prior to the owner first receiving a development permit, which conforms to the following guidelines:

- (a) Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. Disturbance to vegetation should be minimized.
- (b) Buildings and structures requiring domestic water shall be connected to a community water system.
- (c) Access roads, driveways and parking areas should use pervious materials that can absorb runoff.
- (d) Vehicle access points, pedestrian pathways, parking, and circulation patterns shall be designed to encourage as safe a flow of pedestrians, service/emergency vehicles, and local vehicle traffic as possible.
- (e) The latest Best Management Practices for land development of the Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada, should be respected.
- (f) Runoff from the development should be strictly limited to prevent storm flows from damaging riparian areas. Impervious surfaces should be minimized.

**POLICY 16.5 Exemptions**

The terms of the Waterfront Subdivision Development Permit Area shall not apply to:

- a) Lot consolidations/elimination of interior parcel lines;
- b) Applications for a building permit.

**POLICY 16.6 Requirements**

Before the CVRD Board authorizes the issuance of a development permit for a parcel of land in the Waterfront Subdivision Development Permit Area, the applicant for a development permit shall submit a development permit application, which at a minimum, shall include:

- a) A subdivision plan;
- b) Information with respect to the proposed development in the form of one or more site plans, elevations, etc. as follows:
  - Location/extent of proposed work;
  - Location of watercourses/water bodies, including top of bank;
  - Setback distances from watercourses and water bodies;
  - Existing tree cover, areas of sensitive native plant communities, proposed areas to be cleared;
  - Existing and proposed property lines;
  - Location of roads, driveways, parking areas, and pedestrian walkways;
  - Description and percentage of impervious surfaces for existing and proposed development;
  - Location of sewer lines;
  - Location of community water lines and intake well sites (if any);
  - Proposed erosion mitigation/watercourse bank alterations;
  - Topographical contours, location of slopes exceeding 25 percent grade.

11) That the following Part 17 be added and existing Parts 16 and 17 be renumbered accordingly:

**“17. WATERFRONT COMMERCIAL DEVELOPMENT PERMIT AREA**

**POLICY 17.1: Category**

The Waterfront Commercial Development Permit Area is designated pursuant to Section 919.1(f) of the Local Government Act, for the purpose of providing guidelines for the form and character of commercial, industrial or multi-family residential development.

**POLICY 17.2: Scope**

The Waterfront Commercial Development Permit Area applies only to lands designated as ‘Waterfront Commercial’, within Electoral Area I, as shown on Figure 8.

**POLICY 17.3 Justification**

The objectives of the Waterfront Commercial Development Permit Area are:

- a) To ensure the design of commercial development is in character with the lakeside cottage atmosphere of Youbou/Meade Creek and is in harmony with the natural environment.

**POLICY 17.4 Guidelines**

Prior to commencing any development on lands within the Waterfront Commercial Development Permit Area, the owner shall submit information that demonstrates how the proposed development meets the following guidelines:

a) Vehicular Access

- a. Vehicular access shall not be provided directly to the traveling surface of Youbou Road. All such points of access shall be located on secondary roads or frontage roads, and shall be approved by the Ministry of Transportation.

b) Vehicle Parking

- a. Commercial parking areas should contain oil/water separators; use pervious landscaping that can absorb runoff where feasible. Applicants shall submit figures for total site imperviousness.
- b. Parking areas shall be well lit and designed to provide for the safety of users.
- c. Parking areas shall have interior landscaping, to break up large parking areas.

c) Pedestrian Access

- a. Within a development site, pedestrian routes should be clearly defined by means of separate walkways, sidewalks or paths in order to encourage and accommodate safe pedestrian access on and off the site.

d) Landscaping

- a. Where commercial development is directly adjacent to residential areas, landscaping in the form of a buffer shall be encouraged.
- b. Planting of native species shall be encouraged.
- c. Safety from crime should be considered in landscaping plans.

