
**Cowichan Valley Regional District
Electoral Area D – Cowichan Bay**

Official Community Plan

No. 3605



Cowichan Valley Regional District
Electoral Area D – Cowichan Bay
Official Community Plan Bylaw No. 3605

CONSOLIDATED FOR CONVENIENCE ONLY

Please check with the Planning & Development Department (250-746-2620) for
current information on this Bylaw



NOTE: CVRD Planning & Development Department staff have made every effort to provide the most up-to-date version of this consolidated bylaw and the associated maps. Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway. Persons using this consolidated bylaw text and the maps should not rely on them for legal purposes or to make important decisions.



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW NO. 3605**

**A Bylaw to Adopt an Official Community Plan for the
Cowichan Valley Regional District applicable to
Electoral Area D – Cowichan Bay**

WHEREAS Section 876 of the *Local Government Act*, hereafter referred to as the "Act", as amended, empowers the Regional Board to adopt official community plan bylaws;

AND WHEREAS the Act provides that an official community plan bylaw applies to an area outside of a municipality that is designated in the Plan as being covered by the Plan;

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 after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to adopt the CVRD Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605;

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

CITATION

1. This bylaw shall be cited for all purposes as the "**CVRD Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605, 2013**".

2. **SCHEDULES**

For the purposes of expressing the land use and development policies for Electoral Area D – Cowichan Bay, the Board of the Cowichan Valley Regional District hereby adopts:

- | | |
|---------------|-------------------------------------------------------------------------------|
| Schedule A: | Area D – Cowichan Bay Official Community Plan and Appendices A, B, and C |
| Schedule B: | Land Use Designations map |
| Schedule C-1: | Environmentally Sensitive Areas map |
| Schedule C-2: | Sensitive Lands map |
| Schedule C-3: | Transportation and Mobility Network map |
| Schedule C-4: | Community Sewer Service map |
| Schedule C-5: | Community Water Service map |
| Schedule D-1: | Aquatic Resources and Critical Habitat Protection Development Permit Area map |
| Schedule D-2: | Sensitive Lands Development Permit Area map |
| Schedule D-3: | Agricultural Protection Development permit Area map |
| Schedule D-4: | Rural Character and Marine Village Development Permit Areas map |

3. VALIDITY

If any section, subsection, sentence, clause, phrase or map of this bylaw is for any reason held invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

4. CAPITAL EXPENDITURE PROGRAM

This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

5. REPEAL

Cowichan Valley Regional District Official Settlement Plan Bylaw No. 925 and all amendments thereto are hereby repealed.

6. FORCE AND EFFECT

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ 13th _____ day of _____ February _____, 2013.

READ A SECOND TIME this _____ 13th _____ day of _____ February _____, 2013.


SECOND READING RESCINDED this _____ 13th _____ day of _____ March _____, 2013.

SECOND READING, AS AMENDED this _____ 13th _____ day of _____ March _____, 2013.

THIRD READING, AS AMENDED this _____ 10th _____ day of _____ April _____, 2013.

Exempt from approval by the Minister of Community, Sport and Cultural Development under Section 2 (a) and (b) of the Cowichan Valley Regional District Approval Exemption Regulation pursuant to Ministerial Order No. MO36, February 21, 2011.

ADOPTED this _____ 10th _____ day of _____ April _____, 2013.


Chairperson

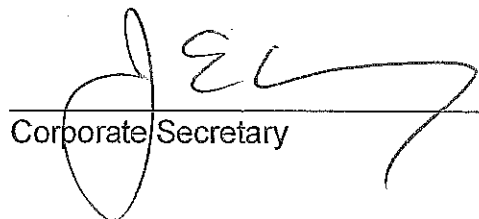

Corporate Secretary

Table of Contents

Part 1 – Policy Framework	1
1.0 Plan Foundations	1
1.1 Introduction	1
1.2 Plan Scope	2
1.3 Plan Area	3
1.4 Local Context	4
1.5 Regional Context	8
1.6 Guiding Principles	9
2.0 Process, Vision & Goals	10
2.1 Introduction	10
2.2 Process	10
2.3 Community Vision	13
2.4 Community Goals	14
3.0 Community Growth Framework	17
3.1 Introduction	17
3.2 Plan Area Environments	17
3.3 General Objectives & Policies	19
4.0 Land Use Designations	21
4.1 Introduction	21
4.2 Agricultural Resource (A)	21
4.3 Rural Resource (RUR)	25
4.4 Rural Commercial (RC)	27
4.5 Rural Residential (RR)	29
4.6 Cluster Residential (CR)	31
4.7 Rural Village Residential (RVR)	33
4.8 Village Residential (VR)	35
4.9 Mixed Use (MU)	37
4.10 Four-Ways Rural Village (FV)	39
4.11 Koksilah Village (KV)	41
4.12 Marine Village (MV)	43
4.13 Marine Industrial (MI)	46
4.14 Marine Residential (MR)	47
4.15 Marine Resource (MAR)	48
4.16 Community Institutional (CI)	49
4.17 Parks (P)	50
5.0 Natural Environment	51
5.1 Introduction	51
5.2 Ecosystems & Biodiversity	52
5.3 Water Resources	55
5.4 Sensitive Lands	58
5.5 Air, Noise, & Light Pollution	60

5.6	<i>Energy Conservation & Greenhouse Gas Reduction</i>	61
6.0	Community Social Infrastructure	63
6.1	<i>Introduction</i>	63
6.2	<i>Community Services & Amenities</i>	64
6.3	<i>Housing</i>	66
6.4	<i>Food Security</i>	70
6.5	<i>Community Safety</i>	71
6.6	<i>Parks & Trails</i>	72
6.7	<i>Heritage, Arts & Culture</i>	76
7.0	Economy	78
7.1	<i>Introduction</i>	78
7.2	<i>Economic Development</i>	78
7.3	<i>Commercial & Light Industrial</i>	79
7.4	<i>Agricultural Economy</i>	80
7.5	<i>Marine Economy</i>	81
7.6	<i>Tourism Economy</i>	81
7.7	<i>Home-Based Businesses</i>	83
8.0	Transportation & Mobility	85
8.1	<i>Introduction</i>	85
8.2	<i>Public Roads</i>	85
8.3	<i>Active Transportation</i>	87
8.4	<i>Transit, Taxi & Shuttle Services</i>	88
8.5	<i>Parking & Moorage</i>	89
9.0	Servicing	90
9.1	<i>Introduction</i>	90
9.2	<i>Water Supply and Distribution</i>	90
9.3	<i>Liquid Waste Management</i>	93
9.4	<i>Stormwater Management</i>	96
9.5	<i>Solid Waste & Zero Waste</i>	97
9.6	<i>Fire Protection</i>	98
10.0	Plan Implementation	99
10.1	<i>Introduction</i>	99
10.2	<i>General Objectives & Policies</i>	100
10.3	<i>Implementation Schedule</i>	104
10.4	<i>Monitoring, Evaluation & Reporting</i>	106
Part 2 – Development Permit Areas		107
DP.1	<i>Introduction</i>	107
DP.2	<i>General Objectives & Policies</i>	107
DP.3	<i>Applicability</i>	109
DP.4	<i>Exemptions</i>	109
Aquatic Resource Protection Development Permit Area (AR)		111

AR.1	Category	111
AR.2	Scope	111
AR.3	Justification	111
AR.4	Objectives	112
AR.5	General Guidelines	113
AR.6	Guidelines for Riparian Areas	115
AR.7	Guidelines for Marine Riparian Areas	116
AR.8	Guidelines for Aquifer Protection	117
Critical Habitat Protection Development Permit Area (CH)		120
CH.1	Category	120
CH.2	Scope	120
CH.3	Justification	120
CH.4	Objectives	121
CH.5	General Guidelines	121
Sensitive Lands Development Permit Area (SL)		122
SL.1	Category	122
SL.2	Scope	122
SL.3	Justification	122
SL.4	Objectives	122
SL.5	Guidelines for Slopes & Floodplains.....	123
SL.6	Guidelines for High Hazard Wildfire Interface Areas.....	124
Agricultural Protection Development Permit Area (AG)		125
AG.1	Category	125
AG.2	Scope	125
AG.3	Justification	125
AG.4	Objectives	125
AG.5	General Guidelines	126
Rural Character Development Permit Area (RC)		129
RC.1	Category	129
RC.2	Scope	129
RC.3	Justification	129
RC.4	Objectives	131
RC.5	General Guidelines	132
RC.6	Guidelines for Intensive Residential Development	134
RC.7	Guidelines for Cluster Residential Development.....	135
RC.8	Guidelines for Multi-Unit Residential Development	136
RC.9	Guidelines for Commercial, Mixed-Use & Industrial Development	137
RC.10	Building Design.....	138
RC.11	Site Design	140
RC.12	Landscaping Guidelines	142
RC.13	Exterior Lighting Guidelines.....	143
RC.14	Sign Guidelines	144
RC.15	Subdivision Guidelines	145

Marine Village Development Permit Area (MV)	147
MV.1 Category	147
MV.2 Scope	147
MV.3 Justification	147
MV.4 Objectives	148
MV.5 General Guidelines	149
MV.6 Guidelines for Commercial, Industrial, & Mixed Use Development	154
MV.7 Guidelines for Stilt Homes	155
MV.8 Sign Guidelines	156

Appendix A – Healthy Shorelines: Recommendations for Maintenance of Ecological Integrity of the Cowichan Bay Shoreline

Appendix B – Population & Housing Analysis

Appendix C – Glossary of Terms

List of Figures

- Figure 1 – Plan Area Context Map
- Figure 2 – GHG Emissions by Sector, CVRD (2008)
- Figure 3 – Electoral Area D – Cowichan Bay OCP Consultation Process
- Figure 4 – Electoral Area D – Cowichan Bay Community Plan Vision
- Figure 5 – Community Growth Framework – Plan Area Environments
- Figure 6 – OCP Policy Framework from Vision to Implementation
- Figure AR.1 – RAR Assessment Area
- Figure AR.2 – Level of Hydrogeological Assessment
- Figure AR.3 – Hydrogeological Assessment Requirements
- Figure AG.1 – Urban-Side Setback & Buffer Design Criteria for Urban-ALR EPAs

List of Tables

- Table 1 – Plan Goals and Corresponding Plan Sections
- Table 2 – Community Water Systems, 2011
- Table 3 – Community Sewer Systems, 2011
- Table 4 – Implementation Schedule
- Table 5 – Development Permit Exemptions

Acknowledgements

The Electoral Area D – Cowichan Bay Official Community Plan is the result of the collective effort, input and commitment of numerous community members, stakeholders and volunteers. Without them, this Plan could not have been possible. In particular, the members of the OCP Steering Committee are commended for their contribution in advising on the OCP process; reviewing and providing input on numerous background reports, stakeholder submissions, and drafts of the Plan; assisting with community consultation activities; and serving as a critical link between the CVRD and community members. It is also acknowledged that this Plan cannot be implemented without the further commitment of community members and their political representatives, the CVRD Board of Directors. The extraordinary commitment of the following groups and individuals is recognized.

OCP STEERING COMMITTEE

- Robert Stitt, Chairperson
- Hilary Abbott, Vice-Chairperson
- Don Bright
- Peter Holmes
- Danica Rice
- Dan Butler (until July 2011)
- Larry George, Cowichan Tribes
- Tracy Fleming, Cowichan Tribes

DIRECTOR, AREA D - COWICHAN BAY

- Lori Iannidinardo

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- Gerry Giles, Area C
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- Jessica Vickers

ORGANIZATIONS/ASSOCIATIONS

- Cowichan Bay Fishermen's Wharf Association
- Cowichan Bay Improvement Association
- Cowichan Land Trust
- Cowichan Wooden Boat Society
- Cowichan Tribes
- District of North Cowichan
- Oceanfront Residents Community Association
- School District 79

Executive Summary

This Official Community Plan (OCP) represents the collective values and vision of community members. The Plan replaces the 1986 Cowichan Bay Official Settlement Plan (OSP) and presents a current policy framework to guide decisions on land use and planning activities in the Plan Area. The Plan addresses key issues and opportunities for community members concerning:

- the health of the environment and estuary;
- the state of agriculture;
- the safety of public roadways;
- management of water resources;
- development on and near steep slopes;
- air quality and greenhouse gas emissions;
- the local economy and employment;
- housing affordability and accessibility;
- food security;
- access to parks, trails and the foreshore;
- conservation of heritage and archeological resources;
- the quality and design of sites and buildings; and
- community services and infrastructure.

The Plan is comprised of two parts in addition to appendices and Plan Area maps. Part I contains the policy framework and is divided into 10 sections:

- *Section 1 – Plan Foundations* provides the purpose and context for the OCP, and also identifies guiding planning principles for the development of the Plan and implementation;
 - *Section 2 – Plan Process, Vision and Goals* explains the process by which the Plan was developed, and describes the community's input toward the development of a collective vision for the future as articulated through twelve key goal statements;
 - *Section 3 – Community Growth Framework* describes the philosophy and general approach to accommodating future population growth and development, and provides general objectives and policies which apply broadly to the Plan Area;
 - *Section 4 – Land Use Designations* includes the objectives and policies pertaining to individual land use designations;
- Sections 5 through 9 contain objectives and policies concerning the natural environment, community

social infrastructure, economy, transportation and mobility, and servicing;

- *Section 10 – Implementation* identifies the actions needed to implement Plan policies, along with their timing and prioritization.

Part 2 of the Plan contains the Development Permit Area (DPA) designations, describes the special conditions which justify the DPAs, and provides guidelines to help shape developments which are consistent with the Plan vision, goals and objectives. DPA guidelines are an important tool for ensuring the quality of development and avoiding negative impacts on the community and the environment. DPA designations have been established to protect aquatic and terrestrial resources, to protect development from hazardous conditions, to protect agriculture from inappropriate and poorly sited development, and to protect the form and character of development. The DPA guidelines are also intended to facilitate the reduction of greenhouse gas emissions, energy conservation, and water conservation in support of the CVRD's commitment to addressing climate change.

Appendix A – Healthy Shorelines: Recommendations for Maintenance of Ecological Integrity of the Cowichan Bay Shoreline, is a report prepared by Polster Environmental Services Ltd., which provides the rationale to support Plan policies and guidelines concerning environmental health.

Appendix B – Population & Housing Statistics includes key population and housing indicators, which inform the Plan's growth, housing and affordability policies.

Appendix C – Glossary of Terms includes descriptions of key terms and concepts used in the text of the Plan.

The Plan is based on the input of community members who are passionate about where they live, work and socialize. Still, over time the community's needs and values will change. While the Plan provides a policy framework to accommodate growth for a period of at least five years, it is expected that it will be reviewed not more than ten years from the date of its adoption. This will ensure that the OCP remains a "living document" which adapts to the changing needs and values of the Electoral Area D – Cowichan Bay community.

Part 1 – Policy Framework

1.0 Plan Foundations

1.1 Introduction

The Official Community Plan (OCP) represents the community's vision for the future and provides a framework to guide growth and decisions about the use and management of land and water resources in the Plan Area. The OCP describes how and where residential, commercial and other types of development will occur; guides the provision of necessary road, water, sewer and other infrastructure to service development; and provides policies concerning environmental, economic and community health and well-being.

The OCP replaces Electoral Area D – Cowichan Bay Official Settlement Plan Bylaw No. 925 adopted in 1986 along with its subsequent amendments. There are several reasons for creating a new OCP:

- To address emerging issues and challenges, which impact community well-being, namely: threats to agricultural productivity; access to clean and affordable food; the loss of habitat and biodiversity; the quality and quantity of water resources, and air quality; the impacts of development on rural community character; the changing needs of an aging population; housing affordability; economic health; public health and safety; heritage protection; rising energy costs; and changing climatic conditions;
- To introduce a clear planning decision-making framework to guide growth and the use of land and water resources, consisting of objectives, policies, targets and actions, which reflects the vision and values of community members;
- To ensure consistency with the *Local Government Act*, other guiding legislation and current CVRD policies; and
- To provide certainty for residents, business owners, developers and other stakeholders regarding the future use and management of land and water resources within the community.

The adoption of the OCP constitutes an agreement between community members and the Cowichan Valley Regional District (CVRD) that the community's vision and goals as expressed through the objectives and policies within this Plan, will be thoughtfully considered and followed, in all future planning matters.

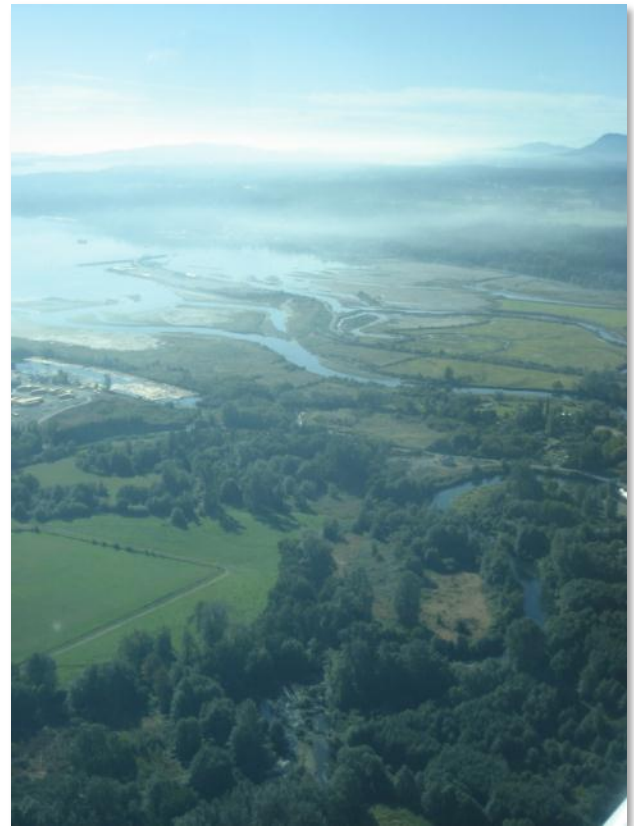


Photo: View of the Cowichan Estuary looking south from Mt. Tzouhalem (CVRD)

1.2 Plan Scope

The CVRD Electoral Area D – Cowichan Bay Official Community Plan is legislated by the *Local Government Act* as “a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the plan”. In accordance with the *Act*, the OCP is required to address the following:

- Residential development for at least five years;
- Commercial, industrial, institutional, agricultural, recreation and public utility land uses;
- Sand and gravel deposits suitable for extraction;
- Restrictions on the use of hazardous or environmentally sensitive lands;
- Location and phasing of roads, and sewer and water services;
- Public facilities, including schools, parks and waste treatment and disposal sites;
- Affordable, rental and special needs housing; and
- Targets, policies and actions for reducing greenhouse gas emissions.

An OCP may also include:

- Social policies;
- A regional context statement;
- Farming policies;
- Environmental policies; and
- Development permit area (DPA) designations and associated guidelines.

While the OCP does not commit the CVRD Board to proceed with any project specified in the Plan, Section 884 of the *Local Government Act* specifies that all future bylaws enacted, chiefly zoning and subdivision bylaws, or works undertaken by the CVRD must be consistent with the OCP. The OCP must also respect the jurisdiction of First Nations and other government agencies within the Plan Area. In order to achieve specific Plan objectives, it will be necessary for CVRD staff and board members to work collaboratively with those agencies and individuals who have the authority to affect positive change including, in particular, Cowichan Tribes, provincial ministries, the Islands Trust and neighbouring local governments.

Cowichan Tribes are recognized as a significant stakeholder with approximately 1,300 Cowichan Tribes members living on-reserve within the Plan Area. While the OCP has no jurisdiction on reserve land, there is an opportunity to coordinate with Cowichan Tribes and other First Nations on planning, servicing, economic development opportunities, environmental initiatives and issues of mutual concern, to contribute to improved community well-being.

Going forward, the OCP should be considered a “living document” that will be amended from time to time by the CVRD Board either under its own initiative or as the result of an approved OCP amendment application. While the *Local Government Act* requires a minimum five-year planning horizon, it is important to take a longer term view for the community. As such, this OCP contemplates anticipated population growth and corresponding land use changes over a twenty-five year period. Regardless, the OCP should be comprehensively reviewed at least ten years from the date of its adoption through an open and transparent community consultation process to ensure that the OCP appropriately addresses community needs and values.

The Plan is comprised of many objectives and policy statements, which contain the words, “will”, “may”, and “should” to indicate the degree to which action is required:

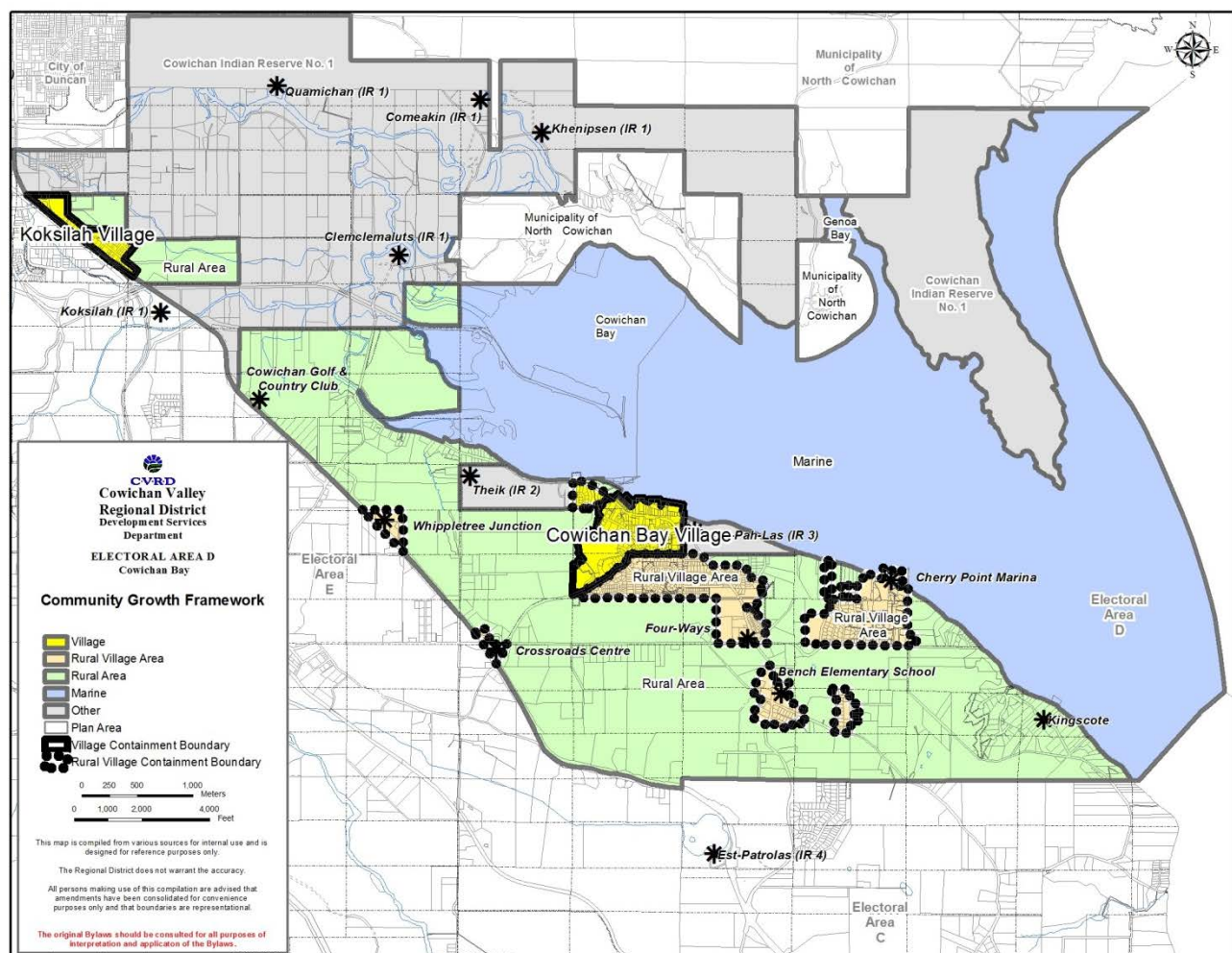
- “Will” is used when an action is required;
- “May” is used when an action is optional; and
- “Should” is used when an action is suggested.

While “may” and “should” provide more flexibility in decision-making, “will” establishes certainty in the Plan. In order for the Plan to be truly effective, “will” statements are needed and are, in effect, the Plan’s “teeth”. That said, when interpreting the Plan in relation to an application, it is important to consider all relevant objectives and policies. In the event of an inconsistency with any objectives or policies, the relative consistency between the application and the general intent of the Plan as a whole should be considered. Where any figure, table or schedule may appear to be in conflict with the text of this Plan, the text will take precedence.

1.3 Plan Area

The “Plan Area” includes 4,600 hectares of land and water surfaces within the boundaries and jurisdiction of Cowichan Valley Regional District Electoral Area D – Cowichan Bay shown on the map attached as Schedule B. The area is bounded by Satellite Channel and Sansum Narrows to the east and Electoral Area E and the Trans-Canada Highway to the west. The City of Duncan and the Municipality of North Cowichan border Electoral Area D to the north and Electoral Area C lies to the south. Electoral Area D also includes an arm of water that extends north from Cowichan Bay at Sansum Point through Sansum Narrows toward Electoral Area G, which has been excluded from the Plan Area for the purposes of this OCP. Figure 1 below shows the general location of the Plan Area in relation to the greater Cowichan Valley Regional District.

FIGURE 1: PLAN AREA CONTEXT MAP



Source: CVRD GIS Division (2013)

Notably, the Plan Area is located within the traditional territory of the Cowichan Tribes and encompasses six traditional villages including Quamichan, Comeakin, Khenipsen, Clemclemaluts, Theik and Kil-Pah-Las. These traditional villages remain inhabited today and in total, Cowichan Tribes Reserves (1, 2, 3 and 9) constitute roughly 1,400 ha or one third of the land base within the Plan Area.

1.4 Local Context

The local context for the development of the OCP, respecting the environment, land use, population and housing, economy, and climate change, is described as follows.

ENVIRONMENT

The Plan Area is located entirely within the coastal Douglas-fir (CDFmm) biogeoclimatic zone, characterized by a variety of tree species such as coastal Douglas-fir, grand fir, western red-cedar, Garry oak, western flowering dogwood, arbutus, hemlock, red alder and big leaf maple. Almost all forested ecosystems and many rare wildlife and plant species within the CDFmm zone, are provincially red-listed (endangered) or blue-listed (threatened). With the exception of the Mt. Tzouhalem area, the landscape has been extensively cleared either for agricultural production or urban development, resulting in little remaining habitat for fish, birds and wildlife. Fragmented landscapes are particularly susceptible to invasive species such as English ivy, Scotch broom, and giant hogweed, American bullfrogs, European starlings and grey squirrels, which can easily overwhelm native species.

The Cowichan Estuary is a focal point in the Plan Area, representing a biologically diverse ecosystem, which is sensitive to human activity. Loss and degradation of estuarine habitat has resulted from dyking for agriculture, land development, log handling, and water pollution from waste discharges, sewage disposal and agricultural surface runoff. In response to these concerns, the Ministry of Environment introduced the Cowichan Estuary Environmental Management Plan (CEEMP) by Order in Council (1987) “to provide a framework for environmental decisions and to balance environmental priorities and concerns with those of other interests and organizations”. Since its inception, the CEEMP has been administered by a cross-jurisdictional committee of representatives of the CVRD, Ministry of Environment, Cowichan Tribes, Department of Fisheries and Oceans, and the District of North Cowichan. The committee deals with applications for activities within the Cowichan Estuary and Cowichan Bay Village. The CEEMP boundaries are shown on the map attached as Schedule B to the Area D OCP Bylaw. A policy and regulatory framework, building on the CEEMP, to

positively influence the health of the Cowichan Estuary is a paramount concern for community members.

The health of the Cowichan Estuary is inextricably connected to the upland environment and dependent on a well-functioning natural drainage system, consisting of the Cowichan and Koksilah Rivers, wetlands, and permanent and intermittent streams, which filter pollutants and sediments from water, control the rate and volume of water, and provide habitat for fish, birds and wildlife. Yet, this natural drainage system has been greatly modified to accommodate development through the removal of native vegetation, increases in impervious surfaces, the construction of ditches, culverts and outflow pipes, and modification of soil organization through the filling of streams, wetlands and ravines.



Photo: Marine riparian vegetation provides microclimate and nutrients to support forage fish (R. De Graaf)

The cumulative impacts of disruption and alteration to the natural drainage system include increased surface runoff rate and volume, sedimentation of water courses and the estuary, loss of habitat and damage to and loss of native species. Alteration of the natural drainage system may also pose safety risks for the public. Because much of the Plan Area is underlain by highly-impervious clay soils, the combination of high water volumes and removal of vegetation particularly on steep slopes presents conditions conducive to accelerated erosion and land slide. Poorly maintained septic systems and inappropriate discharge of liquid waste also present threats to the health of aquatic resources through contamination of groundwater, streams, and the estuary.

Access to groundwater is also a key concern. Many residents and farm operators are heavily dependent on groundwater as their supply of drinking and domestic water and for agricultural irrigation. While water is abundant during wet winter months, it can be scarce during the summer and it is not uncommon for private wells to run dry during summer months.

LAND USE



Photo: Farm operation in the Cherry Point area (P. Holmes)

At the time of writing this Plan, about 70% of the Plan Area land base was within the Agricultural Land Reserve (ALR), with just over 50 percent classified as active farmland. Residential uses, outside First Nations reserves and the ALR, occupied 25 percent of the land base, with residential areas in the Cowichan Bay Village (uplands) area, the Koksilah Area, Four Ways, Bench Elementary School area neighbourhoods, Cherry Point, Kingscote, Cowichan Bay Road/Bench Road/Hillbank Road areas, and the Bartlett Road area. Commercial uses occupied just three percent, found in Cowichan Bay (Marine) Village, Koksilah Village, Whippletree Junction, Crossroads Centre, and minor commercial uses at Four-Ways and Cherry Point. Industrial uses represent two percent of the land base, including the gravel extraction and processing uses at Cowichan Bay Road and Shearing Road, (Westcan) marine terminal in Cowichan Bay, and small wood processing facilities on Hillbank Road.

POPULATION, HOUSING & COMMUNITY

By 2036, the population of the Plan Area (excluding First Nations reserves) is projected to grow to 3,819 people – 849 or 28% more than the 2011 census. The population will also age considerably. It is estimated that the population aged 65 and older will grow from 19% to 27% of the total population, meaning that the number of seniors will almost double (from 575 to 1045) and also that the population aged 85 and older will almost triple (from 55 to 132). Based on the projections, approximately 450 housing units are needed by 2036. In order to meet changing household needs and the needs of an aging population, in particular, a variety of housing types are needed. There is also a particular demand for smaller, accessible and affordable dwellings. At the time of plan preparation, approximately 90 percent of dwellings were single detached.

Affordability is a key consideration in the development of appropriate planning policies. While affordable housing is typically considered to be housing that costs less than 30 percent of a household's gross income, this presents a challenge for renters more often than owners. In 2006, 40 percent of renter households lived in housing costing more than 30 percent of their gross household income compared to 35 percent province wide while only 14 percent of owner households paid more than 30 percent compared to 19 percent province wide. The lack of affordable rental housing may be a major factor contributing to the high cost of rental housing in the Plan Area. Affordable ownership housing is also a concern for many households. During the first part of the 21st century, average home prices more than doubled and were approximately \$380,000 in early 2010. Couples without children, lone parent households, and singles whose median annual incomes range from \$60,000 to \$20,000 respectively, generally have little opportunity to enter the ownership housing market whereas couples with children earning a median annual income of \$100,000 are generally able to afford single detached homes in the area.



Photo: Single detached dwelling (CVRD)

The rising cost of food represents another challenge for the Plan Area. Access to safe, nutritious food is an important determinant of health (*Social Planning Cowichan Status of Community Report 2010*). For many, particularly those on limited incomes, access to food is a key challenge that is increasing with the rising cost of food. Consistent with the local food bank statistics, between 2008 and 2009, food bank usage in BC increased by 15.1% and of the people accessing food banks in BC in 2009, 31.4% were children (*Food Banks Canada 2009 Hunger Count*). Access to clean, safe food and shellfish is a critical concern for First Nations. The closure of shellfish harvesting since 1973 has had critical and long-lasting impacts for First Nations, and specifically the Cowichan people, for whom shellfish have had food, social and ceremonial value for generations.

There is no dedicated community centre, which represents a deficiency in the community's social infrastructure. While Bench Elementary School accommodates many community functions and youth activities, its primary purpose is as an educational facility. There is potential, however, for this facility to evolve into a vibrant community hub with a combination of educational and social facilities and community services.

ECONOMY

Like many BC communities traditionally rooted in agriculture and other resource-based industries, the local economy has evolved and diversified from farming, forestry, and fishing due to global economic changes and increasing challenges to primary industries.

Residents are closely tied to the regional economy, with many regularly travelling to Duncan or Victoria for shopping, services, entertainment or employment. The 2006 census reported that 45% of the active labour force (605 people) worked outside the Plan Area and that 21% (290 people) had a place of employment outside the Cowichan Valley. This equates to two thirds of the active labour force residing in Cowichan Bay and leaving the community each day for work.

While more than two-thirds of the Plan Area is located within the Agricultural Land Reserve (ALR), challenges to the economic viability of farming threaten to convert land to non-agricultural uses. Between 1986 and 2006, the average Cowichan Valley farm size changed from 31.2 ha to 16.5 ha while, overall, there was a loss of almost 5,700 ha of active farmland (*Census of Agriculture*). At the time of preparing this Plan, just over 50 percent of lands within the ALR were classified as active farmland. At the same time, 8.9 % of ALR land was in small farms (less than 4 ha), 75.1 % of ALR land was in medium-sized farms (between 4 and 28 ha) and 14.4 % of ALR land was in large sized farms (greater than 28 ha). Local food production and retention of the rural agricultural landscape are vitally important to community members.

In the commercial sector, Cowichan Bay Village has also evolved and diversified into a unique mixed use village with a combination of marine industrial, institutional and commercial businesses. Parking, transportation, and related safety issues have been identified as key challenges related to the economic health of the Village. The loss of marine industry is another recognized concern. The Village was once dominated by marine dependent activities such as boat building and repair, commercial fishing, and seafood processing has evolved to more of commercial mixed use area with little remaining industry. Still, the marine industrial "working harbor" element remains important to the Bay's unique character.

Tourism continues to grow in the Plan Area in a variety of realms: marine tourism, agricultural and wine tourism, and eco-tourism. Whale-watching and bird-watching are particularly important to the eco-tourism sector, contributing human-wellness benefits associated with the experience of being with nature and also contributing economic benefits.

CLIMATE CHANGE

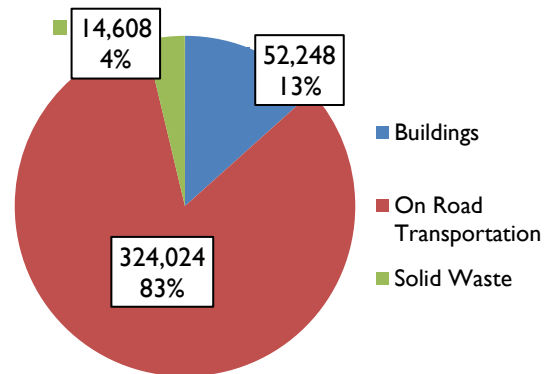
An overarching challenge for the Plan Area is planning for an uncertain future with a changing climate. Climate change is attributed to the increasing concentration of greenhouse gases (GHGs) in the atmosphere from human activities including the burning of fossil fuels and deforestation. Projected impacts of climate change for south coastal BC include increasing sea levels, increased precipitation, increased year-round temperatures and more extreme weather events (e.g. summer droughts, heavy rains, winter storms). In the long term, these climatic changes are expected to impact social and economic systems, through:

- Forced resettlement from shoreline areas and relocation of transportation routes;
- An expanded food growing season, but a decrease in soil moisture levels;
- Changes to critical natural resources (e.g. groundwater supply);
- Emerging health concerns (e.g. heat wave stress and related illness, altered range of vector-borne diseases);
- More frequent natural disturbances (e.g. forest fires and pestilence); and
- Disturbance to and loss of natural ecosystems and wildlife habitat.

The Province has committed, through the adoption of *Bill 27* (2008), to a 33% reduction in GHG emissions (from 2007 levels) by 2020 and an 80% reduction levels by 2050. *Bill 27* amended the *Local Government Act* to require that all BC local governments include GHG emission reduction targets – and policies and actions to achieve those targets – in their Official Community Plans. In the Plan Area, on-road transportation

represents approximately 80% of GHG emissions while the remainder is attributed mainly to buildings and solid waste (Figure 2). In order to meet the provincial targets, significant changes are needed to both the physical landscape and individual behaviors.

**FIGURE 2: GHG EMISSIONS BY SECTOR
(CO₂E (TONNES)), CVRD (2008)**



Source: BC Ministry of Environment, Community Energy and Emissions Inventory

Opportunities to address GHG reduction include: creating more diverse living and lifestyle solutions and more local employment; introducing green site and building technologies and transitioning to renewable energy; reducing waste; producing more food locally; and establishing more efficient linkages between neighbourhoods and work, shopping, and recreation destinations. This Plan presents a framework to facilitate these opportunities, and thereby address climate change in a proactive manner. Development permit area guidelines for energy conservation, water conservation, and GHG reduction are mechanisms to help meet the provincial GHG emissions reduction targets.

1.5 Regional Context

Electoral Area D – Cowichan Bay is one of nine electoral areas in the Cowichan Valley Regional District, located in Southern Vancouver Island. While this OCP is focused on the Plan Area, it is recognized that the local area and its inhabitants are inextricably connected to the greater region and to places beyond. Community members regularly cross jurisdictional boundaries for a variety of reasons such as employment, shopping, and access to social, recreational, and cultural services and facilities. The physical landscape and ecological function are also greatly influenced by larger bioregional, hydrological and atmospheric processes.

Despite the absence of a Regional Growth Strategy in 2012, the CVRD continues to support regional planning initiatives. In 2010, the CVRD adopted the Corporate Strategic Plan which includes strategic actions to achieve objectives for sustainable land use, healthy environment, service excellence, a viable economy, a safe and healthy community, and sustainable infrastructure. In addition, a number of regional scale plans, studies and reports provide a basis for the development of complementary OCP objectives and policies. Significant plans, studies and reports include:

- Cowichan Bay Official Settlement Plan (1986)
- Cowichan Estuary Environmental Management Plan (1987)
- Cowichan Bay Local Area Plan (1996) (not adopted)
- Central Sector Liquid Waste Management Plan (1999; 2001)

- Sensitive Ecosystem Inventory for Eastern Vancouver Island and the Gulf Islands (2004)
- Interim Strategic Land Plan for the Hul'qumi'num Core Traditional Territory (2005)
- A Review of the Cowichan Estuary Environmental Management Plan, Final Report (2005)
- CVRD Solid Waste Management Plan (2006)
- Regional Parks & Trails Master Plan (2007)
- Cowichan Basin Water Management Plan (2007)
- Cowichan River Integrated Flood Management Plan (2009)
- CVRD Environment Commission's 12 Big Ideas (2009)
- Status of the Community II Report (2010)
- Cowichan Regional Area Agricultural Plan (2010)
- CVRD State of the Environment Report (2010)
- Cowichan Region Affordable Housing Strategy (2010)
- CVRD Community Survey (2011)
- Sustainable Economic Development Strategy (2011)
- Regional Energy Plan (2012)

Because of the inherent and persistent connections, numerous cross-jurisdictional implications result from this Plan. Addressing these implications will require collaborative efforts on the part of the CVRD Board, its member municipalities and electoral areas, senior governments, First Nations, and others within the greater Cowichan region.

1.6 Guiding Principles

The following values and guiding principles were considered by the OCP Steering Committee as integral to the OCP process and eventual implementation of the new Plan. Going forward, the principles should be respected in decision making processes that may affect the community, its natural environment, built form and socio-economic fabric.

INCLUSIVITY

The development and implementation of the OCP will occur with a commitment to including all community members. Diverse consultation opportunities and communications methods will be employed to achieve the broadest possible level of community engagement regardless of age, culture, socio-economic status, or ability. The participation and work of community volunteers on various committees and commissions and cooperation with Cowichan Tribes and other government agencies is essential to ensuring successful Plan implementation.

TRANSPARENCY

Information about land use and development proposals affecting the local community will be clearly communicated by the CVRD. Residents should have ample opportunity to provide input. Decisions should be made by the CVRD in a transparent manner using the best available information.

ACCOUNTABILITY

The CVRD and community members will give priority to the vision and goals of the Official Community Plan in day to day activities and decisions affecting the use and development of land. OCP policies will be addressed through a detailed implementation plan with delegated responsibilities. This Plan will also incorporate measures for monitoring, evaluation and public reporting.

COOPERATION

The CVRD will cooperate, collaborate or partner with First Nations, neighbouring jurisdictions, senior governments and other agencies on matters of mutual interest and responsibility.

PRECAUTIONARY PRINCIPLE

The precautionary principle or precautionary approach means that if an action or policy has a suspected risk of causing harm to the public or to the environment, in the absence of scientific consensus that the action or policy is harmful, the burden of proof that it is not harmful falls on those proposing the action.

The CVRD will take a precautionary approach to ensure that public and environmental health and safety are afforded a high priority in land use decisions. When a proposed land use or activity raises threats of harm to human or environmental health, precautionary measures must be taken if some cause-and-effect relationships have not already been established scientifically, including the:

- Duty to take anticipatory action to prevent harm;
- Duty to require proponents to provide complete and accurate information about potential human and environmental impacts;
- Obligation to consider all practical alternatives, including no change to existing land use; and
- Duty to consider the costs and benefits to the community when evaluating alternatives, and to select the alternative with the least potential impact.

PLANNING FOR FUTURE GENERATIONS

Decisions will be made so as to provide future generations with as many or more opportunities as Electoral Area D – Cowichan Bay residents currently enjoy. It is understood that a healthy natural environment is essential to a healthy living environment for community members and a healthy local economy.

2.0 Process, Vision & Goals

2.1 Introduction

The OCP is the synthesis of technical research and analysis, dialogue and the valuable contribution of individual community members, stakeholders and volunteers of the OCP Steering Committee. Countless hours were spent by both OCP volunteers and community members in the development of this Plan. Described in this section are: the consultation process used to gather input to the development of the Plan, and the overall vision that has emerged as set out in broad OCP Goals.

2.2 Process

The OCP consultation process was guided by a seven-member steering committee, which consisted of residents of Electoral Area D – Cowichan Bay and a representative of the Cowichan Tribes. The process was intended to be transparent and inclusive with many opportunities to provide input. Notices were placed in local newspapers; household newsletters were sent out during each phase of the process; regular email updates were sent to more than 400 subscribers; and three billboard signs were placed at key intersections to advertise events and activities.

The consultation process consisted of four key phases, as shown in Figure 3. Community dialogue and background research in Phase 1 was critical to

understanding local conditions and to projecting and adequately planning for future growth. Community input during Phase 2 – Visioning defined local issues, opportunities and values, and generated the OCP goals that were subsequently explored and validated during Phase 3. Plan preparation during Phase 4 involved drilling down and identifying the appropriate policy directions to achieve the established goals.



Photo: Community members collaborate on a visioning exercise at the Community Mapping Workshop (CVRD)

FIGURE 3: ELECTORAL AREA D – COWICHAN BAY OCP CONSULTATION PROCESS



OCP CONSULTATION ACTIVITIES

Phase 1

- OCP Steering Committee Formation
- Joint Advisory Planning Commission/Community Parks Commission Meeting
- OCP Introductory Community Meeting
- Community Group Forum
- Farmers Focus Group
- Bench School Parent Advisory Committee Meeting
- Bench School Fun Fair Information Booth
- Seniors Focus Group
- Cowichan Bay Improvement Association Meeting

Phase 2

- Community Meeting
- Community Mapping Workshop
- OCP Survey #1 (Visioning)
- OCP Drop-in Sessions
- Stakeholder Interviews

Phase 3

- Shoreline Planning Event
- Agricultural Panel
- Public Safety Focus Group
- Alternative Energy Forum Information Booth
- OCP Survey #2 (Goals & Directions)
- Neighbourhood Workshop
- Shoreline Protection Workshops (2)
- Cowichan Bay Marina Owners Focus Group
- Waterfront Residents Focus Group
- Development Industry Focus Group
- OCP Survey #3 (Business)
- ORCA Shorewalk
- ORCA Focus Group

Phase 4

- Stakeholder Interviews with Western Forest Products and Pacific Industrial and Marine
- Four-Ways Residents Focus Group
- Koksilah Residents Focus Group
- Community Plan Forum
- OCP Drop-in Sessions (3)
- Draft OCP Open House
- Draft OCP Virtual Open House
- Presentation to CVRD Economic Development Commission
- Presentation to CVRD Regional Agricultural Advisory Commission
- Presentation to CVRD Environment Commission
- Cowichan Tribes Comprehensive Community Plan Meeting

REFERRAL AGENCIES

CVRD Committees & Commissions

- CVRD Electoral Area Services Committee
- CVRD Economic Development Commission
- CVRD Environment Commission
- CVRD Regional Agricultural Advisory Commission
- Electoral Area D – Cowichan Bay Advisory Planning Commission
- Electoral Area D – Cowichan Bay Community Parks Commission

Local Governments

- Capital Regional District Board
- City of Duncan Council
- Cowichan Valley Regional District Board
- District of North Cowichan Council

First Nations

- Cowichan Tribes
- Halalt First Nation
- Hul'qumi'num Treaty Group
- Lake Cowichan First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Snuneymuxw First Nation
- Stz'uminus (Chemainus) First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation

Provincial Government Agencies

- Agricultural Land Commission
- BC Transit
- Ministry of Aboriginal Relations and Reconciliation
- Ministry of Agriculture
- Ministry of Community, Sport and Cultural Development
- Ministry of Energy and Mines – Housing and Construction Standards
- Ministry of Energy and Mines – Mineral Exploration and Mining
- Ministry of Forests, Lands and Natural Resources Operations – Environmental Protection
- Ministry of Forests, Lands and Natural Resources Operations – Land Tenures
- Ministry of Transportation and Infrastructure

Federal Government Agencies

- Department of Fisheries and Oceans – Fisheries
- Department of Fisheries and Oceans – Small Craft Harbours
- Royal Canadian Mounted Police

Other Agencies

- Bench Park Society
- Bird Studies Canada
- Central Vancouver Island Health Authority
- Cowichan Bay Improvement District
- Cowichan Bay Waterworks
- Islands Trust
- School District No. 79
- Social Planning Cowichan
- Urban Development Institute

2.3 Community Vision

During the OCP consultation process, community members provided substantial input regarding their collective values and vision for the future of the Electoral Area D – Cowichan Bay community. During the

Community Mapping Workshop held in September 2010, participants engaged in dialogue about the future of the community. The following graphic is a visual representation of the community's vision which emerged from this dialogue (Figure 4).

FIGURE 4: ELECTORAL AREA D – COWICHAN BAY COMMUNITY PLAN VISION



Graphic: Visual representation of the Plan Vision created by Graphic Facilitator, Colleen Stevenson, during the Community Mapping Workshop

CITTASLOW COWICHAN BAY

In 2009, Cowichan Bay was designated North America's first Cittaslow "cheetah slow" (slow city) community, joining an international network of communities committed to building community relationships and enjoying a quality of life, that are blessed with quality spaces, shops, inns, historic buildings, farms, nature and unspoiled landscapes.

The Cittaslow Cowichan Bay mission is to preserve the unique identity of the Cowichan Bay area and to continually improve the quality of life for residents and visitors by:

- Celebrating our community's history and traditions;
- Promoting craftsmanship and environmental stewardship;
- Maintaining the community's distinct character by avoiding mediocrity; and

- Engaging residents and visitors in creating and sharing a good life.

The elements of the Cittaslow Mission are consistent with the community's values as reflected through input receiving during the OCP process. During the first OCP survey, 85 per cent of respondents indicated support for Cittaslow.

It is notable that Cittaslow is intended to address all aspects of community life through the preservation of history and traditions, promotion of local and environmentally friendly products, a built environment that includes public gathering spaces and effective transit, bicycle and pedestrian movement and environmental stewardship.

2.4 Community Goals

The community vision is best described through the following twelve goals, which are the foundation for this Plan. Objectives, policies and development guidelines, described in the following sections of this Plan, are the means to achieve these goals.

RESTORE, PROTECT & ENHANCE THE HEALTH OF THE COWICHAN ESTUARY & MARINE FORESHORE

The Cowichan Estuary is recognized as one of the world's most biologically important areas for fish, waterfowl and wildlife. Yet land and water-based activities have threatened the estuary and its dependent species such as Chinook salmon, shellfish, waterbirds and eelgrass. The OCP seeks to restore, protect and enhance the Cowichan Estuary so that fish and shellfish can be safely harvested and the coastal environment can be enjoyed for social, cultural and recreational purposes.