- d. Owner-designed landscape plans may be reviewed in accordance with the Landscape Standard developed jointly by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA).
- e) Architecture
  - a. Commercial buildings and structures should convey a west coast cottage style and be designed in harmony with the aesthetics of the surrounding lands.
  - b. Commercial buildings and structures may display variety in architecture, yet exude the cottage theme in forms, colours and materials to create a unified neighbourhood character. The following architectural elements and materials will be encouraged, but not limited to:
    - i. Pitched roofs and gables.
    - ii. Porches.
    - iii. Cedar siding, planks, or log homes.
    - iv. Limited stucco.
    - v. Earth tone colors.
  - c. All plans and buildings designs should promote personal and public safety.
- f) Signage
  - a. Signage should be designed to reflect the architecture of the site and to be in harmony with the landscaping plans for the site.
  - b. Where multiple freestanding signs are required on a site, the signs shall be consolidated into a single, comprehensive sign.
  - c. Freestanding signage should be low and should not exceed 5 metres in height, except where a site is lower than the adjacent road surface. In these cases variations may be appropriate and should be considered on their own merit.
  - d. Where signs are illuminated, favorable consideration shall be given to external lighting sources or low intensity internal sources. High intensity panel signs shall be avoided and backlit plastic signs will be strongly discouraged.
- g) Lighting
  - a. Parking areas and pedestrian routes on a site should be well lit, however lighting should be designed to illuminate the surface of the site only without glare spillover into adjacent parcels.

#### POLICY 17.5 Exemptions

The terms of the Waterfront Commercial Development Permit Area shall not apply to:

- a) Construction or renovation of accessory single family dwellings;
- b) Interior renovations to existing buildings;
- c) Changes to the text or message on an existing sign allowed by a previous development permit.



**POLICY 17.6 Requirements**

Before the CVRD Board authorizes the issuance of a development permit for a parcel of land in the Waterfront Subdivision Development Permit Area, the applicant for a development permit shall submit a development permit application, which at a minimum, shall include:

- (a) A written description of the proposed development;
- (b) A scalable site plan showing the general arrangement of land uses including the following:
  - a. Parcel lines
  - b. Existing buildings
  - c. Proposed buildings
  - d. Parking areas
  - e. Vehicular access points
  - f. Pedestrian access points
  - g. Outdoor illumination design
  - h. Recreation areas
  - i. Drainage details
- (c) A scalable site landscaping plan, identifying the plant species or general species type proposed for all landscaped areas;
- (d) A scalable site plan showing fencing or screening, including a diagram of the fence type.

**POLICY 17.7 Variances**

Where a proposed development plan adheres to the guidelines of this Development Permit Area, the Regional board may give favorable consideration to variances of the terms of its zoning, sign and parking bylaws, where such variances are deemed by the Regional Board to have no negative impact on adjacent parcels and would enhance the aesthetics of the site in question. Such variances may be incorporated into the development permit.

- 12) That Schedule A (Plan Text) is further amended by adjusting the Table of Contents section accordingly.
- 13) That Part 17 Implementation and Administration, be amended by adding the following to the list of Land Use Designations:

WR	WATERFRONT RESIDENTIAL
WC	WATERFRONT COMMERCIAL

- 14) That Portion of Block 118 south of Youbou Road only, Cowichan Lake District, as shown outlined in a solid black line on Plan number Z-2426 attached hereto and forming Schedule D of this bylaw, be redesignated from Forestry to Waterfront Residential; and that Schedule B to West Cowichan Official Community Plan Bylaw No. 1945 be amended accordingly.

- 15) That Portion of Block 118 south of Youbou Road only, Cowichan Lake District, as shown outlined in a solid black line on Plan number Z-2426 attached hereto and forming Schedule E of this bylaw, be redesignated from Forestry to Waterfront Commercial; and that Schedule B to West Cowichan Official Community Plan Bylaw No. 1945 be amended accordingly.
  
- 16) That Portion of Block 118 south of Youbou Road only, Cowichan Lake District, as shown outlined in a solid black line on Plan number Z-2426 attached hereto and forming Schedule F of this bylaw, be redesignated from Forestry to Parks/Institutional; and that Schedule B to West Cowichan Official Community Plan Bylaw No. 1945 be amended accordingly.
  
- 17) That the following new designations be added to the legend of Official Community Plan Map of West Cowichan Official Community Plan Bylaw No. 1945: WR (Waterfront Residential) and WC (Waterfront Commercial).

SCHEDULE B TO PLAN AMENDMENT BYLAW NO. 2426  
OF THE COWICHAN VALLEY REGIONAL DISTRICT

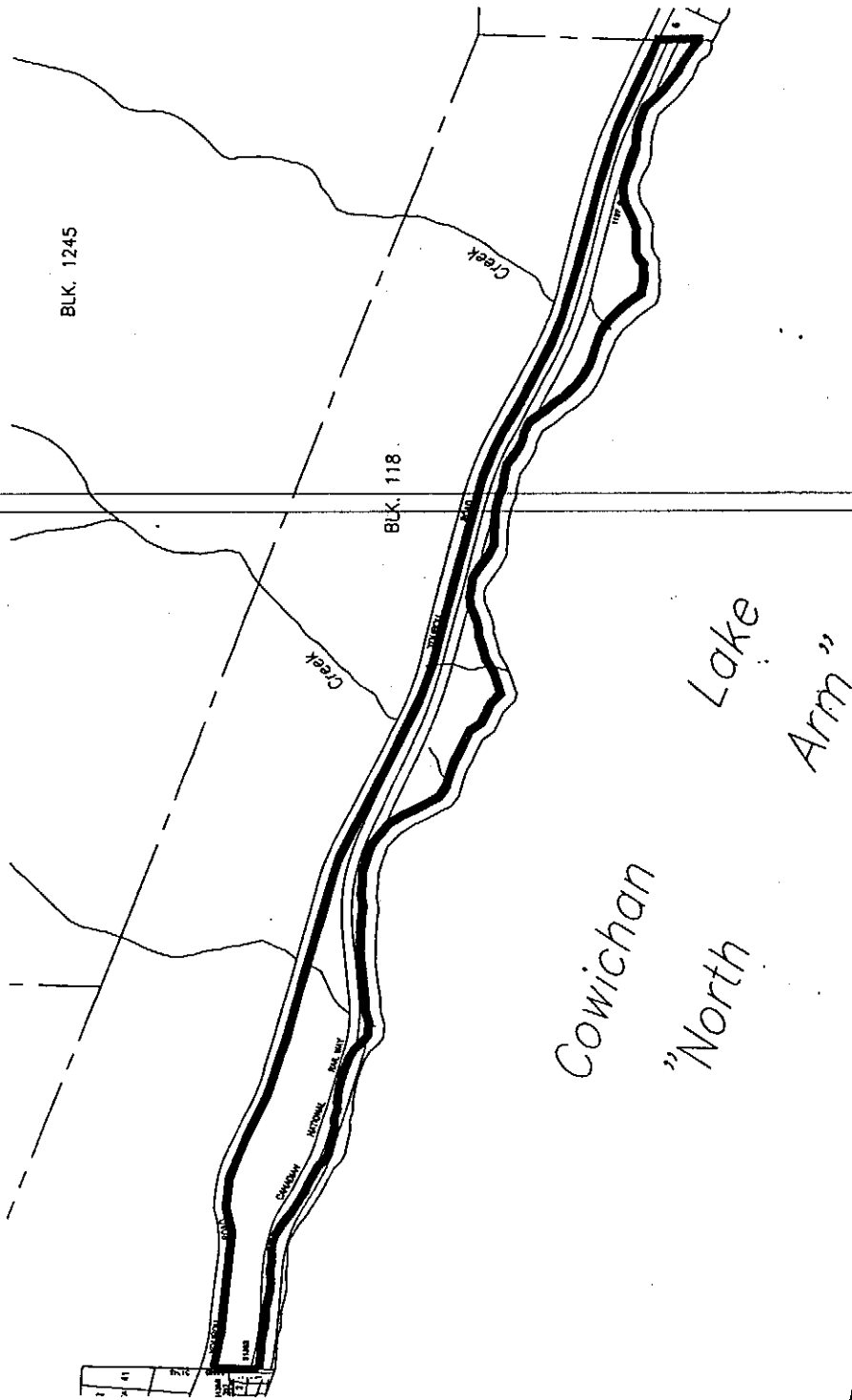


FIGURE 8  
Waterfront Subdivision Development Permit Area