ENHANCE RURAL COMMUNITY CHARACTER

Community members highly value the rural landscape, the seaside location, and lifestyle opportunities. OCP policies will seek to recognize and enhance the character and amenities of the community through development activities, in order to protect the unique attributes of rural lands, and ensure that changes enhance community well-being.

CAREFULLY MANAGE GROWTH

Carefully managed growth is integral to maintaining community well-being, creating a balanced mix of land uses, housing types, and community services and facilities to meet the needs of a diverse population. Growth should complement the community rather than placing an additional burden on infrastructure, community services, taxes, public health and safety or the environment. Gradual, low-impact infill of existing developed areas and neighbourhoods is preferred over development in rural areas.

SUPPORT PRODUCTIVE AGRICULTURE & FOOD SELF SUFFICIENCY

The Plan Area is endowed with high capability for food production, both within and outside the Agricultural Land Reserve. The OCP strives to protect existing farmland and enhance the viability of farming within the ALR and also to promote greater food production and food self-sufficiency in other areas of the community.

IMPROVE TRANSPORTATION & MOBILITY

The OCP seeks to create a viable, safe and efficient multi-modal transportation system, which lessens dependency on private vehicles through improved transportation infrastructure and a variety of transportation alternatives including walking, cycling and transit. The availability of transportation alternatives will lessen reliance on private automobile, help to reduce greenhouse gas emissions, and create greater opportunities for community members to enhance their health and well-being.

ENHANCE THE ENVIRONMENT, ECOSYSTEMS & BIODIVERSITY

Intact, healthy natural areas provide habitat to support plant and wildlife biodiversity, they filter pollutants and sediments from air and water, and they provide protection against hazards such as erosion, flooding and sea level rise. These areas also provide significant recreational, social and cultural opportunities and landscape amenities, which are highly valued by residents. The OCP will enhance natural areas, ecosystems and species biodiversity while providing opportunities for human enjoyment.

CREATE AN INCLUSIVE COMMUNITY WITH STRONG SOCIAL INFRASTRUCTURE

Social infrastructure provides community services and facilities to support enhanced community well-being for all groups such as youth, families, seniors and singles. Such facilities and services may include community centres, farmers markets, affordable housing, day cares and social programs. OCP policies will strengthen social infrastructure by creating places and opportunities for social interaction, social inclusion and diverse households.

ENCOURAGE MEANINGFUL ECONOMIC DEVELOPMENT & EMPLOYMENT

Meaningful economic development supports local products and services, keeps dollars in the community, protects or enhances the environment, and creates valuable employment opportunities for local residents. Local employment lessens the need to commute long distances to work and local businesses provide shops and services needed to supplement residents' daily needs and contribute to vibrant places. The OCP encourages the agricultural and maritime economies which support rural character, opportunities for small non-franchise type businesses, and the creation of "living wage" jobs in the community.

ENHANCE CONNECTIONS TO THE WATERFRONT

The waterfront is a public asset that is highly valued by community members and particularly by the Cowichan Tribes First Nations who have historically relied on the coastal environment for food, social and ceremonial purposes. The OCP encourages linkages between neighbourhoods and the waterfront through public beach accesses, trail connections, and an unobstructed foreshore to ensure that all community members can enjoy this valuable public resource.

RECOGNIZE HERITAGE, CULTURAL VALUES & IDENTITY

Electoral Area D – Cowichan Bay has a rich maritime and agricultural heritage and strong First Nations cultural identity, which contribute to the community's unique sense of place and identity. The OCP seeks to recognize and protect heritage, cultural and archaeological resources.

IMPROVE PUBLIC & ENVIRONMENTAL HEALTH

The OCP seeks to improve public and environmental health. Improved public and environmental health will be facilitated through opportunities for alternative non-vehicular transportation and road safety improvements, buildings, neighbourhoods, and parks that are designed to be accessible to all residents regardless of their physical ability and to deter crime and provide opportunities for recreation and socialization, and the protection of natural areas and features in order to reduce the risk of hazards such as erosion, flooding and sea level rise.

REDUCE GREENHOUSE GAS EMISSIONS

The OCP seeks to reduce greenhouse gas emissions consistent with established provincial targets. This will occur through a combination of site and buildings design that is response to environmental conditions, energy and water conservation, and a settlement pattern that encourages well-planned neighbourhoods with a mix of land uses and transportation alternatives to reduce private vehicle use and reliance on fossil fuels.

The community's goals as described in the preceding section are addressed through the objectives and policies contained within this Plan. The following table provides a reference to the key OCP Goals and corresponding sections of the Plan which include objectives and policies to address the goals.

TABLE 1: PLAN GOALS AND CORRESPONDING PLAN SECTIONS

OCP Goal / Plan Section	3.0 – Community Growth Framework	4.0 – Land use Designations	5.0 – Natural Environment	6.0 – Community Social Infrastructure	7.0 – Economy	8.0 – Mobility	9.0 – Servicing	Part 2 – Development Permit Area Guidelines
Restore, Protect, & Enhance the Cowichan Estuary & Marine Foreshore	X	X	X	X	X	X	X	X
Enhance Rural Community Character	X	X	X	X	X	X	X	X
Carefully Manage Growth	X	X	X	X	X	X	X	X
Support Productive Agriculture & Food Self Sufficiency	X	X	X	X	X			X
Improve Transportation & Mobility	X	X	X	X	X	X	X	X
Enhance the Environment, Ecosystems & Biodiversity	X	X	X		X	X	X	X
Create an Inclusive Community with Strong Social Infrastructure	X	X		X	X	X		X
Encourage Meaningful Economic Development & Employment	X	X	X	X	X	X	X	X
Enhance Connections to the Waterfront	X	X	X	X	X	X		X
Recognize Heritage, Cultural Values & Identity	X	X	X	X	X			X
Improve Public & Environmental Health	X	X	X	X	X	X	X	X
Reduce Greenhouse Gas Emissions	X	X	X	X	X	X	X	X

3.0 Community Growth Framework

3.1 Introduction

By 2036, it is anticipated that almost 4,000 people will live in the Plan Area (excluding First Nations reserves). This population will also be considerably older. These people will require housing and associated community services and facilities. How the land is developed and how resources are allocated will determine the extent to which environmental health, and consequently human social and economic health, is protected. While the OCP is required to accommodate residential growth for a period of at least five years, this Plan endeavors to take a longer term view and provide a growth framework that will meet the changing needs of the Electoral Area D – Cowichan Bay community for a period of up to twenty-five years. Over this time frame, it is expected that an additional 450 dwelling units are needed and that a variety of dwelling types must be provided. This section presents a policy framework to accommodate this growth while respecting the community's vision and goals.

3.2 Plan Area Environments

Household and lifestyle needs vary widely in the Plan Area. The community growth framework is intended to accommodate the diverse needs of all residents by providing a range of lifestyle opportunities with corresponding land uses, residential densities and community services and facilities across the physical landscape.



Rural Areas are capable of agricultural and natural resource productivity and have high scenic and environmental values. They provide habitat and support biodiversity and environmental processes, particularly in undeveloped areas. Rural Areas encompass all lands within the Agricultural Land Reserve and other lands which support agricultural, industrial and resource-based activities. Rural Areas also include low-density, rural residential areas including the Kingscote Road and Bartlett Road neighbourhoods and rural residential area along Cowichan Bay Road between Hillbank and Bench Roads. Rural Areas may also accommodate a limited amount of cluster residential development, particularly where significant natural areas and features are preserved and protected as a result.



Rural Village Areas include neighbourhoods south of Pritchard Road, the Four Ways area, the Cherry Point/Lanes Road residential area, residential enclaves near Bench Elementary School, and rural commercial areas along the Trans-Canada Highway. These areas have low to moderate residential densities and clusters with varying levels of community water and sewer services. Rural Village Areas often have high environmental and scenic qualities and high capability for food production. They are also important transitional areas between low-density Rural Areas and higher density Village Areas.



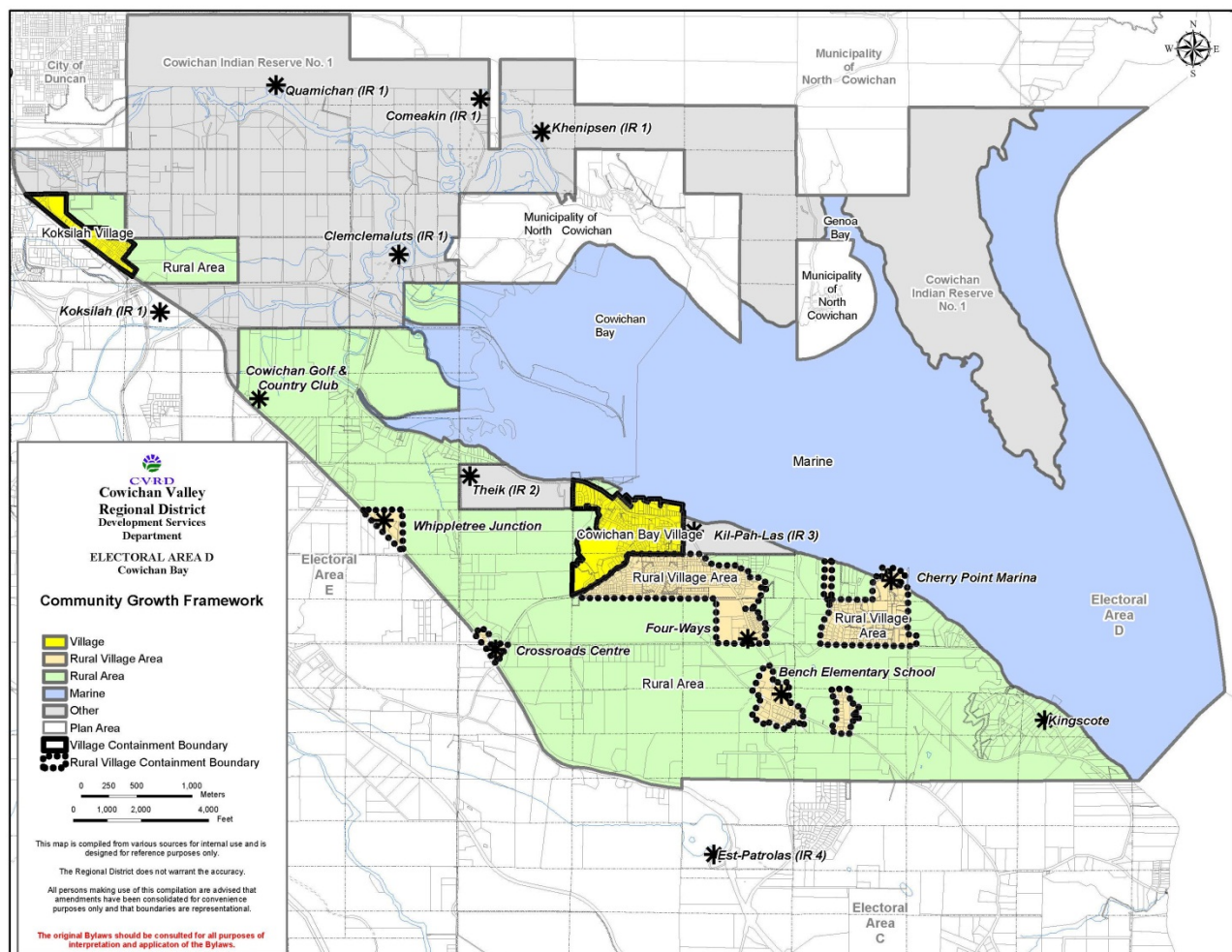
Village Areas are typically characterized by higher densities and a greater mixture of uses relative to other areas. Because community water and sewer systems are available, Village Areas have the potential to become “complete communities” – compact walkable areas with a diverse mixture of land uses and opportunities for residents to live, work, play, socialize, learn and access shopping and community services. Village Containment boundaries (VCBs) are critical to containing population growth within Village Areas and preventing undesirable encroachment into Rural Areas by providing distinct boundaries to contain growth.



The Plan Area also includes significant **Marine and Natural Areas** which include areas with intact native vegetation, environmentally sensitive areas, and watercourses. These areas support terrestrial, aquatic and avian species and perform critical ecological services such as rainwater filtration and erosion control. They also provide an aesthetic function in maintaining the appearance of the rural and seaside landscapes and by buffering and separating land uses to lessen the potential for land use conflicts. These areas are least suitable for human habitation.

The location of the Cowichan Bay and Koksilah Village Areas, Rural Village Areas, Rural Areas and Marine Areas is shown in Figure 5 below. Section 3.3 includes general objectives and policies to guide growth and land use activities across the Plan Area. Section 4.0 includes objectives and policies for the land use designations that may be exist or be established within the different Plan Area environments.

FIGURE 5. COMMUNITY GROWTH FRAMEWORK – PLAN AREA ENVIRONMENTS



Source: CVRD GIS Division (2012)

3.3 General Objectives & Policies

The following objectives and policies are established to guide development of the Plan Area. Objectives and policies for specific land use designations are included in Section 4.0. Supplemental objectives and policies for the natural environment, community social infrastructure, economy, mobility, and servicing are included in Sections 5.0 to 9.0.

OBJECTIVE 1

To provide for the diverse housing and lifestyle needs of community members while directing new population growth in a manner that is harmonious with the environment and complements or enhances existing neighbourhoods.

POLICIES

- (a) Village Containment Boundaries (VCBs) are established around Village Areas and Rural Village Areas. Boundaries of the Village and Rural Village Areas are shown on the map attached as Schedule B to the Area D OCP Bylaw
- (b) The CVRD will strive to ensure that community water and sewer services are available within VCBs, consistent with their land use designations and in accordance with Section 9.0 – Servicing.
- (c) For lands outside VCBs, applications to increase residential density above what is permitted by the land use designation will not be supported.
- (d) Notwithstanding Policy (c), the OCP is intended to be a long-range plan to accommodate future population growth. If Village Areas become built out, Rural Village Areas may be considered for redevelopment and infill. In any event, Rural Village Areas should continue to serve as an aesthetic and functional buffer between Village Areas and Rural Areas
- (e) For any development application that requires an expansion of a VCB or the creation of a new VCB, a separate Official Community Plan amendment bylaw will be required. Furthermore, the amendment bylaw to expand or create the VCB

must be the subject of a public hearing immediately preceding the public hearing for the OCP amendment bylaw for the proposed development.

- (f) A range of land use designations are provided by this Plan to accommodate housing including: Rural Residential (RR), Cluster Residential (CR), Rural Village Residential (RVR), Village Residential (VR), Marine Residential (MR), Mixed Use (MU) and Community Institutional (CI).
- (g) The CVRD will, in accordance with the *Local Government Act*, establish development permit areas and corresponding guidelines in accordance with Section 919.1 of the *Local Government Act*, including but not limited to:
 - (i) *The protection of the natural environment;*
 - (ii) *The protection of development from hazardous conditions;*
 - (iii) *The protection of form and character of intensive residential, multi-unit residential, mixed use, commercial and industrial development;*
 - (iv) *The protection of agriculture;*
 - (v) *Energy and water conservation; and*
 - (vi) *The reduction of greenhouse gas emissions.*
- (h) Prior to the issuance of a building permit, development or alteration of land, except where exemptions apply, a development permit will first be issued by the CVRD. During the subdivision process and prior to approval of subdivision by the Provincial Approving Officer, a development permit may also be required to be issued by the CVRD.
- (i) The CVRD may, in consultation with community members, prepare a Village Area Plan for any Village Area, containing specific goals, objectives, policies and implementation measures for a Village Area.
- (j) In Rural Village Areas and Village Areas, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize cluster or intensive residential or mixed use development in exchange for the provision of community amenities.

OBJECTIVE .2

To support the long-term viability of Rural Areas for agriculture and rural-resource-based economic activities.

POLICIES

- (a) The following land use designations may be established in Rural Areas: Agriculture (A), Rural Resource (RUR), Cluster Residential (CR), and Parks (P).
- (b) The CVRD recognizes existing residential uses in Rural Areas, on lands designated Rural Residential (RR) on the shown on the map attached as Schedule B to the Area D OCP Bylaw. Further designation of RR lands is not supported.
- (c) In order to preserve large land parcels within Rural Areas, subdivision under Section 946 of the *Local Government Act* will generally not be supported on parcels less than 25 ha in area. The CVRD will, however, exercise its discretion with respect to parcels within the Agricultural Land Reserve (ALR) consistent with the Agricultural Land Commission (ALR) Homesite Severance Policy.

OBJECTIVE .3

To preserve and enhance the natural environment, support energy and water conservation, and reduce greenhouse gas emissions.

POLICIES

- (a) The CVRD will encourage Marine and Natural Areas to be restored, protected, and enhanced.
- (b) The CVRD will through development guidelines, the implementing zoning bylaw, and rezoning processes encourage the retention and planting of native vegetation and other initiatives to restore, protect and enhance natural ecological function and site hydrology.
- (c) The implementing zoning bylaw will include requirements for native landscaping in accordance with Section 909 of the *Local Government Act*.

OBJECTIVE .4

To increase opportunities for healthy social and cultural interaction within the community through the provision of community services and facilities.

POLICIES

- (a) The CVRD will place a priority on enhancing community amenities, facilities and services, specifically within Village Areas and Rural Village Areas.

OBJECTIVE .5

To maintain commercial and light industrial uses and support the redevelopment of commercial and industrial areas while supporting opportunities for appropriate, neighbourhood-oriented home-based businesses in residential areas.

POLICIES

- (a) A range of land use designations are provided by this Plan to accommodate commercial and industrial activities including: Koksilah Village (KV), Marine Village (MV), Four Ways Rural Village (FV), Mixed Use (MU), Marine Industrial (MI), Rural Commercial (RC), and Rural Resource (RUR).
- (b) Home-based businesses are supported throughout the Plan Area, and will be regulated through the implementing zoning bylaw.

OBJECTIVE .6

To improve active transportation connections between neighbourhoods, commercial nodes, the waterfront, and other communities.

POLICIES

- (a) All new and existing development should be integrated with the transportation and mobility network with linkages to roadside pathways, trails, cycling routes, public transit, and roadways.

4.0 Land Use Designations

4.1 Introduction

This section of the Plan contains the specific objectives and policies pertaining to each land use designation. These objectives and policies are intended to be applied in conjunction with the policies and objectives contained in Section 3.0 – Community Growth Framework, Sections 5.0 through 9.0, and Development Permit Area Guidelines (Part 2). The following designations, shown on the map attached as Schedule B, have been established: Agricultural Resource (A), Rural Resource (RUR), Rural Commercial (RC), Rural Residential (RR), Cluster Residential (CR), Rural Village Residential (RVR), Village Residential (VR), Mixed Use (MU), Four Ways Rural Village (FV), Koksilah Village (KV), Marine Village (MV), Marine Industrial (MI), Marine Residential (MR), Marine Resource (MAR), Community Institutional (CI), and Parks (P).



Photo: Land within the Agricultural Resource designation (CVRD)

4.2 Agricultural Resource (A)

The Agricultural Resource (A) designation applies to lands located within the Agricultural Land Reserve (ALR). The A designation is intended to protect high quality agricultural land from suburban development, maintain a productive agricultural landscape, and support increased food security in Electoral Area D – Cowichan Bay. A productive agricultural landscape is also important to the local economy in terms of providing subsidiary tourism, recreation, and other value-added opportunities. The A designation is also intended to support the agricultural sector by accommodating supplemental employment opportunities, home-based businesses and value-added opportunities to maintain the viability of farm businesses. Additional policies concerning the agricultural economy are contained within Section 7.0 Economy.

OBJECTIVE .1

To encourage the productive use of agricultural lands.

POLICIES

- (a) For lands within the A designation, the implementing zoning bylaw will provide a variety of zones to permit agricultural uses, including but not limited to:
 - (i) *A1 – Agricultural Resource 1 to accommodate primary agriculture;*
 - (ii) *A1A – Agricultural Processing to accommodate agricultural processing facilities;*
 - (iii) *A4 – Agricultural Recreation to accommodate the existing golf course and lawn tennis courts; and*
 - (iv) *A5 – Agricultural Market to accommodate permanent farm and seafood markets.*
- (b) Applications to establish new zones within the A designation may be considered subject to the following:
 - (i) *The approval of the ALC has been granted;*
 - (ii) *The use is compatible with the surrounding neighbourhood and environmental context;*

- (iii) *It can be demonstrated that the proposed use of the land would enhance the local agricultural economy;*
 - (iv) *The proposed use would not diminish the future potential to use the land for agricultural purposes;*
 - (v) *Environmental protection, restoration and enhancement measures such as the daylighting of drainage features and streams, establishment of vegetative buffers, and integration of energy and water conservation features are included in the proposal.*
- (c) The CVRD may support an application to rezone land within the Agricultural designation to the A1A zone to accommodate food processing and/or food storage facilities subject to the following criteria:
- (i) *The approval of the ALC has been granted;*
 - (ii) *The site is adjacent to or within an area with community water and sewer systems;*
 - (iii) *Appropriate connections to community water and sewer systems are provided;*
 - (iv) *Such facilities are located on a major roadway and in close proximity to the TransCanada Highway; and*
 - (v) *The development of such facilities occurs in a manner that would result in a harmonious relationship with neighbouring land uses.*
- (d) The CVRD may support an application to rezone land within the Agricultural designation to the A4 zone to accommodate new tourism and recreational uses subject to the following criteria:
- (i) *The approval of the ALC has been granted;*
 - (ii) *The use would not diminish the future potential of the land to be used for agricultural purposes; and*
 - (iii) *Use and development of the lands would result in a harmonious relationship with neighbouring land uses.*
- (e) The CVRD may support the creation of an A1L – Primary Agricultural Lease zone to support the division of lands within the Agricultural Land Reserve (ALR) into agricultural lease parcels, to be defined by the implementing zoning bylaw, which prohibits fee simple or strata subdivision, subject to the following criteria:
- (i) *The ALC has granted approval;*
 - (ii) *No permanent structures are located on the lease parcels; and*
 - (iii) *The owner of land has entered into a restrictive covenant prohibiting the fee simple or strata subdivision of the lease parcels.*
- (f) The CVRD may support the creation of an A6 – Agricultural Institution zone to accommodate not-for-profit uses that promote agriculture or agricultural education, subject to the following criteria:
- (i) *The ALC has granted approval;*
 - (ii) *The subject property is wholly owned by a government agency or registered non-profit organization or is a partnership of both; and*
 - (iii) *The land owner has registered a covenant restricting the use of land to agricultural education in addition to those used permitted in the ALR.*
- (g) The CVRD may support the creation of an A7 – Agricultural Service Zone to accommodate uses in the ALR that directly support the local agricultural economy, subject to the following criteria:
- (i) *The subject property is not greater than 2 ha;*
 - (ii) *The ALC has granted approval;*
 - (iii) *The subject property has low capability for food production due to previous non-farm use, as supported by a Professional Agrologist's report provided to the CVRD;*
 - (iv) *Approval of the use would not detract from the aesthetic appeal of the Rural Agricultural landscape or negatively impact neighbouring agricultural or rural residential uses;*
 - (v) *No suitably zoned, non-ALR land is available within the Plan Area; and*
 - (vi) *A restrictive covenant is registered to limit the non-agricultural use on the property.*
- (h) The CVRD recognizes longstanding commercial uses on parcels within the ALR, which predate the ALR, and commercial uses that have been approved by the ALR. These parcels may be zoned A7 – Agricultural Service; any expansion of non-farm uses on parcels zoned A7 will require ALC approval.

- (j) Notwithstanding Policy 4.2.2(d), the CVRD may support an application for an OCP amendment, rezoning, subdivision or ALR Exclusion for Lots 9 – 17, Section 8, Range 1, Cowichan District subject to the following:
 - (i) *A community charette process, led by a Qualified Design Professional, is undertaken to determine suitable land uses and densities for all of the lands within Lots 9 – 17;*
 - (ii) *The development would have adequate access to potable water and sewage can be appropriately managed in the opinion of the Central Vancouver Island Health Authority and the CVRD;*
 - (iii) *The site is developed in a manner which is harmonious with adjacent development with respect to scale, building height and the agricultural landscape;*
 - (iv) *The proposal will enhance pedestrian and vehicular safety;*
 - (v) *The proposal will enhance the aesthetic appearance of the lands within Lots 9 – 17 and contribute to Rural Character;*
 - (vi) *A comprehensive plan is proposed for all and not part of the lands within Lots 9 – 17 for consideration of the CVRD Board and the ALC; and*
 - (vii) *The ALC has granted approval.*
- (c) The CVRD will encourage the clustering of farm and non-farm buildings in the Agricultural designation to minimize their footprint and to protect the integrity of high quality farmland.
- (d) The CVRD will generally discourage ALR applications for exclusion, subdivision and non-farm uses. If the CVRD, having regard to the particular circumstances relating to a specific application considers that the application should be forwarded to the ALC without a position being taken by the CVRD, and the ALC subsequently approves the application, the CVRD will seek to amend its bylaws in accordance with the ALC decision.
- (e) The CVRD may require all ALC applications for exclusion, subdivision and non-farm uses to include supporting documentation to justify the application.
- (f) Notwithstanding Policy (d), the CVRD may support applications for an OCP amendment, rezoning, subdivision or ALR Exclusion for legal non-conforming uses which predate and have been in continuous operation since the establishment of the ALR on April 18, 1973.
- (g) The CVRD recognizes ALC jurisdiction on ALR lands; will comply with the *BC Farm Practices Protection Act*; and commits to working closely with the ALC and Ministry of Agriculture on agricultural planning, policy and enforcement issues and applications for land use changes in the ALR.
- (h) The CVRD will encourage the provincial government to apply preferential tax rates to bona fide farm lands to support farm uses and discourage non-farm uses.
- (i) One agricultural outlet will be permitted within the Agricultural designation, in accordance with the *ALC Act* and *BC Regulation 171/2002*, and the location may be subject to Ministry of Transportation and Infrastructure approval.
- (j) With the exception of the operations lawfully in existence as of the date of adoption of this Plan, any development of new golf course facilities or other commercial recreation uses are not supported on agricultural lands.

OBJECTIVE .2

To preserve agricultural land for agricultural purposes and protect such land from inappropriate development.

POLICIES

- (a) Lands within the Agricultural Resource (A) designation will generally be zoned A1 – Agricultural Resource in the implementing zoning bylaw, with a minimum parcel size of 30 ha.
- (b) The implementing zoning bylaw will include restrictions on the size and location of non-agricultural buildings within the A designation. With respect to residential uses, the siting and size of buildings and structures will be in accordance with the most recent edition of the Ministry of Agriculture *Guide to Bylaw Standards for Residential Buildings*.

OBJECTIVE .3

To accommodate affordable housing options in the Agricultural designation.

POLICIES

- (a) A secondary suite, within a single detached dwelling, may be permitted on any parcel within the Agricultural designation, in accordance with *BC Regulation 171/2002*.
- (b) The CVRD may consider a rezoning application to accommodate creative affordable housing for farm workers on the site subject to the following criteria:
 - (i) *The approval of the ALC has been granted;*
 - (ii) *The subject parcel is zoned A1;*
 - (iii) *The subject parcel is used as a bona fide farm and maintains farm classification on current BC Assessment Authority records;*
 - (iv) *A farm plan justifying the additional dwelling for farm help is prepared by a Qualified Agrologist, submitted to the CVRD and forwarded by the CVRD to the ALC and Ministry of Agriculture;*
 - (v) *The housing development would not diminish the capacity for the site to be used for agricultural purposes;*
 - (vi) *It can be sufficiently demonstrated by the applicant that the affordable housing would provide safe, quality living spaces for employees despite the agricultural activities occurring on the site;*

(vii) The housing development would have adequate access to potable water and sewage can be appropriately managed in the opinion of the Central Vancouver Island Health Authority and the CVRD; and

(viii) A Section 219 covenant is registered on the land title to prevent a strata subdivision of housing development.

OBJECTIVE .4

To minimize potential for conflicts between agricultural and non-agricultural land uses.

POLICIES

- (a) The CVRD will establish an Agricultural Protection Development Permit Area for the purpose of protecting high quality agricultural land and agricultural activities from inappropriate and poorly sited development.
- (b) All non-farm uses in the ALR and all lands within 30 m of the ALR, with the exception of First Nations Reserves, should be developed in accordance with the most recent edition of the Ministry of Agriculture and Lands *Guide to Edge Planning*.
- (c) The CVRD will support initiatives, including the adoption of environmental farm plans, to mitigate the environmental impacts of farming.

4.3 Rural Resource (RUR)



Photo: Land within the Rural Resource designation (CVRD)

Lands within the Rural Resource (RUR) designation are capable of resource production or extraction or have the potential to support resource-based industries including agriculture, forestry and sand, gravel or mineral extraction. Included in this designation are a gravel extraction and processing activities located at Cowichan Bay Road and Shearing Road and small-scale wood processing activities along Hillbank Road. Remaining industrial activities within the Plan Area are located within the Marine Industrial designation. Although forestry and related processing has not been prevalent in the Plan Area for many years, the Rural Resource designation would support this activity in the event that it becomes important in the future.

OBJECTIVE .1

To support economic activities on lands within the RUR designation, which provide local employment, complement rural character, and are suitably located within the Plan Area.

POLICIES

(a) For lands within the RUR designation, the implementing zoning bylaw will provide a variety of zones to permit a diverse range of uses including, but not limited to: agricultural processing, value-added agricultural production, cold food storage, secondary forestry or wood products manufacturing, and aggregate extraction.

(b) Applications to rezone lands within the RUR designation will be considered subject to the criteria in Section 10.2.2 in addition to the following:

- (i) *The proposed use of the site is principally commercial or light industrial use with significant additional local employment opportunities;*
- (ii) *The proposed use will be compatible with adjacent land uses;*
- (iii) *The site will be developed in a manner which is harmonious with adjacent development with respect to scale, building height and the rural landscape, consistent with the Rural Character Development Permit Area;*
- (iv) *The development will enhance pedestrian and vehicular safety;*
- (v) *Any parking required in conjunction with the proposed development will be located at the rear of buildings or underground;*
- (vi) *The proposed use will be sufficiently screened, masked, buffered or otherwise mitigated, to avoid negative quality of life impacts such as noise and air pollution or loss of public views;*
- (vii) *A reclamation and environmental restoration plan is in place where a site has been used for aggregate extraction or where contamination is known to exist; and*
- (viii) *For lands within the Agricultural Land Reserve, the proposed use will not reduce agricultural potential and the approval of the Agricultural Land Commission has been granted.*

(c) Commercial and industrial uses within the RUR designation will be subject to development permit area guidelines for the protection of form and character of development.

(d) Mini-storage facilities, which are abundant elsewhere in the CVRD, and other uses that do not generate tangible employment opportunities, are not supported in the RUR designation.

- (e) Upon cessation of extraction activities at the Shearing Road gravel pit (Lot A, Plan 62341), the CVRD will consider an application for rezoning subject to the criteria in Section 10.2.2 and Policy (b) above, in addition to the following:

- (i) *Any proposed residential use of the site would be clearly accessory to a principle commercial or light industrial use; and*
- (ii) *No contaminated soil would be deposited on the site.*

OBJECTIVE .2

To provide affordable housing options in support of economic activities in the Rural Resource designation.

POLICIES

- (a) One single detached dwelling may be permitted as an accessory use on any parcel within the RUR designation.
- (b) A secondary suite, within a single detached dwelling, or an accessory dwelling, may be permitted on any parcel within the RUR designation.
- (c) The CVRD may consider a rezoning application to accommodate creative affordable housing for employees working on the site subject to the following criteria:
 - (i) *It can be sufficiently demonstrated by the applicant that the affordable housing would provide safe, quality living spaces for employees despite the industrial activities occurring on the site;*
 - (ii) *The housing development would have adequate access to potable water and sewage can be appropriately managed in the opinion of the Central Vancouver Island Health Authority and the CVRD; and*
 - (iii) *A Section 219 covenant is registered on the land title to prevent a strata subdivision of housing development.*

OBJECTIVE .3

To minimize conflicts between resource production, extraction and processing, industrial uses and adjacent land uses.

POLICIES

- (a) The CVRD will encourage the Ministry responsible for licensing and regulating mineral extractions, when considering applications for resource extraction, to:
 - (i) *Consider environmental impacts, including impacts of the proposed activity on groundwater quality and quantity and ensure that all impacts are appropriately mitigated;*
 - (ii) *Consider the impacts of the activity including, but not limited to impact on local roads, noise, traffic, dust, odour, smoke, vibration, and other environmental health and quality of life values; and,*
 - (iii) *Require bonding and/or security to ensure that site reclamation is completed.*
- (b) The designation of new Rural Resource lands or establishment of new zones for the purpose of accommodating heavy industrial uses is not supported.

OBJECTIVE .4

To support the identification and mitigation of environmental impacts from existing and proposed uses of Rural Resource lands.

POLICIES

- (a) The CVRD will support the management of resource extraction activities to minimize environmental impacts, particularly impacts on groundwater resources.
- (b) The CVRD will not support resource extraction activities without the appropriate conservation and reclamation plans.
- (c) The CVRD strongly opposes the deposition of contaminated soil on Rural Resource lands.

4.4 Rural Commercial (RC)

The Rural Commercial (RC) designation includes a variety of existing commercial and light industrial uses generally in close proximity to the Trans-Canada Highway (TCH). Specific areas within the RC designation include lands at the intersection of Bench Road and the TCH, Whippletree Junction, and Crossroads Centre at Koksilah Road and the TCH. These lands are recognized for their importance to the regional economy in providing employment opportunities and supporting local economic activities.



Photo: Development in the Rural Commercial designation (CVRD)

Redevelopment of RC lands is supported to provide opportunities for local commercial goods and services, agricultural supply sales, agri-tourism, value-added agriculture, agricultural processing, cold (food) storage, secondary forestry manufacturing, and industrial warehousing. Impacts on groundwater, environmental quality and the visual impact of highway oriented development are required to be mitigated with any redevelopment proposal. Preservation of heritage buildings at Whippletree Junction is also a priority.

OBJECTIVE .1

To accommodate a range of commercial and light industrial uses, which provide living wage employment and contribute to the local economy in Rural Village Areas.

POLICIES

- (a) Lands may be designated RC in Rural Village Areas, as shown on the map attached as Schedule B.
- (b) For lands within the RC Designation, the implementing zoning bylaw will provide a variety of zones to permit a diverse range of uses including, but not limited to, local commercial goods and services, professional services, retail and agricultural sales, farm market, tourism, restaurants, pubs and service stations.
- (c) Applications to rezone lands within the RC designation may be considered subject to the criteria in Section 10.2.2 in addition to the following:
 - (i) *The site will be developed in a manner which is harmonious with adjacent development with respect to scale, building height and the rural landscape, consistent with the Rural Character Development Permit Area;*
 - (ii) *The development will enhance pedestrian and vehicular safety;*
 - (iii) *Any parking required in conjunction with the proposed development will be located at the rear of buildings or underground;*
 - (iv) *Public outdoor gathering space, trails and walkways will be provided;*
 - (v) *The development will include a residential component to provide housing opportunities for community members who wish to live in close proximity to the workplace;*
 - (vi) *There will be no net loss of affordable housing; and*
 - (vii) *For applications within the Whippletree Junction area, significant heritage resources will be formally protected by bylaw, covenants or heritage revitalization agreements.*
- (d) Rezoning proposals to consider a new neighbourhood pub, wine sales or liquor sales in the RC designation, will be considered subject to the criteria in Section 10.2.2 in addition to the following:
 - (i) *There is clear evidence that there is a local demand for the proposed use;*
 - (ii) *The proposed use will not generate excessive traffic or safety problems on local roads or the Trans-Canada Highway;*
 - (iii) *The site will be developed in a manner which respects the form and character of Rural Village Areas; and*

(iv) Public walkways and non-vehicular connections will be provided to adjacent neighbourhoods.

- (e) Mini-storage facilities, which are abundant elsewhere in the CVRD, and other uses that do not generate tangible employment opportunities, are not supported in the RC designation.
- (f) Given the limited supply of RC land within the Plan Area, uses that do not directly support the local economy or would not provide additional employment opportunities will generally not be supported.

OBJECTIVE .2

To enhance rural character and improve the aesthetic appeal and safety of the Trans-Canada Highway corridor.

POLICIES

- (a) In order to prevent highway sprawl, which erodes the appearance of the rural landscape and impacts traffic circulation, applications to designate additional lands as RC along the Trans-Canada Highway will generally not be supported.
- (b) All development will be appropriately screened from the Trans-Canada Highway and other public roadways through the use of landscaping and attractive visual screening.
- (c) All lighting will be fully-shielded to reduce glare for motorists and will complement the character of all Rural Commercial areas.
- (d) The following will not be permitted in the RC Designation:
 - (i) Big box retail uses;*
 - (ii) Drive-through facilities and/or gas bars/service station either stand alone or, associated with any permitted use;*
 - (iii) Retail uses that require outdoor storage, with the exception of a seasonal garden centre, farmer's market, or agricultural supply sales; and*
 - (iv) Uses involving storing or handling of hazardous materials that pose a threat to the environment.*

OBJECTIVE .3

To provide housing opportunities in close proximity to employment on lands within the RC designation.

POLICIES

- (a) For lands within the RC designation, the implementing zoning bylaw will include zones to permit accessory residential uses.
- (b) Applications to rezone land within the RC designation which include a residential component should demonstrate that:
 - (i) The housing will provide safe, quality living spaces for employees despite other uses or activities occurring on the site;*
 - (ii) The housing will have adequate access to potable water and sewage can be appropriately managed in the opinion of the Health Authority and the CVRD; and*
 - (iii) A Section 219 covenant is registered on the land title to prevent a strata subdivision of the housing development.*

OBJECTIVE .4

To support the redevelopment of Whippetree Junction as a mixed-use area, including commercial, residential and complementary uses, and purpose as a visitor destination.

POLICIES

- (a) Redevelopment within the Whippetree Junction area should involve recognizing and protecting significant heritage resources. This policy is not intended to preclude opportunities to relocate heritage buildings to another suitable location.
- (b) The CVRD will support the redevelopment of Whippetree Junction to include a housing component, contingent on CVRD approval of proposed liquid waste management infrastructure and connection to a community water system, if available.

4.5 Rural Residential (RR)

The Rural Residential (RR) designation is intended to accommodate a rural residential lifestyle. RR lands often provide a buffer between resource lands and the marine environment. Housing types within the RR designation include single detached dwellings, secondary suites, and detached accessory dwellings or coach homes.



Photo: A single detached dwelling in the Rural Residential designation (CVRD)

As RR lands have an important role in buffering resource lands and the marine environment, development within the RR designation should take a “design with nature” approach in order to protect sensitive environmental features and processes. In addition, this designation sets limits for future rural residential development to assist with maintaining and enhancing the rural character of the Plan Area and preventing further impacts of sprawl.

OBJECTIVE .1

To preserve a buffer with resource lands and the marine environment while accommodating a rural residential lifestyle option and maintaining rural character.

POLICIES

- (a) For lands within the RR designation, the implementing zoning bylaw will provide a variety of zones to permit a range of uses, including but not limited to: single detached dwelling, secondary suites, detached accessory dwellings, home-based businesses, bed and breakfasts, day cares, neighbourhood meeting centres, agricultural activities, parks and institutional uses.
- (b) Structures of a portable nature should not be permitted as permanent dwellings on RR lands.
- (c) Lands within the RR designation may be zoned as:
 - (i) *RR1 – Rural Residential 1 to provide a rural residential lifestyle option with a minimum parcel size of 1 ha; or*
 - (ii) *RR2 – Rural Residential 2 to provide a rural residential lifestyle option with a minimum parcel sizes of 1 ha; or 0.4 ha where a community water system is provided.*
- (d) The conversion of buildings in the RR designation into strata units pursuant to the *Strata Property Act* for the purposes of creating separate titles is not supported.
- (e) In the event that RR lands are connected to community water or sewer system, subdivision to allow a minimum parcel size less than 0.4 ha will not be supported.
- (f) The CVRD recognizes existing residential uses in Rural Areas, on lands designated Rural Residential (RR) on the map attached as Schedule B.
- (g) Further designation of RR lands is not supported.

OBJECTIVE .2

To provide affordable housing options within the Rural Residential (RR) designation.



Photo: A single detached dwelling with accessory dwelling potential above a detached garage (CVRD)

POLICIES

- (a) Provided that a principle dwelling is the only other dwelling on the parcel, a secondary suite may be permitted on a parcel in the RR designation, provided:
 - (i) *The subject parcel is at least 1.0 ha in size and the health authority has issued approval for drinking water supply and wastewater disposal;*
 - (ii) *The subject parcel is at least 0.4 ha in size and is connected to a community water system and the health authority has issued approval for increased septic disposal; or*
 - (iii) *The subject parcel is connected to both a community water system and a community sewer system and the CVRD has issued approval for increased wastewater disposal.*

- (b) Provided that a principle dwelling is the only other dwelling on the parcel, an accessory dwelling may be permitted on a parcel in the RR designation, provided that:
 - (i) *The subject parcel is at least 0.4 ha in size and both dwellings are connected to a community water system and the health authority has issued approval for increased septic disposal; or*
 - (ii) *The subject parcel is connected to community water and community sewer systems and the CVRD has issued approval for increased wastewater disposal.*

4.6 Cluster Residential (CR)

The Cluster Residential (CR) designation is intended to accommodate intensive residential cluster development in groups of four to twelve dwelling units arranged around a common open space area in a park-like setting. Cluster development provides an opportunity for cottage-scale development which avoids suburban sprawl by clustering homes together while retaining large, intact areas of native vegetation and natural features on a site. Residents of the development have the benefits of both private and shared outdoor amenity spaces, and opportunities for socialization facilitated by the arrangement of cottages around central common open space areas.

Cluster development should occur in one to one and a half storey cottages, not two-storey houses, to reinforce rural character and provide a housing opportunity which is lacking in the Plan Area. This type of development also lends itself to accommodating supportive housing developments such as seniors housing which provide one-level living in small detached dwellings with opportunities for shared facilities and services.



Photo: Cluster development, Shoreline WA (Ross Chapin Architects)

As with RR lands, lands within the CR designation have an important role in buffering resource lands and the marine environment. As such, development within the CR designation must take a “design with nature” approach.

OBJECTIVE .1

To preserve significant areas of native vegetation and/or other natural features while accommodating a cluster residential housing and lifestyle option in rural areas.

POLICIES

- (a) For lands within the CR designation, the implementing zoning bylaw will include a variety of zones to accommodate single detached dwellings in addition to secondary suites, detached accessory dwellings, home-based businesses, bed and breakfasts, day cares, neighbourhood meeting centres, agricultural activities, parks and institutional uses.
- (b) Structures of a portable nature should not be permitted as permanent dwellings on CR lands.
- (c) The implementing zoning bylaw may include a variety of zones to accommodate residential development within the CR designation including, but not limited to:
 - (i) *RR2 – Rural Residential 2 to provide a rural residential lifestyle option with a minimum parcel size of 1 ha; or 0.4 ha where a community water system is provided; or*
 - (ii) *CR1 – Cluster Residential 1 to accommodate a cluster residential development with a maximum density of 15 units/ha where a minimum of 50% of the site remains in its natural state; or*
 - (iii) *CD – Comprehensive Development, where a minimum of 50% of the site remains in its natural state.*
- (d) For lands within the CR designation, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize cluster residential development in exchange for the provision of community amenities.

- (e) In the event that CR lands are connected to community water or sewer system, subdivision to allow a minimum parcel size less than 0.4 ha will not be supported unless the subdivision would result in a cluster development consistent with the Rural Character DPA Guidelines for Cluster Development.
- (f) The CVRD recognizes existing residential uses in Rural Areas, on lands designated Rural Residential (CR) on the map attached as Schedule B.
- (g) Further designation of CR lands will only be considered on sites greater than 1 ha in size.
- (h) Lands within the CR designation may be rezoned to a new Comprehensive Development (CD) zone in accordance with Section 10.2.2. The CD zone is intended to provide flexibility to accommodate residential or mixed use (residential and commercial) development while simultaneously protecting significant natural features through park dedication and conservation covenants, and achieving high environmental performance. The rezoning will also be subject to the following criteria:
 - (i) *There is a demonstrated community benefit associated with the application, and a community amenity contribution is provided;*
 - (ii) *Existing community water and sewer systems have capacity to accommodate the proposed development, and the development is serviced by a community water and community sewer system;*
 - (iii) *Site hydrology is maintained and natural drainage patterns and flows are not altered, with the goal of no net increase in surface runoff;*
 - (iv) *Low impact development techniques are used to encourage onsite rainwater infiltration;*
 - (v) *Existing native vegetation, soils and watercourses are preserved to the greatest extent possible and a minimum of 50% of the site is formally protected through the registration of restrictive covenants or dedication of park land to the CVRD or non-profit conservation organization;*

- (vi) *Water meters are installed on each residential unit, with the potential to become operational if the CVRD implements a water metering program.; and*
- (vii) *The development is designed and developed in accordance with the Rural Character DPA Guidelines for Cluster Development.*

OBJECTIVE .2

To maintain housing affordability in the Cluster Residential (CR) designation.

POLICIES

- (a) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a secondary suite may be permitted on an RR2 zoned parcel in the CR designation, provided that the subject :
 - (i) *The subject parcel is at least 1.0 ha in size and the health authority has issued approval for drinking water supply and wastewater disposal;*
 - (ii) *The subject parcel is at least 0.4 ha in size and is connected to a community water system and the health authority has issued approval for increased septic disposal; or*
 - (iii) *The subject parcel is connected to both a community water system and a community sewer system and the CVRD has issued approval for increased wastewater disposal.*
- (b) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a detached accessory dwelling may be permitted on an RR2 zoned parcel in the CR designation, provided that:
 - (i) *The subject parcel is at least 0.4 ha in size and both dwellings are connected to a community water system and the health authority has issued approval for increased septic disposal; or*
 - (ii) *The subject parcel is connected to community water and community sewer systems and the CVRD has issued approval for increased wastewater disposal.*

4.7 Rural Village Residential (RVR)

The Rural Village Residential (RVR) designation is intended to accommodate primarily residential uses, including single detached dwellings, secondary suites, detached accessory dwellings, cluster development and mobile homes. Rural village residential areas should be serviced by community water systems and community sewer systems where readily available. In keeping with their role in maintaining a transition between more rural and more urban land uses, development in Rural Village Areas should seek to preserve significant natural areas and features, intact areas of native vegetation and areas capable of food production while accommodating developments of moderate density.



Photo: A single detached dwelling in the Rural Village Residential designation (CVRD)

OBJECTIVE .1

To accommodate a variety of households and housing types in a rural village residential setting.

POLICIES

- (a) Lands may be designated RVR only in Rural Village Areas, as shown on the map attached as Schedule B to the Area D OCP Bylaw.
- (b) For lands within the RVR designation, the implementing zoning bylaw will include a variety of zones to permit uses including but not limited to: single detached dwellings, secondary suites, detached accessory dwellings, mobile homes, home-based businesses, bed and breakfasts, day cares, neighbourhood meeting centres, agricultural activities, parks and institutional uses.
- (c) Lands within the RVR designation may be zoned as:
 - (i) *RVR1 – Rural Village Residential 1 to provide a rural village residential lifestyle option with a minimum parcel size of 1 ha or 0.4 ha where a community water system is provided;*
 - (ii) *RVR2 – Rural Village Residential 2 to provide a rural village residential lifestyle option with a minimum parcel size of 0.2 ha where both community water and sewer systems are provided;*
 - (iii) *RVR4 – Rural Village Mobile Home Park 4 to accommodate a mobile home park with a maximum residential density of 15 units/ha; and*
 - (iv) *CD – Comprehensive Development, to accommodate a residential or mixed use development with a maximum residential density of 15 units/ha where all units are connected to both community water and sewer systems.*
- (d) The CVRD Board may consider rezoning land in the RVR Designation from Rural Village Residential 1 (RVR1) to Rural Village Residential 2 (RVR2), in accordance with the following criteria:
 - (i) *There is demonstrated community benefit associated with the application, and a community amenity contribution is provided;*
 - (ii) *Existing community water and sewer systems have capacity to accommodate the proposed development, and the development is serviced by a community water and community sewer system;*
 - (iii) *Site hydrology is maintained and natural drainage patterns and flows are not altered, with the goal of no net increase in surface runoff;*
 - (iv) *Low impact development techniques are used to encourage onsite rainwater management;*
 - (v) *Existing native vegetation, soils and watercourses are preserved to the greatest extent possible; and*
 - (vi) *Water meters are installed on each residential unit, with the potential to become operational if the CVRD implements a water metering program.*

- (e) Lands within the RVR designation may be rezoned to a new Comprehensive Development (CD) zone in accordance with Section 10.2.2 and the criteria noted above. The CD zone is intended to provide flexibility to accommodate residential or mixed use (residential and commercial) cluster development while simultaneously protecting significant natural features through park dedication and conservation covenants and achieving high environmental performance.
- (f) Shared parking facilities, food gardens and other common amenities will be provided within CD zones.
- (g) For lands within the RVR designation, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize cluster residential development in exchange for the provision of community amenities.