SCHEDULE C TO PLAN AMENDMENT BYLAW NO. 2426  
OF THE COWICHAN VALLEY REGIONAL DISTRICT

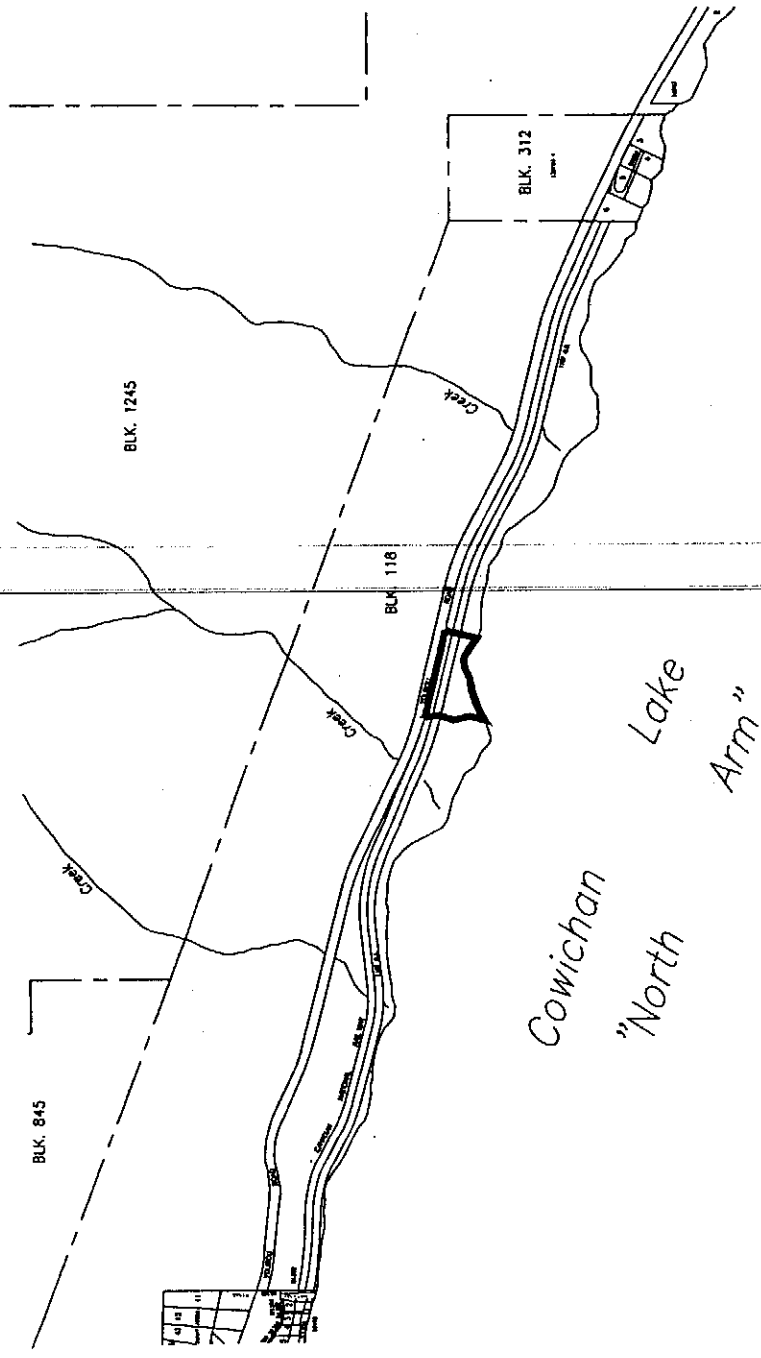
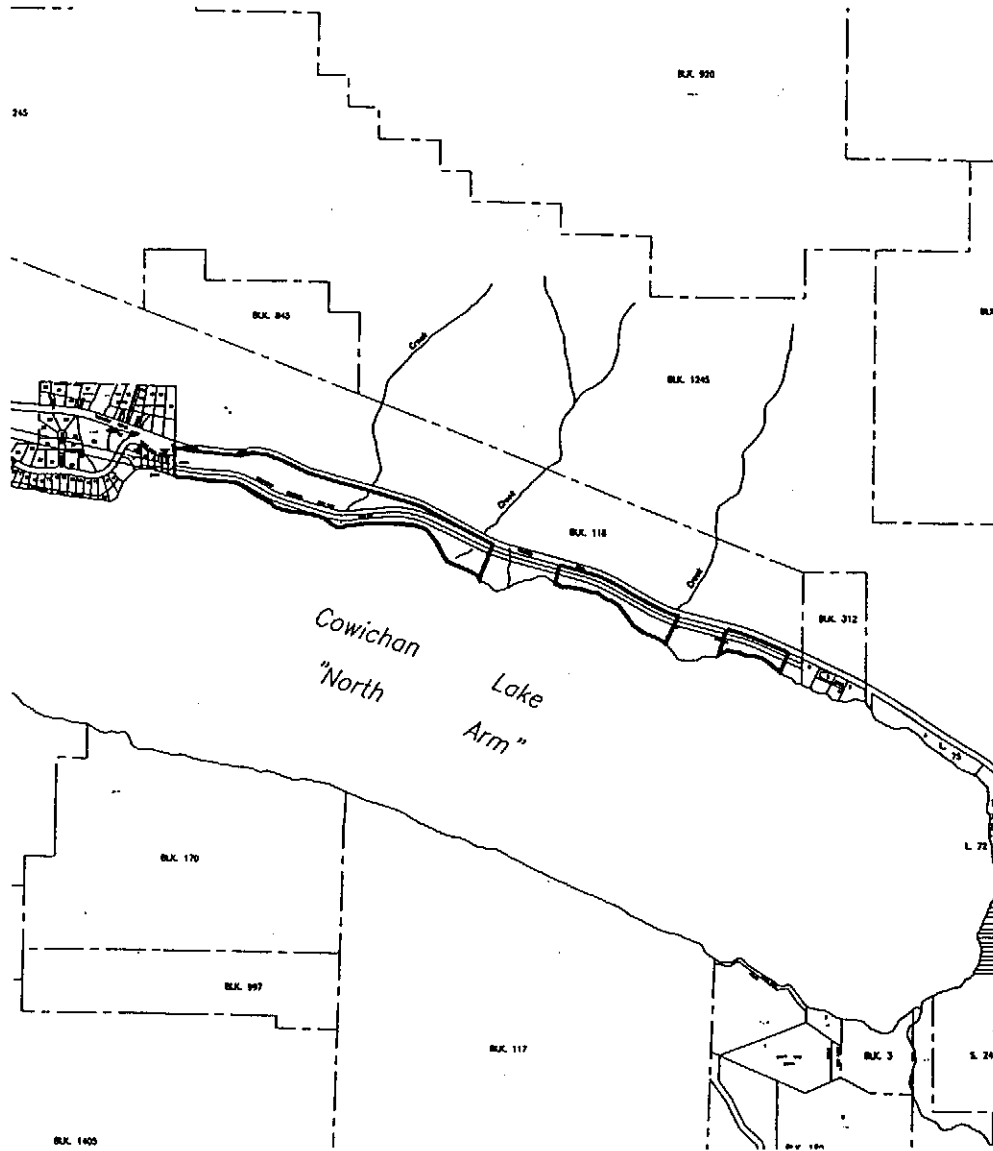