OBJECTIVE .2

To provide affordable housing options in the Rural Village Residential (RVR) designation.

POLICIES

- (a) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a secondary suite may be permitted on a parcel in the RVR designation, provided that:
 - (i) *The subject parcel is at least 0.4 ha in size and is connected to a community water system and the*

health authority has issued approval for increased septic disposal; or

- (ii) *The subject parcel is connected to both a community water system and a community sewer system and the CVRD has issued approval for increased wastewater disposal.*

- (b) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a detached accessory dwelling may be permitted on a parcel in the RVR designation, provided that:

- (i) *The subject parcel is at least 0.4 ha in size and both dwellings are connected to a community water system and the health authority has issued approval for increased septic disposal; or*
- (ii) *The subject parcel is connected to community water and community sewer systems and the CVRD has issued approval for increased wastewater disposal.*



Photo: A single detached dwelling in the Rural Village Residential designation (CVRD)

4.8 Village Residential (VR)



Photo: A single detached dwelling in the Village Residential designation (CVRD)

The Village Residential (VR) designation is intended to accommodate primarily residential uses and a variety of households and housing types, in anticipation of future population growth that is in keeping with the village character and community well-being. The VR designation accommodates area residents in a manner that supports the efficient and economical provision of services such as water, sewer, solid waste and recycling collection, and public transit along with amenities such as parks, trails and safe roadside pedestrian pathways.

The VR designation encourages ground-oriented dwellings such as single detached dwellings, single detached dwellings with secondary suites or detached accessory dwellings, duplexes, and ground-oriented and low-rise multi-unit residential development.

OBJECTIVE .1

To accommodate a variety of households and housing types in keeping with the village residential character and community well-being.

POLICIES

- (a) Lands may be designated VR only in Village Areas, as shown on the map attached as Schedule B to the Area D OCP Bylaw.

- (b) For lands within the VR designation, the implementing zoning bylaw will include a variety of zones to permit uses including but not limited to: single detached dwellings, secondary suites, detached accessory dwellings, semi-detached dwellings, and multi-unit residential development, home-based businesses, bed and breakfasts, day cares, neighbourhood meeting centres, parks and institutional uses.
- (c) The implementing zoning bylaw may include a variety of zones to accommodate residential development within the VR designation including:
 - (i) *VR2 – Village Residential 2 Zone to accommodate single detached dwellings on parcels with both community water and community sewer services with a minimum parcel size of 700 m²;*
 - (ii) *Townhouse residential zones;*
 - (iii) *Multi-unit residential zones; and*
 - (iv) *CD – Comprehensive Development Zones to accommodate existing multi-unit residential developments and those resulting from future rezoning processes.*
- (d) For lands within the VR designation, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize cluster residential or multi-unit residential development in exchange for the provision of community amenities.
- (e) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a secondary suite may be permitted on a parcel in the VR designation, provided that:
 - (i) *The subject parcel is at least 0.4 ha in size and is connected to a community water system and the health authority has issued approval for increased septic disposal; or*
 - (ii) *The subject parcel is connected to both a community water system and a community sewer system and the CVRD has issued approval for increased wastewater disposal.*

(f) Provided that a principle single detached dwelling is the only other dwelling on the parcel, a detached accessory dwelling may be permitted on a parcel in the VR designation, provided that:

- (i) *The subject parcel is at least 0.4 ha in size and both dwellings are connected to a community water system and the health authority has issued approval for increased septic disposal; or*
- (ii) *The subject parcel is connected to both a community water system and a community sewer system and the CVRD has issued approval for increased wastewater disposal.*

(g) Rezoning applications to establish a new multi-unit development and a new comprehensive development (CD) zone in the VR designation, will be considered based on the criteria specified in Section 10.2.2 in addition to the following:

- (i) *Not more than six units should be located together in one building;*
- (ii) *All units should have direct access to a private outdoor amenity area of at least 10 m², which may include a porch or balcony, and a common outdoor amenity area, capable of food production, of at least 50 m²;*
- (iii) *Publicly accessible walking trails and pathways are provided;*
- (iv) *The proposed multi-unit development should complement the form and character of adjacent development; and*
- (v) *The proposed multi-unit development should complement the natural environment, natural site hydrology and not increase stormwater flow rates or volumes to neighbouring lands.*



Photo: Multi-unit (townhouse) residential development in the Village Residential designation (CVRD)

4.9 Mixed Use (MU)



Photo: Mattick's Farm mixed-use development, Victoria BC
(Jawl Properties Ltd.)

The Mixed Use (MU) designation provides an opportunity for innovative development in Village Areas and Rural Village Areas. The designation supports mixed use developments, which include locally-oriented commercial, institutional and office uses in conjunction with residential uses. Mixed use developments can contribute to neighbourhood vibrancy by providing goods and services to local residents within walking distance or close to transit. They can also become focal points of neighbourhoods as places to meet, socialize, and to obtain community services. Within residential areas, mixed use developments incorporating non-residential uses must be designed with sensitivity to neighbouring uses and to mitigate potential traffic, parking, surface runoff, noise, odour or lighting impacts.

OBJECTIVE .1

To provide opportunities for mixed use developments that complement Village Areas and Rural Village Areas, provide opportunities for housing in close proximity to employment, and increase the availability of community services and facilities to local residents.

POLICIES

- (a) Lands may be designated MU only in Rural Village Areas and Village Areas, as shown on the map attached as Schedule B.
- (b) For lands within the MU designation, the implementing zoning bylaw will provide a variety of mixed-use zones to accommodate a diverse range

of uses including but not limited to: multi-unit residential development, retail stores, restaurants, pubs, cafes, offices, beauty salons, offices and professional services, home-based businesses, bed and breakfasts and day cares.

- (c) Developments within the MU designation may be configured as:
 - (i) *Developments with ground floor commercial, office or institutional uses and residential uses above;*
 - (ii) *Developments with commercial, office, or institutional uses within single detached dwellings; or*
 - (iii) *Developments with commercial, office, or institutional uses located in accessory buildings on parcels containing primary residential uses.*
- (d) Restaurants, pubs, liquor sales, athletic studios, gyms, grocery stores, drive-through or take out operations and other uses that have the potential to significantly increase traffic and contribute to parking congestion are discouraged in mixed use developments located within predominantly residential neighbourhoods.
- (e) Preferred locations for mixed use developments include major intersections and sites well-served by alternative transportation systems including, but not limited to: the Oceanfront Suites, the Wessex Inn, the former Cannery site, Wilcuma Lodge, Cherry Point Marina, Crossroads Centre, Whippetree Junction, and Koksilah Village.
- (f) Mixed use development will be designed to:
 - (i) *Be pedestrian oriented, include public space, and incorporate aesthetically appealing native landscaping and fencing as a buffer with adjacent uses and roadways;*
 - (ii) *Complement the form and character of neighbouring development and uses to ensure visual harmony;*
 - (iii) *Mitigate potential conflict between residential and non-residential uses in close proximity to each other within the development.*

- (g) Rezoning applications to establish a new mixed use development and zone in the MU designation, will be considered based on the criteria specified in Section 10.2.2 in addition to the following:
- (i) *All dwelling units will have direct access to a private outdoor amenity area of at least 10 m²;*
 - (ii) *All dwelling units will have direct access to sunlight at all times during the year; and*
 - (iii) *The proposed mixed use development will complement the natural environment, and not increase surface runoff.*
- (h) In addition to those criteria listed in Policy (f) above and Section, an application to rezone land within the MU designation at the Wilcuma Lodge site to a new CD zone, should include:
- (i) *A public access pathway through the development to the foreshore;*
 - (ii) *Neighbourhood commercial uses; and*
 - (iii) *A community amenity contribution subject to Section 6.2, which may include the above-noted items among others.*
- (i) In addition to those criteria listed in Policy (f) above and Section 10.2.2, an application to rezone land within the MU designation at the Cherry Point Marina site to a new CD zone, should include:
- (i) *Significant foreshore restoration and protection;*
 - (ii) *A public access pathway through the development to the foreshore and waterfront park dedication;*
 - (iii) *A publicly accessible marina including public moorage;*
 - (iv) *Neighbourhood oriented commercial uses; and*
 - (v) *A community amenity contribution subject to Section 6.2, which may include the above-noted items among others.*
- (j) In addition to those criteria listed in Policy (f) above and Section 10.2.2, an application to rezone land within the MU designation at the Oceanfront Suites (former Oceanfront Grand Hotel) at Cowichan Bay to a new CD zone, should include:
- (i) *Zoning to allow nightly, commercial accommodation;*
 - (ii) *Surplus parking stalls in the hotel parkade made available for short-term use for visitors to Cowichan Bay Village through a restrictive covenant which benefits the CVRD;*
 - (iii) *Continued public access to the swimming pool;*
 - (iv) *Exterior renovations/enhancements to the building to better complement the unique character of Cowichan Bay Village;*
 - (v) *The removal of all backlit and internally illuminated signs and strip lighting;*
 - (vi) *Enhanced public access to the waterfront and, if feasible, an environmentally-sensitive pedestrian connection to the breakwater; and*
 - (vii) *Consultation on waterfront development, including a potential connection to the breakwater, with Cowichan Tribes and the Cowichan Bay Fishermen's Wharf Association, at a minimum; and*
 - (viii) *A community amenity contribution subject to Section 6.2, which may include the above-noted items among others.*
- (k) Notwithstanding policies (g) through (j) above, For lands within the MU designation, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize mixed use development in exchange for the provision of community amenities. For instance, s. 904 may be utilized to establish a higher permitted density and height in the implementing zoning bylaw for:
- (i) *The former Cannery site in exchange for the provision of a community amenity, which at a minimum would include the provision of commercial or institutional uses and no residential uses on the ground floor of the building; and*
 - (ii) *Lands within the MU designation in the Koksilah Village area, in order to incentivize mixed-use development with ground floor commercial uses and residential uses above, while retaining valuable affordable housing.*

4.10 Four-Ways Rural Village (FV)

The Four-Ways Rural Village Area, at the intersection of Koksilah Road, Cowichan Bay Road, Waldy Road and Cherry Point Road, has been identified by community members as a focal point of the community – both from a geographic perspective as it is centrally located but also by its proximity to Bench Elementary School. Lands within the Four-Ways Rural Village (FV) designation are envisioned as a small mixed use area with locally-oriented shops and services that complement existing and adjacent residential uses in addition to the local agricultural economy, yet do not detract from the economic viability of Cowichan Bay Village. This may include low-rise mixed-use developments which include ground floor commercial uses and residential uses above. The Four-Ways Mobile Home Park is recognized as an important source of affordable housing in the community, particularly because of its close proximity to Bench Elementary School, local shops and services, and public transit.



Photo: Commercial development in the Four Ways Rural Village designation (CVRD)

OBJECTIVE .1

To create a vibrant mixed use neighbourhood hub.

POLICIES

- (a) Lands may be designated FV only in Rural Village Areas, as shown on the map attached as Schedule B to the Area D OCP Bylaw.
- (b) For lands within the FV Designation, the implementing zoning bylaw will include a variety of zones to permit uses including, but not limited to: single detached dwellings, secondary suites, accessory dwellings, mobile homes, home-based businesses, bed and breakfasts, day cares, neighbourhood meeting centres, agricultural activities, parks and institutional uses, small-scale commercial uses such as retail shops and offices, and mixed-use development which contribute to the rural character of the Four-Ways Rural Village area
- (c) The implementing zoning bylaw will include zones to accommodate residential and mixed-use developments within the FV designation, including:
 - (i) *RVR1 – Rural Village Residential 1 to provide a rural village residential lifestyle option with a minimum parcel size of 1 ha or 0.4 ha where a community water system is provided;*
 - (ii) *RVR2 – Rural Village Residential 2 to provide a rural village residential lifestyle option with a minimum parcel size of 0.2 ha;*
 - (iii) *RVR3 – Rural Village Residential 3 to accommodate single detached or semi-detached dwellings with a minimum parcel size of 0.2 ha where both community water and sewer systems are provided;*
 - (iv) *RVR4 – Rural Village Mobile Home Park 4 to accommodate a mobile home park with a maximum residential density of 15 units/ha; and*
 - (v) *CD – Comprehensive Development, to accommodate a residential or mixed use development with a maximum residential density of 25 units/ha where all units are connected to both community water and sewer systems.*

- (d) Cowichan Bay Farm is recognized as an important community asset given its contribution to the local agricultural economy despite being located outside the ALR. As such, the implementing zoning bylaw will provide appropriate zoning to protect agricultural use on the Cowichan Bay Farm while also permitting residential uses as in pre-existing zoning bylaws.
- (e) The following will not be permitted in the FV Designation:
 - (i) *Big box retail uses;*
 - (ii) *Drive-through facilities;*
 - (iii) *Service stations;*
 - (iv) *Office buildings or business parks;*
 - (v) *Retail uses that require outdoor storage, other than a garden centre or farmer's market; and*
 - (vi) *Uses which involve hazardous materials.*
- (f) Applications to rezone lands within the FV designation to a new comprehensive development (CD) zone, may be considered subject to the criteria in Section 10.2.2 in addition to the following:
 - (i) *A community charette process, led by a Qualified Design Professional, is undertaken to determine the suitable land uses, housing types and densities for the site;*
 - (ii) *The subject parcel is serviced by a community water system and a community sewer system;*
 - (iii) *The site is developed in a manner which is harmonious with adjacent development with respect to scale, building height and the agricultural landscape;*
 - (iv) *The proposal should enhance pedestrian and vehicular safety at the Four-Ways intersection;*
 - (v) *Any parking required in conjunction with the proposal should be located at the rear of buildings or underground;*
 - (vi) *Public outdoor gathering space, trails and walkways are provided; and*
 - (vii) *There will be no net loss of affordable housing.*
- (g) Notwithstanding Policy (c), the community wishes to protect existing affordable housing provided by the Four Ways Mobile Home Park; any rezoning proposal which would result in the displacement of residents without a suitable compensation and relocation strategy will not be supported.
- (h) Rezoning applications to establish a new mixed use development and zone in the MU designation, will be considered based on the criteria specified in Section 10.2.2 in addition to the following:
 - (i) *All dwelling units will have direct access to a private outdoor amenity area of at least 10 m²;*
 - (ii) *All dwelling units will have direct access to sunlight at all times during the year; and*
 - (iii) *The proposed mixed use development will complement the natural environment, and not increase surface runoff.*
- (i) Mixed use development will be pedestrian oriented, include public space, and will incorporate aesthetically appealing native landscaping and fencing as a buffer with adjacent uses and roadways.
- (j) Mixed use development will be designed to complement the form and character of neighbouring development and uses to ensure visual harmony.
- (k) Mixed use development will be designed to mitigate potential conflict between residential and non-residential uses in close proximity to each other within the development.
- (l) For lands within the FV designation, the CVRD may use the amenity zoning provisions of Section 904 of the *Local Government Act* to establish a higher permitted density in the implementing zoning bylaw to incentivize cluster residential, intensive residential or mixed use development in exchange for the provision of community amenities.

4.11 Koksilah Village (KV)

Koksilah Village (KV) is a mixed use village area located in the northwest corner of Electoral Area D – Cowichan Bay, east of the Trans-Canada Highway and opposite the Koksilah Industrial area in neighbouring Electoral Area E. The area is geographically distinct from other settled areas and bound by the Trans-Canada Highway, First Nations land and ALR. The area is within the floodplain of the Cowichan and Koksilah Rivers and has an underlying aquifer that provides potable water to area residents and businesses yet is highly vulnerable to contamination.

Once a stop on the E&N Railway, Koksilah Village thrived in the past as a mixed use neighbourhood with a school, stores and a post office. The introduction of the Trans-Canada Highway had a massive impact in changing the character of this neighbourhood to one of vehicle-dependency and the emergence of service commercial and automobile-oriented businesses. Development of the Koksilah Village Area has also significantly modified the natural drainage pattern and disruption of historical and cultural connections between the Cowichan and Koksilah Rivers.

Koksilah Village is envisioned as a mixed-use centre characterized by a mixture of commercial, retail, office, light industrial processing, services, and accessory residential uses along with community services and amenities that lessen dependence on automobile use. Commercial and industrial uses should support the local economy, provide living wage jobs and be compatible with local environmental conditions. Because of its proximity to the City of Duncan, the area is able to accommodate a wide variety and higher density of uses than is generally found elsewhere in the Plan Area. Also, as development occurs there is an opportunity to restore historical connections between the Cowichan and Koksilah Rivers, to restore natural drainage patterns, and further to protect the important groundwater resource that exists in this area.

The retention of residential uses is critically important in the Koksilah Village area in terms of creating a vibrant, mixed use community. However, given the physical context of the floodplain, residential uses should be located above the ground floor as properties are redeveloped to ensure the safety of residents.



Photo: Commercial development in the Koksilah Village designation (CVRD)

OBJECTIVE .1

To establish Koksilah Village Area as a vibrant, aesthetically appealing, mixed use centre supporting the local economy and employment, locally-oriented businesses, and housing.

POLICIES

- (a) Lands may be designated KV only in the Koksilah Village Area, as shown on the map attached as Schedule B to the Area D OCP Bylaw.
- (b) Within the KV Designation, the implementing zoning bylaw will provide a variety of zones to permit a diverse range of uses including, but not limited to, bakeries, restaurants, museums, coffee shops, beauty salons, retail stores, grocery stores, auto sales, auto repair, offices, financial institutions, professional services, medical offices, light industrial, mixed use, parks and institutional uses, and accessory residential uses.
- (c) The following will not be permitted in the KV designation:
 - (i) *Big box retail uses;*
 - (ii) *Drive-through facilities and/or gas bars/service station either stand alone or, associated with any permitted use;*

- (iii) *Retail uses that require outdoor storage, with the exception of a seasonal garden centre, farmer's market, or agricultural supply sales; and*
 - (iv) *Uses involving storing or handling of hazardous materials that pose a threat to the aquifer.*
- (d) An application to rezone land within the KV designation may be considered subject to Section 10.2.2 in addition to the following criteria:
- (i) *The subject parcel will be serviced by community water and community sewer systems;*
 - (ii) *The site will be developed in a manner which is harmonious with adjacent development with respect to scale, building height and will complement the rural heritage character of the Old Koksilah School and Old Farm Market.*
 - (iii) *The development will provide outdoor public spaces that contribute to a welcoming ambiance in Koksilah Village;*
 - (iv) *Public trails and walkways will be provided; and*
 - (v) *There will be no net loss of dwelling units.*
- (e) Notwithstanding Policy (d) above, residents of the Koksilah Village Area have expressed a desire to protect the existing affordable housing supply; as such, any rezoning proposal which would result in the loss of affordable housing will not be supported.
- (f) Through the implementing zoning bylaw, parcels within the KV designation may be afforded greater density and variety of uses than currently permitted in order to stimulate redevelopment within the area.
- (g) Rezoning proposals to consider a new neighbourhood pub, wine sales or liquor sales in the KV designation, may be considered based on the following criteria:
- (i) *There should be clear evidence that there is a local demand for the proposed use;*
 - (ii) *The proposed use should not generate excessive traffic or safety problems on local roads;*
 - (iii) *The site is developed in a manner which respects the form and character of Koksilah Village; and*
 - (iv) *Roadside pathways are provided.*
- (h) The CVRD may establish a local service area for street lighting on lands within the KV designation. The type of lighting to be used will be in keeping

with the vision, goals and objectives of the Plan; complementary to the rural heritage character of the Koksilah Village Centre area as reflected by the Old Koksilah School and Old Farm Market; reducing light pollution and increasing community safety.

OBJECTIVE .2

To mitigate hazardous conditions, limit surface runoff, and protect water resources.

POLICIES

- (a) The CVRD may establish a local service area, with the assent of the majority of taxpayers, to manage drainage on lands in the Koksilah Village Area.
- (b) Given their close proximity to the Cowichan and Koksilah Rivers, lands within the Koksilah Village Area are prone to flooding. Where new development or redevelopment is proposed, residential uses should not be located on the ground floor of a building.
- (c) The CVRD will endeavor to provide community water and sewer services to all development within the KV designation.
- (d) The underlying aquifer in the Koksilah Village Area is recognized as being highly vulnerable to contamination. As such, all development in the Koksilah Village Area should be carefully planned and implemented to protect water quality.

OBJECTIVE .3

To increase community amenities for residents, business owners, and employees of Koksilah Village.

POLICIES

- (a) The provision of parks, trails and other social and recreational amenities for residents and businesses in the Koksilah Village Area will be a key consideration during any rezoning or community parks planning process.

4.12 Marine Village (MV)

The Marine Village (MV) designation is intended to accommodate marine oriented and complementary uses in a manner that respects the public realm and unique maritime character of Cowichan Bay.

Cowichan Bay Village is an important focal point in the community providing for businesses, residents and visitors alike. The village accommodates a broad range of marine-dependent businesses such as commercial fishing, boat building and repair, marinas and marine-oriented tourism, complementary uses such as restaurants, coffee shops, and retail shops and is also home to residents who choose to live at the water's edge in stilt homes and floating homes. All of these uses contribute to Cowichan Bay's unique historic seaside character. There is no place elsewhere in the Plan Area which can feasibly accommodate such a broad mix of uses.

Cherry Point Marina is a longstanding marina use southeast of Cowichan Bay which also falls within the Marine Village designation. While the Cherry Point Marina has had less of a public focus in the past, there is an opportunity through redevelopment to diversify the mixture of uses on the site and to enhance public access to the waterfront.

Sensitive development within Cowichan Bay Village and at Cherry Point, along with their associated marinas, is needed to avoid negative impacts on parking, pedestrian and vehicular safety, aesthetic values and the environment. Furthermore, specific attention is needed to address parking, transit infrastructure, and pedestrian amenities such as pathways and sheltered viewing and seating areas in order to enhance the overall experience of being in Cowichan Bay Village.



Photo: Cowichan Bay Village view to the north (CVRD)



Photo: Cowichan Shipyard in the MV Designation (CVRD)

OBJECTIVE .1

To accommodate a mixture of marine-oriented commercial, industrial, and institutional uses which are sensitive to the marine environment, accommodate the safe and efficient movement of pedestrians and vehicles, and are in keeping with the unique character of Cowichan Bay Village.

POLICIES

- (a) Lands designated MV are located in the Cowichan Bay Village Area and at Cherry Point, as shown on the map attached as Schedule B.
- (b) Within the MV Designation, the implementing zoning bylaw will provide a variety of zones to permit a range of marine-oriented commercial, industrial, and institutional uses including, but not limited to, marinas, moorage facilities, shipyards, boat shelters, grocery stores, seafood markets, farm markets, marine tourism, maritime museum, environmental education, and accessory uses including retail, restaurants, pubs, bakeries, cafes, galleries, artisan studios, financial services, offices, and professional services.
- (c) Further to Policy 4.12.1(b) above, the Cowichan Shipyard and Cowichan Bay Fishermen's Wharf are recognized for their longstanding marine industrial uses. These sites shall be granted appropriate marine industrial zoning which is consistent with these uses.
- (d) A dwelling may be permitted as an accessory use provided the dwelling is not located on the ground floor of a building or structure.
- (e) Floating homes are a recognized element of the Village's maritime character, although at the time of writing this Plan are not adequately regulated for sewage disposal. Floating homes may be regulated through the implementing zoning bylaw or other regulatory bylaws as deemed appropriate by the CVRD Board. In any case, floating homes will be required to connect to a community sewer system and community water system and receive authorization from the Province in conjunction with Crown tenure agreements. The number of floating homes and conditions of use may also be regulated by bylaw.
- (f) The implementing zoning bylaw will include regulations to minimize the impacts of structures on views of the ocean environment and impacts to the natural environment by shading of the water column and ocean floor, through height, parcel coverage, and siting regulations. Adequate fire protection and provisions for privacy will also be addressed.
- (g) All new development, redevelopment and signage will be in keeping with the form and character of working maritime village, and the marine architectural and heritage character of historic buildings such as the Cowichan Bay Shipyard and Masthead Restaurant building. The retention and restoration of significant heritage buildings, sites, features, elements, and activities as an integral component of land use activities is encouraged.
- (h) Development will be encouraged to include pedestrian infrastructure improvements such as viewing platforms, piers and walkways to enhance pedestrian connections to the waterfront.
- (i) Development within the MV Designation that is located within the jurisdiction of the Cowichan Estuary Environmental Management Plan (CEEMP) will be subject to requirements of the CEEMP.

(j) An application to rezone land within the MV designation may be considered subject to Section 10.2.2 in addition to the following:

- (i) *The proposed use is consistent with the CEEMP and any environmental studies required through the CEEMP process have been completed to the satisfaction of the CEEMP Committee;*
- (ii) *The site will be developed in a manner which complements adjacent development with respect to use, scale, and building height;*
- (iii) *Any parking required to serve the development will be located onsite or if impractical, cash-in-lieu for required parking will be paid to the CVRD in accordance with the applicable implementing bylaw;*
- (iv) *Public access along Cowichan Bay Road will be improved through the provision of safe, accessible walkways and storefront entrances;*
- (v) *Public access to the waterfront and foreshore will be enhanced;*
- (vi) *Except in the case of a permitted float home, there will be no ground floor residential uses; and*
- (vii) *A reclamation plan or environmental mitigation plan is in place where contamination exists.*

(k) Subject to Section 10.2.2 in addition to the criteria noted in (i) above, a rezoning proposal to accommodate a marina expansion may be considered provided:

- (i) *The expanded marina use would be consistent with the Cowichan Estuary Environmental Management Plan including the specified boundaries for commercial and industrial uses within the CEEMP area;*
- (ii) *The expanded marina use would not impede access to adjacent properties or Crown tenures;*
- (iii) *The redevelopment of the marina will prevent the release of contaminants and raw sewage into the marine environment, consistent with provincial and federal regulations;*
- (iv) *Marinas with pump-out facilities will be required to ensure that these facilities are properly functioning, are connected to the community*

sewer system, and employ a system to ensure that moored boats with head facilities use that pump-out; marinas without pump-out facilities will submit a detailed sewage management plan to the CVRD for approval, specifying how sewage from moored boats will be disposed of;

- (v) *Marinas will be required to provide the necessary infrastructure to allow floating homes within its water lease to properly connect to the community water and sewer systems;*
 - (vi) *Additional shading of the sea floor and water column will be minimized through the use of materials which allow light penetration;*
 - (vii) *At least 25% of the expanded marina area will be made available to transient moorage; and*
 - (viii) *Shower/toilet, waste/recycling/composting, and fire suppression facilities will be provided on-site.*
- (l) Rezoning proposals to consider a new neighbourhood pub, wine sales or liquor sales in the MV designation may be considered subject to Section 10.2.2 and the criteria noted in (i) above in addition to the following:
- (i) *There should be clear evidence that there is a local demand for the proposed use; and*
 - (ii) *The proposed use should not generate excessive traffic or safety problems on Cowichan Bay Road.*



Photo: Cowichan Bay Fishermen's Wharf in the Marine Industrial designation (Panoramio)

4.13 Marine Industrial (MI)

The Marine Industrial (MI) designation is intended to accommodate marine industrial uses within the Plan Area. Marine industrial uses may contribute to the health of the local economy and provide living wage job opportunities to area residents. However, it is critically important that such uses occur in a manner that is sensitive to the health of the Cowichan Estuary. Accordingly, activities occurring within the boundaries of the Cowichan Estuary Environmental Management Plan (CEEMP) must be consistent with the Plan and are subject to review by the CEEMP Committee.

OBJECTIVE 1

To provide for marine-dependent industrial activities in Cowichan Bay in a manner that balances the needs of a healthy economy and a healthy environment.

POLICIES

- (a) Lands within the MI designation are shown on the map attached as Schedule B. Within the MI designation, the implementing zoning bylaw will include zones to accommodate marine-dependent industries and activities consistent with the Cowichan Estuary Environmental Management Plan (CEEMP), *Order in Council 1652*, and amendments thereto.
- (b) The CVRD recognizes that boundaries of Crown tenures within the MI designation and corresponding zones may be adjusted if determined to be consistent with the CEEMP, to the satisfaction of the CEEMP Committee. Respecting Crown tenures, the implementing zoning bylaw should include provisions specifying the area of water surface that may be used for marine industrial activities consistent with the CEEMP.
- (c) The CVRD will support the continuation of non-polluting marine-dependent industrial activities within the CEEMP boundaries, ensuring that regulatory bylaws are consistent with the CEEMP.
- (d) Where the CVRD has confirmed that uses specified by Crown tenure agreements have been inactive for a period of at least five years, the CVRD will undertake a public process to amend the OCP by changing the designation within the inactive tenure areas from Marine Industrial to Marine Resource.
- (e) Applications to rezone lands within the MI designation will be considered subject to the criteria in Section 10.2.2 in addition to the following:
 - (i) *The proposed use is consistent with the CEEMP and any required environmental studies have been completed to the satisfaction of the CEEMP Committee;*
 - (ii) *The site will be developed in a manner which complements adjacent development with respect to use, scale, and building height;*
 - (iii) *Any parking required to serve the development will be located at the rear of buildings or underground; if impractical to provide parking onsite, cash-in-lieu will be provided;*
 - (iv) *The proposed use will be sufficiently screened, masked, buffered or otherwise mitigated, to avoid negative impacts such as noise, water and air pollution or loss of public views;*
 - (v) *A reclamation plan or environmental mitigation plan is in place where contamination exists; and*
 - (vi) *Applications that support enhancement of the Cowichan Estuary will be prioritized.*

4.14 Marine Residential (MR)

The purpose of the Marine Residential (MR) designation is to accommodate waterfront stilt homes and their respective water leases in Cowichan Bay Village. The historic lot pattern of the waterfront stilt homes contributes to the heritage character and unique ambiance of the Village and greater community. Water lots have a typical frontage of 7.5 m and typical depth of 55 m. Protection and enhancement of this ambiance is provided through development permit area guidelines for form and character of this intensive residential area. The MR designation may also permit home-based businesses and bed and breakfasts in keeping with the unique character of the area. Development within the MR designation may also be subject to review by the Cowichan Estuary Environmental Management Plan (CEEMP) Committee.



Photo: Waterfront stilt homes in the Marine Residential designation (CVRD)

OBJECTIVE .1

To preserve the heritage character and integrity of historic stilt homes.

POLICIES

- (a) Within the MR designation, the implementing zoning bylaw will include a Village Marine Residential zone to accommodate waterfront stilt homes, based on their historic form and development pattern.

- (b) All development within the MR designation will be carefully planned and implemented with respect to the heritage character of the area and neighbouring development, and consistent with the CEEMP.

OBJECTIVE .2

To ensure that the redevelopment of existing stilt homes occurs in a manner that complements the natural environment by supporting natural hydrological processes and natural ecological function within the marine foreshore.

POLICIES

- (a) The addition or expansion of docks, piers or other features which would result in increased coverage of the water surface is discouraged.
- (b) Site or building features intended to complement the ecological function of the marine foreshore will be encouraged during redevelopment activities.
- (c) The expansion of Crown tenures to accommodate larger stilt homes or structures, which would increase the amount of shading of the sea floor, is not supported.



Photo: A renovated waterfront stilt home in the Marine Residential designation, view from Cowichan Bay Road (CVRD)

4.15 Marine Resource (MAR)

The Marine Resource (MAR) designation is intended to protect the health of marine ecosystems that provide ecological services in support of a healthy environment, a healthy economy and a healthy community. The designation encompasses water surfaces within the Plan Area, intertidal areas within the Plan Area including lands below the natural high water mark, and land areas within the Cowichan Estuary.



Photo: Juvenile Copper Rockfish; it is estimated that over 80% of commercially valuable fish and shellfish spend part of their life in eelgrass beds (Mayne Island Conservancy Society)

At the time of preparing this Plan the potential for the establishment of a National Marine Conservation Area along the east coast of Vancouver Island was being explored by the Parks Canada. While this Plan includes no formal policy statements regarding this initiative, it is acknowledged that the Marine Resource designation of the Plan Area's water surfaces could help facilitate the establishment of a National Marine Conservation Area.

OBJECTIVE .1

To protect the health of marine ecosystems which support fisheries, biodiversity, food self-sufficiency, marine and eco-tourism, and social and cultural activities.

POLICIES

- (a) The implementing zoning bylaw will include zones consistent with the intent of the MAR designation to accommodate marine environmental protection, conservation, restoration and enhancement, research, education, tourism, and recreation.
- (b) The CVRD will discourage the development of buildings, docks, wharves, or other structures within the MAR designation.
- (c) The CVRD will discourage residential uses within the MAR designation.
- (d) The CVRD supports a green shores approach to stabilization of shoreline areas. The creation of bulkheads, seawalls with land fill, and similar engineering works will generally not be supported unless it can be demonstrated that such works would create a net positive environmental benefit.
- (e) The CVRD recognizes the role of the Cowichan Bay Harbour Authority to manage and maintain the public harbour facility in Cowichan Bay and supports expansion of the public harbour facility and corresponding Crown lease, operated by the Cowichan Bay Harbour Authority, for the purpose of enhancing public moorage, navigation and safety in Cowichan Bay.



Photo: Environmental education for school children (Cowichan Tribes)

4.16 Community Institutional (CI)



Photo: Cowichan Maritime Centre in the Community Institutional designation (CVRD)

The Community Institutional (CI) designation encompasses all existing and proposed public facilities and community institutional uses in the Plan Area. Typical uses include public and non-profit housing facilities and associated support services, libraries, cultural facilities, fire halls, government facilities, public utilities, religious assembly and health care facilities. At the time of adopting this OCP, institutional uses in Electoral Area D – Cowichan Bay include Bench Elementary School, the Old Koksilah School, Cowichan Bay Waterworks facilities, and the Cowichan Bay (Improvement District) Fire Department. The designation anticipates that a greater range of uses will be needed, particularly as the population ages, becomes more culturally diverse, and requires a greater range of community services and facilities.

OBJECTIVE .1

To establish and maintain institutional uses in appropriate locations, which provide civic, social, cultural, recreational, environmental, educational, health and housing services to community members.

POLICIES

- (a) Within the CI designation, the implementing zoning bylaw may include a variety of zones to accommodate community and institutional uses including but not limited to cultural facilities, museums, schools and educational facilities, public and non-profit housing facilities, libraries, fire halls, utilities, cultural and religious assembly, government facilities, and public health facilities.
- (b) An application to rezone land to accommodate community and institutional uses will generally be supported, subject to Section 10.2.2 and that the proposed development is:
 - (i) *Located in a Village Area or Rural Village Area;*
 - (ii) *Connected to community water and sewer systems;*
 - (iii) *Direct access to a major road and public transit is provided; and*
 - (iv) *The development complements the natural environment, natural hydrological processes and ecological function.*

4.17 Parks (P)

The Parks (P) designation encompasses all existing and proposed public parks. The designation is intended to accommodate various classes of parks, trails, community gardens, and facilities that complement parks purposes. Section 6.6 of this Plan sets out additional objectives and policies for parks and trails.

OBJECTIVE .1

To establish and maintain parks and recreational uses throughout the Plan Area to provide healthy social, cultural, recreational and environmental education opportunities for community members, contribute to the local economy, support natural features and processes, and reduce greenhouse gas emissions.

POLICIES

- (a) Within the P designation, the implementing zoning bylaw may include a variety of zones to accommodate regional parks, marine parks, nature preserves, neighbourhood parks, children's parks, linear parks, active recreation parks, special purpose parks, nature trails, canoe/kayak routes, multi-purpose roadside pathways, community gardens, greenhouses, government facilities, educational facilities, and other complementary uses.
- (b) Parks will continue to be allowed in any designation or zone, and lands dedicated as parks during a rezoning or subdivision process or land donated or gifted to the CVRD as parkland will be placed in a P designation with appropriate zoning, as applicable.



Photo: Cowichan Bay Park Boat Launch (CVRD)



Photo: Tom Bannister Park (CVRD)

5.0 Natural Environment

5.1 Introduction

Section 878 of the *Local Government Act* provides for inclusion of policies within an OCP relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity. A healthy natural environment is integral to a healthy community. Natural aquatic and terrestrial habitat areas and corridors support diverse plant and animal life and facilitate healthy ecosystem processes. Natural drainage features and watercourses purify water and provide flood protection; forests clean the air and provide relief from urban settings; cliff bluffs and wildlife trees provide important nesting habitat for key bird species; and estuaries and intact marine shorelines provide critical habitat for fish, shellfish, and coastal birds. Groundwater is essential for drinking, agriculture, and industry. A healthy natural environment also provides a host of economic, recreational, social and cultural opportunities, which are highly valued by community members.



Photo: Barred Owl at Cherry Point (S. Stitt)

A key aspect of natural environment protection is recognition of the need to balance protection of the natural environment, its ecosystems and biodiversity with the pattern and form of human settlement. The use of best environmental practices in development can achieve a range of benefits, with high market-value developments and socio-economic benefits. Environmentally sensitive development can help to achieve free ecological services such as stormwater management, clean air and water, and habitat to support species biodiversity. The proper siting of development is critically important to ensuring that development is not hazardous for neighbouring properties and people, particularly on environmentally sensitive areas such as steep slopes and floodplains. Well-planned and environmentally sensitive development will also contribute to reductions in greenhouse gas emissions.

"Community prosperity in the long term must rest on healthy natural systems. In fact, a community's natural environment can become the logical starting point for undertaking a fundamental reordering of a community's identity and future vision."

The objectives and policies of this section relate directly to four Plan goals: *"Restore, Protect, and Enhance the Health of the Cowichan Estuary"*; *"Enhance the Environment, Ecosystems and Biodiversity"*; *"Improve Public and Environmental Health"*; and *"Reduce Greenhouse Gas Emissions"*. They are targeted at the protection and enhancement of the natural environment, ecosystems and biodiversity, protection of development from hazardous conditions, energy and water conservation and the reduction of greenhouse gas emissions.

5.2 Ecosystems & Biodiversity

Land development can threaten ecosystem and species biodiversity through habitat fragmentation and destruction. Inappropriate and poorly timed clearing of vegetation can encourage the spread of invasive species, including those that may be toxic to humans, wildlife and livestock. The following objectives and policies are intended to guide the restoration, protection and enhancement of the environment, its ecosystems and species biodiversity.

OBJECTIVE .1

To protect, restore, and enhance ecosystems and biodiversity throughout the Plan Area.

POLICIES

- (a) The CVRD will seek to obtain current information about environmentally sensitive areas and document these on the Environmentally Sensitive Areas Map (Schedule C-1).
- (b) The CVRD will seek to protect, restore and enhance environmentally sensitive areas through a variety of mechanisms such as strategic parks acquisition, conservation covenants, community education and stewardship.
- (c) In addition to identified environmentally sensitive areas, the CVRD recognizes all remaining forested areas with the coastal Douglas-fir ecosystem, as a major component of the Plan Area's green infrastructure, providing critical habitat, and will consider these a priority for protection, restoration and enhancement. Such lands should be mapped by the CVRD GIS Division and afforded protection through development permit area guidelines and implementing bylaws.
- (d) The CVRD will support development of information on environmental constraints to human land use activities within the Plan Area, particularly effects on ecosystem goods and services supplied by areas of intact coastal Douglas-fir forest and identified sensitive ecosystems.
- (e) The CVRD may establish nature preserves to protect environmentally sensitive areas. To ensure their protection, public access to these areas may be restricted.
- (f) On privately-held lands, the CVRD will encourage the establishment of conservation covenants for the purpose of providing long-term protection to natural features, ecosystems and species biodiversity.
- (g) The CVRD will encourage community education and stewardship activities to support the protection, restoration and enhancement of natural features, ecosystems and species biodiversity.
- (h) The CVRD will seek to prevent the unnecessary spread of invasive species which can threaten biodiversity and present health risks to humans and livestock through regulatory mechanisms including implementing bylaws and development guidelines and by supporting the efforts of the Invasive Plant Council of British Columbia.
- (i) The CVRD will support the retention and establishment of protective, vegetated buffers around natural features and environmentally sensitive areas. The implementing zoning bylaw will include provisions for natural, native landscape buffers in all zones to supplement natural areas. In all cases, the use of native vegetation, suited to local ecosystems and climate, will be encouraged.
- (j) Agricultural lands are recognized for their role in supporting species biodiversity. The CVRD encourages the retention of natural habitat features where possible and the use of agricultural land for wildlife and migratory birds where compatible.

- (k) The CVRD recognizes the importance of protecting the coastal Douglas-fir ecosystem, which is among the rarest and most endangered of coastal ecosystems on Vancouver Island and contains many provincial blue- and red-listed species, and will work with senior government agencies to develop a strategy for conservation measures on lands including critical habitat within the coastal Douglas-fir ecosystem.
- (l) The CVRD may establish a bylaw to regulate the removal and deposition of soil.

OBJECTIVE .2

To protect, restore and enhance the health of intertidal and marine environments.



Photo: Cowichan Bay eelgrass at low tide (CVRD)

POLICIES

- (a) The CVRD will, through the implementing zoning bylaw and development permit area guidelines:
 - (i) *Protect the integrity of the foreshore, shoreline and natural coastal and intertidal processes;*
 - (ii) *Discourage inappropriate siting of structures such as docks, piers, seawalls, retaining walls, and septic systems, that disrupt natural features and processes;*
 - (iii) *Allow for natural erosion and accretion processes, without endangering structures;*
 - (iv) *Encourage and actively support owners of shoreline properties to retain, whenever possible, natural vegetation and natural features along and within the marine foreshore; and*

- (v) *Discourage filling, deposit, excavation or other disturbance to the upland environment; and*
- (vi) *Discourage filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigation and barge channels and existing facilities.*
- (b) The CVRD will only consider permitting structural modification of the shoreline, such as seawalls, where it can be demonstrated that such a modification is necessary to protect a permitted or existing use or structure and that a green shores approach to shoreline protection is not a practical alternative.
- (c) The CVRD will encourage the protection of sensitive habitat features and areas such as riparian and marine riparian areas through conservation covenants and other mechanisms.
- (d) The CVRD may establish a riparian tax exemption program consistent with Policy (c) as a financial incentive to private property owners to establish conservation covenants.
- (e) The CVRD will encourage that the Province of BC refrain from issuing new Crown tenures to prevent further disruption to marine shoreline and intertidal habitat. In the event that the issuance of a new Crown tenure is to be considered, the Province of BC is strongly encouraged to first conduct a community and First Nations consultation process.
- (f) The expansion or redevelopment of marinas or development of new structures within the marine environment will be designed to minimize their environmental impact including the overall footprint and the amount of shading resulting from the development.
- (g) The CVRD will continue to support the implementation and modernization of the Cowichan Estuary Environmental Management Plan (CEEMP) and streamlining of application processes which are subject to the CEEMP.
- (h) The CVRD recognizes the Cowichan Estuary as a globally significant Important Bird Area and will encourage measures to protect coastal bird populations.

- (i) The CVRD will encourage a “design with nature” approach to subdivision and development activities. Creative development proposals which utilize conservation design methods such as low impact development techniques, clustering, flexible lot design, green building materials and renewable energy sources, will be supported provided they are generally consistent with the goals and objectives of the OCP.
- (j) Development within marine and marine foreshore areas including, but not limited to, marinas, floating homes, and live aboards will be encouraged to utilize non-toxic and green materials in their construction and operation.
- (k) The CVRD should work with appropriate government agencies and other stakeholders to provide information about appropriate non-toxic and green materials and also to develop incentives for their use.
- (l) New zones established through a rezoning process to permit additional density, should include a minimum setback of 30 m, measured horizontally, from the natural boundary of a drainage feature, watercourse or the ocean, unless it is demonstrated that a lesser setback would not be detrimental to natural hydrological or ecological function.
- (m) The CVRD will, in partnership with senior government agencies, First Nations, non-profit organizations, and community members, pursue initiatives to protect sensitive habitat such as eelgrass within the Cowichan Estuary. Initiatives may include, but are not limited to, the designation of vessel-restricted areas and activities designed to achieve a zero-discharge policy with respect to liquid waste from septic systems, marine vessels, floating homes and other sources.
- (n) The CVRD recognizes the cultural significance of the Cowichan Estuary and foreshore to First Nations and will consult with Cowichan Tribes on development proposals and other land use matters concerning the estuary and foreshore.

OBJECTIVE .3

To promote education and stewardship to enhance the natural environment, ecosystems and biodiversity.

POLICIES

- (a) The CVRD will support community-based initiatives that contribute to the protection, restoration and enhancement of the natural environment, ecosystems and biodiversity, where feasible and appropriate, through letters of support for grant-funding, grants-in-aid, in-kind support, or allocation and disbursement of community amenity contributions. Such initiatives may include, but are not limited to, community education and stewardship, habitat restoration and protection, pollution abatement and invasive species removal.
- (b) The CVRD will support projects such as interpretive signage programs and local nature festivals.
- (c) The CVRD will endeavor to compile and distribute to private property owners a guide to native plant landscaping.
- (d) The CVRD should recognize community members who are undertaking voluntary conservation activities and stewardship of public or private lands.

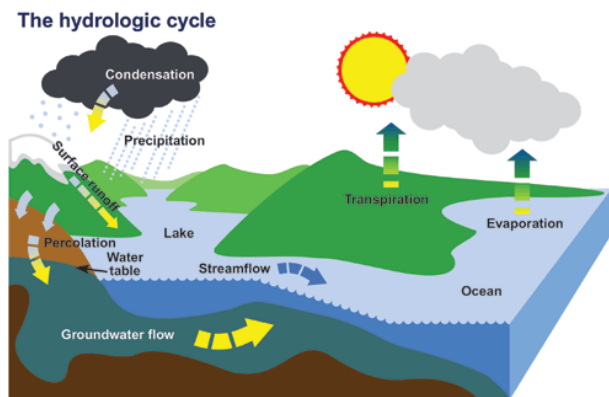


Photo: Community stewardship activities to support protection of forage fish habitat (CVRD)

5.3 Water Resources

As stated earlier in this Plan, the local environment has significant water resources upon which all life is dependent. The ability to access clean, safe drinking water for domestic use and irrigation water for farming is critical. The need to prevent further environmental damage through proper planning and design of development is also critical. Furthermore, both water quality and quantity must be considered in the context of the greater hydrologic cycle.

The hydrologic cycle is a naturally occurring process that may be disrupted and altered by human activities. Native vegetation and soils play a key role in absorbing and controlling the transmission of moisture that is delivered to the earth. Ground and surface waters are critical to supplying drinking water and supporting fish and wildlife habitat, recreation, and agricultural irrigation.



Graphic: The hydrologic cycle (Environment Canada)

A failure to understand the role of the hydrologic cycle within the local landscape and employ appropriate measures to protect water resources may lead to further landslides, dry wells, and contamination. This is critically important in the context of the watersheds of the Koksilah and Cowichan Rivers, which cover and extensive portion of the Plan Area, feed the Cowichan Estuary, and empty into the Salish Sea.

OBJECTIVE .1

To ensure that development and land use activities support the support the natural hydrologic cycle.

POLICIES

- (a) The CVRD supports the use of regulatory measures and guidelines to support the hydrologic cycle, including maintaining and restoring natural drainage patterns and flows.
- (b) The CVRD will support measures to limit and mitigate erosion and sediment generation as a result of development activities, through implementing bylaws and development permit area guidelines.
- (c) New development and redevelopment should be designed to maintain the natural hydrologic cycle and result in no net increase in surface or sub-surface drainage to adjacent lands or waters. The use of low impact development measures including, but not limited to, pervious surfaces, bioswales, raingardens, and cisterns, to support natural hydrologic processes is strongly encouraged.
- (d) During site preparation, vegetation removal (with the exception of invasive vegetation), soil removal, fill and grading should be kept to a minimum. Alteration of soils and vegetation should not disrupt the hydrologic cycle, natural drainage patterns, natural habitat or ecological function, or increase the volume of surface runoff. Daylighting of streams or watercourses to enhance hydrological or ecological function is encouraged.
- (e) The CVRD will encourage the Ministry of Transportation and Infrastructure to include in its maintenance plans, guidelines for the planting of native vegetation in roadside drainage ditches to assist with stormwater management and minimize the use of pipes, culverts, stone ditches and riprap.

- (f) The CVRD will encourage the Ministry of Transportation and Infrastructure to require engineering and environmental assessment reports on potential quality and quantity of stormwater flows for any subdivision of land prior to approval. The Ministry is further encouraged to give more favourable consideration to subdivisions that are designed to maintain or improve the natural hydrological regime from predevelopment conditions.

OBJECTIVE .2

To protect water resources from contamination resulting from inappropriate uses, development or waste discharge.

POLICIES

- (a) The CVRD will maintain current map information for aquatic resources including permanent and intermittent watercourses, wetlands, and aquifers, incorporating *Riparian Areas Regulation* Assessment Report information as it becomes available.
- (b) Aquatic resources will be protected through regulation of land use. Vegetation removal in and adjacent to such resources may be limited through the implementation of development permit areas.
- (c) The implementing zoning bylaw will include provisions, including siting and setback regulations, to prevent land uses, development or other activities from contaminating water resources.
- (d) The CVRD will encourage the remediation of contaminated sites. The BC Toolkit for Former Service Stations will be used to guide remediation and redevelopment of service station sites.
- (e) The CVRD will develop and implement a community education program regarding the use of and alternatives to herbicides, pesticides, household chemicals, and other materials to reduce impacts to water resources. Agricultural and household practices to minimize impacts, such as reducing the use of chemical fertilizers, will be encouraged.
- (f) Industries considered hazardous due to the transport, handling, bulk storage or use of liquefied natural gas, radioactive or other dangerous or toxic materials will not be permitted to locate within the Plan Area.
- (g) Discharge of liquid waste not treated to applicable standards into any watercourse or the ocean is not supported by this Plan.
- (h) The CVRD, in cooperation with government agencies and local stakeholders, will facilitate a zero-discharge policy to eliminate liquid waste discharge from marine vessels, live-aboards and floating homes to the marine environment.
- (i) All marinas in Cowichan Bay with pump-out facilities will maintain these facilities in accordance with the *Sewerage System Regulation* of the *Public Health Act*, which prohibits an owner of a sewerage system from causing or contributing to a health hazard including the discharge of domestic sewage into tidal water.



Photo: Boat sanitation dump located at the Cowichan Bay Fishermen's Wharf (CVRD)

- (j) The CVRD will not support any proposed redevelopment of or change to a Crown tenure where floating homes and/or a pump-out facility are present and not properly connected to a community sewer system.
- (k) Floating homes will be required to connect to a CVRD operated community sewer system in order to dispose of liquid waste including black water and grey water.
- (l) The CVRD supports in principle federal government enforcement of the *Canada Shipping Act Vessel Pollution and Dangerous Chemicals Regulations* with respect to the discharge of liquid waste to the marine environment.
- (m) The CVRD will encourage the timely removal of derelict marine vessels by:
 - (i) *Advocating to the federal government to adopt and implement derelict vessel legislation; and*
 - (ii) *Exploring the feasibility of local partnerships and programs to support derelict vessel removal.*
- (n) Septic systems and fields, and other discharge of liquid waste not to community sewer systems, will be designed, located, and installed by a Registered Onsite Wastewater Practitioner or Professional Engineer, and maintained in accordance with the *Sewerage System Regulations* of the *Health Act*.
- (o) The CVRD will implement an educational program to inform homeowners outside community sewer service areas about septic system best practices.
- (p) Septic tanks and fields will be carefully sited to avoid contamination of watercourses, wells or the ocean, and corresponding health hazards.
- (q) The CVRD does not support the creation of shared septic systems serving more than one dwelling, with the exception of secondary suites, or accessory dwellings, unless there has been a failure of an existing septic system and no other alternative exists.
- (r) Septic tanks will be decommissioned in accordance with the *Sewerage System Regulations* if connection to a community sewer system results in the septic tank no longer being needed to manage liquid waste.
- (s) The CVRD will work with other government agencies and stakeholders in the development and implementation of a groundwater management strategy. The strategy should involve the following elements:
 - (i) *Development of groundwater aquifer vulnerability mapping that identifies intrinsic aquifer susceptibility and land use hazards;*
 - (ii) *Identification of groundwater recharge areas and development of a sustainable groundwater yield model;*
 - (iii) *Policy and bylaw recommendations to protect groundwater from potential contamination and promote responsible use;*
 - (iv) *Development of an appropriate zoning framework based on an assessment of potential groundwater demand in accordance with future growth scenarios; and*
 - (v) *Develop a database of all wells in the Plan Area that includes the location, age, depth, depth to water and other relevant parameters.*
- (t) The CVRD will support development of information on constraints to agricultural production within the Plan Area, particularly constraints in the timing and supply of irrigation waters. This information should include application of local water balance information where possible.
- (u) The CVRD will support development of information on water quality constraints to human activities (i.e. sewage and manure disposal) within the Plan Area.

5.4 Sensitive Lands

The Plan Area contains lands that are considered sensitive to development including, in particular, floodplains and sloped areas. The floodplains of the Cowichan and Koksilah Rivers are subject to regular flood events of varying severity. Areas that may be impacted by flooding include agricultural and First Nations lands in addition to the Koksilah Village area. Such areas should be carefully developed to protect development from hazardous conditions and to ensure the safety of the inhabitants of the development and the public. Cowichan Bay Road, a key transportation route through the Plan Area, is also subject to periodic flooding presenting potentially hazardous conditions for pedestrians and motorists.

The Plan Area is also characterized by varying topography with a combination of level land, and moderate to steep slopes. Slope areas may be subject to natural hazards such as landslide, subsidence or erosion. Development on unstable soils may be subject to settling, shifting and slipping which could result in costly property damage and constant maintenance. Improperly sited septic systems may destabilize soils and result in septic seepage. Site-specific geotechnical assessments are necessary in conjunction with proposals for subdivision and development to ensure that buildings, roads and waste disposal systems are properly sited to protect the development from any hazardous conditions and to protect the environment from harm.

There are many examples of erosion within the Plan Area, which may have been exacerbated by poorly sited development on or near slopes. Community members have expressed deep concerns with respect to public safety and the stability of development in these areas. Proactive policies help to mitigate risks to human health and safety and the quality of the natural environment.

OBJECTIVE .1

To protect human health and safety, the natural environment and property from natural and human-induced hazards.



Photo: Erosion in proximity to development (CVRD)

POLICIES

- (a) The CVRD will establish a sensitive lands development permit area to protect the environment and to protect development from hazardous conditions that may be present.
- (b) The CVRD may require site-specific measurements and/or a geotechnical report prepared by a Qualified Professional Engineer or Qualified Professional Geoscientist, to be included as part of the application package to demonstrate that development can proceed without hazard from erosion, slip or subsidence, excessive stormwater drainage or groundwater management concerns.
- (c) Further to policy (b), all proposed subdivisions in the Plan Area should be issued a development permit prior to their approval. Subdivision layout including the orientation and placement of roads, infrastructure and building envelopes, and identification of no-build areas, should be informed by a geotechnical report, prepared by a Qualified Professional Engineer or Qualified Professional Geoscientist.
- (d) The CVRD will continue to require geotechnical reports in conjunction with applications for building permits within the Plan Area as determined on a case-by-case basis by CVRD building inspectors.

- (e) A rezoning or development variance permit application intended to protect future and existing development from natural hazards, which would not result in an increase in allowable density or the number of parcels permitted by existing zoning, may be supported subject to the following criteria:
- (i) *The purpose of the application is to mitigate risk(s) from a natural hazard on the property;*
 - (ii) *A geotechnical report, prepared by a Qualified Professional Engineer or Qualified Professional Geoscientist, including an assessment of the hazard, certification that the land may be used safely for the intended use, and recommendations to minimize the risk(s), is provided to the CVRD;*
 - (iii) *A covenant prepared at the applicant's expense and to the satisfaction of the CVRD will be registered on the title of the subject property, to ensure compliance with the recommendations of the Qualified Professional Engineer or Qualified Professional Geoscientist, including no-build areas if applicable, and save the CVRD harmless from liability;*
 - (iv) *Performance bonding and/or a development agreement may be required to ensure that the recommended mitigation works are complete to the satisfaction of the CVRD; and*
 - (v) *Density and/or the number of potential parcels will be based on the buildable area taking into account site constraints, not the overall parcel size.*
- (f) The CVRD will develop and consider adopting a Floodplain Management Bylaw.
- (g) Floodplain areas are identified on Schedule C2 – Sensitive Lands, as determined by the 2009 Lower Cowichan/Koksilah River Integrated Flood Management Plan and 1997 Canada British Columbia Floodplain Agreement.
- (h) The CVRD will discourage new development within designated floodplains. Where no alternative exists or where development is currently allowed within the floodplain, the CVRD will require structures and uses to be flood-proofed to the flood construction level and with appropriate setbacks as established by the implementing bylaw, applicable building regulations, and Floodplain Management Bylaw, should one be adopted.
- (i) The CVRD will request that BC Hydro and the Ministry of Transportation and Infrastructure, and their contractors, undertake vegetation maintenance and removal with regard for public and environmental health and safety.
 - (j) The CVRD will request that the Ministry of Transportation and Infrastructure undertake improvements to Cowichan Bay Road to mitigate flood risk.
 - (k) The CVRD, will in consultation with senior governments, Cowichan Tribes, and local stakeholders, engage appropriate professionals to conduct a feasibility study concerning a breakwater or other mechanisms to reduce the risk of damage in the Cowichan Bay Village area from natural and human induced hazards such as sea level rise, flooding, storm surge, erosion and fire.
 - (l) The CVRD will seek to undertake an assessment of risks and vulnerabilities associated with climate change impacts, and will develop climate adaptation strategies to address such risks and vulnerabilities. This will include, at a minimum, integration of climate change adaptation objectives, policies and development permit area guidelines within the Plan Area.
 - (m) As a component of the climate change assessment, the CVRD GIS Division will conduct a mapping exercise to identify projected sea level rise in relation to shoreline areas and provide a visual representation of risk potential over time.
 - (n) Areas which may be subject to sea level rise should be identified on OCP sensitive lands mapping and subject to appropriate development permit area guidelines to protect development from hazardous conditions.

5.5 Air, Noise, & Light Pollution

The Plan seeks to address air, noise and light pollution. Declining air quality is related to an increasing incidence of respiratory illnesses in the region and is detrimental to our water resources. Both noise and light pollution impact humans and wildlife alike. Light pollution has been linked to impacts on migratory patterns, feeding habits, seasonal dormancy and growth cycles of birds, fish and wildlife, and cancer in humans. The objectives and policies of this section seek to reduce air, noise and light pollution in the Plan Area.



Photo: Transient ship anchored in Cowichan Bay (P. Holmes)

OBJECTIVE .1

To minimize public and environmental health risks from air and noise pollution.

POLICIES

- (a) The CVRD will through collaboration with the Central Vancouver Island Health Authority, transit authorities, other government agencies and community members, develop an airshed protection plan. The plan will include measures to reduce air pollution by:
 - (i) *reducing high-polluting wood burning fireplace and encouraging low-polluting heating sources;*
 - (ii) *discouraging vehicle idling;*
 - (iii) *supporting car-sharing programs and low emissions vehicles;*
 - (iv) *promoting alternative transportation such as transit, cycling and walking; and*
 - (v) *reducing open outdoor burning on lands, including agricultural lands, within the Plan Area.*

- (b) During application review, the CVRD will consider possible air and noise pollution and may impose requirements to prevent such pollution.
- (c) The CVRD will encourage tree retention on private property to help filter air pollutants, sequester carbon and reduce noise pollution.
- (d) The CVRD will collaborate with Transport Canada and the BC Chamber of Shipping to eliminate pollution resulting from commercial shipping anchorages in Cowichan Bay.

OBJECTIVE .2

To recognize and preserve Electoral Area D – Cowichan Bay as a “dark skies” community, by preventing illumination of the night sky and light trespass.

POLICIES

- (a) All development will be required to avoid illumination of the night sky. Light fixtures will be fully-shielded in order to direct light downward and avoid light trespass onto neighbouring properties.
- (b) Flashing lights, neon lights, and signs which may pose a public nuisance, safety hazard or other negative impact will not be permitted.
- (c) The subdivision servicing bylaw will specify for the Plan Area, excluding the Koksilah Village area where street lighting has been identified as a critical safety need, that any future subdivision only include street lighting as needed for public safety such as at major road intersections.
- (d) Development permit area guidelines and implementing bylaws concerning signage will include provisions respecting the prevention of excessive illumination, light trespass and safety and public nuisance issues related to lighting.
- (e) Inappropriate lighting associated with government facilities or private development (i.e. street lighting at Wilmot and Pritchard; Lambourn water treatment plant) should be removed; if required for public safety, lighting should be retrofitted to prevent excessive illumination and glare.

5.6 Energy Conservation & Greenhouse Gas Reduction

The CVRD Board has made a commitment to reduce Greenhouse Gas Emissions (GHGs) 33% by 2020 and 80% by 2050 (from 2007 levels). The majority of greenhouse gas emissions in the Plan Area may be attributed to on-road transportation, which is largely the result of a settlement pattern that has promoted large suburban residential lots separated geographically from shopping, employment and entertainment. Where development is compact and located in proximity to such uses, there is less likelihood that an automobile will be needed or used and there will be greater opportunities for alternative modes of transportation such as walking, cycling and transit. Compact developments also provide an opportunity to minimize infrastructure costs, to provide affordable housing, and to protect areas of significant natural vegetation or natural features. The objectives and policies of this section are intended to help meet these targets.



Photo: Roof-top solar panel installation

OBJECTIVE .1

To support energy conservation and greenhouse gas (GHG) emissions reduction at the community scale.

POLICIES

- (a) The CVRD will seek to reduce GHG emissions to 33% below 2007 emissions levels by 2020 and 80% below 2007 emissions levels by 2050, through the preparation of a climate action plan to identify actions to achieve GHG emissions targets.
- (b) The Plan establishes Village Containment Boundaries (VCBs) and directs growth to Village Areas within VCBs to achieve efficiencies in servicing and public transportation, and to encourage non-auto dependent, walkable communities.
- (c) Within the Cowichan Bay Village area, the CVRD will work with the Ministry of Transportation and other stakeholders to reduce motorized traffic and increase transportation alternatives such as walking, cycling and transit. This may include developing intercept parking areas at either end or both ends of the village area with access to the village area via safe pathways for walking, cycling, electric golf carts or rickshaws.
- (d) The Plan seeks to provide a range of land use designations and uses in order that community members have opportunities to live, work, socialize, learn, and recreate within the community, lessening the need to travel to other communities.
- (e) Food production is encouraged throughout the Plan Area to lessen the need to transport food over long distances. The Plan supports the productive use of agricultural land and limited agriculture in residential areas; community gardens are encouraged in parks; areas dedicated for food gardens are encouraged in new development; and restaurants and cafes are encouraged to produce food onsite or source food products locally where practical.
- (f) The CVRD will provide educational resources to community members to assist with reducing energy consumption and facilitating access to available energy grants, programs, and incentives.

OBJECTIVE .2

To support energy conservation and GHG reduction at the site-specific scale, in both new development and redevelopment proposals.

POLICIES

- (a) The CVRD will be a leader in energy conservation, water conservation and green building design in the building, renovation and operation of all CVRD owned and operated facilities.
- (b) The CVRD will encourage greater energy efficiency, water conservation and GHG reductions in the development and redevelopment of sites and buildings through development permit area guidelines and the continued use of a sustainability checklist during rezoning and development permit application processes.
- (c) The CVRD will encourage the reuse of existing buildings, rather than tearing them down and replacing them with new buildings, in order to reduce energy and material use associated with new building construction. In the case of significant heritage buildings, heritage revitalization agreements may be used to facilitate creative developments that would not otherwise be permitted by the implementing zoning bylaw.
- (d) The CVRD will encourage the retrofit of older buildings in order to achieve energy efficiency and a reduction in GHGs.
- (e) The implementing zoning bylaw will establish lot coverage, impervious surface limits and floor area limits within certain zones to facilitate energy conservation and GHG reduction in new development. Floor area calculations should be made from the inside of an exterior wall to encourage thick wall assemblies.
- (f) The CVRD will consider development variance requests concerning the location of a building on a site or the height of a building, where it is explicitly evident that the variance would result in significant energy efficiency, water conservation or reduced energy consumption.

- (g) The CVRD will establish development permit area guidelines for GHG Reduction, water conservation and energy conservation to be applied to development and land use throughout the Plan Area.

OBJECTIVE .3

To reduce GHGs resulting from on-road transportation.

POLICIES

- (a) The CVRD will encourage cycling and walking paths to promote healthy living and alternative transportation throughout the community.
- (b) New development will be integrated with alternative transportation opportunities including walking and cycling paths and transit stops.
- (c) The CVRD will encourage commuter car-share and car co-op programs.
- (d) In conjunction with a regional electric vehicle (EV) charging strategy, the CVRD will encourage EV charging stations with public and parking facilities.
- (e) The implementing zoning bylaw may include provisions to relax parking requirements for commercial, industrial, mixed use or multi-unit developments in exchange for car-share or car co-op stalls, electric vehicle charging stations, or cash-in-lieu for the development of transportation amenities such as walking trails, cycling paths, bike racks and transit shelters.



Photo: Transit stop, Cowichan Bay Road (CVRD)

6.0 Community Social Infrastructure

6.1 Introduction



The Plan goals, *Create an Inclusive Community with Strong Social Infrastructure* and *Improve Public Health and Safety*, reflect the importance of a safe and healthy community; where all members of the community irrespective of age and ability have access to community services and facilities, suitable housing, safe and nutritious food, and parks and trails; where they feel safe both inside their homes and out in the community; and where they have opportunities for social and cultural enrichment.

Housing affordability is a considerable challenge for the Cowichan Region and Plan Area alike. This challenge is compounded by the overwhelming prevalence of single

detached homes in the Plan Area, and while there will always be demand for this housing type, the aging population and others will require alternative housing types and tenures at price points that are attainable relative to their incomes.

Increasing food security and self-sufficiency is another key element of health and well-being in the community. The rising cost of imported foods presents an even greater need to produce food locally and affordably.

Other Plan goals, *Enhance Rural Community Character*, *Enhance the Environment, Ecosystems and Biodiversity*, *Connections to the Waterfront*, and *Recognize Heritage, Cultural Values and Identity*, relate to the value-added elements of communities that enrich community well-being and contribute to the unique character of the community. Parks and trails infrastructure, for instance, provides opportunities for recreation, socialization, and connections between neighbourhoods and key destinations within the community.

This section of the Plan includes policies and objectives to address individual elements of community social infrastructure including community services and amenities, affordable housing, food security and self-sufficiency, community safety, parks and trails, heritage and culture.

6.2 Community Services & Amenities

Community services and amenities such as schools, affordable housing, community centres, fire halls, parks, trails, and transit contribute to community social infrastructure and overall quality of life. These may be provided by local or senior government agencies through taxation or grant funding, or they may be provided as amenity contributions through rezoning processes, typically where an increase in density (lots or units) is provided in exchange for the provision of community amenities. The latter are commonly referred to as community amenity contributions, which are intended to offset development impacts by providing benefits, or amenities, to community members.

OBJECTIVE .1

To facilitate safe, equitable and affordable access to community amenities.

POLICIES

- (a) The CVRD will support the development of a community centre, in a location central to the Plan Area and accessible via public transit, providing opportunities for social, recreational and cultural interaction and provisional shelter during emergencies.
- (b) Bench Elementary School is recognized as an important community facility, providing a place of learning for school-aged children, and community social, cultural, and recreational activities. The CVRD will support the continued use and enhancement of Bench Elementary School for educational and community-oriented purposes on a continuous, year-round basis.
- (c) The CVRD will explore, in partnership with School District 79, government agencies, and non-profit organizations, opportunities to develop Bench Elementary School as a community “hub” – a focal point for community education, services, and activities. Uses that may be considered for co-location with educational uses include, but are not limited to, a child care facility, seniors’ facility, health services, government services, a library, and community centre.
- (d) In the event that School District 79 decides to dispose of Bench Elementary School, CVRD will consider acquisition of this important community facility and will not consider applications to rezone it for private use.
- (e) The CVRD will work cooperatively with School District 79 to plan for future school facilities; where lands for such a purpose are acquired through the development process, they will be owned by the CVRD.
- (f) The CVRD will work cooperatively with School District 79 to incorporate community use into new school facilities.
- (g) Day cares are supported throughout the Plan Area provided that:
 - (i) *The day care complies with the Community Care and Assisted Living Act;*
 - (ii) *The day care complies with the implementing zoning bylaw respecting regulations for siting, setbacks, density, minimum parcel size, screening, parking, and other conditions of use; and*
 - (iii) *Parking, drop-off and loading activities associated with the day care are accommodated on the subject parcel.*
- (h) Recreation service agreements and the potential for a regional service delivery model should be reviewed to ensure that Electoral Area D – Cowichan Bay residents are receiving the greatest collective benefit from their tax dollars. The CVRD Board will support inclusion in or exclusion from recreation service agreements that will best serve residents.
- (i) The establishment of new service agreements will be considered carefully in the context of potential tax impacts with an aim to be fair to all taxpayers.

OBJECTIVE .2

To ensure that new development enhances the lives of community members.

POLICIES

- (a) Recognizing that all developments, large and small, have cumulative impacts on the community, rezoning applications involving an increase in development potential will be encouraged to provide community amenities, irrespective of their size, scope or location.
- (b) Site specific conditions, as well as the scope and scale of the project, will indicate the desired community amenity contributions associated with each rezoning application. Criteria for determining priority among possible amenities will include:
 - (i) *The size, location and character of the proposed development, projected population increases, and the potential impacts of the development on existing community infrastructure;*
 - (ii) *Site characteristics, including natural features, heritage or recreational value, or wildfire risk;*
 - (iii) *Affordable housing potential and need and relative compatibility with the character of the proposed development; and*
 - (iv) *Needs of the surrounding community for schools, transit facilities, community gathering spaces or other amenities.*
- (c) Community Amenity Contributions may include, but are not limited to the following:
 - (i) *The provision of rental, market, or non-market affordable housing (subject to a Housing Agreement under S. 905 of the Local Government Act);*
 - (ii) *Dedication of land or a building or part thereof for public institutional uses such as a daycare, community centre or gathering place, seniors centre, youth centre, arts or cultural centre, health centre, fire hall, library, community garden, community policing office, police station, emergency shelter, or transit shelter;*
 - (iii) *Dedication of parkland to the Regional District exclusive of S. 941 Local Government Act requirements for parkland dedication;*
 - (iv) *The gifting of art to be installed in a public place;*
 - (v) *Sidewalk, walkway or trail improvements; or*
 - (vi) *A cash contribution towards the capital reserve fund of a defined CVRD service or function.*
- (d) The CVRD Board may apply amenity zoning, in accordance with S. 904 of the *Local Government Act*, whereby the land density, in the form of additional lots or dwelling units, may be increased relative to the community amenity provided.
- (e) Through amenity zoning, the CVRD may accept:
 - (i) *The provision of community amenity on the subject property or within the Plan Area; or*
 - (ii) *Cash-in-lieu, to be held in a reserve fund for the eventual provision of specified community amenities within the Plan Area.*
- (f) Where a community amenity is to be provided to a third party for operation and maintenance, the application should be accompanied by a written agreement from that party to accept and maintain the amenity for the intended use. Covenants, housing agreements, or other tools should be used to ensure the amenity is used as intended. Parties chosen to hold an amenity should be public bodies or well-established non-profit organizations with a mandate consistent with the amenity provided.
- (g) When an amenity is provided in exchange for additional density, the amenity must be provided or legally guaranteed prior to adoption of the zoning bylaw amendment.
- (h) Where appropriate, plaques should be used to acknowledge voluntary amenity contributions.
- (i) The CVRD Board may adopt a Community Amenity Contribution Policy for the purpose of establishing a clear, consistent and fair methodology to determine the value of the community amenity or amenities to be provided in association with a rezoning application, where additional development potential is granted in the form of additional parcels or dwelling units, irrespective of the size or location of the proposal.

6.3 Housing

Ensuring that all community members and households have access to safe, affordable and quality housing is a key challenge. The ability to offer diversity in the housing stock, particularly in terms of affordability and accessibility, creates a greater range of opportunities to meet the diverse needs of the population. The Cowichan Region Affordable Housing Strategy provides recommendations on increasing the provision of affordable housing. While market ownership housing is abundant, other housing types such as emergency shelters, supportive housing, seniors housing, non-profit housing, accessible housing, affordable rental housing, and affordable ownership housing are uncommon. This deficiency presents a serious challenge to meeting a fundamental human need for housing that is safe, secure, and affordable – in other words, housing that is accessible.



Photo: Multi-unit residential development, Duncan BC (CVRD)

OBJECTIVE .1

To provide a variety of housing types and tenures that are accessible to a broad range of individuals and households and allow them to age in place or, in other words, remain in the community throughout their lives and as their needs change.

POLICIES

- (a) The CVRD will encourage development and rezoning proposals to include a mixture of housing types, sizes and tenures in order to provide diverse housing options and contribute to diverse neighbourhoods.
- (b) The CVRD will encourage rental housing to be dispersed among ownership housing within the community, as opposed to concentrated in single buildings or areas.
- (c) Homogenous housing developments with similar unit sizes, types and tenures will be discouraged.
- (d) The CVRD will support the development of accessible housing to meet the needs of people of different ages and abilities and the incorporation of universal design features in housing development to facilitate aging in place.
- (e) The CVRD will support the development of supportive and special needs housing and community care facilities in close proximity to community services and public transit.
- (f) The CVRD will support the development of flexible housing forms, designed to be adapted to the changing needs of a household over its lifespan.
- (g) The CVRD will support the development of dwellings accessory to employment uses throughout the Plan Area.

OBJECTIVE .2

To encourage the provision of secondary suites and detached accessory dwellings as a safe, accessible, and complementary form of housing within the community.

POLICIES

- (a) The CVRD supports the establishment of new secondary suites within the envelope of an existing or new single detached dwelling and detached accessory dwellings provided that following criteria are satisfied:
 - (i) *The owner registered on the title of the property on which the suite is located, permanently resides on the property;*
 - (ii) *Required parking for the suite is accommodated within parcel boundaries;*
 - (iii) *Garbage produced as a result of the occupation of the suite is required to be screened from public view;*
 - (iv) *The suite has a private, screened outdoor amenity area of not less than 10 m² for exclusive use of the suite's occupants;*
 - (v) *The suite does not exceed 40% of the gross floor area of the principal building and, in any case, is not larger than 90 m² in size;*
 - (vi) *The suite meets the requirements of the BC Building Code and applicable CSA standards;*
 - (vii) *Approved drinking water and wastewater disposal, include approved CVRD service connections (where applicable), are provided;*
 - (viii) *The principle dwelling is the only other dwelling on the property; and*
 - (ix) *A Section 219 covenant is registered on title to prevent the strata subdivision of the property.*
- (b) The CVRD supports the continued use of existing secondary suites and detached accessory dwellings provided such suites meet the minimum requirements of the BC Building Code.
- (c) In conjunction with a building permit application to alter or add to an existing building, the CVRD may require an existing secondary suite or detached accessory dwelling to be brought into compliance with the BC Building Code or else decommissioned.
- (d) In conjunction with an application for a building permit, the CVRD may require the registration of a Section 219 covenant on title to prevent the strata titling of properties which include secondary suites or detached accessory dwellings.
- (e) The CVRD will encourage that new single detached dwellings include secondary suites or be secondary suite ready.

OBJECTIVE .3

To protect the existing supply of affordable housing.



Photo: Mobile homes in the Four Ways Rural Village designation (CVRD)

POLICIES

- (a) Mobile home parks in the RVR designation provide an affordable housing option for many residents. The implementing zoning bylaw will include, for the MP1 and MP2 zones, regulations respecting the location, size and dimensions, maximum building footprint and amenity areas for individual home sites, which will be based on current best practices for mobile home parks.
- (b) The affordable housing component of mobile home parks will be protected; any redevelopment of mobile home parks will be in compliance with the CVRD Manufactured Home Park Redevelopment Policy will occur in a manner that prevents the displacement of households from the community.

- (d) Prior to acceptance of an application to rezone land within a mobile home park, the owner/applicant should submit verification that, at least 30 days in advance of a rezoning application being submitted to the CVRD, an information package has been delivered to tenants and posted on communal boards and in public facilities within the park which outlines:
- (i) *That an application to rezone the park will be made to the CVRD;*
 - (ii) *The nature of the redevelopment plans being considered;*
 - (iii) *The affordable housing options that will result if the rezoning application is approved;*
 - (iv) *A tentative timeframe that is trying to be achieved;*
 - (v) *The tenant's rights as per the Manufactured Home Park Tenancy Act and an explanation of the assistance to be provided as a result of the requirements of the Policy;*
 - (vi) *The CVRD Manufactured Home Park Redevelopment Policy and explanation of the assistance to be provided as a result of the requirements of the Policy; and*
 - (vii) *The CVRD zoning amendment process.*
- (e) Prior to consideration of first and second reading of a bylaw to rezone land within a mobile home park, the owner/applicant should submit a Relocation Report that includes:
- (i) *Demographic profile of residents including age, household size/structure, general income levels, housing needs/relocation option preferences, where this information is attainable.*
 - (ii) *Manufactured home profile, including condition and potential to be moved and compliance with the BC Building Code.*
 - (iii) *An outline of the affordable housing options available to tenants who will be displaced.*
- (f) Prior to public hearing of a bylaw to rezone land within a mobile home park, the owner/applicant should submit a Relocation Plan that should include the following, which is in addition to the statutory requirements under the *Manufactured Home Park Tenancy Act*:
- (i) *Affordable housing options that will result if the rezoning application is approved;*
 - (ii) *A commitment to provide first right of refusal to existing tenants on the new dwelling units;*
 - (iii) *Arrangement for and paying of disposal fees of manufactured homes that cannot be relocated;*
 - (iv) *Arrangements for moving the tenant to another manufactured home park;*
 - (v) *A commitment for unconditional compensatory payments of fair market value to tenants for those manufactured homes that cannot be moved or for those that decide to pursue other forms of accommodation;*
 - (vi) *An indication on the preferred options of the tenants; and*
 - (vii) *A timeline for implementation of the Relocation Plan which has been developed in consultation with the tenants.*
- (g) The CVRD Board will consider each Manufactured Home Park Redevelopment proposal in the content of a viable relocation plan submitted by the owner/applicant, the content of the development application, notification and information provided to the tenants, public input and the staff report.
- (h) The conversion of buildings into strata units or mobile home parks into strata subdivisions pursuant to the *Strata Property Act*, for the purpose of creating individual titles for mobile homes, is not supported.
- (i) The CVRD will encourage co-operative ownership of mobile home parks where residents share an undivided joint ownership interest, in order to provide long term, secure tenure for mobile home park residents.
- (j) As a form of intensive residential development, careful attention should be paid to maintaining the aesthetics of site landscaping and common areas of mobile home parks for the mutual benefit of residents of the mobile home park and surrounding neighbourhood. The CVRD Mobile Home Park Bylaw will be reviewed and updated and new development guidelines for mobile home parks shall be established to encourage livability for residents.

OBJECTIVE .4

To increase the supply of affordable housing.

Affordable housing is a safe, secure, stable, accessible living environment that allows people to live within their income level, and maintain a healthy quality of life. Affordable housing adequately suits the needs of low- to moderate-income households at costs below those generally found in the local Cowichan Valley market....and should not exceed 30% of gross household income. Regional Affordable Housing Directorate 2009

POLICIES

- (a) The CVRD recognizes affordable housing as housing that costs no more than 30 per cent of gross household income.
- (b) The CVRD Board will assist in the provision of affordable housing by:
 - (i) *Establishing an affordable housing reserve fund and an affordable housing land reserve, to be administered by the CVRD, an affordable housing corporation, non-profit housing organization or other corporate body;*
 - (ii) *Encouraging creative development proposals which would increase the supply of affordable housing.*
 - (iii) *Encouraging affordable rental, market, and non-market housing units as a community amenity contribution for rezoning applications;*
 - (iv) *Designating parcels for multi-unit residential development within village containment boundaries;*
 - (v) *Using the provisions of S. 904 and S. 905 of the Local Government Act to facilitate affordable housing development;*
 - (vi) *Seeking and securing housing through grants and donations;*
 - (vii) *Collaborating with local and senior governments, Cowichan Tribes, community groups, non-profit organizations, and the private sector to plan, secure funding, and provide for affordable housing;*
 - (viii) *Considering incentives to lower housing costs such as waiving development application fees where affordable housing will be provided;*
- (ix) *Considering means such as housing agreements and phased development agreements to ensure the long term provision of affordable housing; and*
- (x) *Participating in the Regional Affordable Housing Directorate and/or establishing a CVRD advisory group to consider affordable housing needs, access grants, and advise on the use of reserves funds or land bank.*
- (c) Developments resulting in four or more residential units, on a site which has been rezoned to accommodate an increase in residential density, will include at least 25% affordable units; either in the form of below-market rate rental for a specified time-period or perpetually affordable ownership housing, or as a financial contribution in lieu of these requirements, or a combination of these. When the calculation for required affordable housing units results in a fraction, the fraction will be rounded up to the next whole number. The affordable units will be secured as such either through a housing agreement (Section 219 covenant) or a phased development agreement.
- (d) Notwithstanding Policy (c), the CVRD Board may waive or reduce the affordable housing requirement if, in exchange, the Board accepts the voluntary contribution of an equivalent amenity or amenities associated with the development.
- (e) The CVRD will facilitate the development of affordable housing in the Plan Area that would accommodate households, who in the opinion of the CVRD Board, are considered to be in need of affordable housing. The housing should be affordable to those target households earning between 80 and 120 per cent of median household income (e.g. couples without children, singles, or single parent households).
- (f) Rental and ownership housing that is affordable (based on area household median income and Policy (e) above), supportive and special needs housing will be deemed community amenities with respect to rezoning applications.
- (g) The CVRD recognizes the Cowichan Region Affordable Housing Strategy (2010) and will employ an Affordable Housing lens when considering development and rezoning proposals.

6.4 Food Security

Local food production helps provide access to safe, nutritious food, promotes communities wellness and social involvement, and has a positive impact economically on the agriculture, fisheries and food processing sectors of the economy. Community gardens, community supported agriculture, local food markets, building community capacity for food production, encouraging food production in both residential and commercial areas, and including development requirements for arable land, are some practical options to increase access to safe, nutritious food.



Photo: Stock

OBJECTIVE .1

To facilitate access to and production of safe and nutritious food in a manner, which complements community character and promotes community health and well-being.

POLICIES

- (a) Food production including the raising of poultry and livestock is encouraged throughout the Plan Area, both in agricultural and non-agricultural areas, in support of the local economy, food security and food self-sufficiency.
- (b) Lands both within and outside the ALR have for food production capability. The implementing zoning bylaw will include siting provisions and arable land requirements to facilitate food production.
- (c) Special care will be taken to maintain harmony between agricultural and non-agricultural uses. For lands outside the ALR, the implementing zoning bylaw will include siting provisions and minimum lot size requirements for agricultural activities involving livestock, beekeeping, and poultry production.
- (d) The implementing bylaw will include community gardens as a permitted use in all zones.
- (e) The implementing zoning bylaw will include zones which permit greenhouses as a permitted use.
- (f) The CVRD will seek to remove barriers and provide incentives through the implementing zoning bylaw to provide affordable access to ALR land for the purpose of farming.
- (g) Edible landscaping and food production will be encouraged as a component of development and redevelopment proposals.
- (h) Public, private, and non-profit community gardens are encouraged. Community gardens will be considered in community parks subject to a legal agreement between the CVRD and a non-profit or community organization.
- (i) The CVRD will support the development of local food markets in appropriate locations.
- (j) The CVRD will support local food security initiatives including but not limited to community supported agriculture programs, educational programs for producing food, and other community programs which support access to safe, nutritious food.

6.5 Community Safety

All community members should feel safe in their homes, neighbourhoods, and public spaces and have access to essential services in the event of emergencies or natural disasters. Furthermore, new and redeveloped sites and buildings can be designed to deter crime and promote the health and safety of local residents. The objectives and policies of this section are intended to facilitate a safer community.

OBJECTIVE .1

To reduce public health and safety risks through appropriate site and building design.

POLICIES

- (a) The CVRD has endorsed in principle and will consider the provisions within the Cowichan Region Safety Lens (CVRD Community Safety Advisory Committee: 2008) during application processes.
- (b) All multi-unit, mixed use, commercial and industrial development will be carefully planned and implemented respecting crime prevention through environmental design (CPTED) criteria for lighting, landscaping, and access and egress, and will be designed to maintain or improve safety for pedestrians, cyclists and motorists. This may include a contribution to infrastructure improvements such as roundabouts, sidewalks, and lighting.
- (c) The CVRD will work with appropriate agencies community members to ensure an appropriate street addressing system is in place and that correct street addresses are visible from public roadways.
- (d) The CVRD will encourage the development of healthy living environments through the use of environmentally friendly building materials, low volatile organic compound paints and finishes, and other technologies deemed beneficial to human health.
- (e) The CVRD will promote safety and security in public places by ensuring that all CVRD public parks and facilities integrate design principles that maximize

safety and, where possible, are accessible to children, youth, seniors, and people with disabilities.

- (f) The CVRD will conduct safety audits when developing public infrastructure and parks, to ensure appropriate lighting, visibility and opportunities for informal surveillance of buildings and open spaces.
- (g) The CVRD will encourage the Ministry of Transportation and Infrastructure to enhance the safety of public roadways with roadside pathways, signage, roundabouts, street lighting at critical intersections, and other improvements.

OBJECTIVE .2

To enhance emergency preparedness and response capability in Electoral Area D – Cowichan Bay.

POLICIES

- (a) The CVRD will develop and maintain emergency preparedness and response plans in cooperation with appropriate agencies.
- (b) The CVRD will designate facilities to facilitate care and shelter for area residents in the event of a natural catastrophic event.
- (c) The CVRD will support and participate in community-based programs, such as the Local Emergency Response Neighbourhoods (LERN) Program, to develop emergency preparedness by educating community members about how to prepare for and survive catastrophic events such as earthquakes.
- (d) The CVRD will share information and mapping concerning natural hazards with other government and community safety organizations to support increased public health and safety.
- (e) The CVRD will support the continued use and enhancement of the Cowichan Bay Fire Hall. Redevelopment which increases community capacity for emergency response is encouraged.

6.6 Parks & Trails

Regional parks, trails and recreation areas are intended to serve the wider region while each of the CVRD's electoral areas has its own system of community parks and trails. At the time of adopting this Plan, Electoral Area D - Cowichan Bay currently has 14 hectares of parks, six trails and two formal beach accesses. The majority of parks in the Plan Area are focused in Cowichan Bay Village, Cherry Point and Kingscote. Significant wooded areas remain, which are as of yet not protected as parks or nature preserves, but provide important habitat for wildlife and contribute to the rural aesthetic character of the area.

Parks and trails provide numerous community benefits to health and well-being, economic development, tourism, social interaction, and cultural enrichment, in addition to ecological benefits of providing habitat and wildlife corridors. Parks provide passive recreational opportunities such as walking, hiking, and wildlife viewing; they may serve to protect important plants and wildlife; or they may be used more actively for sports fields or playgrounds. They can also provide active transportation linkages as part of a community's overall transportation network.

Parks and trails are typically acquired through the CVRD's capital budget process for Electoral Area D – Cowichan Bay and when lands are subdivided or rezoned. The provision of parkland at the time of subdivision is a legal requirement of the *Local Government Act*. The owner of land being subdivided must, in accordance with the *Act*, either dedicate 5% parkland in a location acceptable to the local government or pay 5% cash-in-lieu to the Regional District – an amount that equals five percent of the market value of the land to be subdivided. During a rezoning process, the applicant may provide park land as a voluntary community amenity contribution.

The funding and maintenance of parks and trails infrastructure continues to be a challenge particularly with respect to providing value-added components such as interpretive and directional signage, invasive plant removal, protective fencing and park restoration. However, the CVRD has other options to enhance parks and trails infrastructure including charitable donations in exchange for tax receipts, land leases and licenses, agreements with the Ministry of Transportation and

Infrastructure to construct roadside pathways, and development cost charges.



Photo: Lucy on the Hof Trail (P. Holmes)

OBJECTIVE .1

To support a rich and diverse parks and trails inventory.

POLICIES

- (a) Parks and trails will be permitted and encouraged throughout the Plan Area.
- (b) A rich and diverse parks and trails inventory should include a variety of park classifications including, but not limited to: regional parks, marine parks, nature preserves, neighbourhood parks, linear parks, community gardens, active recreation parks, special purpose parks, nature trails, canoe/kayak routes, and roadside pathways.
- (c) The CVRD recognizes the following items as a high priority with respect to the development of the parks and trails inventory:
 - (i) *Creation of linkages between all neighbourhoods and community destinations (i.e. Village Areas, schools, employment areas, parks, and trails;*
 - (ii) *Provision of roadside pathways along Wilmot Road, Cowichan Bay Road, Chaster Road, Cherry Point Road, Telegraph Road, and Koksilah Road and particularly those routes that would create safer access to Bench Elementary School;*

- (iii) *Establishment of a safe, continuous pedestrian pathway through Cowichan Bay Village extending from Kil-Pah-Las Beach to Maple Grove Park, with immediate priority on the portion of pathway to be located between Kil-Pah-Las Beach and Cowichan Bay Marine Gateway;*
 - (iv) *Creation of a trail connection between the residential and commercial areas of Cowichan Bay Village particularly from Pritchard Road and Fenwick Road;*
 - (v) *Creation of a trail connection between Coverdale Watson Park and Hecate Park;*
 - (vi) *Creation of a trail connection between Ordano Road and Koksilah Road;*
 - (vii) *Creation of public outdoor gathering spaces in or near Cowichan Bay Village, which may include opportunities on the water side of Cowichan Bay Village;*
 - (viii) *Acquisition, during subdivision and rezoning processes, of environmentally sensitive riparian and marine riparian areas for the purpose of designating such areas as nature parks, and creation of beach accesses;*
 - (ix) *Establishment of a more suitable location or configuration of the Cowichan Bay Boat Launch;*
 - (x) *Establishment of and continuing support for an environmental education centre on a site in close proximity to the Cowichan Estuary; and*
 - (xi) *Enhancement of a wayfinding and interpretative signage program.*
- (d) Roadside pathways will be separated from motorized vehicles to the greatest extent possible. The Wilmot roadside pathway between Wilmot Road and Koksilah Road is recognized as the standard for roadside pathways.
- (e) The CVRD will at the time of subdivision, pursuant to the *Local Government Act*, determine whether the owner of land being subdivided should:
- (i) *Provide, without compensation, park land equivalent to 5% of the parcel size and in a location and condition acceptable to the CVRD; or*
 - (ii) *Pay to the CVRD an amount that equals 5% of the market value of all of the land being subdivided.*
- (f) Notwithstanding Policy (e) above, the CVRD may accept a greater amount of land and/or cash-in-lieu of land if it is voluntarily offered.
- (g) The CVRD will consider accepting park land dedication at the time of subdivision or rezoning and consider the acquisition of park land in other cases if one or more of the following criteria are met:
- (i) *The park land would enable a connection between existing parks and trails, active transportation networks, neighbourhoods, community services, shopping or employment;*
 - (ii) *The park land would facilitate public access to the ocean or a watercourse;*
 - (iii) *The park land would allow the protection, restoration or enhancement of a natural feature habitat, or wildlife;*
 - (iv) *The park land would support the natural hydrological regime;*
 - (v) *The park land would allow the protection of archaeological, cultural or heritage resources;*
 - (vi) *The park land would provide an opportunity for the viewing of wildlife or general appreciation of the environment; or*
 - (vii) *The park land would provide a space for either indoor or outdoor public assembly.*
- (h) Land being considered for park land dedication, in accordance with S. 941 of the *Local Government Act*, must be maintained in its natural state and should not be cleared or otherwise disturbed unless otherwise agreed upon by the Regional District in writing. The installation of protective fencing around proposed park areas will be required as a condition of development permit approval, when applicable.
- (i) The CVRD will, when the opportunity for park land is minimal in terms of size or of low benefit or value to the immediate neighbourhood, consider taking cash in lieu of land for future park and/or trail acquisition.
- (j) All trails proposed on lands located within the ALR require the approval of the ALC and, if approved, should be developed in accordance with the Ministry of Agriculture publication, "A Guide to Using and Developing Trails in Farm and Ranch Areas".



Photo: Hecate Park and Cowichan Estuary Nature Centre

OBJECTIVE .2

To enhance access to parks, trails, recreational facilities, and the foreshore for people of all ages and abilities.

POLICIES

- (a) The needs of people of different ages and abilities should be considered in the development of parks infrastructure including playgrounds, active outdoor recreation areas, trails, recreational facilities and signage.
- (b) At the time of subdivision of land adjacent to a body of water, the bed of which is owned by Crown, the CVRD will recommend to the Provincial Approving Officer that public access be provided subject to Section 75 of the *Land Title Act*.
- (c) The CVRD will discourage the Ministry of Transportation and Infrastructure to issue encroachment permits or road closures to private land owners for the purpose of occupying road ends adjacent to the ocean or a watercourse, which may otherwise compromise the future potential for public access to the foreshore or First Nations access to harvest fish and shellfish resources.
- (d) In the event that privately-held crown foreshore tenures for marine industrial purposes are discontinued, the CVRD may actively pursue the acquisition of such tenures for the purpose of enhancing the parks function.
- (e) The CVRD will collaborate with government agencies, Cowichan Tribes, and community

members on the development of a long range plan for the Cowichan Bay Boat Launch. This may involve identifying a more suitable location or reconfiguring the existing boat launch facility. Further effort should be made to separate non-motorized vessels such as kayaks and canoes from larger, motorized and commercial vessels.

- (f) The CVRD will facilitate the provision of interpretive and wayfinding signage through the Parks function to educate the public about parks and the environment and improve access to parks, trails, recreational facilities and the crown foreshore.
- (g) The CVRD will facilitate the development of the Cowichan Bay Marine Gateway at the former Hayes log sort site.
- (h) The CVRD will facilitate the implementation of a system for collecting fees in association with the Cowichan Bay Boat Launch.
- (i) Non-motorized boating activities such as canoeing and kayaking shall be encouraged.
- (j) New development shall enhance rather than impede public access to the foreshore.

OBJECTIVE .3

To ensure a strategic and planned approach to the acquisition and maintenance of parks and trails.

POLICIES

- (a) In consultation with the Electoral Area D Community Parks and Recreation Commission and community members, the CVRD will complete, adopt and implement a Community Parks and Trails Master Plan for Electoral Area D – Cowichan Bay, which will include the following key elements:
 - (i) *A parks and trails classification scheme which includes, but is not limited to, nature preserves, neighbourhood parks, community gardens, active recreation parks, trails, special purpose parks, active transportation routes, canoe/kayak trails, roadside pathways, and cycling paths;*
 - (ii) *A diverse range of parks and trails to provide for a variety of parks and trails experiences for all users;*

- (iii) *Priorities for community parks and trails acquisition;*
 - (iv) *Criteria for the evaluation of proposed park land dedication in accordance with Policy 6.6.1 (h);*
 - (v) *Opportunities to engage community members in the planning, acquisition, development, and stewardship of parks and trails through an active volunteer program;*
 - (vi) *A funding strategy for parks and trails acquisition and maintenance;*
 - (vii) *An education, compliance and enforcement program to ensure that parks and trails are protected from inappropriate use and vandalism;*
 - (viii) *Interpretive and wayfinding signage programs; and*
 - (ix) *A parks and trails maintenance program (including invasive species removal).*
- (b) Those items listed in Policy 6.6.1(c) will be given a high priority in the Electoral Area D – Cowichan Bay Community Parks and Trails Master Plan.
- (c) The CVRD will support an education, compliance and enforcement program to ensure that parks and trails are protected from inappropriate use and vandalism.

OBJECTIVE .4

To use the full suite of tools available to the CVRD to acquire parkland, natural open space and trails.

POLICIES

- (a) The CVRD will continue to obtain funding for parks and trails infrastructure within the Plan Area through the established service bylaw, with rates adjusted regularly to account for inflation.
- (b) The CVRD may encourage bequests, gifts of land and financial contributions in cooperation with land trusts and/or conservancies.
- (c) The CVRD may use land leases, licenses and permits to construct within public roadways (issued by Ministry of Transportation and Infrastructure) to secure parks and trails.
- (d) The CVRD may adopt and implement a development cost charge (DCC) bylaw as a means to secure parks and trails for the community.

- (e) The CVRD will continue to actively pursue grant funding to enhance the parks and trails inventory as such opportunities arise.



Photo: Coverdale Watson Park (CVRD)

OBJECTIVE .5

To collaborate with other government agencies, Cowichan Tribes, non-profit organizations and community members to establish parks and trails infrastructure and connections to adjacent jurisdictions.

POLICIES

- (a) The CVRD will support partnerships with other government agencies, First Nations, for profit and non-profit organizations, individuals and other agencies to develop universally beneficial parks and trails infrastructure.
- (b) The CVRD may, in cooperation with private landowners, establish legal easements or agreements for public use of private lands to enhance parks and trails infrastructure.
- (c) The CVRD will work with the farming community when proposing trails within or bordering farm land to mitigate potential negative impacts on existing and future agricultural operations.
- (d) The CVRD will engage with community members and community groups who may benefit or otherwise be impacted by parks or trails development within their respective neighbourhoods.