FIGURE 9  
Waterfront Commercial Development Permit Area

SCHEDULE D TO PLAN AMENDMENT BYLAW NO. 2426  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry

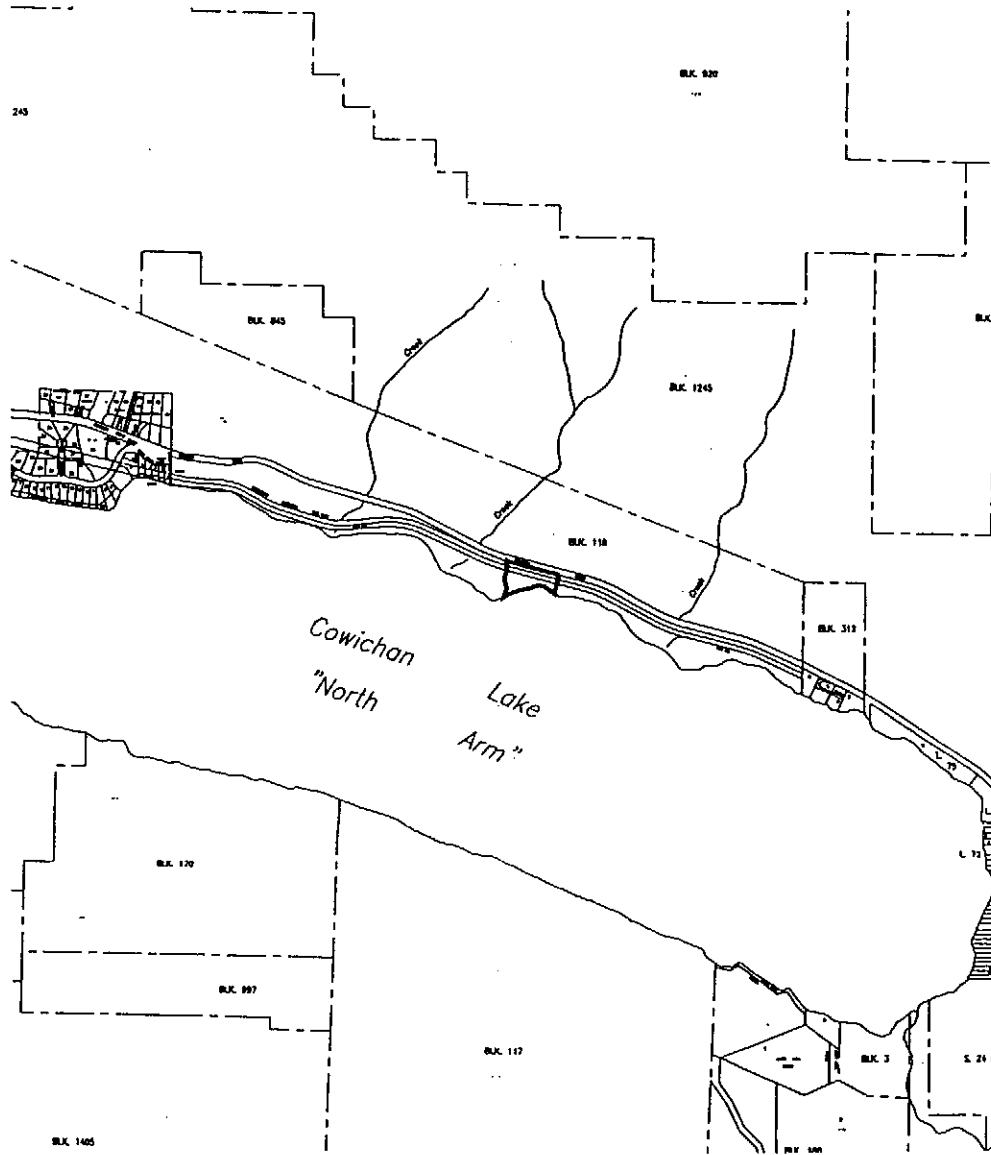
TO

Waterfront Residential

APPLICABLE

TO ELECTORAL AREA F&I

SCHEDULE E TO PLAN AMENDMENT BYLAW NO. 2426  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry

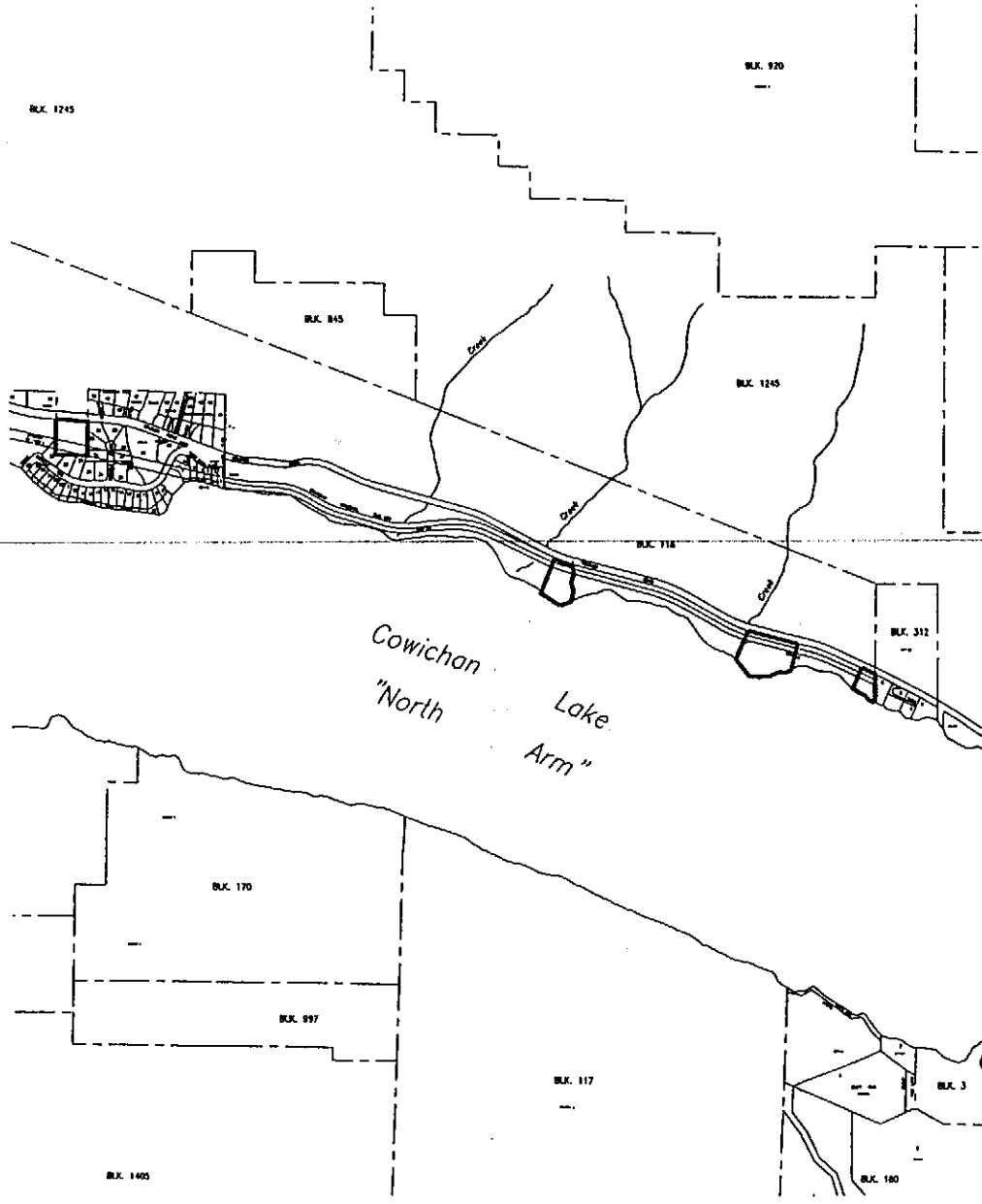
TO

Waterfront Commercial

APPLICABLE

TO ELECTORAL AREA F&I

SCHEDULE F TO PLAN AMENDMENT BYLAW NO. 2426  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry

TO

Parks/Institutional

APPLICABLE

TO ELECTORAL AREA F&I



No. 2003154

## Statutory Approval

*Under the provisions of section 882*

*of the Local Government Act*

*I hereby approve Bylaw No. 2426, 2003*

*of Cowichan Valley Regional District,*

*a copy of which is attached hereto.*

Dated this 2<sup>nd</sup> day  
Of October, 2003

  
\_\_\_\_\_  
Minister of Community, Aboriginal and  
Women's Services