6.7 Heritage, Arts & Culture

A key goal of the Plan is “to *strengthen heritage, cultural values and identity*”. The Plan Area has a rich heritage with a variety of cultural influences and is the historic gateway to the Cowichan Valley for traditional resource industries such as forestry, fishing and agriculture. The Plan Area also lies within the Cowichan Tribes’ traditional territory, where First Nations have lived since time immemorial and whose traditional activities such as fishing, hunting, dancing, weaving, knitting, and carving are passed on through generations.

While the maritime heritage of the area has been documented and continues to be showcased by the Cowichan Maritime Centre, there is considerable potential to identify, protect and celebrate the community’s heritage resources. Moreover, arts and culture may thrive if recognized and nurtured. The objectives and policies of this section focus are intended to support the development and appreciation of heritage, arts and culture.



Photo: The work of Herb Rice, carver (CVRD)

OBJECTIVE .1

To identify and protect significant heritage resources.

POLICIES

- (a) The CVRD will continue to develop its Community Heritage Register for the purpose of recognizing and protecting significant heritage sites, buildings, and features.
- (b) Recognized community heritage resources, include, but are not limited to: the Old Koksilah School, Lawn Tennis Courts, Robert Service Memorial, Cowichan Bay Maritime Centre, Masthead, Cowichan Bay Shipyard, and significant buildings at Whippletree Junction.
- (c) The CVRD will identify, through collaboration with other government agencies, organizations, and community members, other significant heritage resources. Once identified, these resources should be included in the Community Heritage Register.
- (d) The CVRD Board will encourage the voluntary conservation of private heritage resources in their original context including offering incentives where appropriate.
- (e) Where possible, existing heritage resources should be integrated into development proposals and supported through incentives where appropriate.
- (f) Valued heritage structures should be relocated to other sites where it is not feasible to retain such structures on site. Where it is not feasible to conserve whole buildings, historic elements and building facades should be preserved.
- (g) Owners of property identified on the Community Heritage Register will be encouraged to seek designation and protection of heritage buildings and objects through the provincial *Heritage Conservation Act*.
- (h) The CVRD may adopt a heritage designation bylaw to protect significant heritage resources.

- (i) The CVRD may consider heritage revitalization agreements, and corresponding variances to use, siting and density of development, as creative mechanisms to protect significant heritage resources.
- (j) The CVRD should support the efforts of historic societies and other community groups in their efforts to document and share the history of Electoral Area D – Cowichan Bay. Forms of assistance may include in-kind support of CVRD staff, funding, inclusion of heritage resources on the Community Heritage Register, and letters of support for grant funding.



Photo: Old Koksilah School, listed on the Community Heritage Register (CVRD)

OBJECTIVE .2

To identify and protect significant archaeological resources.

POLICIES

- (a) The CVRD will require applicants, in areas with potential archaeological resources, to conduct an archaeological overview assessment, and further assessments if a site of interest is identified through the archaeological overview assessment.
- (b) The CVRD will consult with First Nations, whose traditional territories include lands within the Plan

Area, and with the Province, to identify areas of archaeological potential.

- (c) Archaeological resources located on CVRD-owned lands will be conserved through consultation with Cowichan Tribes and, where necessary, archaeological impact assessments, during the review of development proposals and prior to development occurring.

OBJECTIVE .3

To recognize and support heritage tourism as a form of economic development.

POLICIES

- (a) The CVRD will undertake a Community Heritage Strategic Plan, to identify community heritage values, recognize and celebrate heritage resources, and establish linkages between heritage and economic development. The CVRD will consider measures to foster public awareness, understanding and appreciation of heritage. Measures may include the development of maps, brochures, promotional materials, interpretive signage, and plaques.

OBJECTIVE .4

To recognize and support artistic and cultural pursuits and activities.

POLICIES

- (a) The CVRD will support the Parks, Recreation and Culture Department in the identification and mapping of cultural resources such as cultural sites, assets and elements.
- (b) The CVRD will support the integration of public art in the development of public facilities, parks and trails.
- (c) The CVRD will encourage and support the creation of spaces that are conducive to the pursuit of artistic expression and learning.

7.0 Economy

7.1 Introduction

A strong local economy provides the foundation for a strong community where local employment provides opportunities for residents to work close to home. Statistics show that many Plan Area residents, active in the labour force, work outside the region. The Plan goals, “*Encourage Meaningful Economic Development and Employment*” and “*Support Productive Agriculture and Food Self-Sufficiency*” reflect the community’s desire to build a strong economy, which provides more local, well-paying employment.

Meaningful economic development supports local products and services keeping dollars in the community, protects and enhances environmental resources, and creates valuable “living wage” job opportunities for local residents. Local employment lessens the need to

commute long distances to work and local businesses provide shops and services needed to supplement residents' daily needs and contribute to vibrant places.

While community members will continue to be dependent to a certain extent on the regional economy, it is possible to provide more goods, services and amenities within the local community, and to decrease the amount of travelling for work, shopping or entertainment. There is also potential to build on Cowichan Bay’s designation as North America’s first Cittaslow community which recognizes the importance of independent local businesses and a tourism sector that is sensitive to rural character and the environment.

Objectives and policies of this section are intended to support positive development of the local economy.

7.2 Economic Development

OBJECTIVE .1

To facilitate meaningful economic development and employment, economic diversification and linkages.

POLICIES

- (a) The implementing zoning bylaw will include a variety of zones to permit a diverse range of economic activities throughout the Plan Area.
- (b) The CVRD will encourage development opportunities in Village Areas and Rural Village Areas that would result in significant “living wage” job opportunities.
- (c) The CVRD will support the revitalization and enhancement of commercial nodes including Cowichan Bay Village, Koksilah Village, Four Ways, Whippletree Junction, and Crossroads Centre, in addition to small commercial operations at Wilcuma Lodge and Cherry Point Marina.
- (d) The CVRD will discourage the inefficient use of land, particularly agricultural land, for mini-storage or other uses that provide negligible employment.
- (e) The CVRD will encourage unique, innovative and independent small businesses as opposed to franchise type businesses.
- (f) The CVRD will strive to implement the recommendations of the CVRD Sustainable Economic Development Strategy.
- (g) The CVRD will work cooperatively with the Economic Development Commission to foster employment generation within the community.
- (h) The CVRD will support Film Cowichan and film activities that are sensitive to local residents and businesses and encourage hiring of local residents and businesses in film production activities.
- (i) The CVRD may establish a business registry to facilitate economic linkages within the community and support marketing activities of the Economic Development Commission.

7.3 Commercial & Light Industrial

Commercial and light industrial activities are important to the local economy and to providing local employment. Very little land is available in the Plan Area to accommodate such activities. Still, there is opportunity to enhance and intensify existing commercial and light industrial activities within available lands. These include the Koksilah Village, Whippletree Junction, and Crossroads areas and sites along Hillbank Road, which are conveniently located in close proximity to the Trans-Canada Highway, which is advantageous from a distribution perspective. These areas are also relatively close to residential neighbourhoods presenting an opportunity for employees to live close to their workplaces community.



Photo: A poultry processing facility located in the Agricultural Land Reserve (CVRD)

Light industrial, value-added wood products manufacturing and food processing uses have been identified as suitable uses within the Rural Commercial (RC), Rural Resource (RUR), and Koksilah Village (KV) land use designations. The objectives and policies of this section aim to support these uses.

OBJECTIVE .1

To encourage the development of the commercial and light industrial sectors of the local economy.

POLICIES

- (a) The CVRD supports the establishment of commercial and light industrial activities, including value-added wood products manufacturing, food processing and cold (food) storage, within the KV (Koksilah Village), RUR (Rural Resource), and RC (Rural Commercial) land use designations.
- (b) The CVRD supports the provision of necessary community water and sewer services to facilitate the development of commercial and light industrial activities within the KV (Koksilah Village), RUR (Rural Resource), and RC (Rural Commercial) land use designations.

OBJECTIVE .2

To retain lands suitable for commercial and light industrial uses and corresponding employment.

- (a) Applications to rezone commercial or industrial land to residential uses, which would result in the permanent loss of economic potential of such lands, will be discouraged.

7.4 Agricultural Economy

The abundance of high quality agricultural land in the Plan Area provides the natural basis for a strong primary agricultural sector. There is significant potential to increase the productivity of this land. Productive agriculture is recognized as having many potential benefits to the local economy including spin-off effects related to the agricultural processing and tourism sectors, and the additional community benefit of locally-produced food. The establishment of supply chain linkages is another mechanism to promote and support local agriculture.



Photo: Agri-tourism and wine tourism complement and support the viability of agricultural activities (CVRD)

OBJECTIVE .1

To support a productive agricultural economy.

POLICIES

- (a) The zoning bylaw in effect at the time of adoption of this Plan will be reviewed with regard to potential barriers to farming. The implementing zoning bylaw may include zones to facilitate productive agriculture.
- (b) The CVRD will support innovative proposals to encourage productive agriculture. These may include but are not limited to proposals for affordable housing of farmers and farm employees, community supported agriculture and financial and other incentive programs for farmers.

- (c) The CVRD supports the establishment of supply chain linkages within the agricultural sector to promote and support local agriculture.

OBJECTIVE .2

To encourage agricultural diversity, including connections between agriculture and tourism, local agricultural processing and value-added agriculture.

POLICIES

- (a) For lands within the Agricultural designation, the implementing zoning bylaw will provide a variety of zones to permit a diverse range of agricultural and accessory uses, including, but not limited to, primary agriculture, agricultural and value-added processing, agri-tourism and wine-tourism, farm gate sales, culinary education, farm-based accommodation, community-supported agriculture, agricultural services, agricultural education, seed exchanges, community gardens, community kitchens and food markets, food processing and food storage facilities.
- (b) The CVRD encourages the development of facilities that support the local agricultural supply chain such as agricultural processing and cold storage facilities; an application to rezone land from A1 or another zone in a Rural Area designation to A1A may be considered if the land is in close proximity to the Trans-Canada Highway and would be compatible to neighbouring uses.
- (c) On land parcels, within the Agricultural designation, immediately adjacent to Cowichan Bay Road and south of Koksilah Road and Cherry Point Road, the CVRD may consider supporting an application to the ALC for a non-farm use to accommodate a non-profit farmers' institute that would complement the agricultural landscape, local economy and provide a significant public benefit.

7.5 Marine Economy

The marine economy and “working harbour” in Cowichan Bay continue to be highly valued by local residents. This economy has its roots in traditional industries including fishing, log storage and booming, offshore shipping, seafood processing, and boat building and repair. The Cowichan (Ordano) Shipyard, established over 150 years ago, continues to provide boat repair and storage in the Village. The Fishermen’s Wharf accommodates commercial fishing vessels. The Westcan terminal, established in 1965 as an assembly area for offshore lumber exports, continues to function as a seaport although the volume of activity at the terminal has declined significantly since its inception. Log storage and booming, which was once prevalent in Cowichan Bay, has also declined significantly.



Photo: Dock construction for a Cowichan Bay marina (CVRD)

Going forward, residents aspire to a strong marine economy which is respectful of the natural environment while continuing to contribute to local character.

OBJECTIVE .1

To support Cowichan Bay’s role as a working harbor.

POLICIES

- (a) The CVRD recognizes marine-dependent businesses such as commercial fishing, boat building and repair, marinas, and marine tourism as essential components of the marine economy in Cowichan Bay.

- (b) The CVRD places a priority on marine-dependent uses which need to be located near the water.

OBJECTIVE .2

To support a vibrant marine village waterfront.

POLICIES

- (a) The CVRD recognizes the Cowichan Bay Improvement Association vision that “Cowichan Bay will be the best place to enjoy local food and wine, art and recreation within a maritime experience, as we celebrate and steward our natural and cultural environment in a friendly slow-paced community.”
- (b) The CVRD will encourage the development of safe walkways and viewing platforms or a breakwater system, in consultation with Cowichan Tribes, to allow visitors to experience Cowichan Bay Village from the water and enhance the experience of shopping, dining and visiting Cowichan Bay Village.
- (c) The CVRD will encourage the development of public moorage as a component of marina expansion.
- (d) The CVRD will support initiatives to enhance Cowichan Bay Village through built environment improvements such as shelter for pedestrians from inclement weather, the development of intercept parking, delineation of parking stalls and/or angled parking, structured parking, transit and shuttle services, marine navigation and moorage, street lighting, landscaping, and delineation of safe pedestrian walkways, crosswalks, and cycling routes; such enhancements may be detailed in a Streetscape Enhancement Plan and managed through the establishment of a local service area.
- (e) Cowichan Bay Village is encouraged to become a more vibrant, four-season destination, supporting enhancements to the built environment, as noted in Policy (d) above, and economic development activities to draw residents and visitors to the Village throughout the year.

7.6 Tourism Economy

The unique character and seaside setting of the Plan Area provide opportunities for tourism. Within the tourism sector, there is opportunity to further develop agri-tourism, marine (eco) tourism and heritage tourism. Notably, however, residents have expressed that the tourism sector should be developed carefully in order that the unique character of the local area remains intact.



Photo: Kayaking in Cowichan Bay (Discover Vancouver Island)

OBJECTIVE .1

To support environmentally friendly, low-impact tourism uses and activities.

POLICIES

- (a) The CVRD recognizes tourism as a growth industry in the Cowichan Region and supports initiatives to enhance eco-tourism, marine tourism, heritage tourism and agri-tourism in the Plan Area.

- (b) Low-impact tourism uses and activities, which enhance the unique character, ambiance, environment, and economy of the Plan Area, are preferred.
- (c) The CVRD will support the development of small-scale visitor accommodation including bed and breakfasts, and farm accommodation in conjunction with and accessory to a bonafide farm use.
- (d) The CVRD will support low-impact, nature-based tourism such as bird watching, whale watching, kayaking and canoeing, cycling and heritage tourism, which are recognized for their potential to provide substantial economic benefits to the local area and broader Cowichan Region.
- (e) The CVRD will collaborate with the Ministry of Transportation and Infrastructure on the installation of aesthetically pleasing and locally-appropriate directional and informational signage.
- (f) The CVRD will support the local business community in the organization and delivery of heritage tourism, special events, cultural events, festivals, and activities that celebrate local identity.
- (g) The CVRD may consider seeking, through the appropriate provincial government agencies, a special designation for Cowichan Bay Village akin to the resort region status afforded to other visitor destinations, such as resort communities, in British Columbia.

7.7 Home-Based Businesses

Home-based businesses are becoming more prevalent in the Plan Area. Businesses include construction, fishing, retail trade, finance, real estate, health care services, professional services, technical services, design services, facilitation services, food services, and bed and breakfasts. Home based businesses contribute positively to community well-being by enhancing the economy, and lessening vehicle dependency thereby contributing to GHG reductions. It is important that home-based businesses complement rather than detract from residential neighbourhood character.

OBJECTIVE 1

To support home-based businesses in residential areas that contribute to the local economy, lessen auto dependency, respect the natural environment and water resources, and enhance neighbourhood character.

POLICIES

- (a) The CVRD will support the establishment of home-based businesses in residential neighbourhoods, and operation of such businesses in a manner that complements neighbourhood character, through the implementing zoning bylaw.
- (b) Home-based businesses may be permitted within all Village Areas, Rural Village Areas and Rural Areas, as further specified by the implementing zoning bylaw, provided that:
 - (i) *The home-based business is contained entirely within the principal residential building or building accessory to a principal residential building;*
 - (ii) *The home-based business is clearly incidental to the principal residential use;*
 - (iii) *The home-based business employs or is conducted by not more than one person who does not permanently reside on the parcel;*
 - (iv) *All parking required for the principal dwelling and for the home-based business is accommodated on the subject parcel;*
 - (v) *The home-based business does not alter the residential character of the neighbourhood;*
 - (vi) *Any traffic generated in conjunction with the home-based business has a negligible impact on traffic within the neighbourhood;*
 - (vii) *The home-based business use does not contribute to air, noise, visual or light pollution;*
 - (viii) *Waste generated as a result of the home-based business is screened from adjacent public roadways or properties with visually appealing native landscaping and fencing;*
 - (ix) *In the case of a home-based business on land within the ALR, the home-based business is consistent with BC Regulation 171/2002.*
- (c) The implementing zoning bylaw will establish the maximum floor area that may be used by a home-based business, depending on its location in a Village Area, Rural Village Area or Rural Area.
- (d) The implementing zoning bylaw may establish different classes of home-based businesses to regulate the types of home-based businesses that may be permitted (e.g. home craft, home industry) and corresponding regulations (e.g. siting, setback, height, density and minimum parcel size) for various zones.
- (e) Notwithstanding Policy (b), any home-based business that would be highly visible to neighbours or passersby will be subject to the Rural Character Development Permit Area Guidelines for Commercial Development.
- (f) Notwithstanding Policy (b), any home-based business that would employ more than one employee not permanently residing on the parcel or that would generate potentially hazardous or toxic wastes including, but not limited to medical waste, human or animal blood or tissue, dyes, paints, oils, lubricants, fuels, chemicals, herbicides, pesticides, or food waste, or that would require exterior storage of materials or equipment used by the home-based business, may only be permitted through a rezoning process to legally establish the use.

OBJECTIVE .2

To support bed and breakfasts, which provide small-scale transient accommodation that is appropriate to the character of the local community and does not diminish the quality of residential neighbourhoods.

POLICIES

- (a) Bed and breakfasts may be permitted within all Village Areas, Rural Village Areas and Rural Areas, as further specified by the implementing zoning bylaw, provided that:
 - (i) *The bed and breakfast operation contains no more than three accommodation units;*
 - (ii) *All accommodation units are contained within the principal residential dwelling;*
 - (iii) *All parking required for the principal dwelling and for the bed and breakfast operation is accommodated on the subject parcel;*
 - (iv) *The bed and breakfast operation does not alter the residential character of the neighbourhood;*
 - (v) *Waste generated as a result of the bed and breakfast operation is screened from adjacent public roadways or properties with visually appealing native landscaping and fencing; and*
 - (vi) *The bed and breakfast operation is in compliance with applicable regulations under the authority of the Central Vancouver Island Health Authority.*
- (b) Notwithstanding Policy (a) accommodation units may be located in legally established accessory buildings, where permitted by the implementing zoning bylaw.
- (c) Notwithstanding Policy (a), more than three accommodation units may be located on a parcel, where permitted by the implementing zoning.

OBJECTIVE .3

To support the development of neighbourhood meeting centres which provide small-scale gathering places that do not diminish the quality of residential neighbourhoods.

POLICIES

- (a) Neighbourhood Meeting Centres may be permitted within Village Areas, Rural Village Areas and Rural Areas, as further specified by the implementing zoning bylaw, provided that:
 - (i) *The neighbourhood meeting centre is contained within the principal residential dwelling or building accessory to a principal residential building;*
 - (ii) *The neighbourhood meeting centre is clearly incidental to the principal residential use;*
 - (iii) *The neighbourhood meeting centre employs not more than one person who does not permanently reside on the parcel;*
 - (iv) *All parking required for the principal dwelling and for the neighbourhood meeting centre is accommodated on the subject parcel and is screened with native landscaping;*
 - (v) *The neighbourhood meeting centre does not contribute to air, noise or light pollution or otherwise alter the residential character of the neighbourhood;*
 - (vi) *Waste generated as a result of the neighbourhood meeting centre operation is visually screened from adjacent public roadways or properties with native landscaping; and*
 - (vii) *The neighbourhood meeting centre is in compliance with applicable regulations under the authority of the Central Vancouver Island Health Authority.*

8.0 Transportation & Mobility

8.1 Introduction

The organization of the built environment and quality of connections between neighbourhoods and communities determines largely how people will move around for work, shopping, entertainment or recreation. Rural Areas are typically more dependent on private vehicles than more compact, urban areas where transportation alternatives tend to be more readily available.

Efficient Transportation and Mobility, a key Plan goal, involves creating a viable, safe and efficient multi-modal transportation system, which lessens dependency on private vehicles through improved transportation infrastructure and a variety of transportation alternatives including walking, cycling, horse-back riding and transit.

A well-integrated multi-modal transportation system will contribute to reduced GHG emissions, improve air quality, provide more equitable access to employment, services and shopping, and support the health and well-being of residents. Existing and proposed transportation routes are shown on the Transportation & Mobility Map (Schedule C-3).



Photo: Cycling is an excellent form of physical activity and also contributes to the reduction of GHGs (VIU)

8.2 Public Roads

Public roads in unincorporated areas within the CVRD fall under the jurisdiction of the Ministry of Transportation & Infrastructure. The Ministry is responsible for maintaining the public road network and developing long term road network capital improvement plans.

OBJECTIVE .1

To maintain an efficient vehicular road network with suitable connections to the Trans-Canada Highway, adjacent jurisdictions and other modes of transportation.

POLICIES

- (a) The CVRD supports the maintenance of the major road network as identified on the Transportation and Mobility Map.
- (b) The CVRD supports the integration of the major road network as part of an overall transportation management plan for the Plan Area and greater region, which accounts for regional obligations with respect to GHG emissions and encourages public transportation.
- (c) The CVRD does not support the creation of direct access roads to the Trans-Canada Highway; access to an existing frontage road or intersecting road is preferred.

- (d) The CVRD encourages the Ministry of Transportation and Infrastructure to designate Cowichan Bay Road as a scenic highway.
- (e) The CVRD encourages the Ministry of Transportation and Infrastructure to ensure that the naming of roads reflect local heritage, culture, identity, or natural features and that, prior to naming, the CVRD is consulted.
- (f) The CVRD encourages the Ministry of Transportation and Infrastructure to create intercept parking areas in proximity to Village Areas and at major intersections with the Trans-Canada Highway.
- (g) The CVRD may initiate Streetscape Enhancement Plans, in consultation with the Ministry of Transportation and Infrastructure, residents and businesses. A Streetscape Enhancement Plan will, at a minimum, consider:
 - (i) *Landscaping along public roadways to provide a boulevard appeal and noise barriers;*
 - (ii) *Pedestrian and cycling pathways along public roadways;*
 - (iii) *Public art, bike racks, waste/recycling receptacles, wayfinding signage, transit shelters and outdoor seating areas; and*
 - (iv) *Traffic safety measures such as improved pedestrian crossings, roundabouts, and signage.*

OBJECTIVE .2

To reduce public health and safety risks in relation to vehicular transportation.



Photo: Well-marked crosswalks improve pedestrian safety

POLICIES

- (a) The CVRD will collaborate with the Ministry of Transportation and Infrastructure to enhance the safety of public roads including, but not limited to:
 - (i) *Safety improvements at major intersections and specifically, the Koksilah Road/Cowichan Bay Road and Telegraph Road/Cowichan Bay Road intersections, through measures such as signage, roundabouts and street lighting;*
 - (ii) *Installation of stop signs at Pritchard Road and Wilmot Road intersection;*
 - (iii) *Installation of reduced speed signs on Wilmot Road;*
 - (iv) *Installation of reduced speed signage in areas with significant pedestrian traffic such as parks, schools, and residential and commercial areas;*
 - (v) *Installation of deer crossing and reduced speed signage on Koksilah Road and Cowichan Bay Road;*
 - (vi) *Implementation of safety improvements at uncontrolled intersections along the Trans-Canada Highway and specifically the Cowichan Bay Road intersection;*
 - (vii) *Eliminating southbound access to the Trans-Canada Highway at the Old Farm Market (northbound access only);*
 - (viii) *Upgrading of the traffic signal at the intersection of Chaster Road and the Trans-Canada Highway to include left-hand turn signals; and*
 - (ix) *Installation of pedestrian crosswalks in Cowichan Bay Village.*
- (b) The CVRD will work with the Ministry of Transportation and Infrastructure, Cowichan Tribes and local stakeholders to enhance pedestrian and vehicular safety in the Cowichan Bay Village Area; specific issues to be addressed include the need for a clearly delineated pedestrian pathway from Kil-Pah-Las Reserve to Hecate Park, which provides physical separation of pedestrians and vehicles, designated crosswalks crossing Cowichan Bay Road, delivery vehicle behavior, parking, and speeding.
- (c) The CVRD will continue to support volunteer programs such as the RCMP Speed Watch Program.

8.3 Active Transportation

Active transportation has the potential to liberate people from their automobiles and provide efficient and aesthetically appealing linkages within the community and beyond, while contributing to human health and wellness and the reduction of greenhouse gases. With the Trans-Canada Highway in close proximity to all Village Areas, there are opportunities to work with the Ministry of Transportation and Infrastructure to develop park and ride, bike and ride facilities, and walk and ride intercept facilities. Safe roadside pathways are desirable on major roadways throughout the Plan Area.



Photo: Typical roadside pathway, Wilmot Road (CVRD)

OBJECTIVE .1

To establish a well-integrated alternative transportation network.

POLICIES

- (a) The CVRD will undertake a regional active transportation plan to create a well-integrated active transportation network connecting neighbourhoods, parks and trails within the Plan Area and communities within the region.
- (b) The CVRD will accommodate horse-friendly parks and trails and facilities in close proximity to parks, schools, and other community destinations.

OBJECTIVE .2

To facilitate walking as a primary alternative to vehicular transportation for travel over short distances in order to foster improved human and environmental health.

POLICIES

- (a) In consideration of development proposals, the CVRD will place a high priority on implementing safe continuous walkways to schools, commercial areas, neighbourhood hubs, bus stops and other high volume pedestrian areas.
- (b) The CVRD will collaborate with the Ministry of Transportation and Infrastructure on the provision of traffic calming measures and crosswalks in all high volume pedestrian areas.
- (c) The CVRD will facilitate safe roadside pathways and trail connections to accommodate pedestrian movement.

OBJECTIVE .3

To promote cycling as an alternative to vehicular transportation in order to foster improved human and environmental health.

POLICIES

- (a) The CVRD will encourage the Ministry of Transportation and Infrastructure to incorporate grade separated cycling infrastructure within the Trans-Canada Highway corridor and along major roadways.
- (b) The CVRD will support the development of an integrated cycling network as a major component of transportation and mobility.
- (c) The CVRD will encourage bicycle parking and storage with new major development, parks and major transit nodes throughout the Plan Area.

8.4 Transit, Taxi & Shuttle Services

While public transit services are provided in the Plan Area today, there are opportunities to expand this service particularly as Village Areas become more populated and capable of contributing to a financially viable transit service. Similarly, the aging population will lead to increasing dependency on public transit service. It is incumbent upon the CVRD to work closely with BC Transit to ensure the provision of adequate services, particularly to those who are mobility-challenged and others who have no alternative means of transportation.



Photo: The South Cowichan Connector provides service with stops in Cowichan Bay (BC Transit)

OBJECTIVE .1

To ensure that the transit system effectively meets the needs of residents, businesses, commuters, visitors and those with special needs.

POLICIES

- (a) The CVRD will encourage BC Transit to provide strategic, efficient and affordable transit services; transit stops should be safely located at or near major intersections, within established residential areas, and as a required component of new residential development.
- (b) The CVRD encourages BC Transit to provide service along Wilmot Road to service both established and anticipated residential development.

- (c) The CVRD will support the Island Corridor Foundation to provide commuter rail service on Vancouver Island.
- (d) The CVRD will endeavor to provide connections to the Island Corridor Foundation rail service through alternative transportation linkages and trails.
- (e) The CVRD will encourage BC Transit to expand transit services to elderly and mobility-challenged residents through increased Handy DART service.
- (f) The CVRD supports the provision of non-profit shuttle services to assist elderly and mobility-challenged residents to access health and community services.
- (g) The CVRD will encourage BC Transit to provide increased bike storage capacity on public transit buses.
- (h) The CVRD will encourage innovative strategies to improve public transit service efficiency and increase ridership, including but not limited to the use of fuel-efficient buses, small buses or vans, special event buses and dedicated services between Cowichan Bay Village and other communities within the region and Vancouver Island.
- (i) During application review processes, the CVRD may require an assessment of transit routes and stops and pedestrian access to public transit services.

8.5 Parking & Moorage

Parking has been a longstanding challenge in the Plan Area, particularly in Cowichan Bay Village, due to the lack of public land to develop parking facilities and jurisdictional complexity of managing public roadways. The Plan sets out a number of policies to help enhance parking and mobility in the Plan Area.

OBJECTIVE .1

To ensure that there are adequate parking facilities to serve new and existing development.



Photo: On-Street Parking in Cowichan Bay Village (CVRD)

POLICIES

- (a) The CVRD will encourage the development of off-street parking such as centralized parking facilities or parkades, through development of specified area bylaws or other methods, to meet the parking demand within Cowichan Bay Village and throughout the Plan Area.
- (b) The CVRD will establish a Parking and Mobility Service Fund to finance parking facilities, pedestrian walkways, cycling infrastructure, a parking management program, a transit system, or other mobility enhancements specifically in the Plan Area.
- (c) All development resulting in an increased parking requirement, that cannot be satisfied onsite, will be required to contribute equivalent cash-in-lieu to be directed to the Parking and Mobility Service fund for

the purpose of improving parking, transportation and mobility within the Plan Area.

- (d) The CVRD will work with the Ministry of Transportation and Infrastructure and RCMP to remove derelict vehicles and vehicles used solely for the purpose of storage, which consume valuable parking spaces in Cowichan Bay Village.

OBJECTIVE .2

To provide safe and efficient access for pedestrians, cyclists, motorists, and boaters to businesses, facilities and services in Cowichan Bay Village.

POLICIES

- (a) All development applications in the Cowichan Bay Village area will be considered in relation to their potential impacts on parking and transportation infrastructure.
- (b) Applications to expand marinas should include transient moorage for short term use by the public.
- (c) There should be no parking (or parking cash-in-lieu) requirement for public moorage created as a result of a marina expansion.
- (d) The CVRD will collaborate with the Ministry of Transportation and Infrastructure and local stakeholders on the development of a parking and transportation management plan for Cowichan Bay Village.
- (e) The CVRD supports the establishment of a clearly-marked navigation channel to allow boaters with safe, efficient and environmentally-sensitive access to the marinas in Cowichan Bay Village and the public boat launch; contingent on a feasibility study, such a channel may be integrated with the development of a floating breakwater.
- (f) The CVRD will endeavor to add a second set of floats to the Cowichan Bay Boat Launch, to improve access for boaters.

9.0 Servicing

9.1 Introduction

The ability to provide community services including water supply and distribution, liquid waste management, stormwater and drainage management, solid waste collection, recycling and fire protection are essential to the strategic implementation of the OCP and Community Growth Framework objectives. Generally, the presence of community services will facilitate development whereas the absence of these services presents a barrier to development.

Ultimately, the provision of services should be driven by responsible community planning consistent with community goals and objectives. The general consensus is that growth should be directed to Village Areas while Rural Areas should be preserved for agricultural and rural uses. In any case, the level of community services must be balanced with their costs to achieve the highest living standards possible for all community members.

9.2 Water Supply and Distribution

The *Local Government Act* requires that an OCP identify the location of existing and planned community water systems. The actions and implementing bylaws of the CVRD Board and the Board of Trustees of a Water Improvement District must be consistent with the Plan.

Connection to a community water system is intended to provide area households with access to an adequate supply of safe, clean drinking water. Historically, connection to community water systems have created increased development potential. In the past, a shortcoming of this policy was a lack of a strategic approach to development, akin to servicing leading planning rather than the other way around. This Plan attempts to rectify this by limiting the spread of community water and sewer services, and corresponding development potential, outside of Village Areas and Rural Village Areas, where community members do not want growth but do want to preserve Rural Areas for agricultural and rural uses.

Groundwater is the principal source for domestic and agricultural water in the Plan Area. Provision of potable



Photo: Stock

water and water for domestic and firefighting purposes occurs through community water systems (Table 2).

TABLE 2: COMMUNITY WATER SYSTEMS, 2011

Community Water System	Owner/Operator	No. of Connections
Cowichan Bay Water	Cowichan Bay Waterworks	652
Lambourn Water	CVRD	129
Cherry Point Water	CVRD	31
Bench Park Water	Bench Park Society	20
Douglas Hill Water	CVRD	137
Eagle Heights Water	City of Duncan	478*

Source: CVRD Engineering & Environmental Services Department; Cowichan Bay Waterworks; *Estimate provided by City of Duncan

Cowichan Bay Waterworks is the largest purveyor of water services in the Plan Area. Cowichan Bay Waterworks is responsible for approving community water service connections as well as operating and maintaining the community water system within its service area boundaries. Cowichan Bay Waterworks is

also responsible for ensuring that the water quality meets the Canadian Drinking Water Guidelines and that there is adequate water supply available for firefighting purposes within its boundary. Bench Park Society operates a small water system. Community water services in the Koksilah Village area are provided by the City of Duncan. All other community water systems in the Plan Area are operated by the CVRD.

Where community water service is not provided, particularly in rural residential and agricultural areas and on First Nations Reserves, domestic water is drawn from aquifers (groundwater). While critically important to domestic needs and to maintaining a balanced hydrological cycle, the Province of British Columbia still (as of January 2012) does not regulate the extraction of groundwater resources. In the absence of regulation and with potential changes to seasonal precipitation, there is the potential for aquifers to be depleted more quickly than they are recharged or for contamination of groundwater resources. The latter is a significant issue in the Koksilah Village, which has an underlying aquifer that is highly vulnerable to contamination due to the highly pervious soils that rest above the aquifer, and where a significant number of households continue to use private wells as their source of potable water.

OBJECTIVE .1

To ensure that there is an adequate supply of potable water for domestic consumption and that this resource is allocated in a responsible manner.

POLICIES

(a) The CVRD will, within its jurisdiction and in cooperation with other water purveyors, employ measures to facilitate water conservation and responsible water use throughout the Plan Area. This may include the implementation of a water conservation program supporting water conservation measures in development, incentives to reduce water consumption, and the provision of educational materials to community members concerning the importance of conserving and protecting groundwater resources through good land use practices.

- (b) Independent water purveyors are strongly encouraged to ensure that water supplies are adequate to meet current domestic demand and firefighting needs and over the long term to accommodate future growth of the area. Storage facilities should be appropriately sized to mitigate periods of drought.
- (c) The CVRD will work with other government agencies, Cowichan Tribes, and improvement districts toward development of a regional water distribution and conservation strategy.
- (d) The CVRD will work with the Agricultural Land Commission, Ministry of Environment, other government agencies, the Cowichan Bay Improvement District, Bench Park Society, and the farming community to reduce inappropriate and excessive use of water resources, and with a view to finding solutions that balance environmental and agricultural interest, which includes at a minimum:
 - (i) *Guidelines for the provision of water retention areas on farms, to store water for summer irrigation purposes;*
 - (ii) *A groundwater licensing and metering strategy;*
 - (iii) *Guidelines promoting water conservation, such as drip irrigation rather than spray irrigation; and*
 - (iv) *An examination of ways for farmers to improve access to water.*
- (e) The CVRD will demonstrate leadership in water conservation in the building or renovating of all CVRD facilities and utilities.
- (f) Prior to new development taking place, proponents will be required to demonstrate that an adequate, long-term water supply is available to satisfy the development.
- (g) The CVRD will strongly encourage the Province to regulate groundwater extraction, which would include mandatory well-licensing.
- (h) The CVRD may adopt a groundwater protection bylaw, in order to formally recognize and protect community well protection areas, aquifer recharge areas, and areas that are highly vulnerable to aquifer contamination.

- (i) Except for agriculturally-designated lands, the CVRD does not support the drilling of wells for domestic purposes where community water services exist and have adequate capacity to meet reasonable domestic demand.

OBJECTIVE .2

To ensure that there is a strategic approach to community water servicing that is consistent with the community growth framework objectives.

POLICIES

- (a) The CVRD, improvement districts and other private water purveyors may only expand the areas of their community water service to parcels, as shown on the Community Water Service Map (Schedule C-4).
- (b) Within Village Containment Boundaries, connection to a community water system will be a prerequisite for subdivision or rezoning that would result in additional density, irrespective of the cost to connect to the system.
- (c) Outside Village Containment boundaries, connection to a community water service will not justify an increase in development potential or density.
- (d) In the absence of a groundwater protection bylaw that otherwise recommends such development, the creation of new parcels, serviced by private wells within community water services areas, is not supported.
- (e) The CVRD does not support the establishment of new private water utilities or improvement districts.
- (f) The CVRD does not support the establishment of community water systems providing fewer than 50 connections.

OBJECTIVE .3

To ensure the cost-effective and affordable delivery of potable water to community water system consumers.

POLICIES

- (a) When a private water utility or water improvement district requests that the CVRD assume responsibility for a community water system, the CVRD will assess the financial viability of assuming this responsibility in relation to the impact to residents within the water service area.
- (b) The CVRD may assume responsibility for a community water system that is expected to be financially viable to operate. Based on operational capacity and financing, the acquisition of a community water system may be phased over multiple years. Prior to the acquisition of a community water system, the CVRD will obtain the assent of its users.
- (c) Within two years of acquiring and assuming responsibility for an existing community water system, the CVRD will install and make operational water meters. The costs of water meter installation will be borne by community water system users unless alternative financing is provided through senior government grants or through a voluntary contribution resulting from a rezoning application where the resulting development be serviced by the community water system.
- (d) The CVRD will require developers to install water meters in all new developments served by a community water system that it operates, including singled detached dwellings, as a condition of subdivision approval and building permit issuance.
- (e) The CVRD will endeavor to secure senior government grant funding and enter into creative cost-sharing agreements to ensure the cost-effective and affordable delivery of potable water to residents within community water service areas.

9.3 Liquid Waste Management

Responsible liquid waste management is critical to both human and environmental health. Major sewer systems, as identified on the Community Sewer Service Map (Schedule C-5), include the Cowichan Bay and Eagle Heights systems, which are connected to the Joint Utility Board (JUB) sewage treatment plant operated by the Municipality of North Cowichan, and the Lambourn Sewer System. The JUB plant is operated in accordance with the Central Sector Liquid Waste Management Plan, which has been in effect since 1999. The CVRD assumed responsibility for the Lambourn System in 2009 and is currently in the process of completing Phase 1 upgrades. The Lambourn Sewer System in 2011 provided 130 connections.

Developments not connected to community sewer systems dispose of their liquid waste through septic systems. In Cowichan Bay, marine vessels are responsible for disposing of their sewage in accordance with the *Canada Shipping Act Regulations for the Prevention of Pollution from Ships and for Dangerous Chemicals*.

The operational status of community sewer systems is described in Table 3.

TABLE 3: COMMUNITY SEWER SYSTEMS, 2011

Sewer System	Owner/Operator	No. of Connections Used	Available Connections
Cowichan Bay Sewer	JUB	882*	0
Eagle Heights Sewer	JUB	726	261
Lambourn Sewer	CVRD	200	0

Source: CVRD Engineering & Environmental Services Department
*Includes units allocated but not yet connected

Effective liquid waste management has been challenging for a variety of reasons. Notably, the clay-based soil composition of the Plan Area is not conducive to ground sewage disposal due to low percolation rates. These conditions led to the creation of the Cowichan Bay Sewer System, which transports liquid waste outside the Plan Area for treatment at the JUB facility.

While connection to the Cowichan Bay Sewer System has alleviated immediate environmental concerns in the Cowichan Bay Village Area, the ability to add connections to the Cowichan Bay Sewer System is (at the time of writing this Plan) very limited. As of the end of 2011, all available connections within the Cowichan Bay Sewer Service area have been allocated for existing or proposed development.

Going forward, additional capacity is needed in the Cowichan Bay Sewer System to accommodate infill development consistent with the Community Growth Framework objectives and also to reduce the amount of inadequately treated sewage entering surface and ground water.

The Lambourn Sewer System, which has been upgraded and now discharges Class A effluent to Cowichan Bay, remains at or near capacity despite demand for additional connections. In the Cowichan Bay Village Area, there are many floating homes and live-aboard vessels which if not discharging to a functioning marine pump-out, may be discharging directly to the marine environment.

Another challenge for liquid waste management relates to the maintenance of private septic systems, which have limited life spans and if not properly maintained, may eventually fail. This is particularly problematic where such systems are located close to watercourses, highly vulnerable aquifers and the marine environment. Where private septic systems are located in close proximity to private wells the potential for well contamination exists, particularly on small lots created prior to 1971 when land use regulations were first introduced.

The objectives and policies within this Plan attempt, to the greatest extent possible, to address the liquid waste management challenges which exist in the Plan Area including the improper disposal of liquid waste to watercourses and the marine environment.

OBJECTIVE .1

To ensure a strategic, cost-effective, and responsible approach to the delivery of community sewer systems.

POLICIES

- (a) The CVRD will, in cooperation with the Municipality of North Cowichan, the City of Duncan, and Cowichan Tribes, undertake a review of the Central Sector Liquid Waste Management Plan to ensure that adequate community sewer capacity is available to accommodate existing and planned development, including on First Nations reserves.
- (b) If adequate community sewer capacity to accommodate existing and planned development cannot be achieved in accordance with Policy (a) above, the CVRD may undertake an independent study to identify a suitable location for a CVRD owned and operated sewage treatment facility. Prior to the development of such a facility, the CVRD will receive the assent of property owners within affected service areas.
- (c) The implementing bylaws will specify that a new community sewer system will have no fewer than 50 connections, where one connection is the equivalent of a service to a single detached dwelling, and that the community sewer system is required to be owned and operated by the Cowichan Valley Regional District. Any density incentives built into a zone will require connection to a community sewer system, as will applications for rezoning to increase density.
- (d) Within Village Containment Boundaries, connection to a community sewer system will be a prerequisite for subdivision or rezoning that would result in additional density irrespective of the cost to connect to the system.
- (e) Outside Village Containment Boundaries, connection to a community sewer service will not justify an increase in development potential or density.
- (f) On lands designated Four-Ways Rural Village (FV), connection to a community sewer system will be prerequisite for subdivision and rezoning.
- (g) The implementing zoning bylaw will, for lands within Village Areas and Rural Village Areas, make connection to community sewer mandatory where capacity exists in order for development to be legally conforming.
- (h) The CVRD may, upon request, assume responsibility for a private sewer utility or strata sewer system that is expected to be financially viable to operate. Based on operational capacity and financing, the acquisition of the sewer utility or system may be phased over multiple years. Prior to the acquisition of a private sewer utility or strata sewer system, the CVRD will obtain the assent of its users.
- (i) The CVRD will ensure that its community sewer infrastructure is properly maintained and funds are in place to offset the full life-cycle costs of community sewer infrastructure maintenance and replacement.
- (j) The CVRD does not support the establishment of community sewer systems providing fewer than 50 connections.

OBJECTIVE .2

To discourage the creation of new community sewer service areas outside of Village Areas and Rural Village Areas, consistent with Community Growth Framework objectives.

POLICIES

- (a) The CVRD will not support the creation of any sewer utilities that do not meet the definition of community sewer system or would be located outside of a Village Area or Rural Village Area, and even in the event of these being created, in no case will areas so serviced become eligible for additional density either through rezoning or under zoning density incentives under this Plan.
- (b) The CVRD will not support the extension of a community sewer system beyond Village Containment Boundaries (VCBs), in order to avoid rural sprawl.

- (c) Any proposed expansion of a community sewer system such as the Cowichan Bay Sewer System, Lambourn Sewer System, or Eagle Heights Sewer System to provide a sewer connection to a parcel outside a VCB will not occur unless an OCP Amendment Bylaw is first adopted to amend the VCB.
- (d) Notwithstanding Policy (b) or (c), an existing parcel located outside a VCB may be connected to a community sewer system without an OCP Amendment to change the location of the VCBs shown on the maps attached as Schedules B and C-5 to the Area D OCP Bylaw, provided:
 - (i) *There are environmental or public health conditions that warrant the connection such as proximity to a natural feature, watercourse, well, or highly vulnerable aquifer, or total failure of a septic system, without reasonable options to rebuild onsite;*
 - (ii) *The existing development complies with current land use regulations;*
 - (iii) *There is available capacity in the community sewer system;*
 - (iv) *The resulting connection would not result in an increase in development potential or density*
 - except in conjunction with a rezoning application for lands within the CR designation; and*
- (v) *A covenant is registered restricting further subdivision and development beyond what is permitted by the existing zoning or, in the case of an application to rezone lands within the CR designation, a covenant is registered restricting further subdivision and development beyond what is permitted by the proposed comprehensive development (CD) zone.*
- (e) In the event that additional capacity is identified within the Lambourn Sewer System, the CVRD shall pursue negotiations with the owner of the Edgewater Terrace Mobile Home Park in order to facilitate the provision of community sewer services. Inclusion of the Edgewater Terrace Mobile Home Park in the Lambourn Sewer System Area and connection to community sewer services is considered a priority given the density of residential development within the mobile home park, which at the time of preparing this plan discharges effluent to a private septic system located in close proximity to the ocean.

9.4 Stormwater Management

Traditionally, stormwater management has not been within the scope of CVRD governance. This is, largely, due to the lack of subdivision approval authority and lack of jurisdiction over public roads. This may change, however, in part through the adoption of subdivision servicing bylaws which necessitate low-impact development techniques to manage rainwater and stormwater. Greater collaboration with the Ministry of Transportation and Infrastructure to proactively address rainwater management is supporting this direction. Going forward, it is essential to recognize that there is an inextricable link between rain/stormwater management and the provision of water services and liquid waste management. None of these activities truly occurs in isolation.

The following policies are designed to provide guidance to the CVRD when it considers rezoning applications as well as subdivision and development permit applications via amendments to its subdivision servicing and zoning bylaws.



Photo: Traditional stormwater diversion (CVRD)

OBJECTIVE .1

To maintain or restore the natural hydrology of a watershed to the greatest extent possible through consideration of the cumulative impacts of development.

POLICIES

- (a) The CVRD should develop and implement an Integrated Stormwater Management Plan, at the watershed level, considering the full spectrum of rainfall events in order to restore, to the greatest extent possible, the natural site hydrology of a watershed, in order to protect rainwater as a resource for:
 - (i) *Potable drinking water;*
 - (ii) *Aquatic and terrestrial ecosystems;*
 - (iii) *Irrigation; and*
 - (iv) *Sociocultural and recreational purposes.*
- (b) In support of the above-noted criteria and to contribute to the restoration of a naturally functioning watershed, the CVRD subdivision servicing bylaw should be amended to ensure that developments requiring building permit and subdivision applications, with practical exceptions, do not result in reduced groundwater infiltration and increased surface runoff.
- (c) The implementing zoning bylaw should include limits to the percentage of impervious surface permitted for buildings, structures, and paving, in order to facilitate infiltration and limit surface runoff. These will ideally be informed by a watershed analysis to determine appropriate thresholds for imperviousness.
- (d) The CVRD will continue to collaborate with the Ministry of Transportation and Infrastructure on the matter of stormwater management and drainage, seeking proactive solutions to address not only future development but pre-existing challenges including but not limited to:
 - (i) *The imperative to inventory stormwater management infrastructure and replace existing inadequate and decrepit stormwater infrastructure in the Cowichan Bay Village and upper hillside residential neighbourhood area.*

9.5 Solid Waste & Zero Waste

Solid waste management is an essential service provided by local government. Within the Plan Area, residential garbage and recycling collection occurs through CVRD contracted services. Bings Creek Solid Waste Management Complex, located in the District of North Cowichan, is the central waste collection facility for the CVRD. The CVRD hosts three regionally funded and staffed recycling drop-off depots for managing larger items and numerous recyclables. Two private commercial composting facilities are able to receive most organic materials.



Photo: The CVRD has a target of zero waste (Cowichan Recyclists)

The CVRD Solid Waste Management Plan, the regional strategy for solid waste collection, curbside recycling and public education, includes a guiding principle for the district and residents to work towards 'zero waste.' In 2011, all solid waste was transported to the Rabanco Landfill in South-Central Washington State at a significant cost of \$3 million to taxpayers annually. Hence, in addition to the environmental benefits of reducing waste, there is a direct fiscal incentive to reduce the amount of solid waste shipped outside the region.

OBJECTIVE .1

To ensure the responsible management and transfer of solid waste from the Plan Area.

POLICIES

- (a) All solid waste will be transferred or recycled at approved facilities provided for that purpose, in conformity with the CVRD Solid Waste Management Plan and applicable provincial and federal environmental standards.

OBJECTIVE .2

To encourage the diversion of solid waste and compostable organics from the solid waste stream.

POLICIES

- (a) The CVRD will implement a Zero Waste program to assist community members in approaching the target of zero waste, recognizing the Zero Waste Principles and Hierarchy:
 - (i) *The best idea is not to create any waste in the first place (refuse).*
 - (ii) *If you do create waste, try to make as little as possible (reduce).*
 - (iii) *Then try to find other uses for this waste when you want to get it out of your home or workplace (reuse).*
 - (iv) *If you can't find ways to reuse the waste, then make sure you preserve the value of the resources that are contained in that waste (recycle).*
 - (v) *As a final option, any leftover waste can be used to create new forms of energy (recover).*
- (b) The CVRD will actively encourage all residents of the Plan Area to refuse, reduce, reuse, recycle, and recover in order to divert solid waste from the solid waste stream.
- (c) The CVRD may establish a curbside collection program for food and organic waste collection.

9.6 Fire Protection

Services for fire protection in the Plan Area are provided by the Cowichan Bay Improvement District. The main fire hall for the Plan Area is at Wilmot Road and the Trans-Canada Highway. In 2011, the Cowichan Bay Improvement District was responsible for approximately 3,000 properties both within and outside Electoral Area D – Cowichan Bay, including the northern part of Electoral Area C – Cobble Hill. The Cowichan Bay Improvement District also has a mutual aid agreement with the Mill Bay Fire Department for the Arbutus Ridge and Kingburne Road developments. The City of Duncan provides fire protection for the Koksilah Village area.

The Plan Area contains areas, identified by the *CVRD Community Wildfire Protection Plan*, with moderate and high risk of wildfire. High risk areas primarily coincide with First Nations reserves which remain relatively undeveloped and well-treed. Moderate areas generally coincide with agricultural areas. The OCP acknowledges the Wildfire Protection Plan and attempts to balance its intent with that of the community's goals concerning the protection, restoration and enhancement of natural features, such as wooded areas, and integration of natural areas with rural development.



Photo: Cowichan Bay Volunteer Fire Department (CBVFD)

OBJECTIVE .1

To ensure that sufficient water supplies and fire service infrastructure are available for fire protection purposes.

POLICIES

- (a) The CVRD will, in its subdivision servicing bylaw, require that land being subdivided be in a fire protection area, and that adequate fire protection standards, including hydrants located at regular intervals, are present for subdivisions on community water systems.
- (b) Community water service providers will be encouraged to improve water storage systems where necessary, for fire protection purposes.
- (c) The CVRD will encourage the Ministry of Transportation and Infrastructure to improve road end access to watercourses and the ocean for fire protection.

OBJECTIVE .2

To promote responsible site and building development and maintenance to reduce the risk of fire damage.

POLICIES

- (a) The CVRD supports the development and distribution of educational materials concerning fire protection, such as the *BC Home Owners Firesmart Manual*.
- (b) Reduction of fire risk should be a key consideration in the design and development of new sites and buildings. Careful consideration will be required on the part of developers to ensure that both *Firesmart* and environmental objectives can be achieved.

10.0 Plan Implementation

10.1 Introduction

Implementation of the Plan is essential to its success. However, implementation is not the sole responsibility of the CVRD, its staff and Board Members. The OCP is a community plan requiring a shared effort to achieve success. The Electoral Area D – Cowichan Bay Official Community Plan will be implemented through various measures such as a new zoning bylaw, CVRD Board decisions, government spending, advocating to senior governments, and the collective actions of community members and other stakeholders.

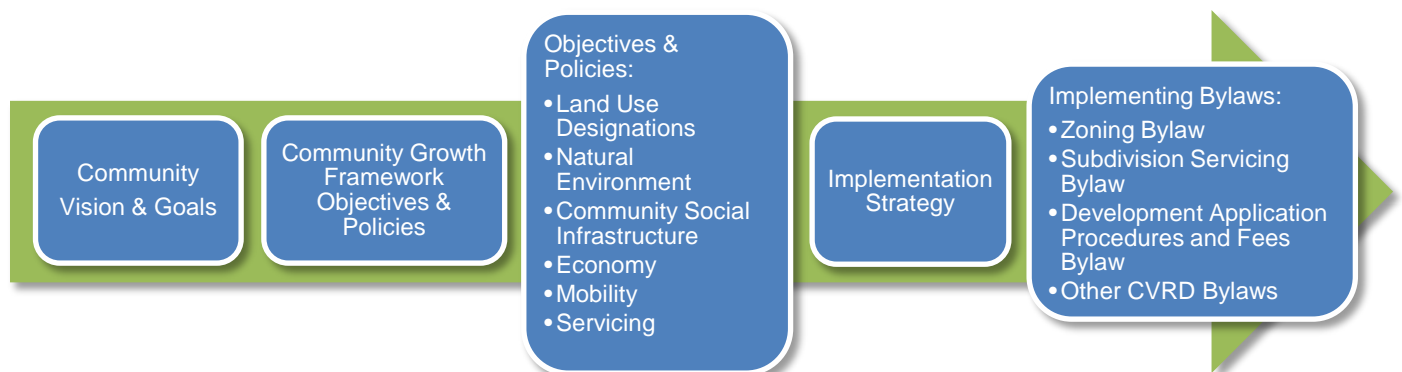
Any proposed changes to the Plan must be in accord with Part 26 of the *Local Government Act* to ensure that all community members have the opportunity to provide input on issues and proposals affecting the Plan Area. An implementation schedule for the OCP is provided in Section 10.5, which identifies the required actions, timing and parties responsible for facilitating and/or completing the actions. Certain actions will require the participation of multiple parties or jurisdictions. In order to ensure that the implementation of the Plan is effective, a monitoring, evaluation and reporting system is essential.

Figure 5, below, represents how the community's vision and goals translate into OCP objectives and policies, and into implementing bylaws.



Photo: Stock

FIGURE 6: OCP POLICY FRAMEWORK FROM VISION TO IMPLEMENTATION



10.2 General Objectives & Policies

OBJECTIVE .1

To implement the Plan in a strategic and expeditious manner.

POLICIES

- (a) Upon adoption of this Plan, the CVRD Board will amend Electoral Area D – Cowichan Bay Official Settlement Plan Bylaw No. 925 and all amending bylaws to exclude the Plan Area, as shown on the map attached as Schedule B to the Area D OCP Bylaw.
- (b) Following adoption of this Plan, the CVRD Board will adopt a new implementing zoning bylaw.
- (c) Following adoption of this Plan, the CVRD Board will amend the CVRD Development Application Procedures and Fees Bylaw No. 3275, 2009 to:
 - (i) *Delegate development permit approval authority to CVRD staff to streamline processing of routine applications. CVRD staff should continue to exercise discretion in referring complex applications to the CVRD Board; and*
 - (ii) *Ensure that application requirements are consistent with the policies of the Official Community Plan.*
- (d) Following adoption of the Plan, CVRD staff will develop and implement a communications strategy, related to the new OCP and development permit area guidelines, to facilitate clear information exchange between CVRD staff and local consultants, developers and residents.
- (e) The CVRD Board will collaborate with Cowichan Tribes, other government agencies, non-profit organizations, and community members toward the achievement of the goals, objectives and policies of this Plan.
- (f) The CVRD recognizes the jurisdiction of federal and provincial agencies over certain activities within the Plan Area. Any matters outside the direct control of the CVRD are to be considered broad objectives or suggestions to the relevant agency.
- (g) The CVRD will collaborate with the Province and other government agencies to adjust electoral area boundaries in a manner that would result in improved governance and would be in the best interest of community members. Notwithstanding, the annexation of the Koksilah Village Area by an incorporated municipality is not supported.
- (h) The CVRD will undertake the implementation actions listed in Section 10.3.
- (i) The CVRD will undertake the monitoring, evaluation and reporting of the Plan implementation status on a biyearly basis in accordance with Section 10.4.

OBJECTIVE .2

To guide future land use and development activities in a manner that supports the Plan goals, objectives and policies.

POLICIES

- (a) Rezoning applications may be considered upon satisfaction of the following criteria:
 - (i) *Sufficient opportunity, in the opinion of the CVRD, has been provided for community members to provide input to the formulation of the proposal;*
 - (ii) *The rezoning would result in development that would be generally consistent with the vision, goals, and objectives contained within the Official Community Plan;*
 - (iii) *The resulting development would complement the character of the neighbourhood in which the development would be located;*
 - (iv) *The resulting development would complement the natural environment and ecological function;*
 - (v) *The resulting development would contribute to increased local energy resiliency;*
 - (vi) *The resulting development would contribute to increased local food self-sufficiency;*
 - (vii) *The resulting development would be designed for safety in accordance with Crime Prevention through Environmental Design criteria; and*

- (viii) *The rezoning would result in a significant benefit to the community, through the provision of an amenity contribution subject to Section 6.2.*
- (b) On lands outside the ALR only, the CVRD may support the creation of compact residential clusters through a rezoning process which may include smaller parcels and/or a subdivision pursuant to the *Strata Property Act*, subject to the following:
- (i) *The proposal would significantly contribute to local food production and food self-sufficiency or to the preservation of natural features or ecological function;*
 - (ii) *The resulting development would not result in more dwelling units and/or parcels than what would be permitted by the zoning in place at the time the application is made. The overall density and/or number of parcels will be determined based on the buildable area of the subject property and not the total site area and should be equal to or less than the number of lots that could be created without clustering;*
 - (iii) *Where the proposed development is adjacent to agricultural operations or land within the ALR, the proposal must include a vegetated buffer designed and constructed in accordance with the "A Guide to Edge Planning Promoting Compatibility Along Urban-Agricultural Edges", as amended from time to time; and*
 - (iv) *All development must be serviced with approved onsite sewer and water systems, unless serviced by existing community sewer or water systems.*
- (c) In accordance with Section 920.01 of the *Local Government Act*, the entire Plan Area is designated a Development Approval Information (DAI) Area, in which development approval information may be required on any anticipated impact of a proposed activity or development in the Plan Area.
- (d) The special conditions which justify the DAI Area designation are:
- (i) *The Plan Area is characterized by significant natural areas and features including, but not limited to, watercourses, wetlands, drainage channels, steep slopes, floodplains, riparian and marine riparian areas, vulnerable aquifers, and critical estuarine and marine habitats and*
- community members have expressed a strong desire to protect these natural features and areas;*
- (ii) *Community members have expressed a desire to have complete information about the potential impacts of proposed development, including impacts on the natural environment, transportation, infrastructure, community services and facilities, public facilities including schools and parks and other community amenities to support growth, the economy, energy use, water use and GHG emissions, among others.*
 - (iii) *Information enhances the capacity of the CVRD to properly assess and mitigate the impacts of development.*
- (e) The CVRD will exercise discretion on an application by application basis to determine whether or not and to what extent DAI will be required in association with applications for development permits, temporary uses and rezoning.
- (f) Where development approval information is required, the information will be provided by the applicant, at the applicant's cost, in the form of a report to the CVRD prepared by the appropriate professional as set out in the DAI Bylaw (CVRD Bylaw No. 3540) and subsequent amendments.

OBJECTIVE .3

To promote a high standard of quality in development.

POLICIES

- (a) The CVRD will prioritize the processing of rezoning applications, which would result in a substantial community or environmental benefit in addition to satisfying relevant Plan objectives and policies.
- (b) On lands outside the ALR only, the CVRD will have the ability to provide a maximum 25% density bonus to any development that meets or exceeds the criteria in Policy 10.3.2(a).
- (c) The CVRD will encourage innovative development proposals and exercise its discretion in evaluating proposals which will result in the preservation of significant natural features or otherwise significantly benefit the community.

- (d) The CVRD will maintain and utilize a sustainability checklist as a tool to evaluate the quality of rezoning and development permit applications.
- (e) The CVRD will require monitoring and reporting during development to ensure compliance with conditions of development approval and regulatory bylaws.
- (f) The CVRD may establish an Advisory Design Panel within or distinct from the Advisory Planning Commission to review development permit applications to ensure conformity to design guidelines, historical and cultural suitability, as well as environmental and aesthetic considerations; this panel should be comprised of qualified individuals such as architects, landscape architects, urban planners, designers, historians, heritage conservation specialists, agrologists, surveyors, biologists, geologists, and civil or geotechnical engineers.



Photo: Community input to the OCP Process (CVRD)

OBJECTIVE .4

To encourage community involvement in planning matters and development proposals affecting the Plan Area.

POLICIES

- (a) The Electoral Area D – Cowichan Bay Advisory Planning Commission will consider and provide recommendations on all applications referred by the CVRD.
- (b) For major development proposals or rezoning applications, applicants will be required to consult with and solicit feedback from community members within affected neighborhoods regarding the proposal's intent prior to it being finalized.
- (c) With respect to Policy (b), the *CVRD Procedures Bylaw* should be amended to include a mandatory requirement for community information meetings in conjunction with all major development or rezoning applications.
- (d) The CVRD will ensure that affected property owners and Certificate of Possession holders receive adequate notification of applications for development permits, rezoning and OCP amendments, consistent with the *Local Government Act* and *CVRD Procedures Bylaw*.

OBJECTIVE .5

To provide flexibility in land use management in by allowing temporary uses that would be beneficial to the local economy or community.

POLICIES

- (a) In accordance with Section 920.2 of the *Local Government Act*, the entire Plan Area is designated for the issuance of temporary use permits for uses that would otherwise not be permitted on the lands for which they are proposed, subject however to greater specification of permissible temporary uses as identified in the implementing zoning bylaw.
- (b) In accordance with Section 921 of the *Local Government Act*, the CVRD may, with proper notice, issue a temporary use permit for a period of up to three years to allow a use not otherwise permitted by zoning, on any parcel in the Plan Area.
- (c) Applications for temporary use permits will take the following into consideration:
 - (i) *Potential impacts on ecosystems, fish or wildlife habitat, air quality or water quality;*
 - (ii) *Potential quality of life impacts to local residents or business owners;*
 - (iii) *Potential impacts to parks, trails or roadways; and*

- (iv) *If the use would occur within the ALR, approval of the ALC will be required.*
- (d) A temporary use permit issued by the CVRD may include specific conditions including, but not limited to, the following:
 - (i) *Dates and times during which the temporary use may occur;*
 - (ii) *Environmental protection and abatement measures;*
 - (iii) *Decommissioning and reclamation measures;*
 - (iv) *Landscaping or fencing to screen the use from adjacent parcels, roadways or areas; and*
 - (v) *Provision of adequate security and undertaking agreement to guarantee the performance of the terms of the permit.*
- (e) Prior to the issuance of a temporary use permit, an approved development permit may first be required.

OBJECTIVE .6

To maintain a current Official Community Plan, that accurately reflects the collective vision and goals of the Electoral Area D – Cowichan Bay community.

POLICIES

- (a) The CVRD may consider OCP amendments that are consistent with the Plan vision, goals and objectives and would result in a significant community benefit.
- (b) The CVRD should initiate OCP amendments, including amendments to existing Plan statements or maps, in response to new information, technology, development guidelines or best practices, which would result in a significant public benefit.
- (c) The CVRD should initiative a comprehensive OCP Review not more than ten years following the date of adoption of this Plan.
- (d) The process of amending this Plan will be in accordance with the legislative requirements of Part 26 of the *Local Government Act*.
- (e) During any Plan Amendment process, the CVRD should supplement the minimum requirements of the *Local Government Act* by employing various communication methods and consultation opportunities to encourage broad input from community members and other stakeholders.

10.3 Implementation Schedule

The following table includes a list of implementation actions that should be completed to effectively implement the Plan. Certain actions require implementation immediately following Plan adoption and others will take months or possibly years to complete. Some implementation actions will already be underway and are intended to be continued. Other actions will involve advocating to senior government agencies. Implementation actions will be identified as follows:

- Short-term (S): within six months;
- Medium-term (M): six months to two years;
- Long-term (L): two to ten years; and
- Continuing (C): ongoing.

TABLE 4: IMPLEMENTATION SCHEDULE

#	Reference	Implementation Action	Timing				Responsible Party
			S	M	L	C	
Short-term Actions							
1	10.4.1(a)	Establish OCP Implementation Committee	X				CVRD Planning
2	10.2.1(b)	Prepare new Zoning Bylaw	X				CVRD Planning
3	10.2.1(c)	Amend Procedures and Fees Bylaw No. 3275	X				CVRD Planning
4	3.3.2(c)	Amend Section 946 Bylaw No. 1741 (bylaw to allow subdivision for a relative)	X				CVRD Planning
5	5.5.2(c) 9.6.1(a)(b)	Adopt new subdivision servicing bylaw	x				CVRD Planning
6	8.5.1(b)(c)	Establish parking cash-in-lieu bylaw and Parking & Mobility Service Fund	X				CVRD Planning
7	4.12.1(e) 5.3.2(k)	Prepare floating home bylaws	X				CVRD Planning & Engineering
8	10.2.1(d)	Develop/implement OCP communications strategy	X				CVRD Planning
9	3.3.1(b) 9.3.1 (a)	Review sewer servicing capacity for village and rural village areas	X				CVRD Planning & Engineering
10	5.3.1(e)(f) 9.4.1(a)(d)	Initiate integrated storm water planning; pursue stormwater infrastructure rehabilitation in Cowichan Bay Village (and hillside residential area)	X				CVRD Planning & Engineering
11	5.4.1(f)	Prepare floodplain management bylaw	X				CVRD Planning & Engineering
12	6.2.1(a) 6.5.2(b)	Pursue development of a community centre	X				CVRD Planning, Parks & Public Safety
Medium-term Actions							
	5.2.1(f) 5.3.2(e) 5.3.2(o) 5.6.1(f)	Develop environmental education programs for homeowners (i.e. landscaping with native plants, environmentally friendly household practices, septic system maintenance, invasive species management, and energy conservation); facilitate access to grants, programs and incentives		X			CVRD Engineering (Environmental Policy) & Planning
13	5.2.2(c)(d)	Explore potential for riparian tax exemption program;		X			CVRD Planning, Finance & Legislative Services
14	5.3.2(q)	Review/update CVRD bylaws regarding septic tank maintenance, removal, & remediation		X			CVRD Engineering
15	5.5.2(e)	Retrofit CVRD street lighting to remove excessive illumination and glare (Wilmot & Pritchard; Lambourn water treatment plant)		X			CVRD Engineering
16	5.6.3(d)	Develop a regional EV charging strategy		X			CVRD Engineering
17	6.3.3(j)	Review mobile home park bylaw and develop mobile home park development guidelines		X			CVRD Planning & Engineering
18	6.5.1(c)	Review street addressing system; ensure addresses are visible from public roadways.		X			CVRD Public Safety & GIS
19	6.6.3(a)	Adopt Parks & Trails Master Plan		X			CVRD Parks

21	6.6.4(d)	Adopt parks development cost charge bylaw	X			CVRD Parks & Finance
22	6.7.1(a)(b)	Develop Community Heritage Register	X			CVRD Planning
23	6.7.3(a)	Develop Community Heritage Strategic plan	X			CVRD Planning
24	7.2.2(a)	Establish a business registry	X			CVRD Economic Development
25	7.6.1(g)	Explore potential for resort region status	X			CVRD Planning
26	8.5.2(d)	Cowichan Bay Village Parking & Transportation management plan	X			CVRD Planning & Engineering
27	5.2.2(m) 8.5.2(e)	Establish navigation channel through Cowichan Bay to boat launch and VORR area	X			CVRD Planning & Parks
28	6.6.2(h)	Implement fees for Cowichan Bay boat launch	X			CVRD Parks
29	8.5.2(f)	Add second set of floats to boat launch	X			CVRD Parks
30	9.2.1(c)(d)	Develop regional water conservation strategy	X			CVRD Planning & Engineering
31	9.5.2(c)	Implement curbside food/organic collection	X			CVRD Planning & Engineering
32	5.5.1(a)	Develop airshed protection plan	X			CVRD Planning & Engineering
Long-term Actions						
33	5.4.1(k)(l)(m)	Conduct climate change risk assessment and develop climate change adaptation strategies		X		CVRD Planning & Environmental Policy
34	8.3.1(a)	Prepare regional active transportation plan		X		CVRD Planning, Parks & Engineering
35	9.2.1(h)	Develop groundwater protection bylaw		X		CVRD Planning & Engineering
Continuing Actions						
36	10.4	Develop and monitor Plan indicators; prepare biyearly report (2014 and every 2 years after)		X	X	CVRD Planning
37	6.2.1(g)	Review recreation services and consider regional service delivery model			X	CVRD Board
38	6.5.2(a)(b)(c)	Conduct emergency preparedness and response planning			X	CVRD Public Safety
39	6.6.2(g)	Cowichan Bay Marine Gateway Park			X	CVRD Parks
40	6.6.4(e)	Pursue grant funding for park development			X	CVRD Parks
41	9.5.2(a)	Work toward goal of zero waste			X	CVRD Engineering
42	5.6.2(a)	Be a leader in energy conservation			X	CVRD
Advocacy Actions						
43	5.2.2(g)	Request review/update of the CEEMP process	X			CVRD Board
44	5.3.2(m)	Advocate to federal government to adopt derelict vessel legislation			X	CVRD Board
45	5.4.1(i)	Advocate to BC Hydro and MoTI regarding vegetation maintenance along roadways	X			CVRD Board
46	5.4.1(j)	Advocate to MoTI for Cowichan Bay Road improvements (i.e. flood-proofing measures)	X			CVRD Board
47	5.5.1(f)	Collaborate with Transport Canada and BC Chamber on commercial shipping anchorages	X			CVRD Board
48	8.2.2(a)(b)	Collaborate with MoTI on road safety	X			CVRD Board
49	8.4.1(a)(b)(e)(g)	Collaborate with BC Transit on transit service enhancement			X	CVRD Board
50	8.5.1(d)	Advocate to MoTI and RCMP to remove derelict vehicles from Cowichan Bay Village	X			CVRD Board

10.4 Monitoring, Evaluation & Reporting

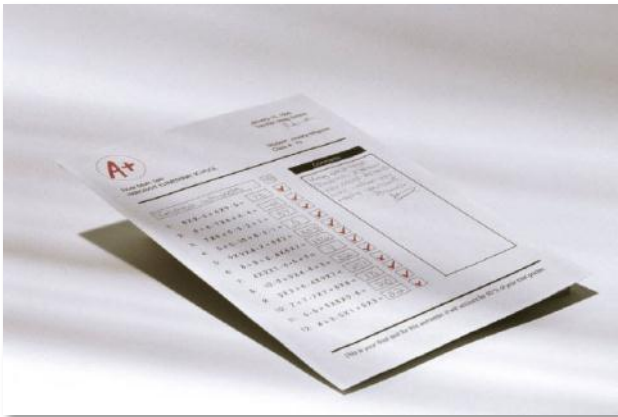


Photo: Stock

Plan monitoring by the CVRD and community members is essential to ensure that the Plan is being implemented as intended. Indicators provide a mechanism for evaluating the effectiveness of individual and collective implementation measures.

OBJECTIVE .1

To monitor the implementation of the Plan and to evaluate and report to the CVRD Board and community members on the status of implementation and OCP performance indicators.

POLICIES

- (a) The CVRD Board will establish an OCP Implementation Committee, along with terms of reference for this committee, consisting of volunteers who reside or work in Electoral Area D – Cowichan Bay, to oversee the implementation of the Plan; the OCP Implementation Committee may be comprised of all or some members of the Advisory Planning Commission for the Plan Area and include representation from the Cowichan Tribes First Nation.
- (b) The CVRD will monitor the implementation of the Plan and record the date of completion for each implementation measure identified in Section 10.3 Implementation Schedule.

- (c) The CVRD will establish a set of performance indicators to evaluate the effect of implementation measures. The indicators will include the following or, alternatively, any combination of indicators deemed by the CVRD Board to provide an appropriate representation of environmental, economic, and social conditions in the Plan Area:

- (i) *Ratio of dwelling types;*
- (ii) *Number of rental accessory dwellings and secondary suites created;*
- (iii) *Number of operational water meters relative to CVRD community water connections;*
- (iv) *Coliform count, Cowichan Estuary;*
- (v) *Total Suspended Solids (TSS), Cowichan Estuary;*
- (vi) *Number of returning Chinook, Cowichan River*
- (vii) *Total community greenhouse gas emissions;*
- (viii) *Extent of environmentally sensitive areas that are formally protected through parks and conservation covenants;*
- (ix) *Total ALR land classified by BC Assessment Authority as farmland;*
- (x) *Ratio of individuals with a place of work inside vs. outside the Plan Area;*
- (xi) *Annual school enrollment;*
- (xii) *Length of roadside pathways;*
- (xiii) *Amount of community amenity contributions.*

- (d) In conjunction with the performance indicators, the CVRD should establish targets including the ability to safely consume shellfish harvested from Cowichan Bay by 2020.
- (e) The CVRD will, on a biyearly basis, prepare a report, for distribution to the CVRD Board and Electoral Area D – Cowichan Bay residents, that details the status of Plan implementation and the status of performance indicators.

Part 2 – Development Permit Areas

DP.1 Introduction

While the OCP provides a general policy framework for making decisions about the use and management of land and water resources within the community, Development Permit Areas (DPAs) are used to guide how development will occur according to community goals and objectives. The authority to designate Development Permit Areas is provided by Section 919.1 of the *Local Government Act*.

Through the OCP process, the community has provided direction to implement clear and strategic guidelines for development in order to enhance community character and well-being. The Development Permit Areas established by this Plan are intended to address this direction while protecting the natural environment, maintaining a productive agricultural landscape, protecting development from hazardous conditions, and

promoting energy and water conservation and greenhouse gas emissions reduction.



Photo: Development guidelines directed the form and character of this mixed-use development (Jawl Properties Ltd.)

DP.2 General Objectives & Policies

OBJECTIVE .1

To ensure that new development is designed in accordance with Plan goals, and enhances the community's social, environmental, economic, and aesthetic qualities.

POLICIES

- (a) An owner must obtain a development permit before constructing, adding to or altering a building or other structure, altering or clearing land, natural features or vegetation, or altering a building or structure on land within a DPA, unless specifically exempted. During the subdivision process and prior to approval of subdivision by the Provincial Approving Officer, a development permit may also be required to be issued by the CVRD.
- (b) Where a site is subject to more than one DPA, the development will be subject to the requirements of all applicable DPAs and associated guidelines, and all applicable guidelines will be addressed through a single permit unless deemed to be impractical by the CVRD.
- (c) The CVRD may issue variances where this would enhance the aesthetics of the site or natural environment, or support DPA objectives.
- (d) Where variances from zoning siting regulations are recommended by a Qualified Professional or requested by an applicant, the CVRD Board will retain its exclusive authority to refuse the recommended or requested variance.
- (e) The CVRD will not issue a development permit if, based on the report of a Qualified Professional, the development cannot proceed without risk to human or environmental health.
- (f) If any development permit area guideline is found to be in conflict with a regulation in an implementing bylaw, the guideline should take precedence.

OBJECTIVE .2

To ensure that new development is undertaken or implemented consistent with the community's vision and goals as set out in this Plan.

POLICIES

- (a) An applicant may be required to engage and pay a Qualified Professional to undertake studies, provide advice, address and demonstrate compliance with specified development guidelines, and submit required reports to the CVRD; except, where the *Riparian Areas Regulation* applies, the CVRD will exercise its discretion to determine whether or not information provided to the CVRD is valid based on the Qualified Professional's qualifications and expertise.
- (b) An applicant may be required to submit a cost estimate, prepared by a Qualified Professional and accepted by the CVRD, of the total cost to protect, restore or enhance the site in the event that works for such a purpose are required. In such a case, the applicant will provide adequate financial security, as determined by the CVRD, prior to the issuance of a development permit.
- (c) As a condition of a development permit, a Qualified Professional may be required to provide ongoing monitoring and reporting.
- (d) As a condition of a development permit, a covenant or other protection mechanism may be required.
- (e) In accordance with the *Local Government Act* and *Community Charter* provisions, the CVRD may pursue enforcement of any condition of a development permit and take action against an owner where a development permit has been issued by the CVRD and the development is not in compliance with the conditions of the permit; or where development has commenced without a required development permit.
- (f) The CVRD may modify or establish new Development Permit Areas in order to satisfy the vision, goals and objectives of this Plan.

OBJECTIVE .3

To ensure that DPA guidelines meet their stated objectives, respond to the best available knowledge, and are practical for CVRD staff and applicants to interpret and apply.

POLICIES

- (a) Before the CVRD considers authorization of a development permit, the applicant will submit a development permit application in accordance with the CVRD Development Application Procedures and Fees Bylaw No. 3275, 2009 and subsequent amendments, which should include:
 - (i) *A written description of the proposed project;*
 - (ii) *A current certificate of title and copies of all encumbrances (i.e. easements, statutory rights of way, covenants and other relevant charges);*
 - (iii) *Applicable plans such as conceptual design drawings, a legal survey, a site plan, floor plans, and building elevations, which are clearly legible and accurately scaled;*
 - (iv) *Applicable development data, including site area, site coverage, gross floor area, area of impervious and pervious surfaces, number of dwelling units and parking calculations;*
 - (v) *A conceptual landscape plan, if applicable, showing all native vegetation to be retained, invasive species to be removed, and proposed hard and soft landscaping including the locations, quantities, sizes and species of proposed vegetation;*
 - (vi) *Other plans, studies, or specifications as indicated by the applicable development permit area guidelines; and*
 - (vii) *Development approval application requirements as specified by CVRD Bylaw 3540.*
- (b) Where a DPA guideline is found to be impractical to apply, inappropriate, irrelevant, or obsolete, the CVRD will seek to amend or remove the guideline accordingly and without unreasonable delay.

DP.3 Applicability

A development permit must be applied for, and issued by the CVRD, prior to any of the following activities occurring in a Development Permit Area, where such activities are directly or indirectly related to existing or proposed land uses in the Plan Area (except First Nations reserves):

- Removal, alteration, disruption or destruction of natural features, including vegetation;
- Removal, deposit or disturbance of soils;
- Demolition or alteration of buildings and structures;
- Construction of buildings and structures;
- Creation of non-structural impervious or semi-pervious surfaces;
- Flood protection works;
- Construction of roads, trails, retaining walls, sea walls, wharves or bridges;
- Provision and maintenance of sewer or water services;
- Development of drainage systems;
- Development of utility corridors;
- Subdivision as defined in s. 872 of the *Local Government Act*.

DP.4 Exemptions

Notwithstanding DP.3 above, a development permit is not required to be applied for or issued by the CVRD prior to undertaking any of the following activities where an “X” is indicated for the corresponding development permit area in Table 5. Note: a development permit is required where a corresponding “-” is indicated.

TABLE 5: DEVELOPMENT PERMIT EXEMPTIONS

Activity	Aquatic Resource Protection DPA	Critical Habitat Protection DPA	Sensitive Lands DPA	Agricultural Protection DPA	Rural Character DPA	Marine Village DPA
Subdivision						
Subdivision to adjust the common boundary of two or more contiguous parcels	X	X	X	X	X	X
Subdivision to consolidate two or more contiguous parcels	X	X	X	X	X	X
Subdivision where all resulting parcels are greater than 1.0 ha in size	-	-	-	-	-	X
Farm Practices						
Activities undertaken in accordance with the <i>Farm Practices Protection Act</i>	X	X	X	X	X	X
Minor Building Renovations, Structural Changes & Additions						
Renovations, repairs and maintenance subject to S. 911 of the <i>Local Government Act</i>	X	X	X	X	X	X
Reconstruction or restoration of a dwelling that is damaged or destroyed to the extent of 75% or more of its value by fire, flood, earthquake or other unforeseen act, provided there is no change to the extent of original foundations or increase in gross floor area	X	X	X	X	X	X
Minor interior renovations to a building, provided the work is above existing foundations and there is no change to gross floor area or exterior building appearance	X	X	X	X	X	X
Exterior renovations to a single detached dwelling or accessory residential building, such as the replacement of siding, windows, and roofing	X	X	X	X	X	X
A minor addition to a single detached dwelling of up to 10 m ² in gross floor area (outside a Riparian Assessment Area)	X	X	X	X	X	X
Minor exterior renovations to a non-residential building or structure, provided the work is above existing foundations, gross floor area is not increased, and the exterior renovations are consistent with development guidelines respecting building design	X	X	X	X	X	X
Construction of a non-habitable accessory building with a gross floor area of not more than 10 m ² , which has no permanent foundation, and does not require the removal of trees (outside a Riparian Assessment Area)	X	X	X	X	X	X
Construction of a non-agricultural accessory building of 90 m ² or less in the ALR provided it is within 25 m of a principal dwelling (outside a Riparian Assessment Area)	-	-	-	X	X	-

Activity	Aquatic Resource Protection DPA	Critical Habitat Protection DPA	Sensitive Lands DPA	Agricultural Protection DPA	Rural Character DPA	Marine Village DPA
Erection of a solid wood, wood lattice or chain-link fence outside the ALR and Riparian Assessment Area, provided the fence complies with applicable regulations for fences and screening as specified by the implementing zoning bylaw	X	-	X	-	X	X
Within the ALR, erection of a solid wood fence; if not located within a front yard, the fence shall be constructed in accordance with the specifications for solid wood fences in the BC Ministry of Agriculture publication, <i>A Guide to Edge Planning</i> (2009)	-	-	-	X	-	-
Construction of a retaining wall, or multiple walls within a horizontal distance of 10 m, with a total height not exceeding 1.0 m (outside a Riparian Assessment Area)	-	X	X	X	X	-
Erection of one non-illuminated sign to advertise a home-based business provided the sign does not exceed 0.27 m ² (3 ft ²) and is not constructed of plastic, vinyl or paper	X	X	X	X	X	X
Development for which a Qualified Professional provides an assessment report to the CVRD stating that a covenant is in place which effectively mitigates all hazardous condition(s) on the development site and saves harmless the CVRD	X	X	X	X	X	X
Removal of non-conforming buildings and structures	X	X	X	X	X	X
Site Works & Services						
Completion of works pursuant to a covenant registered on title (such as protective fencing or irrigation works) which are intended to protect or enhance natural features	X	X	X	X	X	X
Emergency procedures to control or prevent flooding, erosion or other immediate threats to life or property	X	X	X	X	X	X
Creation of a non-structural impervious surface such as a driveway, walkway, patio, or terrace not exceeding 10 m ² and not within a Riparian Assessment Area	X	X	X	X	X	X
Creation of one trail for personal use (outside a SPEA), up to 1.0 m wide, including timber steps, provided no trees are removed, the trail surface is pervious, the trail grade does not exceed 15% at any point, natural features are protected, and the trail is designed to prevent erosion	X	X	X	X	X	X
Works, services and maintenance undertaken by a government agency or its contractor	X	X	X	X	X	X
Landscape and Vegetation Maintenance						
Routine maintenance of landscaping and vegetation outside a SPEA	X	X	X	X	X	X
Trimming or limbing of a live tree, outside a SPEA, in accordance with the pruning guidelines and best management practices of the International Society of Arboriculture, that will not lead to the death of the tree or hazardous condition	X	X	X	X	X	X
Selective removal of a live tree or vegetation, outside a SPEA, where there is immediate replacement with native vegetation, provided that the removal of the tree or vegetation would not result in a hazardous conditions, necessitate the construction of a retaining wall, or be a precursor to development	X	X	X	X	X	X
Manual removal of invasive species and immediate replacement with native vegetation	X	X	X	X	X	X
Establishment of a food garden outside a SPEA	X	X	X	X	X	X
The planting of trees or vegetation to enhance habitat values or soil stability in accordance with the most recent versions of the Province of BC publications, <i>"Develop with Care 2012: Guidelines for Urban and Rural Land Development in British Columbia"</i> , and for lands within the Agricultural Protection DPA, the Ministry of Agriculture <i>"Guide to Edge Planning"</i> , urban-side buffer design criteria (Figure Ag.1)	X	X	X	X	X	X
Deposition or removal of up to 50 m ³ of clean soil (outside a Riparian Assessment Area)	X	-	-	X	X	X
Deposition or removal of clean soil where a development permit or building permit has already been issued for the activity requiring the deposition or removal of soil	X	X	X	X	X	X

Aquatic Resource Protection Development Permit Area (AR)



Photo: Chinook salmon

AR.1 Category

The Aquatic Resource Protection Development Permit Area (DPA) is designated pursuant to the following purposes of Section 919.1 of the *Local Government Act*:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)]; and
- Protection of development from hazardous conditions [919.1(1)(b)].

AR.2 Scope

The Aquatic Resource Protection DPA, documented on Schedule D-1, applies to:

- Development within 15 m, measured horizontally, of the midpoint of a watercourse;
- Development within Riparian Assessment Areas, as defined in the *Riparian Areas Regulation*;
- Development within 15 m, measured horizontally, landward and seaward of the natural boundary of the ocean; and
- Development within the floodplain of the Cowichan and Koksilah Rivers.

AR.3 Justification

The Plan Area has an abundance of aquatic resources. These exist in the form of groundwater aquifers, surface and sub-surface permanent and intermittent (seasonal) streams, the Cowichan and Koksilah Rivers, and the Cowichan Estuary and foreshore and its interface with the Salish Sea. These aquatic resources serve many purposes including providing natural habitat for fish, birds and wildlife, providing water for residential consumption, businesses and for farm irrigation. The scope of the Aquatic Resource DPA supersedes the scope of the *Riparian Areas Regulation*, and facilitates comprehensive protection of the estuarine environment and marine foreshore, watercourses, and aquifers and their recharge areas.

The Cowichan Estuary, the body of water located at the mouths of the Cowichan and Koksilah Rivers, is one of the largest on BC's coast and recognized internationally for providing a biologically rich and diverse habitat for fish, birds and wildlife – particularly for Chinook salmon, Pacific Great Blue Heron, and overwintering waterfowl. Areas of the lower Cowichan River and Koksilah River and their tributaries, the marine foreshore, and intertidal zone have been recognized for their ecological importance to an array of aquatic species. Coho and Chinook Salmon are of particular importance for a variety of social, economic and cultural reasons. The estuarine environment has been identified as critical habitat for Chinook. Crab populations are not well documented but are harvested on a year-round basis. Shellfish populations, while important to the environment, have been closed to harvesting since 1973 due to fecal coliform pollution.

Riparian Areas, as defined by the *Riparian Areas Regulation*, are subject to an environmental review by a Qualified Environmental Professional and appropriate measures to protect fish habitat. Riparian Areas, including those that do not provide fish habitat, also act as natural water storage, drainage and purification systems. These areas need to remain in a largely undisturbed state in order to prevent flooding, control erosion, reduce sedimentation, and recharge groundwater.

Marine Riparian Areas provide many ecological services including: slope and soil stability; sediment control; water purification; fish, bird and wildlife habitat; microclimate; nutrient input; and habitat structure in the form of large woody debris. Marine Riparian Areas are particularly important for forage fish spawning habitat in support of many fish and wildlife species. The construction of retaining walls and sea walls can disrupt marine riparian habitat and coastal geomorphological processes. Without proper engineering and maintenance, they may also pose a threat to development.

High aquifer vulnerability areas are typically areas with unconfined sand and gravel aquifers, which have a low depth to water (or high water table) and high permeability where material above the water table or aquifer provides the least natural protection from surface contamination. The most prominent high aquifer vulnerability area occurs in the lower Cowichan River (Aquifer 186 – the Lower Cowichan River A Aquifer) inland from Cowichan Bay, which has a high water table and highly pervious sand and gravel aquifer. Because of the importance of the aquifer in supplying drinking water and contributing to the health of aquatic and other species, land use and development activities must occur with particular sensitivity in this area.

In addition to those activities occurring in close proximity to aquatic resources, upland land uses must also occur with sensitivity. Considerable vegetation loss in upland areas has occurred either as a result of agricultural cultivation or development activity, which has contributed to increased surface runoff and sediment moving from upland areas to watercourses and eventually the estuary. This has increased pressure on remaining naturally vegetated areas, found in ravines, along watercourses, and in marine riparian areas, to perform the vital ecological service of filtering and slowing the flow of water from upland areas. Research into watershed hydrology and environmental resilience has demonstrated that once certain thresholds of impervious surfaces (total area of roofs, paving, concrete slabs, accessory buildings and other hard surfaces) are

exceeded in the watershed, irretrievable harm may be done to aquatic life. Many of the developed areas of the Plan Area already exceed this threshold of imperviousness.

The Plan Area also includes lands with physical characteristics that, if improperly developed, may lead to property damage or loss of life, or deleterious impacts on both water quality and quantity. Landslides and accelerated erosion have occurred in the Plan Area, most noticeably in areas close to Cowichan Bay Village and along marine shorelines. Residential development close to the top of slopes and the vegetation clearing on and near slopes has created risks for the subject properties as well as for adjacent private properties and public lands.

AR.4 Objectives

- To ensure that development occurs in a manner that minimizes environmental impacts upon aquatic resources;
- To ensure that aquatic habitat is preserved and protected in order to support species biodiversity and natural ecological function;
- To protect aquatic habitat, which supports the economic vitality of fisheries;
- To prevent damage to the environment and increased surface runoff during normal rainfall events;
- To protect development from the potential impacts of increased surface runoff, erosion, or other hazards.
- To promote awareness of potential hazards related to environmental conditions which may be present;
- To allow appropriate development of lands supported by geotechnical assessments where required, and appropriate design provisions to mitigate hazards.

AR.5 General Guidelines

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3, an owner of land that is in the Aquatic Resource Protection DPA as described in AR.2, will apply to the CVRD for a development permit, in accordance with the following:

1. An assessment report will be prepared by a Qualified Professional, with demonstrated experience regarding the subject matter, and submitted to the CVRD in support of the development permit application. The assessment report will identify how the proposed development will affect aquatic resources, will confirm the extent to which the proposed development complies with applicable guidelines, and will recommend measures to reduce or mitigate any negative impacts, such as the:
 - (i) *Appropriate siting of buildings, structures, roads, driveways, parking areas, trails, paths, and utilities;*
 - (ii) *Retention or restoration of native vegetation and soils;*
 - (iii) *Removal of invasive species;*
 - (iv) *Designation of buffer areas to protect natural features or habitat;*
 - (v) *Specification of any activities that may occur within the buffer areas.*
2. Where the *Riparian Areas Regulation* (RAR) applies, the assessment report referred to in Guideline 1 above must comply with RAR requirements as identified in Section AR.6 (1).
3. The assessment report referred to in Guideline 1 above should be consistent with the most recent versions of the following publications:
 - (i) *"Develop with Care 2012: Guidelines for Urban and Rural Land Development in British Columbia" (Province of BC);*
 - (ii) *"Coastal Shore Stewardship: A Guide for Planner, Builders and Developers on Canada's Pacific Coast" (Government of Canada and Province of BC); and*
 - (iii) *"A Guide to the Use of Intrinsic Aquifer Vulnerability Mapping" (Pat Lepcevic, Province of BC; Kate Miller, CVRD; Jessica Liggett).*
4. In addition to the assessment report, a drainage and sediment control plan will be submitted by the applicant designed to:
 - (i) *Minimize landscape disturbance by retaining native vegetation to the greatest extent possible;*
 - (ii) *Minimize soil disturbance and the amount of exposed raw earth;*
 - (iii) *Limit the amount of impervious surface with new development to facilitate rainwater infiltration, normal subsurface drainage flows, and groundwater recharge; and*
 - (iv) *Prevent erosion and sedimentation through the appropriate placement of erosion control fencing.*
5. The drainage and sediment control plan should follow the recommendations in the most recent version of the Province of BC publication "*Best Management Practices (Storm Water Planning – A Guidebook for British Columbia)*", to reduce areas of impervious surfaces and increase natural groundwater infiltration. Onsite stormwater management techniques that do not impact surrounding lands should be used where feasible rather than the culverting or ditching surface runoff.
6. In the case of multi-unit residential, commercial, mixed use and industrial development or where a subdivision is proposed, the drainage and sediment control plan will be prepared by a Qualified Professional Engineer with expertise in hydraulic engineering and application of low impact development approaches.
7. Lands will be retained in their natural state where possible, preserving indigenous vegetation and trees. If suitable areas of land for the use intended exist on lands outside the Aquatic Resource Protection DPA, the proposed development should be directed to those areas in order to minimize development in the DPA. The onus will be placed with the applicant to demonstrate that encroaching into the Aquatic Resource Protection DPA is necessary due to circumstances such as topography,

hazardous conditions or lack of alternative developable land, and that every effort is made to minimize adverse impacts.

8. Where a parcel of land is entirely within the Aquatic Resource Protection DPA, the development should be sited to maximize the separation between the proposed building/land use and the most sensitive area. In cases where the appropriate course of action is unclear, the applicant may be required to prepare at his/her own expense, a report by a Qualified Environmental Professional, which will identify the area of lowest environmental impact that is suitable for the use intended.



Photo: Erosion (silt) control fence

9. The CVRD may require environmental enhancement and restoration for applications within the Aquatic Resource Protection DPA.
10. The CVRD may order environmental enhancement and restoration under the supervision and in accordance with the recommendations of a Qualified Professional; and specify the type of Qualified Professional required for this purpose, where any of the activities identified under DP.3, unless exempt under DP.4, have occurred within the Aquatic Resource Protection DPA, without prior issuance of a development permit by the CVRD.

AR.6 Guidelines for Riparian Areas

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3, an owner of land that is in a Riparian Assessment Area, as defined in the *Riparian Areas Regulation*, including:

- (i) For a stream, the 30 m strip on both sides of the stream measured from the high water mark;
- (ii) For a 3:1 (vertical/horizontal) ravine less than 60 m wide, the strip on both sides of the stream measured from the high water mark to a point that is 30 m beyond the top of the ravine bank; and
- (iii) For a 3:1 (vertical/horizontal) ravine 60 m wide or greater, a strip on both sides of the stream measured from the natural boundary to a point that is 10 m beyond the top of the ravine bank

will apply to the CVRD for a development permit, in accordance with the following:

1. A Qualified Environmental Professional (QEP) will be retained at the expense of the applicant to prepare an assessment report pursuant to Section 4 of the *Riparian Areas Regulation* (RAR) and RAR Assessment Methodology Guidebook. The report will examine the Riparian Assessment Area (RAA) and determine the Streamside Protection and Enhancement Area (SPEA) and any measure to be taken in the RAA to protect or restore the SPEA. The report will be submitted electronically to the appropriate provincial and federal government agencies and to the CVRD.
2. A development permit should not be issued without notification from the appropriate senior government agencies that they have been notified of the proposed development and provided a copy of the QEP report.
3. Where the QEP report finds that the proposed development will result in a Harmful Alteration, Disruption, or Destruction (HADD) to fish habitat pursuant to Section 35(2) of the *Fisheries Act*, the development permit will not be issued unless approval is otherwise provided by the Department of Fisheries and Oceans.
4. Developers are encouraged to exceed the minimum standards of the RAR.

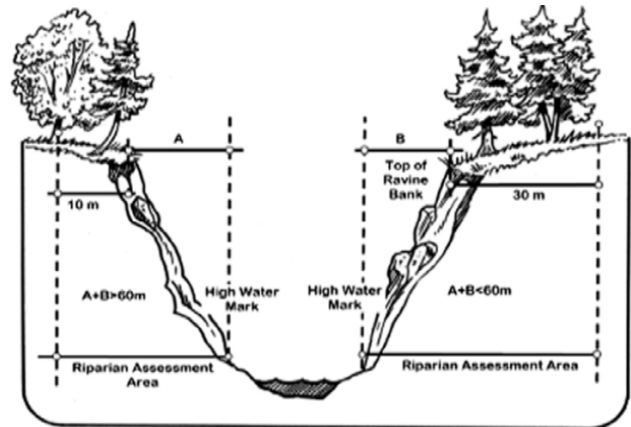


Figure AR.1: Riparian Assessment Area (BC RAR Guidebook)

5. Parcels that would result from a proposed subdivision that are part of or adjacent to riparian areas should be large enough to not only contain a building site that does not require a Streamside Protection and Enhancement Area (SPEA) to be crossed by a driveway, and to accommodate a reasonably usable yard area between the building envelope and the edge of the SPEA, with a depth not less than 7.5 m measured perpendicularly from the building envelope to the boundary of the SPEA.
6. To minimize potential future encroachment into the SPEA, the land owner, in consultation with the CVRD, may:
 - (i) Dedicate land within the SPEA to the CVRD or the Province;
 - (ii) Gift all of part of the SPEA to a non-profit conservation organization; or
 - (iii) Register a restrictive covenant over the SPEA to secure the measures prescribed in the QEP report.
7. Measures identified in the QEP report to protect or restore the SPEA, including the installation of protective fencing or barriers, may be included as conditions of the development permit and implemented by the owner of the subject property.
8. Where a proposed development is subject to a building permit, the QEP is required to attend the site following construction and confirm to the CVRD that the development is in accordance with the QEP report and recommended measures to protect or restore the SPEA, prior to the issuance of an occupancy permit for any new building.

AR.7 Guidelines for Marine Riparian Areas

Unless otherwise exempt under Section DP.4., prior to undertaking any of the activities in Section DP.3, an owner of land that is in a Marine Riparian Areas as described in AR.2, will apply to the CVRD for a development permit, in accordance with AR.5 and the following:

1. A green shores approach will be used to stabilize shorelines where practical.
2. Shoreline hardening, pilings, floats, wharves and other structures which disrupt light penetration to the water column or obstruct public access to the foreshore are discouraged. If permitted, these should be consistent with the current operational statement of Fisheries and Oceans Canada.
3. Shoreline hardening is not supported on parcels that are not subject to active erosion nor are they supported on parcels that erode more rapidly as a result of vegetation removal that is not recommended or supervised by a Qualified Coastal Professional. Shoreline hardening may be acceptable where a Qualified Coastal Professional, has determined that a green shores approach to shoreline stabilization such as vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, tree anchoring or gravel placement are not appropriate given site specific conditions.
4. Where shoreline hardening is proposed, the CVRD will require the applicant, at his or her own expense, to supply a report prepared by a Qualified Coastal Professional which:
 - (i) *Assesses the risk of erosion on the subject property and the suitability of the subject property for a shoreline stabilization device;*
 - (ii) *Analyses the potential impacts on coastal geomorphologic processes as a result of installing or not installing the device;*
 - (iii) *Analyses the potential impacts on adjacent properties as a result of installing and not installing the device;*
 - (iv) *Recommends measures to ensure that the subject property is protected while preventing negative impacts to marine riparian areas, coastal geomorphologic processes or neighbouring properties.*
5. Where shoreline hardening is proposed, it will be integrated with native vegetation and natural features to the greatest extent possible and should not prevent public access along the foreshore. This will necessitate an integrated design and development process supervised jointly by 1) a Qualified Coastal Professional and 2) either a Registered Professional Biologist or Landscape Architect.
6. Subject to Crown approval, fallen trees or logs may be anchored within the Crown foreshore to absorb wave energy and protect banks and beaches from erosion.
7. Marine riparian areas negatively impacted by development or vegetation clearing will be subject to a vegetation restoration plan prepared by a Registered Professional Biologist or Qualified Landscape Architect.



Photo: Forage fish spawning beach (R. De Graaf)

AR.8 Guidelines for Aquifer Protection

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in association with commercial, industrial, mixed use or multi-unit residential development, an owner of land within a floodplain as documented on Schedule C-1, will apply to the CVRD for a development permit, in accordance with AR.5 and the following:

1. The CVRD will require the applicant, at his or her own expense, to supply a report prepared by a Registered Professional Hydrogeologist or Professional Engineer which:
 - (i) *Assesses the characteristics of the aquifer and its ability to accommodate the additional groundwater demand proposed by the development;*
 - (ii) *Assesses the risk of contamination; and*
 - (iii) *Recommends measures to ensure the aquifer is protected, including measures to minimize the risk of deleterious substances or contaminants entering the groundwater.*
2. The level of assessment required will be consistent with hydrogeological assessment framework provided in the most recent edition of "A Guide to the Use of Intrinsic Aquifer Vulnerability Mapping" (Liggett, Lapcevic, and Miller), shown in Figures AR2 and AR3.
3. Measures recommended by the Registered Professional Hydrogeologist or Professional Engineer, if applicable, are required to be implemented by the applicant and will be listed as conditions of the development permit.
4. The CVRD should require that drainage from all impervious surfaces and areas where vehicles are parked be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution, designed by a Professional Engineer to the satisfaction of the CVRD. The Professional Engineer must recommend an appropriate maintenance schedule, which will be included as a condition of the development permit.
5. The CVRD may require the applicant to enter into a Section 219 covenant, registering on title the measures required to prevent contamination of the aquifer as a result of the development.

Development Type - Source of contamination (Hazard)	Intrinsic Vulnerability		
	High	Moderate	Low
High			
Industrial (e.g. chemical manufacturing, electronics, petroleum, refining and storage, metal treating, food processing, wood, and pulp processing, textile manufacturing)	Level 5	Level 4	Level 3
Commercial (e.g. gas stations, furniture strippers, drum cleaning)			
Other (e.g. road deicing, underground pipelines, waste disposal)			
Moderate			
Industrial (e.g. gravel pits)	Level 4	Level 3	Level 2
Commercial (e.g. Dry cleaners, junk yards auto repair and body shops, pest control companies, photographic processing, machine shops, auto part stores, lawn and garden/farm stores, paint stores, hardware stores, medical facilities)			
Agricultural (e.g. heavy chemical use agricultural (fruits and vegetables), manure storage (lagoons, stockpiles)			
Residential (e.g. housing densities of more than 5 dwellings per hectare using septic systems, trailer parks, sewer mains)			
Other (e.g. highways, roads)			
Low			
Commercial (e.g. grocery stores, retail stores, office buildings, laundromats, restaurant, personal service shop)	Level 3	Level 2	Level 1
Agricultural (e.g. low chemical use agriculture (forage crops))			
Residential (e.g. housing densities of less than 5 dwellings per hectare using septic systems)			

Figure AR.2: Level of hydrogeological assessment required for development permit applications based on intrinsic vulnerability mapping classifications and proposed development type or activity (Liggett, Lapcevic, and Miller)

Level of Intrinsic Vulnerability	Hydrogeological Assessment Requirements
Level 1	<i>Groundwater Contamination Assessment Report</i>
	<ul style="list-style-type: none"> — A desk study is required to identify the concerns and potential risk to groundwater and the environment. A standard format hydrogeological report would most likely result showing the nature of groundwater resource, pollution risk, and extent of any barriers to pollution flow, either natural or engineered. — If a potential risk has been identified by the desk study, additional information or groundwater monitoring may be required as per a higher level (depends on the risk).
Level 2	<i>Site Investigation with Monitoring</i>
	<ul style="list-style-type: none"> — Limited site investigation is required to collect baseline data. Some soil and water testing required. Definition of groundwater flow system is required. Effectiveness of barriers, either natural or engineered, to be demonstrated. Calculations or modelling results are to be provided in support of conclusions on level of impact. Limited ongoing monitoring required.
Level 3	<i>Groundwater Protection Plan</i>
	<ul style="list-style-type: none"> — Extensive site investigation for baseline soil and water data. Definition of groundwater flow system is required. Engineering designs for any artificial barriers to be provided. An effluent/water management plan is required. Calculations or modelling results are to be provided in support of conclusions on level of impact. Demonstrated management skills have to be shown. A groundwater protection plan is required coupled with a monitoring schedule and an annual report.
Level 4	<i>Emergency Response Plan</i>
	<ul style="list-style-type: none"> — For moderate vulnerability areas, or where the previous levels of investigation indicate a clear risk to groundwater, a detailed groundwater site investigation is required. — The work should include an ongoing monitoring program, specifics of the potential contaminants (i.e. toxicity, quantity, transport behaviour), details on the protection design factors (i.e. natural attenuation, physical barriers, etc.), a detailed emergency response plan as well as an assessment of the financial capacity of the responsible party to enact the plan.
Level 5	<i>Possible Prohibition</i>
	<ul style="list-style-type: none"> — For highly vulnerable areas where high hazard activities are proposed, or where there is a high potential risk determined from previous investigations. — All of the previous reporting requirements (Level 1-4) should be completed. — In the event that the risk to groundwater is unacceptable, development or an activity may be banned by the responsible authority.

Figure AR.3: Hydrogeological assessment requirements for development permit applications in relation to level of assessment determined by intrinsic vulnerability and proposed activity (Figure AR2)

Critical Habitat Protection Development Permit Area (CH)



Photo: The Garry Oak (*Quercus Garryana*) ecosystem contains more than 100 species of plants and animals at risk of extinction (J.A. Howard-Gibbon)

CH.1 Category

The Critical Habitat Protection Development Permit Area (DPA) is designated pursuant to the following purpose of Section 919.1 of the *Local Government Act*:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)].

CH.2 Scope

The Critical Habitat Protection DPA, documented on Schedule D-1, applies to:

- Development within a 60 m radius of all eagle, hawk, osprey, owl, or peregrine falcon nest trees, or other nest trees of sensitive, rare and endangered species as documented by senior government agencies, the CVRD or Qualified Professionals through on-site investigation;
- Development within a 100 m radius of all great blue heron nest trees, as documented by senior government agencies, the CVRD or Qualified Professionals through on-site investigation; and
- Critical habitat, sensitive ecosystem, or endangered species protection areas, as documented by senior government agencies, the CVRD or Qualified Professionals through on-site investigation; including ecosystems identified by the provincial Sensitive Ecosystem Inventory (SEI), species listed

by the *Species at Risk Act*, critical habitat identified by Parks Canada, and species and ecosystems identified as red-listed or blue-listed by the Provincial Conservation Data Centre.

CH.3 Justification

The guidelines of the Critical Habitat DPA aim to protect critical habitat for rare and endangered species of native vegetation and wildlife. Critical habitat includes lands supporting rare and endangered species, nest sites and Important Bird Areas coincident with the Cowichan Estuary. The Sensitive Ecosystem Inventory of 1993 to 1997 documented rare and fragile ecosystems to support of sound land management decisions that encourage conservation and good land stewardship.

The Cowichan Estuary supports more than one per cent of the world population of several species of waterbirds. The abundance and variety of bird species supported, has led the Cowichan Estuary to be classified as an Important Bird Area (IBA). IBAs range in size from very tiny patches of habitat to large tracts of land or water that may encompass private or public land. Disturbance, filling in of wetlands and industrial pollution threaten bird health and habitat. The 2012 *State of Canada's Birds* Report notes that many bird species are in decline in Canada.

Migratory bird species use the Cowichan Estuary and lower floodplains as a migratory stopover and as a breeding ground. At least 229 species of birds are known to use the area, including the double-crested cormorant, mew gull, mute swan, Pacific loon, red-necked grebe, Thayer's gull, trumpeter swan and western grebe, Canada goose, Pacific great blue heron, bald eagle, and osprey.

Active nests of all bird species are protected under the federal *Migratory Birds Convention Act* and/or the *BC Wildlife Act*. Further protection is required for eagles, hawks, herons, ospreys, owls, peregrine falcons, and other sensitive, rare and endangered birds that depend on the coastal environment, to ensure the viability of their nests, the health of their nest trees, and the health of their surrounding habitat.

Invasive plant and animal species have been documented throughout the Plan Area. Invasive species pose a threat to native plants, wildlife and their native habitat. The development permit application process provides an opportunity to identify invasive species at a site specific level and, where feasible and appropriate, to have them removed

CH.4 Objectives

- To protect the ecological attributes and socio-economic values common to critical habitat.
- To conserve critical habitat in a relatively natural state while simultaneously supporting human uses.
- To plan land development and new subdivisions carefully in a manner that protects critical habitat.
- To protect critical habitat through the use of buffers.
- To identify feasible habitat corridors connecting core conservation areas.

CH.5 General Guidelines

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3, an owner of land that is in the Critical Habitat Protection DPA, as described in AR.2, will apply to the CVRD for a development permit in accordance with the following:

1. An environmental assessment report will be prepared by a Registered Professional Biologist together with other professionals of different expertise as the project warrants, and submitted to the CVRD in support of the development permit application. The consultant or team of consultants should have an understanding of wildlife biology, especially for species at risk, geomorphology, environmental assessment, and development planning in British Columbia. Specific expertise in South Eastern Vancouver Island wildlife species, wildlife habitat, and ecosystems is highly preferred. The environmental assessment report will identify how the proposed development will affect critical habitat, and recommend measures to reduce or mitigate any negative impacts, such as the:

- (i) *Appropriate siting of buildings, structures, roads, driveways, parking areas, trails, paths, and utilities to maximize the distance between the disturbance and terrestrial resources;*
- (ii) *Retention or restoration of native vegetation and soils;*
- (iii) *Removal of invasive species;*
- (iv) *Designation of native vegetated buffer areas to protect natural features or habitat;*
- (v) *Specification of any activities that may occur within the buffer areas;*
- (vi) *Timing of site preparation and development activities to minimize impacts during breeding and nesting seasons.*

2. The environmental assessment report referred to in Guideline 1 above should be consistent with the recent version of the Province of BC publication, "Develop with Care 2012: Guidelines for Urban and Rural Land Development in British Columbia".
3. Land development and subdivision should be planned, designed and implemented to protect environmentally sensitive areas and to maintain intact ecosystems. Habitats that provide for sensitive, rare and endangered species will be given priority for protection.
4. Subdivisions should be designed to avoid parcels entirely within the DPA and to deter future development within the DPA.
5. The CVRD may require the applicant to enter into a Section 219 covenant, registering on title the measures required to protect critical habitat, based on the recommendations within the environmental assessment report.
6. The CVRD may require environmental enhancement and restoration for applications within the Critical Habitat DPA.
7. The CVRD may order environmental enhancement and restoration under the supervision and in accordance with the recommendations of a Qualified Professional; and specify the type of Qualified Professional required for this purpose, where any of the activities identified under DP.3, unless exempt under DP.4, have occurred within the Critical Habitat DPA without prior issuance of a development permit by the CVRD.

Sensitive Lands Development Permit Area (SL)

SL.1 Category

The Sensitive Lands Development Permit Area (DPA) is designated pursuant to the following purposes of Section 919.1 of the *Local Government Act*:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)];
- Protection of development from hazardous conditions [919.1(1)(b)].

SL.2 Scope

The Sensitive Lands DPA, documented on Schedule D-2, applies to:

- Slopes of 15% or greater;
- Cowichan and Koksilah Rivers' floodplains; and
- High hazard wildfire interface areas.

SL.3 Justification

The Plan Area includes lands with physical characteristics, including poorly drained clay soils conducive to lateral water movement, which if improperly developed, may lead to property damage or loss of life, or deleterious impacts to the environment. Landslides and accelerated erosion have occurred in the Plan Area, most noticeably in areas close to Cowichan Bay Village and along marine shorelines.

Poorly designed development, including retaining walls, on or near slopes, pose a risk to both the subject properties as well as for adjacent private properties, public lands, and infrastructure. Vegetation removal and overly aggressive pruning of trees on or near slopes may destabilize these areas and contribute to landslides. Vegetation on slopes holds the bank through its roots; the impact of vegetation removal is compounded by changes to roots which, over time, deteriorate, decompose and lose their ability to provide slope stabilization. Inappropriate development on floodplains may increase the potential risk of loss of life, property and environmental damage. Similarly, development must be carefully planned in high hazard wildfire interface areas to not increase wildfire risk.



Photo: An eroded slope in the Plan Area (CVRD)

Residents and home owners of the Plan Area have generally been good stewards of the environment, recognizing the importance of maintaining native trees and associated understory vegetation to protect their properties from potential hazards. The Sensitive Lands DPA is intended to accommodate routine property maintenance, landscaping, and site and building improvements for existing development through permissive exemptions. The DPA is also intended to ensure that the natural environment and existing development are protected from potential hazards which include, but are not limited to, bank instability, erosion, groundwater seepage, land slip, flooding, mud flows, and wildfire.

SL.4 Objectives

The Sensitive Lands DPA is established with the following objectives:

- To reduce the potential risk of loss of life, property and environmental damage;
- To promote awareness of the potential hazards related to terrain conditions which may be present;
- To allow appropriate development of lands supported by geotechnical assessments and appropriate design provisions to mitigate hazards.

SL.5 Guidelines for Slopes & Floodplains

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 on slopes of 15% or greater or floodplain as described in Section SL. 2, an owner of land, will apply to the CVRD for a development permit, in accordance with the following:

1. A geotechnical report will be prepared, signed and sealed by a Professional Engineer or Professional Geoscientist, and submitted to the CVRD in support of the development permit application. The geotechnical report must confirm that, if recommendations are followed, the site may be used safely for the intended development over the projected life of the development. The geotechnical report should:
 - (i) *Describe the topographic and vegetation conditions of the site;*
 - (ii) *Identify potential hazards to which the site may be subject;*
 - (iii) *Assess the suitability and stability of the site for the proposed development in relation to potential hazards;*
 - (iv) *Assess the predicted changes to site drainage;*
 - (v) *Make recommendations respecting the appropriate siting of parcels, buildings, structures, roads, driveways, parking areas, trails, paths and utilities; and measures to manage drainage impacts; and*
 - (vi) *Provide a construction management plan and a two year, post-construction monitoring plan.*
2. A development permit will not be issued without confirmation of the opinion of the Professional Engineer or Professional Geoscientist regarding the safety of the proposed development for the use intended and assurances that the development will not have a detrimental impact on the environment or adjoining lands. No development or alteration of land will occur, and no development permit will be issued, if the geotechnical report indicates that a hazardous condition, that cannot be adequately mitigated, may result.
3. The applicant may be required to supply a sediment control plan, drainage control plan, revegetation plan, or combination thereof complete with recommendations for implementation prepared by a Professional Engineer or Professional Geoscientist. .
4. The CVRD may require the registration of covenants on title to save harmless the CVRD in the event of any damages as a result of a hazard that may be present on the property or to register measures required to protect development from hazardous conditions as noted in the geotechnical report.
5. The CVRD may require environmental enhancement and restoration for applications within the Sensitive Lands DPA.
6. The CVRD may order environmental enhancement and restoration under the supervision and in accordance with the recommendations of a Registered Professional Biologist, where any of the activities identified under DP.3, unless exempt under DP.4, have occurred within the Sensitive Lands DPA without prior issuance of a development permit by the CVRD.



Photo: A previously eroded slope restored with planting and geocells placed between existing trees (Shannon & Wilson Inc.)

SL.6 Guidelines for High Hazard Wildfire Interface Areas

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in high hazard wildfire interface areas as described in Section SL.2, an owner of land, will apply to the CVRD for a development permit in accordance with the following:

SUBDIVISION:

1. All parcels created through a subdivision process shall have adequate access for evacuation, emergency responders and fire protection.
2. The number and location of access points to be provided shall be based on the anticipated number and location of building sites that may result from the subdivision.
3. Where forested lands abut new subdivisions, roadways should be placed adjacent to those lands to provide a fuel break between the forested area and new subdivision.
4. Wildfire hazard reduction should occur in a manner that is supportive of natural ecologic function. Typical methods include tree and vegetation thinning, removal of debris from the ground.
5. The CVRD may require the registration of covenants on title to save harmless the CVRD in the event of any damages as a result of a hazard that may be present on the property or to register measures required to protect development from hazardous conditions

BUILDING DESIGN:

6. At subdivision, a building scheme or restrictive covenant shall be registered on title specifying that:
 - (i) *The roof covering must conform to BC Building Code; Class A or Class B fire resistance.*
 - (ii) *Exterior building cladding must be fire resistant. Examples include stucco, metal siding, brick, cement shingles, cement board, concrete composite, rock and logs or heavy timber construction as defined in the BC Building Code.*
 - (iii) *Structural components of decks, balconies and porches must be heavy timber construction as defined in the BC Building Code, or clad with fire resistant material such as stucco, metal siding,*

brick, cement shingles, cement board, poured concrete or rock.

- (iv) *All chimneys constructed for wood burning fireplaces must have 12 gauge or better spark arrestors made of welded or woven wire mesh, with openings not exceeding 12 mm.*
- (v) *All windows must be double-paned or tempered.*
7. Alternative material specifications to those stated above may be acceptable if the applicant can demonstrate that such material specifications meet or exceed the expected level of fire safety.
8. During development and redevelopment, primarily non-combustible materials should be used for building roofs and cladding.

LANDSCAPING:

9. Within 30 m of a building site, the following should occur to reduce the risk of wildfire:
 - (i) *Thin the canopy and understory and prune lower branches;*
 - (ii) *Maintain a tree canopy spacing of 3m;*
 - (iii) *Utilize non-combustible and native vegetation;*
 - (iv) *Remove dead and dying trees; and*
 - (v) *Remove slash from the site.*
10. At subdivision, a building scheme or restrictive covenant shall be registered on title specifying that within 10 m of all dwelling units:
 - (i) *Only non-combustible landscaping may be used;*
 - (ii) *No trees, limbs or shrubs may overhang roofs or grow beneath the eaves of buildings;*
 - (iii) *A tree canopy spacing of 3 m will be maintained;*
 - (iv) *Coniferous trees will be pruned so that there are no branches to a height of 2.5 m;*
 - (v) *Hedges may not exceed 2 m in height;*
 - (vi) *No piled debris (firewood, building materials, or other combustible materials) may occur; and*
 - (vii) *Ground debris, litter, and dead and dying trees shall be removed at least annually.*

Agricultural Protection Development Permit Area (AG)

AG.1 Category

The Agricultural Protection Development Permit Area is designated pursuant to the following purpose of Section 919.1 of the *Local Government Act*:

- Protection of farming [919.1(1)(c)].

AG.2 Scope

The Agricultural Protection DPA, documented on Schedule D-3, applies to:

- All lands that are designated Agricultural Resource (A) or located within the Agricultural Land Reserve (excluding First Nations Reserves);
- All lands that are within 30 m of lands designated Agricultural Resource (A) or within the Agricultural Land Reserve; and
- All lands that are within 30 m of Lot 2, Section 4, Range V, Cowichan District, Plan 2306 (PID 006-435-378).

AG.3 Justification

Agriculture is recognized as an integral element of the local economy, local food self-sufficiency and the rural aesthetic character of the Plan Area. As such, the protection of high quality agricultural land for agricultural production is essential. The agricultural land base should not be compromised by the inappropriate siting of residential and non-farm buildings on agricultural lands, nor should it be compromised by development on adjacent non-agricultural lands. The *Farm Practices Protection Act* is provincial legislation that protects bonafide farm activities.

Land use conflicts may arise between agricultural lands and adjacent non-agricultural parcels with respect to noise, odours, dust, farm run-off and the operation of

farm machinery and equipment. Conversely, adjacent non-farm uses that are not adequately separated from agricultural land, can contribute to farm trespass, vandalism to farm property, crops and equipment, disturbance to farm animals from humans and domestic animals, impacts on wildlife species that use agricultural lands, and the introduction of invasive species and litter. Sensitive site planning and development can reduce the potential for such conflicts, resulting in benefits for landowners along both sides of the agricultural and non-agricultural boundary.

AG.4 Objectives

There are two primary objectives of the Agricultural Protection DPA:

- To protect agricultural land capability through the appropriate siting of buildings, structures and uses on lands within the ALR and lands adjacent to the ALR; and
- To minimize the potential for land use conflicts between agricultural and non-agricultural land uses.

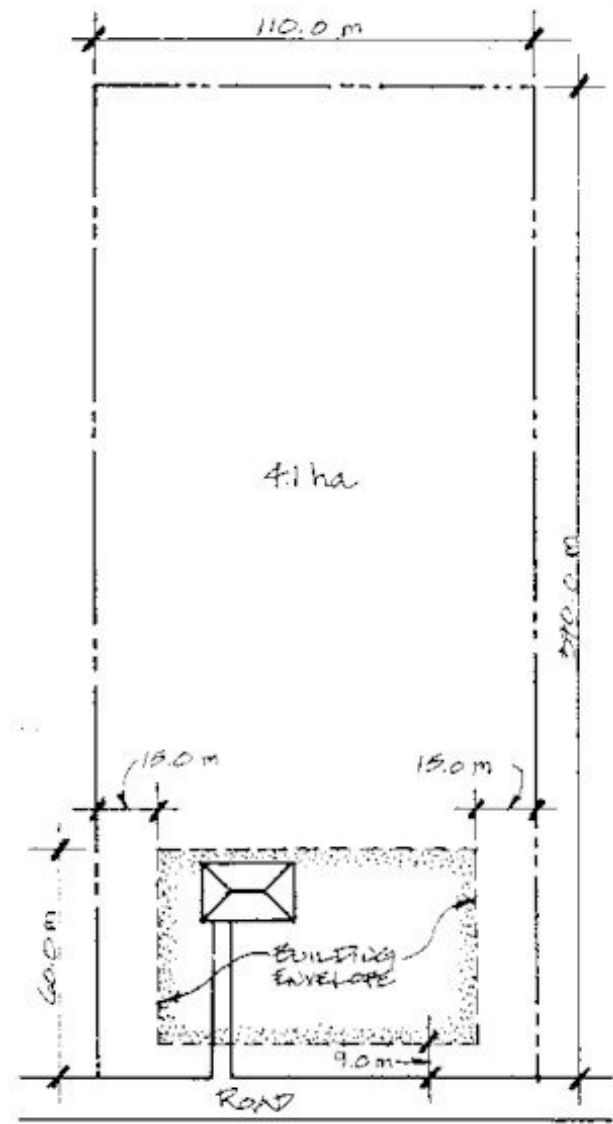


Photo: Agricultural activity in the Plan Area (CVRD)

AG.5 General Guidelines

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 within the Agricultural Protection DPA as described in AG.2, an owner of land, will apply to the CVRD for a development permit in accordance with the following:

1. The development permit application will include an assessment of the site and provide design measures for the site that are most appropriate given the type and intensity of the use and its relationship to farm uses.
2. Subdivision design must minimize potential negative impacts that may occur between farm and non-farm land users.
 - (i) *The layout of new residential subdivisions should be designed so that there is at least 30 m separating habitable buildings and the ALR boundary.*
 - (ii) *Public road endings or road frontage next to ALR should be avoided except as may be necessary for access by farm vehicles.*
 - (iii) *Subdivision design and construction should minimize erosion and maintain ground water quality and quantity through adequate rainwater management.*
3. Residential and accessory (non-farm) uses should be located in such a way to minimize the impact on present and potential farming; they should not be located on high-capability soils, as shown on agricultural capability mapping or as evidenced in field observation by a Qualified Agrologist, but rather located on soils that have low-capability for agricultural production. This should generally result in:
 - (i) *Residential and accessory (non-farm) uses being located together in a cluster;*
 - (ii) *The setback to residential and accessory (non-farm) from the primary access to the parcel being minimized;*
 - (iii) *Driveways, parking areas and impervious surfaces placed on the land in such a way as to minimize the impact upon present and potential farming, with the length of driveways and area of impervious surfaces minimized.*



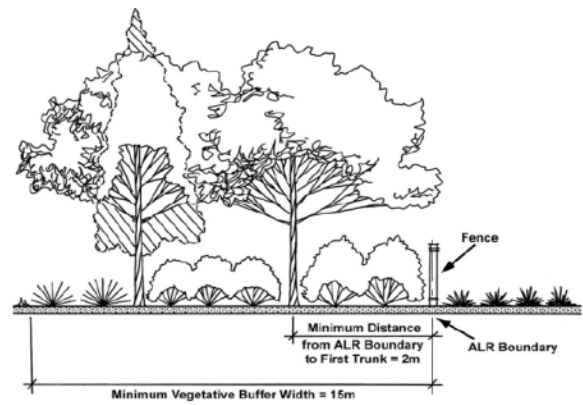
Graphic: A residential building and associated driveway sited to minimize intrusion on agricultural land (BC Agricultural Land Commission)

4. A vegetated buffer should be maintained or established along the ALR boundary and on non-ALR land within this DPA, in accordance with the following criteria:

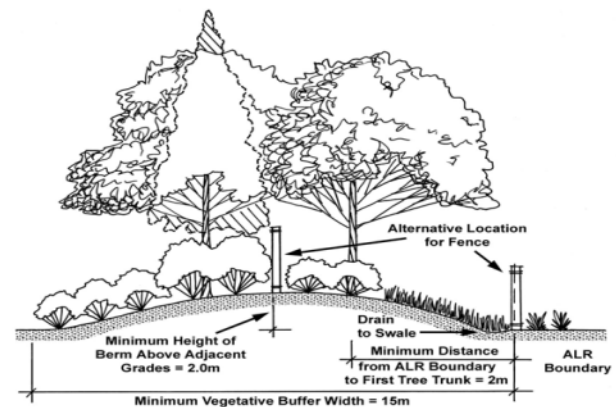
- (i) All buffers (type and size) must be established according to the BCMAL Guide to Edge Planning, Section 10, urban-side buffer design criteria (Figure AG1);
- (ii) If paths and/or passive recreational uses are part of the landscaped buffer, the recreational features will not take up more than 1/3 the width of the buffer and they will be located away from the ALR boundary.
- (iii) All buffer areas must be landscaped using materials set out in Appendix B of the BCMAL Guide to Edge Planning. If appropriate vegetation already exists on the site it should be retained as part of the buffer. The existing vegetation may serve as the entire buffer as determined by the local government;
- (iv) Plant layout, spacing and support must be in accordance with the BCMAL Guide to Edge Planning, Section 10 design specifications and layout;
- (v) The design and construction of the landscaped buffer must be to the standard of the BC Society of Landscape Architects/BC Nursery Trades Association publication BC Landscape Standards, most recent edition;
- (vi) If adequate fencing does not currently exist, fencing must be constructed where a subdivision adjoins the ALR boundary. Solid wood fencing must be constructed in accordance with BCMAL Guide to Edge Planning, Appendix C; and
- (vii) The buffer should be installed prior to commencing building construction or land alteration.
- (viii) The buffer will remain free of buildings and structures, with the exception of fencing.

5. A buffer maintenance plan will be developed and signed by a Registered Landscape Architect or Registered Professional Biologist.

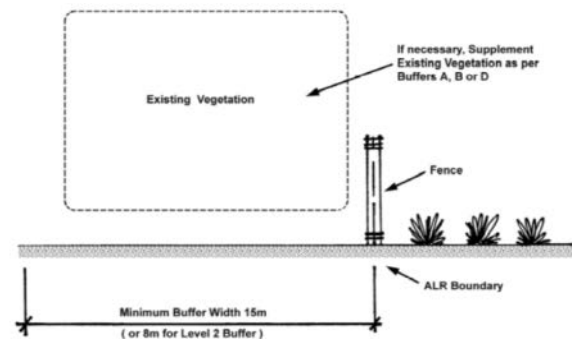
6. A Section 219 covenant for the vegetation buffer area may be required, restricting the removal of vegetation and the construction of any buildings or structures other than fencing within the buffer area.



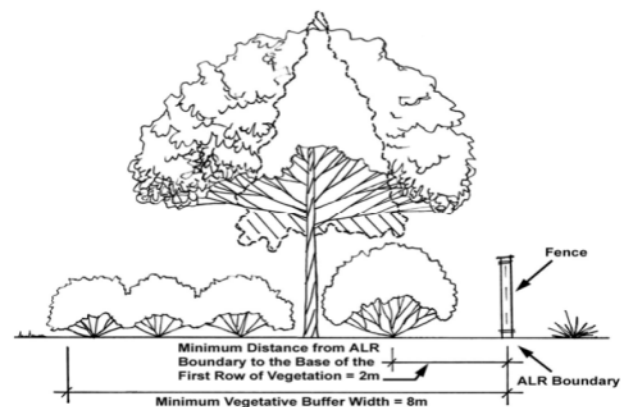
Graphic: Urban-side Buffer A (BCMAL Guide to Edge Planning)



Graphic: Urban-side Buffer B (BCMAL Guide to Edge Planning)



Graphic: Urban-side Buffer C (BCMAL Guide to Edge Planning)



Graphic: Urban-side Buffer D (BCMAL Guide to Edge Planning)

Urban-Side Setback & Buffer Design Criteria for Urban-ALR DPAs			
	Setback Distance and Buffer Size	Buffer Height ¹	Buffer Design Features
<u>Level 1</u> Urban-side Residential Setback & Buffer²	Setback 30 m from ALR boundary Buffer Width 15 m – buffer is located within the 30 m setback	6 m (finished height)	<ul style="list-style-type: none"> — Mixed planting of fast growing tree and shrub species with foliage from base to crown – long thin foliage desirable. Include at least 60% evergreen conifers to collect dust & spray drift. — No gaps in buffer and no tightly packed hedges; crown density of 50-75%. Design as wedge shaped if odour dilution desired. — Design specifications and layout will be as per urban-side Buffer A or B (p.24); or existing vegetation may be retained as part of buffer (Buffer C, p.26). — Leave 2 m of low growing or no vegetation from ALR boundary. — If paths and passive recreational uses (e.g. picnic areas) are part of the landscaped buffer, the recreational features will not take up more than 1/3 the width of the buffer and they will be located away from the ALR boundary.²
<u>Level 2</u> Urban-side Non-Residential Setback & Buffer (e.g. passive recreation, industrial, or commercial)	Setback 15 m from ALR boundary Buffer Width 8 m – buffer is located within the 15 m setback	6 m (finished height)	<ul style="list-style-type: none"> — Either a double row of mixed deciduous/coniferous (with at least 60% evergreen conifers) or just coniferous, and hedging/screening shrub species with foliage from base to crown. — Design specifications and layout will be as per urban-side Buffer D (p.27); or retain existing vegetation (Buffer C, p.26). — Leave 2 m of low growing or no vegetation from ALR boundary.

Figure AG1: Urban-Side Buffer Criteria (Ministry of Agriculture and Lands Guide to Edge Planning)

¹ If spray drift is a concern, tree height should be 1.5 times the spray release height or target height, whichever is higher.

² Residential parcels that are separated from the ALR by a road allowance can reduce the size of the Level 1 buffer provided new driveway accesses from these parcels onto the subject road allowance are avoided or minimized. The siting of the residence should still be 30 m but the vegetative buffer can be reduced to a 7.5 metre width and located as near and parallel to the ALR boundary as possible.

Rural Character Development Permit Area (RC)



Photo: Great Pacific Blue Heron (T. Chatwin)

RC.1 Category

The Rural Character Development Permit Area (DPA) is designated pursuant to Section 919.1 of the *Local Government Act* for the following purposes:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)];
- Protection of development from hazardous conditions [919.1(1)(e)];
- Establishment of objectives for the form and character of intensive residential development [919.1(1)(e)];
- Establishment of objectives for the form and character of commercial, industrial or multi-unit residential development [919.1(1)(f)];
- Establishment of objectives to promote energy conservation [919.1(1)(h)];
- Establishment of objectives to promote water conservation [919.1(1)(i)]; and
- Establishment of objectives to promote the reduction of greenhouse gas emissions [919.1(1)(j)].

RC.2 Scope

The Rural Character DPA, documented on Schedule D-4, applies to all lands within the Plan Area except lands within the Marine Village DPA.

RC.3 Justification

Electoral Area D – Cowichan Bay is a distinct community whose rural character is influenced by the agricultural landscape, the natural and maritime setting, and heritage. Community members value the quality and integrity of the built and natural environments and seek places to live, work, and play that enhance their quality of life and general community well-being.

The Rural Character DPA provides guidelines to ensure that development reflects the community's rural character, complements the natural environment and natural processes, and is safe for intended uses.

The orientation, scale, form, height, setback, materials, and design of developments are controlled by development permits to ensure compatibility with existing neighbourhoods and the surrounding community, and are readily accessible by all users.

Intensive residential development in the form of small lots and small units provides an opportunity to increase the affordability and diversity of the housing stock within the Plan Area. This type of development also provides an opportunity to strengthen social infrastructure, to support for local shops and services, and to enhance the viability of public transit.

Where development is proposed on sites with significant features such as trees, watercourses, heritage resources and archaeological sites, the Rural Character DPA guidelines are intended to protect those features, particularly through development clustering, varying parcel sizes, and other measures. This is a departure from the traditional approach to land development, which the community desires to move away from, which simply involves taking a parcel of land and dividing it into roughly equal size parcels depending on its development potential. The concept of clustering development and creating opportunities for varying residential densities

and parcels of varying sizes is particularly important as the Plan Area, at the time of preparing this Plan, has little diversity in its housing stock. Cluster development provides an opportunity for a unique and potentially affordable housing form which can accommodate diverse households and active seniors in particular.

The Rural Character DPA recognizes and supports the role of landscaping for both functional and aesthetic purposes. While landscaping is intended to enhance the aesthetic quality of development, it is also integral to supporting species biodiversity and providing ecological functions and services.

The Rural Character DPA further provides an opportunity to address how rainwater is managed both during subdivision and development. In an undisturbed environment, native soil, vegetation and trees play a role in the natural hydrologic cycle, by moving rainfall to streams, deep groundwater and subsurface flows, and also by intercepting rainfall and returning it to the atmosphere through evapo-transpiration. Land development, including residential subdivision, affects rainwater quality by removing forest cover, installing open ditches, removing or disrupting seasonal or permanent wetlands, causing soil erosion during construction, introducing chemical nutrients and pesticides, removing or compacting absorbent soils, paving roads, streets, driveways, parking, yard areas and patios, and roof area drainage. On a site level, these activities can have low level consequences, but the cumulative effects are great,

Land development activities may alter the natural hydrologic cycle and cause changes to water runoff volume and rate through the creation of impervious surfaces and removal of vegetation. An increase in water runoff can cause the following environmental and infrastructure impacts: erosion and sedimentation in watercourses and channel instability; habitat degradation; flooding and associated financial costs to property owners and downstream public infrastructure; disruption of natural water filtration resulting in diminished create water quality; and reduced subsurface water flow which in turn affects water recharge of creeks/streams during dryer months.

The negative impact of altered drainage patterns can be felt when the amount of impervious surface in a watershed equals as little as ten percent of the watershed area. Most residential development of densities greater than one parcel per hectare will exceed 10% impervious area and alter drainage patterns³. As a result, rainwater management is needed at such densities, to avoid damage to the natural environment, minimize possible flood damage and protect public and private infrastructure investment. As such, all development generating greater than 10% impervious surface should implement rain and stormwater management measures, except in isolated cases where development in a catchment area is well below 10%.

BC rainfall records show that the majority of rain (75%) occurs in small events of 30 mm or less⁴. Twenty percent of rainfall occurs in larger storms (30 to 60 mm of rain) and 5% in extreme storms (>60mm). Broadly speaking, the first goal of rain and stormwater management is to return 90% of rainwater generated on a site to the natural hydrological cycle through infiltration, evapotranspiration and reuse on site, and allow only 10% to leave the site as typical drainage. Secondly, rainwater from larger events such as a mean annual flood-events causing stream channels, should be captured on site and then released at a rate that mimics natural flows. Thirdly, stormwater management plans must be designed to safely transport water to an appropriate outfall during extreme rainfall events.

The use of low impact development measures also referred to as alternative development standards, such as pervious pavers, bioswales, and raingardens, provide an opportunity to depart from traditional techniques such as culverts, gravel beds and fenced storm ponds and approach a more naturalized landscape and watershed. Such measures may also provide additional

³ Ministry of Land, Water and Air Protection. *Stormwater Planning: A Guidebook for British Columbia*. May, 2002.

⁴ Rainfall spectrum statistics based on BC average. Site specific data can be provided by qualified professional engineer.

benefits including the provision of habitat for native species. Low impact development measures further support the aesthetic qualities of the rural landscape, which are so highly valued by community members.

Redevelopment of existing sites along with new development presents an opportunity to promote energy conservation, water conservation, and the reduction of greenhouse gas emissions to support the CVRD's commitment to addressing climate change and increasing energy resiliency within the region.

RC.4 Objectives

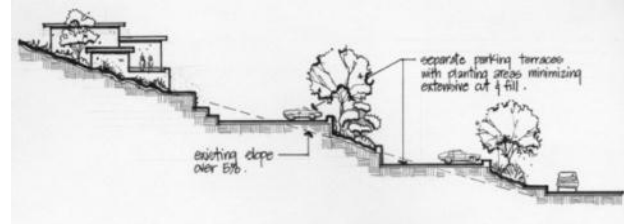
Objectives of the Rural Character DPA are:

- To provide a positive contribution to established neighbourhoods by enhancing aesthetic character through high quality and complementary design, building materials, and landscaping;
- To minimize impacts on ocean views and, where possible, enhance access to the waterfront for local residents;
- To provide safe, accessible alternative transportation connections between the development and community destinations;
- To provide increased opportunities for recreation, cultural appreciation and positive social interaction;
- To provide safe, affordable and highly livable housing choices for residents;
- To minimize impacts on adjacent land uses;
- To preserve natural site characteristics to the greatest extent possible, including natural terrain, drainage features, soil structure and native vegetation;
- To prevent an increase in volume and rate of surface and sub-surface drainage from a site following development by maintaining the natural hydrological cycle to the greatest extent possible;
- To improve the quality of water draining from a site following development;
- To prevent erosion and sediment transport as a result of development;
- To incorporate low impact development techniques, where possible; and
- To promote energy and water conservation and greenhouse gas emissions reduction.

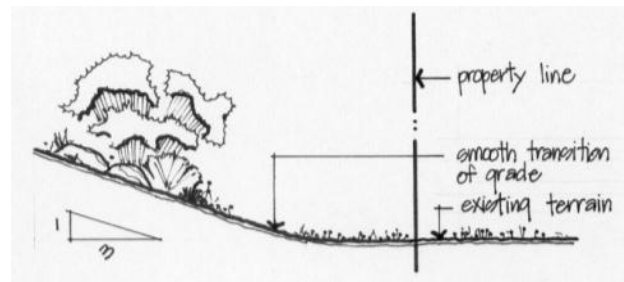
RC.5 General Guidelines

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in the Rural Character DPA as described in Section RC.2, an owner of land, will apply to the CVRD for a development permit, in accordance with the following:

1. Sites will be designed to protect significant features such as streams, wetlands, riparian areas, marine riparian areas, natural drainage features, native vegetation, nest trees, steep slopes, and archeological and heritage resources. Clustering development, including buildings, structures, parking, and amenity areas will help protect such features, reduce infrastructure costs and minimize the amount of impervious surfaces.
2. Where clustering is used to protect significant features, or to encourage water conservation, energy conservation or GHG reduction, development variances may be supported.
3. Impervious surfaces shall be minimized and, where necessary, be light and reflective as opposed to dark and absorbent, to minimize heat buildup. Pervious surfaces should be used for driveways, parking areas, and amenity areas where possible.
4. Development should be sited on south-facing slopes, with the long axis running east to west, to provide maximum solar access and opportunities for planting vegetation to control solar gain.
5. Development should be oriented to maximize passive ventilation and cooling from prevailing breezes.
6. Development should be designed to reduce the risk of fire and wildfire through careful placement of buildings and structures in relation to combustible vegetation.
7. Development on sloping sites should step down with the natural grade of the site in plan and section, in order to minimize cuts and fills, retaining walls, artificial embankment of grade, or extensive regrading.
8. Slopes of cut and fill banks should be designed to withstand erosion and promote revegetation opportunities, with slopes not exceeding 1:2. At property edges, slopes should not exceed 1:3.



Graphic: Development on sloping sites stepping down with natural grade (Sedona, AZ)



Graphic: Smooth grading at property line (Sedona, AZ)

9. Roads and driveways should be located at least 15 m from the edge of a bank or from a shoreline, so as to keep sand, gravel, oils and fuels, and road salt from surface runoff and streams. Driveways should be angled across the hill's gradient, where possible, and be composed of porous materials such as road mulch, small modular pavers or pre-cast concrete lattice, to keep surface runoff to a minimum.
10. Natural drainage features on the site should not be modified. Drainage features that have been previously impacted by development should be daylighted or restored where possible.
11. Low-impact development measures, incorporating native vegetation and soils such as naturalized ponds, bioswales or rain gardens, should be used to manage rainwater and prevent surface runoff to adjoining lands.
12. Measures will be taken during site preparation and development to retain all eroded soil, protect natural features, control surface runoff, prevent the release of deleterious substances, stabilize disturbed slopes, and restore disturbed areas upon development completion.
13. Significant natural features such as mature trees should be protected during construction through the use of protective fencing, located at the dripline.
14. Invasive species should be manually removed and replaced with native vegetation.
15. On-site liquid waste management (septic) systems should be set back a minimum of 30 m from the high water mark of a watercourse or the ocean and from slopes greater than 15%.
16. The complete clearing of development sites is discouraged. Any clearing for roads, buildings, structures, and utilities, with the exception of necessary hydraulic, percolation, or geotechnical testing, will only occur until after the issuance of a Development Permit to minimize the potential for soil erosion, surface runoff and spread of invasive species.



Photo: Rain gardens are an example of a low impact development measure

RC.6 Guidelines for Intensive Residential Development

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in association with intensive residential development, an owner of land, will apply to the CVRD for a development permit, in accordance with RC.5, RC.12, RC.13, and RC.14 in addition to the following:

1. Parcel coverage should be limited to 30% for the principal building.
2. Accessory buildings should have a small footprint, not exceeding 25 m².
3. Minimum setbacks should be consistent with neighbouring development and general neighbourhood pattern.
4. Where development abuts a public roadway, small front yards are considered desirable to promote social interaction along streets.
5. Side yards should not be less than 1.5 m.
6. Infill development must be designed to complement the scale and character of adjacent development and neighbourhood pattern.
7. Semi-detached dwellings should give the appearance of single detached dwellings, with one shared driveway and a staggered front façade to avoid a duplicate, mirror image.
8. Building height should be limited to two stories.
9. Garages should be secondary to the primary form of the home and recessed behind the front façade of the principle dwelling.
10. Shading impacts should be minimized by stepping the building inward or reducing the overall building footprint.
11. Upper floors should be proportionally smaller than lower floors to avoid the appearance of a box.
12. Variation in rooflines through the use of gables, hips and dormers is encouraged. Where possible, dormers should be used to accommodate residential living space within the truss system of a proposed dwelling.
13. Roof pitches should complement neighbouring development.

Intensive residential development refers to development associated with semi-detached dwellings, single detached dwellings on parcels less than 500 m² in size and parcels with less than 10 m frontage (including panhandle lots).

14. A combination of two or more building materials is desirable. Vinyl is discouraged.
15. Colour schemes should be of a natural hue and complementary accent colours and wood trim are encouraged to emphasize architectural features. Pastels should be avoided.
16. Fences and hedges fronting individual dwellings units should not exceed 1.0 m in height.
17. Where development abuts a public roadway, buildings should relate to the public domain by including features such as porches, balconies, and covered entryways. Fencing and hedging should be used to delineate private and public spaces.



Photo: Green Lake Residence, Seattle, WA (ZAI Inc.)

RC.7 Guidelines for Cluster Residential Development

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in association with intensive cluster residential development, an owner of land, will apply to the CVRD for a development permit, in accordance with RC.5, RC.12, RC.13, and RC.14 in addition to the following:

1. Development should promote rural character by encouraging building and site design that respects the surrounding rural context.
2. Various complementary materials and/or colours to distinguish individual dwellings units in the development are encouraged. Vinyl is discouraged.
3. The development will be designed with nature by:
 - (i) *Retaining at least 50% of existing trees, vegetation, and other important natural features;*
 - (ii) *Siting development away from steep slopes, natural drainage features and watercourses;*
 - (iii) *Incorporating low-impact development features such as rain gardens, bioswales and infiltration trenches as both landscaping and rainwater management measures; and*
 - (iv) *Incorporating energy and water conservation measures.*
4. A common open space area of not less than 400 m² will be provided which is shared by not less than 4 and not more than 12 dwelling units. The open space area is encouraged to provide food gardens.
5. Dwelling units should be not more than 120 m² in size and not more than 1.5 storeys in height.
6. Dwellings units should be arranged on the site to facilitate social interaction, build a sense of community and create defensible space by:
 - (i) *Ensuring building entrances face each other and/or open space common to all units within a cluster;*
 - (ii) *Providing for visual surveillance of open space common to all units within a cluster; and*
 - (iii) *Providing patios, porches, or verandas adjacent to common areas.*
7. All dwelling units should have direct access to a larger pedestrian network including parks, trails, and roadside pathways.
8. Due to the close proximity of individuals dwellings to one another, careful attention will be paid to the siting of buildings and arrangement of windows to protect inhabitants' privacy while maintaining individual access to sunlight, air, and open space.
9. Driveways, parking and service areas will be clustered together and screened from view rather than segregated among individual dwelling units.
10. Fences and hedges fronting individual dwellings units should not exceed 1.0 m in height.



Graphic: Cluster development with common open space (Ross Chapin Architects)



Graphic: Building design, colours and materials that complement rural character (Ross Chapin Architects)

RC.8 Guidelines for Multi-Unit Residential Development

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in association with multi-unit residential development, an owner of land, will apply to the CVRD for a development permit, in accordance with RC.5, RC.10, RC.11, RC.12, RC.13, and RC.14 in addition to the following:

1. Multi-unit development should be designed to maintain residential character and be compatible with adjacent uses.
2. Multi-unit developments should be designed in groups of six dwellings or less to give inhabitants a sense of privacy and community, and to identify their territory according to the principles of defensible space.
3. All dwellings and their private amenity areas should receive direct sunlight every day of the year. To ensure sunlight access, the minimum north-south spacing between adjacent buildings should be determined by the vertical angle of the sun at solar noon at the equinoxes.
4. Multi-unit dwellings situated near single detached dwellings should be particularly sensitive to issues of privacy/overlook over adjacent properties. Consideration should be given to greater setbacks above the ground floor, special landscaping measures and orienting living and amenity areas away from neighbours.
5. Common facilities such as meeting spaces, lounges, food gardens, shared amenity areas and recreation areas are encouraged to provide opportunities for residents to socialize and develop a sense of community.
6. Where multi-unit development includes more than one building, each building should have a distinct building form but should complement the others through the use of common architectural and landscape elements, and complementary colours and materials.
7. For developments of 10 or more dwelling units, the Merton Rule should be applied by supplying at least 10% of energy used in the development from on-site renewable energy sources.



Photo: Development incorporating natural materials, neutral colours, recessed balconies, and a distinct base, middle, and top to reduce mass (CVRD)



Photo: Townhome development (Suncraft Construction)

RC.9 Guidelines for Commercial, Mixed-Use & Industrial Development

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in association with commercial, mixed-use or industrial residential development, an owner of land, will apply to the CVRD for a development permit, in accordance with RC.5, RC.10, RC.11, RC.12, RC.13, and RC.14 in addition to the following:

1. Building indentations to accommodate landscaped pedestrian areas are encouraged. These areas should be carefully designed to accommodate native vegetation, outdoor seating, bicycle parking and garbage/recycling receptacles.
2. Where commercial uses are located on the ground floor of a building, a maximum amount of glazing should be provided on the ground level of the façade facing a public roadway to create visual interest for pedestrians.
3. Buildings should be designed with protective overhangs over pedestrian and outdoor seating areas. Permanent, structural canopies are preferred and temporary structures or covers such as tarps are discouraged.
4. Blank facades are discouraged. Where firewalls are necessary, they should be architecturally finished to provide visual interest and coordinate with other building walls, or incorporate high quality, durable murals which complement the neighbourhood.
5. Special attention should be paid to facades to create visual interest for pedestrians. The use of projections and recesses is encouraged to provide visual interest and building façade articulation and avoid long continuous walls. The ground level of a building should be given special consideration in terms of its appearance, function and durability, to enhance the pedestrian experience.
6. Building entries should be emphasized and made as inviting and sheltered as possible through the use of structural canopies and entry porticos.
7. Particularly where they abut residential areas, commercial, mixed-use, and industrial development should be designed carefully to prevent shading, loss of privacy, air quality or noise pollution impacts on neighbouring properties. Landscaping and screening should be incorporated adjacent to residential areas.
8. Where a mixed use development includes residential uses, potential conflicts between residential and other uses will be mitigated through appropriate design features including but not limited to: physical separation of uses, noise and visual barriers, landscaping and fencing, and mechanical systems to mitigate air quality impacts.
9. Where a mixed use development includes residential uses, the guidelines for multi-unit residential development will also apply.
10. Landscaped berms should be used as a visual and noise barrier separating differing uses and public roadways. Berms should not exceed 1.5 m in height.
11. A minimum landscaped buffer of 3 m, including a mix of shrubs and trees suited to local conditions, should be provided for development adjacent to the Trans-Canada Highway or frontage roads running parallel to the Trans-Canada Highway.
12. Outside storage and display areas, if permitted:
 - (i) *Will not be located in a front yard;*
 - (ii) *Will be adequately screened and landscaped;*
 - (iii) *Will not encroach into required setbacks; and*
 - (iv) *Will occupy an area not in excess of that of the total area of the principal building(s) on the site.*



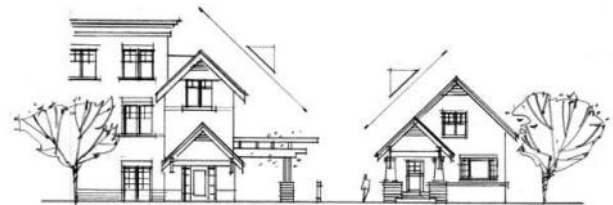
Photo: A mixed-use development, Nanaimo (Jazz Sohal Real Estate)

RC.10 Building Design

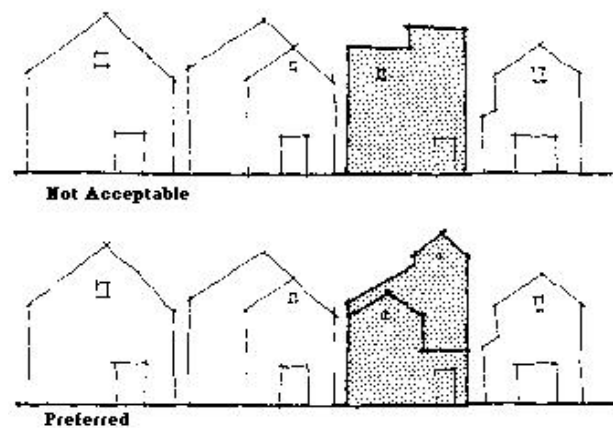
The guidelines contained within this section apply to multi-family, mixed use, commercial and industrial development.

BUILDING DESIGN, SCALE & MASSING:

1. While buildings do not need to be designed with a specific “theme”, they should incorporate design elements, materials and colours that enhance the neighbourhood, rural landscape and environment.
2. New development should be designed so all building faces are treated equally through the application of materials, colours and finishes; the use of a variety of complementary colours as accents is encouraged to provide visual interest.
3. Building facades should be three-dimensional, incorporating a high degree of relief through the use of recesses, projections, and other architectural elements. Building facades should be broken up into smaller components. Special measures should be used to reinforce a rhythm and scale that gives the appearance of individual units along the street (e.g. recess the building every 8 m with recesses that are 2 m in width and 2 m in depth).
4. The appearance of sheer, blank walls will be avoided by varying street edge treatment with the use of strategically placed landscaped areas along the length of each wall, staggered or varied building setbacks and other techniques.
5. The apparent mass of a building will be reduced by:
 - (i) *Using materials and colours in a manner which defines individual storeys (i.e. distinct top, middle and base);*
 - (ii) *Using trim, intense colour accents, secondary roof elements and building recesses to articulate façades;*
 - (iii) *Using recessed balconies rather than large projecting balconies along public roadways which emphasize bulk;*
 - (iv) *Stepping buildings back from public roadways as they increase in height in order to emphasize the ground floor and downplay height; and*
 - (v) *Blending rooflines and roof angles.*
6. Buildings greater than three storeys are not characteristic of the Plan Area and are generally discouraged.
7. Where existing buildings with significant heritage features are redeveloped, the heritage features or elements should be retained or reused where possible to retain the building’s heritage potential.
8. Onsite renewable energy generation is encouraged to supply electricity, heating and cooling to buildings and other structures, water pumps, sewage pumps and/or electric vehicle charging stations. Possible sources include geothermal energy, wind turbines, tidal energy, air-source (heat pumps), biomass, bio-gas, wastewater effluent and solar energy (collectors and/or photovoltaic (PV) panels).



Graphic: Rooflines complementary to neighbouring buildings with respect to the height of eaves and roof pitches (Olympia, WA)



Graphic: Complementary building massing (Olympia, WA)

BUILDING DESIGN, MATERIALS & COLOURS:

9. Pastel colours, inconsistent with rural agricultural or maritime character, are discouraged. The exception to this rule is Whippletree Junction, with its array of colourful buildings and eclectic character.
10. Materials should be durable and weather-resistant. Natural materials such as timber and stone are preferred. Textured or corrugated metal or cement fibre-board may be acceptable accent materials in combination with predominantly natural materials. Vinyl siding, flat metal siding, plain concrete block, unfinished cement and unfinished plywood are discouraged.
11. Materials should be reused and recycled where possible for the redevelopment of buildings and structures.
12. Windows and doors should be arranged and detailed to reflect the style of the building and character of the neighbourhood.
13. South-facing windows are encouraged to maximize winter solar gain and natural light.
14. Opening windows located on opposing or adjacent walls are encouraged to maximize natural ventilation.
15. Windows should be designed and oriented to prevent bird mortality from window strikes.
16. Window overhangs and/or fixed operable shading devices should be used to control solar gain by blocking high-angle summer sun and allowing entry of low-angle winter sun.
17. Where trim is used on the exterior surface of buildings, wood is preferred.
18. Garage doors should, where possible, not face public roadways. If this is impractical, garage door widths should be minimized and not exceed 50% of the width of the building.
19. Roof materials should be non-combustible and non-reflective. Metal roofs will have a matte finish.
20. Duplicate, mirror-image or repetitive, monotonous building designs are discouraged.
21. Rooftop mechanical equipment should be incorporated into the building envelope and hidden from view; chimneys should be boxed-in and exposed flues are discouraged.
22. New buildings and structures should be compatible in form, character, exterior design and finish with existing historic buildings or structures. This does not imply that buildings need to be designed to look "old" but should, rather, be in harmony with historic buildings or structures.



Graphic: A wood frame building, with board and batten siding, compatible with rural character



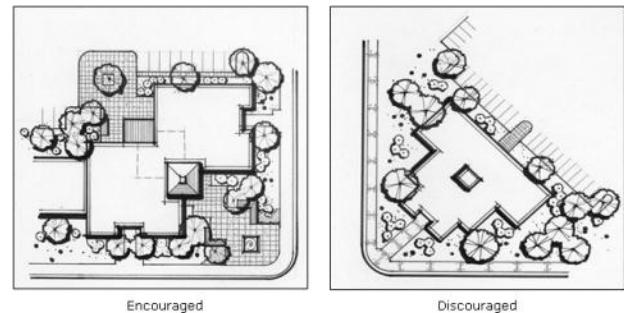
Graphic: Building design, colours and materials that complement rural character (Ross Chapin Architects)

RC.11 Site Design

The guidelines contained within this section apply to intensive residential, cluster residential, multi-family, mixed use, commercial and industrial development.

SITE DESIGN & CIRCULATION:

1. Buildings along public roadways should be set back equidistant to neighbouring development to maintain street rhythm and avoid awkward transitions from between properties.
2. On corner sites, the primary mass of the building should not be placed on an angle to the corner and the principle building entry should be oriented toward adjoining streets. Buildings on corner sites should be sited to:
 - (i) Coordinate with adjacent buildings;
 - (ii) Create additional pedestrian space;
 - (iii) Maintain sight lines for vehicles and pedestrians; and
 - (iv) Coordinate with landscaping and pathways.
3. Spaces between buildings should be designed for an identified use (e.g. native landscaping, recreation, outdoor seating, or food production) to provide amenity space for users of the development.
4. Development should be designed to promote personal and public safety, including appropriate lighting and clear sightlines for pedestrians, through the use of *Crime Prevention Through Environmental Design* (CPTED) criteria. BC Housing's Design and Construction Standards for CPTED and performance standards checklist should be used as a guide.
5. Landscaped pedestrian walkways should be provided to connect buildings with parking areas, pathways, and adjoining lands.
6. Walkways should be accessible to persons with disabilities, bicycles, scooters and strollers, with even, non-slip surfaces and grades less than 5%.
7. Roadside pathways should be constructed across public road frontages. Where approved by the Ministry of Transportation and Infrastructure, the pathway may be within the road allowance.
8. Siting of pedestrian pathways along property lines which abut neighbouring private properties, should be avoided unless sufficient landscaped buffers are provided to prevent privacy and noise impacts.



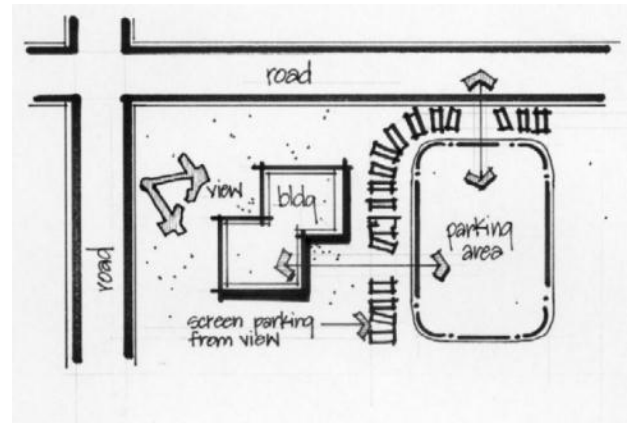
Graphic: Corner site development (Sedona, AZ)



Photo: A gate-controlled access that does not impede visibility (Seattle.gov)

ACCESS, PARKING & STORAGE:

9. Direct vehicular access to the Trans-Canada Highway is not supported.
10. Vehicular access driveways should be combined wherever possible to minimize impervious surfaces.
11. Drainage from all impervious surfaces and areas where vehicles are parked should be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution, designed by a Professional Engineer to the satisfaction of the CVRD. The Professional Engineer should recommend an appropriate maintenance schedule, which should be included as a condition of the development permit.
12. Internal roadways and drive aisles will be designed to reasonably accommodate emergency vehicles.
13. Where appropriate, bus shelters, pullouts and turnaround areas should be incorporated into the site to facilitate alternative modes of transportation.
14. Parking, storage, solid waste and recycling, and service areas should be located in the least visible area of the site, screened from public view and public roadways by fencing and/or landscape screening, and incorporate low-impact design features. These areas should be setback a minimum of 1 m from a property line and in no case should they be closer than 3 m to a public roadway, in order to accommodate a landscape buffer.
15. Parking areas will be designed to encourage safe pedestrian travel between parking areas, building entrances, outdoor amenity areas, and pedestrian pathways; separation will be provided between parking and pedestrian areas through the use of raised or landscaped features and smooth, level, and even surfaces.
16. Utility wiring should be installed below grade. Overhead wiring is strongly discouraged.
17. New major development requiring four or more parking stalls should include an on-site electrical car charging station and designated bicycle parking.



Graphic: Parking screened from view (Sedona, WA)



Photo: Parking area incorporating low-impact design (Snohomish Conservation District)



Photo: Functional, artistic bike racks (www.brakeless.ca)

RC.12 Landscaping Guidelines

The guidelines contained within this section apply to intensive residential, cluster residential, multi-family, mixed use, commercial and industrial development.

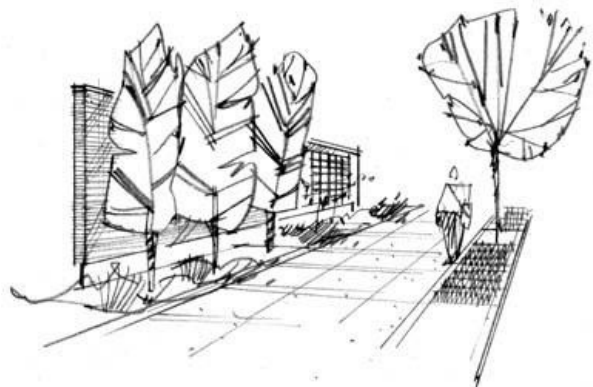
1. A landscape plan prepared by a member of the BCSCLA (BC Society of Landscape Architects) or BCNTA (BC Nursery Trades Association) in accordance with BCSCLA or BCNTA standards shall be submitted to the CVRD in support of the development permit application.
2. Landscaping shall be integrated with the development to create a seamless transition with natural environment.
3. New vegetation should be planted to extend existing vegetation edges or in natural looking groups while geometric plantings, evenly spaced rows of trees, and other formal landscape patterns should generally be avoided.
4. Native plants are preferred to non-native varieties as they are adapted to regional climatic and soil conditions. *Gardening with Native Plants*, prepared by the Habitat Acquisition Trust, should be used to guide plant selection.
5. To replicate natural “layered” plant communities and encourage biodiversity, a mixture of native deciduous and evergreen species of varying ages and heights should be planted. Smaller shrubs, perennials and groundcovers should be planted beneath taller trees and shrubs.
6. All plants will be planted in a good quality topsoil mix of a type and amount recommended by the BCSLA or BCNTA.
7. All landscaping will be provided with a method of irrigation suitable to ensure the continued maintenance of planted materials.
8. Landscaping will occur in accordance with the plan, described above, and be installed under the supervision of a member of the BCSLA or BCNTA.
9. No occupancy permit will be issued prior to the completion of landscaping or prior to the posting of landscape security, to the satisfaction of the CVRD General Manager of Planning and Development.



Photo: Common Camas (*Camassia quamash*); native plant commonly associated with Garry Oak ecosystems; First Nations historically used Camas for trade and as a sweetener (GOERT)



Graphic: Wildlife species prefer to live at different heights or layers depending where they are best adapted for survival (WA Dept. of Fish and Wildlife)

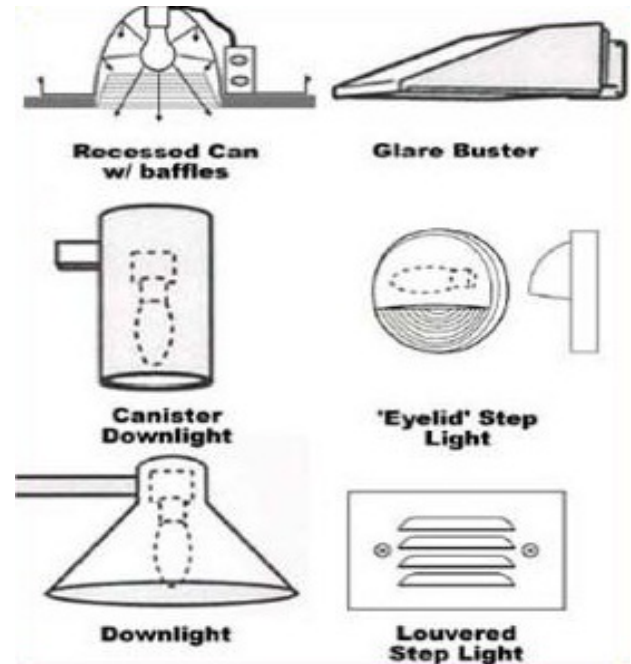


Graphic: Landscaping screen used to animate blank walls (Olympia, WA)

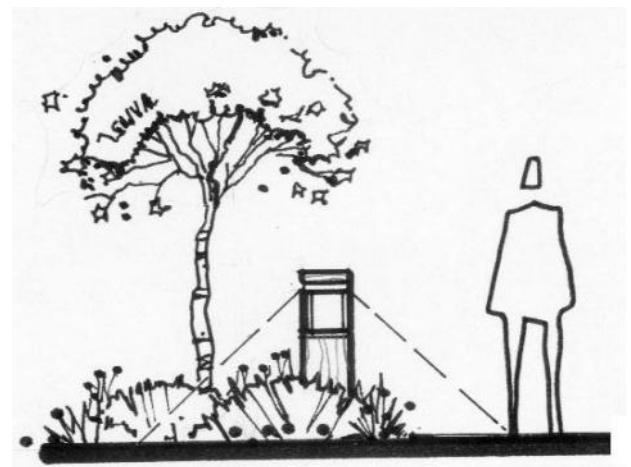
RC.13 Exterior Lighting Guidelines

The guidelines contained within this section apply to intensive residential, cluster residential, multi-family, mixed use, commercial and industrial development.

1. An exterior lighting plan will be submitted, indicating how building entrances, roadways, servicing and parking areas, outdoor amenity areas, and pedestrian walkways will be illuminated.
2. Exterior lighting will enhance the overall architectural, heritage and design character of development with true colour rendition, while preserving the ability to view the night sky. Special attention will be paid to coordinating lighting with adjacent properties to maintain even light levels and avoid harsh transitions from over-lit to unlit spaces.
3. Exterior lighting will be designed for pedestrian safety and comfort, without causing excessive illumination of the night sky, glare or light trespass onto adjacent properties and roadways.
4. Exterior lighting will be fully shielded to direct light below the horizontal plane towards the ground.
5. Post-mounted or wall mounted fixtures should be kept to the minimum possible height.
6. Energy-efficient (i.e. solar powered, timer or sensor controlled) light fixtures should be used for the illumination of exterior walkways, driveways, entryways and general exterior lighting.



Graphic: Examples of fully-shielded light fixtures (International Dark Sky Association)



Graphic: Pathway lighting designed to direct light to the ground in order to avoid glare and light pollution (Olympia, WA)

RC.14 Sign Guidelines

The guidelines contained within this section apply to intensive residential, cluster residential, multi-family, mixed use, commercial and industrial development.

1. Signs should complement and be coordinated with overall site and building design in terms of location, scale, materials, finishes and colours.
2. Sign materials should be durable and weather-resistant. Natural materials including wood and stone are preferred. Non-reflective metal, cementitious fibre-board and composite materials may be acceptable provided they satisfy the objectives of the Rural Character DPA. Plastic and vinyl are generally unacceptable.
3. Signs will be kept to the minimum size and number needed to inform and direct pedestrian and vehicular traffic.
4. Individual mounted, raised or recessed letters, symbols, border and framing are encouraged.
5. Signs should be low profile, kept to pedestrian level and in no case should exceed 5 m in height.
6. Freestanding signs should be mounted on a heavy stone or exposed aggregate base and/or framed with heavy timber rather than post-mounted. Where lighting is included, it should be fully-shielded and directed to illuminate the sign only. Freestanding signs should incorporate decorative landscaping to enhance the quality of development.
7. Multiple free standing signs should be consolidated into a multi-tenant sign located at the main driveway entrance.
8. Sign lighting should be minimized and directed at the sign only, to prevent excessive illumination, glare and light trespass.
9. Backlit, neon, fluorescent, or flashing signs or signs incorporating scrolling LED lighting or strip lighting are discouraged because they detract from the rural aesthetic character, contribute to light pollution and pose a risk to public and vehicular safety.
10. Mounting hardware and wiring shall be concealed.
11. Interpretative signage and plaques to commemorate heritage sites, buildings and features, are encouraged.



Photo: A freestanding sign incorporating landscaping and fully-shielded down-lighting (CVRD)

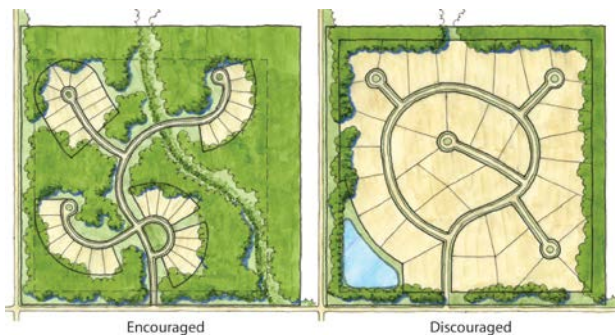


Photo: Wall and hanging signs constructed of wood and coordinated with the development (CVRD)

RC.15 Subdivision Guidelines

Unless otherwise exempt under Section DP.4, while undertaking a subdivision as defined in s.872 of the *Local Government Act*, an owner of land, will apply to the CVRD for a development permit, in accordance with the following:

1. Conceptual site development plans will be submitted, identifying the location of proposed parcels, building sites, driveways, impervious surface areas, and natural features such as streams, wetlands, riparian areas, marine riparian areas, natural drainage features, native vegetation, nest trees, steep slopes, and archeological and heritage resources. Plans shall include area calculations for proposed parcels, building sites, impervious surface areas, and natural and landscaped areas.
2. Sites will be designed to protect natural features as noted above. Clustering development, including buildings, structures, parking, and amenity areas will help protect such features, reduce infrastructure costs and minimize the amount of impervious surfaces.
3. Where clustering is used to protect significant features, or to encourage water conservation, energy conservation or GHG reduction, variances may be supported.
 - (ii) *Creating shared service, driveways and parking areas where possible to minimize impervious surfaces and removal of natural vegetation;*
 - (iii) *Enabling opportunities for alternative transportation linkages such as roadside pathways and trails;*
 - (iv) *Establishing a parcel configuration that will allow development to maximize solar gain (i.e. building sites on south-facing slopes with the long axis running east to west), and oriented to maximize passive ventilation and cooling from prevailing breezes;*
 - (v) *Establishing a parcel configuration that will allow development to be integrated with the natural terrain and minimize cuts and fills, retaining walls, artificial embankment of grade, or extensive regrading, to the greatest extent possible; and*
 - (vi) *Considering local opportunities for alternative energy such as ground-source geothermal, solar heating and photovoltaic, and wind power generation.*



Graphic: Clustering preserves areas of native vegetation and natural features (Sedona, AZ)

4. Forested riparian and marine riparian corridors, where applicable, should be incorporated in subdivision applications resulting in three or more new parcels. Such areas should be protected as dedicated parkland or covenanted to the CVRD.
5. The design of new subdivisions should enable future development that is energy efficient and supports the CVRD's GHG reduction objectives by:
 - (i) *Designing roadways that are curved rather than straight in order to reduce wind impacts;*
6. Removal of native trees, vegetation and soils should be limited to that necessary for the establishment of building sites, roadways, service areas, parking areas and driveways.
7. Measures will be taken during site preparation and development to retain all eroded soil, protect natural features, control surface runoff, prevent the release of deleterious substances, stabilize disturbed slopes, and restore disturbed areas upon development completion.
8. Where all parcels resulting from subdivision will be greater than 0.4 hectares in size, the following guidelines will apply:
 - (i) *Each parcel resulting from the subdivision should have a maximum of 10% impervious surface;*
 - (ii) *Pervious surfaces should be retained in natural condition with intact trees, vegetation and soils, with the exception of cultivated areas; and*
 - (iii) *An organic soil layer should be maintained or applied on surfaces to be vegetated, with a minimum depth of 20 cm to capture 60 mm of*

mean annual rainfall or sufficient soil composition and depth in accordance with BCSLA or BCNTA guidelines (the most restrictive guideline shall apply).

9. Where any parcel resulting from subdivision will be less than 0.4 hectares in size, the applicant will be required to submit a rain and stormwater management plan, prepared by a registered professional with relevant civil, geotechnical, and hydrological engineering experience to meet the following performance criteria:
 - (i) *Preserve natural site characteristics, maintain or improve natural drainage patterns and promote the use of low impact development techniques such as absorbent landscaping, infiltration facilities, green roofs, or cisterns for water re-use;*
 - (ii) *Maximize infiltration and evapotranspiration from frequently occurring rain events and not permit the volume and patterns of drainage flows resulting from frequently occurring rain events to exceed pre-development flows;*
 - (iii) *Maintain the site's discharge hydrography from a 5 year peak flow event;*
 - (iv) *Maintain or improve water quality from the development site;*
 - (v) *Locate rain and storm water management facilities so as to minimize impacts on habitat areas. A 30 metre protective setback is recommended from infrastructure works to all watercourses;*
 - (vi) *Mimic natural rates in the storage and release of larger rainfall events (30 to 60 mm);*
 - (vii) *All rainfall capture and runoff control facilities must include overflow escape routes to allow extreme storms to be routed to appropriate locations, such as downstream drainage systems, and watercourses.*
10. The rain and stormwater management plan, described in Guideline 9, shall be accompanied by a report that:
 - (i) *Assesses the impacts of anticipated development, including buildings, roadways, driveways and service areas, on-site wastewater management systems, and tree, vegetation, and soil removal, on the pre-development hydrological cycle;*
 - (ii) *Recommends methods, including low-impact development features, to mimic the natural hydrological cycle and prevent an increase in drainage from the site following development from pre-development conditions; and*
 - (iii) *Specifies the type, design and location of on-site drainage works required to meet the criteria specified in Guideline 9; and*
 - (iv) *Specifies the type, design and location of off-site drainage works required if on-site works cannot sufficiently meet the criteria specified in Guideline 9.*
11. Where any parcel resulting from subdivision will be less than 0.4 hectares in size, the applicant will be required to submit a sediment and erosion control plan specifying measures to limit erosion and sediment transport during site preparation and development. Measures will be taken during site preparation and development to retain all eroded soil, protect natural features, control surface runoff, prevent the release of deleterious substances, stabilize disturbed slopes, and restore disturbed areas upon development completion.
12. Low-impact development measures such as rain gardens, bioswales, rainwater collection systems, and roof gardens and alternative development standards such as reduced road widths, building footprints, and limitations on impervious surfaces will be encouraged and employed where appropriate.
13. Where off-site drainage works are required on public lands, works must be designed and constructed to the satisfaction of the Ministry of Transportation and Infrastructure and the CVRD.
14. A final letter of assurance must be issued by the registered professional, as specified in Guideline 8 above, and supplied to the CVRD Building Official prior to issuance of an occupancy permit to ensure that on-site drainage works have been properly installed and that a maintenance plan has been established to ensure that the works continue to satisfy the criteria specified in Guideline 8 in perpetuity.
15. The CVRD will consider establishing a drainage service area with respect to subdivision proposals to establish 15 or more new parcels or where drainage control is an identified concern.

Marine Village Development Permit Area (MV)

MV.1 Category

The Marine Village Development Permit Area (DPA) is designated pursuant to Section 919.1 of the *Local Government Act* for the following purposes:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)];
- Protection of development from hazardous conditions [919.1(1)(e)];
- Establishment of objectives for the form and character of intensive residential development [919.1(1)(e)];
- Establishment of objectives for the form and character of commercial, industrial or multi-unit residential development [919.1(1)(f)];
- Establishment of objectives to promote energy conservation [919.1(1)(h)];
- Establishment of objectives to promote water conservation [919.1(1)(i)]; and
- Establishment of objectives to promote the reduction of greenhouse gas emissions [919.1(1)(j)].



Photo: A local business reflecting the unique “funky not junky” character of Cowichan Bay (CVRD)

MV.2 Scope

The Marine Village DPA, documented on Schedule D-4, includes lands adjacent to the natural boundary of the ocean within the Marine Residential, Marine Village, Mixed Use and Marine Industrial designations.

MV.3 Justification

Cowichan Bay Village is a prominent commercial node within the Plan Area. Its seaside context, heritage, eclectic mixture of residential, commercial, industrial, recreational and institutional uses, and form and character of development contribute to a sense of place which is distinct within the Plan Area and Cowichan Region. This vibrant seaside village is juxtaposed by an important and sensitive estuarine environment, which provides habitat for a variety of fish, wildlife and birds. It also sits precariously at the toe of steeply sloping and landslide-prone clay banks and at the edge of a warming and rising ocean, and is experiencing increasingly frequent storm events attributed to increasing greenhouse gases and impacts on climate change.

The interface between lands and Cowichan Bay represent the marine riparian zone, which serves to filter sediments and pollutants from tidal waters and provide critical habitat to support fish and wildlife.

Overwater structures, such as piers, docks and floating homes, without proper mitigation, can adversely affect estuarine habitat including light, wave energy, substrates and water quality

Jurisdiction over coastal areas is divided among federal, provincial and local government agencies. As a result, it is important to confirm senior government approval prior to undertaking development or land use activities. Development within the Marine Village DPA may also be subject to the Cowichan Estuary Environmental Management Plan (CEEMP), which serves to protect the marine environment from negative impacts related to development.

Generally, existing land uses in the village and harbour area are recognized by the CEEMP. However, the Order-in-Council requires the approval of the Ministry of Environment before any construction activity occurs in areas that are not presently developed – in other words, where portions of foreshore or ocean floor not previously shaded by buildings and structures would be developed. In such cases, the CVRD cannot issue building permits unless the owner has secured the Minister's approval. For renovations of and additions to existing buildings that do not add shade the foreshore or ocean floor, the Ministry of Environment has left approvals up to the CVRD, with a request that the Ministry be informed of projects and that Provincial and Federal best management practices be followed.

Community members have expressed a strong desire to maintain the health of the Cowichan Estuary and foreshore. Future development and redevelopment of the marine shoreline must occur in a manner that is sensitive to the critical marine riparian zone, mitigating potentially negative impacts on fish, wildlife, and their habitat. Future development and redevelopment of the marine shoreline must also contribute to the unique aesthetic character that is found in Cowichan Bay. The following guidelines address this intent.



Photo: The marine foreshore – a valuable community amenity (Cowichan News Leader)

MV.4 Objectives

The Marine Village DPA is established with the following objectives:

- To ensure that the form and character of development is compatible with and enhances maritime heritage character;
- To protect public views of the shoreline and waterfront from both the water and from public land;
- To protect and enhance maritime industries in Cowichan Bay Village, which contribute to the Village's role as a working harbour;
- To provide a wide range of commercial services and amenities serving both residents and visitors;
- To enhance the experience of pedestrians moving through the marine village, along safe, accessible, and clearly marked pathways with opportunities to enjoy the seaside setting and vistas of the ocean and mountains;
- To enhance the experience of visitors arriving at the marine village by boat or seaplane with greater integration with and accessibility to marine commercial services and visitor amenities;
- To ensure that development complements the natural environment rather than impairs its productivity;
- To reduce negative impact to marine ecosystems; and
- To restore disturbed ecosystems when redevelopment of properties occurs; and
- To protect marine assets from hazardous conditions, including, but not limited to, sea level rise, storm surge, flooding and fire.

MV.5 General Guidelines

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in the Marine Village DPA as described in Section MV.2, an owner of land, will apply to the CVRD for a development permit in accordance with the following:

SITE & ENVIRONMENTAL DESIGN:

1. Conformance with these guidelines does not exempt applicants from meeting the requirements of other agencies such as those subject to the Cowichan Estuary Environmental Management Plan.
2. Proposals involving new additions, structures or buildings which would result in increased shading of the foreshore or estuarine environment will be referred to the Cowichan Estuary Environmental Management Committee (CEEMC) for consideration. A development permit, if issued, will include all conditions of approval including conditions of approval prescribed by the CEEMC.
3. Impervious surfaces, including materials to construct docks and wharves, should be kept to a minimum.
4. Run-off from the development should be strictly limited to prevent damage to foreshore, estuarine or marine habitat during normal rainfall events. Efforts should be made to buffer flows to minimize impacts from storm events.
5. Drainage from all impervious surfaces including parking and service areas should be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution, designed by a Professional Engineer to the satisfaction of the CVRD. The Professional Engineer should recommend an appropriate maintenance schedule, which should be included as a condition of the development permit.
6. Parking and services areas should further be landscaped to absorb and filter surface runoff.
7. Current best management practices for environmental protection and marina development, if applicable, should be incorporated into the development proposal.
8. Shoreline hardening is strongly discouraged and where opportunities exist, hard shorelines should be naturalized subject to engineering design and supervision during such a process.
9. Construction or repair of seawalls and other retaining structures will be subject to engineering design and supervision during construction. Where shoreline hardening is required, native vegetation will be incorporated into the design to the greatest extent possible.
10. No alterations should be made to the shoreline that would adversely affect fish or wildlife habitat. The environmentally acceptable method of development is by using upland areas or by construction of wharves or floating docks rather than by land fill.

OVERWATER STRUCTURES:

11. Development involving docks and floats, including floating homes and other structures, should follow Department of Fisheries and Oceans' *Best Management Practices (BMPs) for Constructing Docks and Floats in the South Coast Area (Vancouver Island – Sunshine Coast)*.
12. Installation and construction should occur during periods of least risk (summer: July 1 – October 1; winter: December 1 – February 15).
13. Overwater structures should be sited to avoid adverse effects on light sensitive habitat, with the extent of overwater structures and number of pilings kept to a minimum.
14. Where feasible, piers and docks should be oriented north to south.
15. Overwater structures should be a minimum of 8 metres from native aquatic vegetation or the distance that the structure will cast shade, whichever is greater.
16. Artificial lighting beneath overwater structures should be considered during daylight hours.
17. Artificial night lighting should be minimized by focusing light on the dock surface and using shades to minimize illumination to the surrounding environment.
18. Piers, elevated docks and gangways sited over nearshore areas should incorporate the use of grating, glass inserts or reflective panels, with at least 60% functional open space, to increase light penetration to the marine environment.
19. Wharves should not extend over marshes or other productive foreshore areas. Wharves should not, in any case, extend over the water beyond the mean low-water mark, except as necessary to access floats or for public viewing access.
20. Overwater structures including floating homes should be located at sufficient depth of water to prevent the structure from grounding; the bottom of the structure should be located to maintain a minimum 2.0 m vertical clearance between the level of the lowest tide and ocean floor substrate.
21. Skirting of overwater structures should be avoided.
22. Structures on the water including boat shelters, floating homes, docks, piers, gangways, and other structures, must be certified by a professional engineer, confirming that they are safe for the intended use and conditions.
23. Structures should be designed and located so no new bulkheads or shoreline armour is necessary.
24. Wood treated with toxic compounds should not be used for decking, pilings or other in-water components.
25. Foam material should be encapsulated so that it cannot break up and be released into water.
26. Structures on the water should be sited carefully to maintain waterfront views from public roads, walkways, trails and commercial businesses.
27. Structures on the water shall be identified by number or letter or combination thereof, corresponding to their address location as specified by the CVRD.
28. Marina owners shall maintain a moorage map which identifies each building, structure and mooring site by number and/or letter. Such maps shall be updated as changes occur in the layout of buildings, structures, and moorage sites.



Photo: An example of flow-through decking to allow light penetration at West Bay Marina (CVRD)

PUBLIC ACCESS, WALKWAYS & AMENITY AREAS:

29. A continuous accessible public pathway should be constructed along Cowichan Bay Road to allow pedestrians, including persons with disabilities, to move safely through Cowichan Bay Village.
30. Public views of all areas of the waterfront should be maximized, especially for zones where public access is not safely possible (i.e. industrial uses).
31. Opportunities should be provided through redevelopment within Cowichan Bay Village to increase public access and views of the ocean and to create a public access route on the waterside of Cowichan Bay Village.
32. Seating is encouraged at viewpoints along the waterfront and where feasible, public access walkways to and/or along the waterfront should be incorporated into development. Walkways should be clearly marked for easy pedestrian navigation. Pedestrian and vehicular areas should be separated by low fencing and/or landscaping.
33. Pathways and building entrances should be accessible to persons with disabilities, scooters and strollers.

LANDSCAPING:

34. A landscape plan will be provided to the CVRD, which incorporates native vegetation suited to local conditions and, where practical, blends new and existing native vegetation to create a seamless transition with the natural environment.
35. For commercial, mixed-use, and industrial applications, the landscape plan will be prepared, by a member of BCSLA or BCNTA in accordance with BCSLA or BCNTA standards, and landscaping will be installed, under the supervision of a BCSLA- or BCNTA-certified designer.
36. Existing vegetation should be retained or enhanced where practical. Areas not required for buildings, parking, services or walkways should be landscaped with native vegetation using appropriately sized native plant and tree species.

37. When redevelopment occurs, areas not required to be hardsurfaced should be replaced with native soil and vegetation. Where this is impractical, large planters constructed of natural materials such as wood should be used to accommodate plantings.
38. Foreshore areas should remain in or be restored to natural conditions where possible.
39. Areas disturbed during construction or dredging should be replanted where necessary with native species.

VEHICULAR ACCESS:

40. Vehicular access will be coordinated with pedestrian pathways, parking and circulation patterns to encourage safe pedestrian and vehicular flow.

PARKING, STORAGE & SERVICE AREAS:

41. Adequate space for parking, storage, servicing and garbage/recycling collection shall be provided. Where residential uses, including live-aboards and floating homes, are accessory to a marina operation, such uses shall be afforded adequate parking, garbage and recycling facilities.
42. Where parking cannot be provided onsite, the development will contribute cash-in-lieu of parking to a transportation improvement fund to improve parking and transportation management in Cowichan Bay Village.
43. Exterior storage, garbage/recycling servicing and parking areas should be located in the least visible area of the site and screened from public view with a combination of native vegetation and fencing.
44. Parking areas will be designed to encourage safe pedestrian travel between parking areas, building entrances, outdoor amenity areas, and pedestrian pathways; separation will be provided between parking and pedestrian areas through the use of raised or landscaped features and smooth, level, and non-slip walkways to accommodate people with accessibility challenges.
45. Utility wiring should be installed below grade. Overhead wiring is strongly discouraged.

BUILDING DESIGN, SCALE & MASSING, EFFICIENCY:

46. Buildings should reflect the west coast seaside vernacular, complement the unique maritime heritage of Cowichan Bay Village, and contribute to the aesthetic appeal and environmental quality.
47. Building materials, colours and architectural details should reflect the local context of Cowichan Bay Village. Rich, vibrant colours are preferred. Pastels and neon colours are generally inconsistent with west coast seaside vernacular. Consideration should be given to how colours and materials weather in the coastal environment over time.
48. The use of natural materials is encouraged, including: board and batten siding, brick, clapboard siding, driftwood, lattice, netting, piers and pilings, rope, sails, shakes, shingles, wood plank, and pervious concrete decking. Rock, glass, concrete, metal and wood are preferred to synthetic materials. Wood trim should be incorporated wherever possible, particularly around doors, windows and along eaves.
49. Roofs should be non-combustible and non-reflective. Metal roofs should have a matte finish.
50. Colour variations and vertical or horizontal bands are encouraged to reduce the visual impact of height and mass by giving the appearance of variation and form.
51. Buildings should be human scale, limited in height and mass to one or two storeys.
52. Building siting should be consistent with the historical pattern of building and land use, which may include zero setbacks. Where the fulfillment of this guideline would be contrary to setbacks specified by the implementing land use bylaw, the CVRD may substantially vary the required setback to satisfy the guideline.
53. Windows should be carefully located and sized to be in proportion with the building scale. Large areas or continuous areas of curtain-wall glazing provide a blank, monotonous façade that do not contribute to the vibrancy and aesthetic appeal of Cowichan Bay Village.
54. Windows should be designed to prevent bird mortality from window strikes.
55. Buildings should be designed to promote personal and public safety through the use of *Crime Prevention Through Environmental Design* criteria, appropriate lighting and clear sightlines for pedestrians.
56. Building design should acknowledge variations in sunlight throughout the year to optimize the amount of natural light available to building inhabitants.
57. Buildings should be designed to be energy efficient and utilize renewable energy sources where possible.
58. Developments of ten units or more should provide at least 10% of their energy requirements through on-site, renewable sources.

VIEW PROTECTION:

59. Development including buildings, boat shelters and other floating structures should consider view impacts and opportunities from both the waterside of Cowichan Bay Village and from the street side along Cowichan Bay Road. Views of the waterfront, the ocean, and significant natural features such as Mt. Tzouhalem, should be maintained where possible.
60. Building form, massing, and landscaping should be used to enhance and frame views.
61. The development permit may specify a lower height limit than permitted by the zoning bylaw in order to preserve critical views.
62. Where safety or security of marine industrial uses is necessary, transparent fencing or screening should be used rather than opaque fencing or screening which would block views.

HERITAGE PRESERVATION:

63. New buildings and structures should be compatible in form, character, exterior design and finish with existing historic buildings such as the Masthead Restaurant and Cowichan Bay Shipyard and other historic features within Cowichan Bay Village. This does not imply that buildings need to be designed to look “old” but should, rather, be in harmony with historic buildings or structures.
64. Where existing buildings with significant heritage features are redeveloped, the heritage features or elements should be retained or reused where possible to retain the building’s heritage potential.
65. Interpretative signage and plaques to commemorate heritage sites, buildings and features are encouraged.

EXTERIOR LIGHTING:

66. Exterior light fixtures will enhance overall architectural, heritage and design character of development and complement the nighttime environment while preserving the ability to view the night sky. Special attention should be paid to coordinating lighting installations with adjacent properties to maintain even light levels and avoid harsh transitions from over-lit to unlit spaces.
67. Exterior lighting will be designed for pedestrian safety and comfort, render “true” colour, and fully shielded so that light is directed below the horizontal plane to the ground to avoid illumination of the night sky, glare or light trespass onto adjacent properties and roadways, or impeding marine navigation.
68. Interior lighting, visible from public roadways, walkways, docks, or the oceanside of Cowichan Bay Village, is not permitted to cause glare to drivers, boaters or pedestrians or illuminate the night sky.
69. Post-mounted or wall mounted fixtures should be kept to the minimum possible height.
70. Where practical, the use of energy efficient lighting installations (including but not limited to those employing timers, dimmers, sensors or photocells) is encouraged.



Photo: A heritage building in Cowichan Bay Village (CVRD)



Photo: Fully-shielded light fixture with louvers (CVRD)

MV.6 Guidelines for Commercial, Industrial, & Mixed Use Development

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in relation to commercial, industrial or mixed-use development in the Marine Village DPA as described in Section MV.2, an owner of land, will apply to the CVRD for a development permit in accordance with MV.5 and MV.8, in addition to the following:

1. Buildings will be designed in keeping with the west coast climate with particular attention given to rain-related design with protective overhangs above windows, walls, and pedestrian walkways.
2. Balconies and overlooks on the waterside of Cowichan Bay Village are encouraged to connect indoor and outdoor environments.
3. Boardwalks, landscaping, seating, and other streetscape elements should be utilized to separate public from private areas.
4. An exterior lighting plan will be submitted to the CVRD indicating how building entrances, servicing and parking areas, outdoor amenity areas, and pedestrian walkways will be illuminated.
5. Marina redevelopment should include shared common facilities at a ratio of 50m² per hectare of Crown tenure area associated with residential uses (i.e. live-aboards and floating homes). Shared common facilities such as shower and toilet facilities, lifejacket storage, bulletin board, storage, and indoor amenity space should be provided.
6. New buildings requiring washroom facilities will be connected to the Cowichan Bay Sewer System, and expansions to existing docks and wharves will be accompanied by a mandatory sewage holding tank pump-out for moored vessels, unless the CVRD has agreed to another method of sewage disposal.
7. Marine pump out facilities designed and maintained in accordance with CVRD bylaws and the *Public Health Act*, are required for marina development and redevelopment.
8. Potential conflicts between residential and non-residential uses in mixed-use developments will be mitigated through appropriate design features including but not limited to: physical separation of uses, noise and visual barriers, landscaping and fencing, and mechanical systems to mitigate air quality impacts.



Photo: Public washroom building maintained by the Greater Victoria Harbour Authority



Photo: Waterfront access points provide an opportunity for residents and visitors to enjoy scenic vistas (CVRD)

MV.7 Guidelines for Stilt Homes

Unless otherwise exempt under Section DP.4, prior to undertaking any of the activities in Section DP.3 in relation to intensive residential development in the Marine Village DPA as described in Section MV.2, an owner of land, will apply to the CVRD for a development permit in accordance with MV.5 and the following:

1. Stilt home buildings that are renovated or replaced should be complementary in terms of their scale and massing with historic stilt homes, which are typically not taller than one storey and not wider than 7.5 m.
2. While a two-storey stilt home may be permitted by zoning, the street-facing façade should incorporate a strong one-storey element with a roofline that is consistent with neighbouring historic homes.
3. Where one or more water lots are consolidated to accommodate a larger stilt home, the building should be constructed to mimic the appearance of the historic 7.5 m wide lot by offsetting the street-facing façade at least every 7.5 m. A depth of at least 0.5 m should be provided to articulate the offset.
4. Careful attention will be paid to massing including the roof heights and pitches to ensure that new or redeveloped stilt homes blend with neighbouring homes.
5. Roof pitch should not exceed a 12:12 ratio.
6. Redevelopment of stilt homes will satisfy the following criteria:
 - (i) *High quality exterior building materials and finishes reflecting the maritime theme will be employed;*
 - (ii) *Parking will be provided within the lease area rather than within the public roadway;*
 - (iii) *Shading of the marine foreshore will not increase; and*
 - (iv) *No habitable space will occur below the 200 year flood plain elevation, established by the provincial government.*
7. Where development variances are contemplated, attention must be paid to maintaining the privacy of adjacent homes and ensuring adequate fire protection measures are in place.



Photo: A stilt home representative of the unique maritime heritage character of Cowichan Bay Village (CVRD)



Photo: Strong one-storey elements such as roof overhangs above entranceways help to reduce the apparent mass of multi-storey buildings (CVRD)

MV.8 Sign Guidelines

1. Signs should be designed to reflect the unique and west coast seaside vernacular of Cowichan Bay Village, complement the design of the building and site in terms of location, scale, materials, finishes and colours, and be coordinated with the overall design of the development.
2. Signs should be handcrafted and constructed of durable and weather-resistant materials. Plastic and vinyl signs are prohibited.
3. The use of individual mounted, raised or recessed letters, symbols, border and framing to provide texture are encouraged.
4. Signs will be kept to the minimum size and number needed to inform and direct pedestrian and vehicular traffic. Signs should be low profile, kept to pedestrian level and in no case should exceed 5 m in height.
5. Mounting hardware and wiring should be concealed.
6. Freestanding signs should be mounted on a heavy stone or exposed aggregate base and/or framed with heavy timber rather than post-mounted. Where lighting is included, it should be fully-shielded and directed to illuminate the sign only. Freestanding signs should incorporate decorative landscaping to enhance the quality of development.
7. Where multiple signs are required, they should be consolidated into a multi-tenant sign. Multiple free standing signs should be consolidated into a multi-tenant sign located at the main entrance.
8. Where multiple signs cannot be consolidated, then a similar design vernacular, colours and materials will be used for all signs to demonstrate harmony and consistency with the development.
9. Sign lighting should be minimized and fully-shielded to prevent excessive illumination, glare and light trespass.
10. Backlit, neon, fluorescent, or flashing signs or signs incorporating LED lighting are prohibited, as they detract from the rural aesthetic character,

contribute to light pollution and pose a risk to public and vehicular safety.



Photo: An example of multi-tenant signage (CVRD)



Photo: Signage which complements Cowichan Bay's unique maritime heritage character (CVRD)

HEALTHY SHORELINES: RECOMMENDATIONS FOR MAINTENANCE OF ECOLOGICAL INTEGRITY OF THE COWICHAN BAY SHORELINE

PREPARED FOR:

COWICHAN VALLEY REGIONAL DISTRICT
PLANNING AND DEVELOPMENT DEPARTMENT
COMMUNITY AND REGIONAL PLANNING DIVISION
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THE VILLAGE OF COWICHAN BAY ON THE SOUTH SHORE OF COWICHAN BAY.

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OCTOBER, 2011

APPENDIX A – FOR INFORMATION ONLY

INTRODUCTION

The Cowichan Valley Regional District (CVRD) is in the process of revising the Official Community Plan for Electoral Area D, Cowichan Bay. One of the principle aims of the CVRD is to ensure development in the region is undertaken in a sustainable manner. Sustainable development has been defined in *Our Common Future*, also known as the Brundtland Report as:

"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Within the context of the Cowichan Bay shoreline this includes the terrestrial habitats, the marine habitats and the intertidal areas between. Activities that compromise any of these areas should be prevented or undertaken with full knowledge of the ecosystem components that being degraded and with compensatory activities if possible. Sometimes benign activities can have long-term impacts or have a seemingly unconnected effect. Understanding the connections between what happens on the land and the ecological consequences can help to avoid unexpected negative impacts. This brief report provides an overview of the biophysical conditions of the Cowichan Bay area and the impacts of development on the biophysical resources. Figure 1 shows the locations, in addition to Hecate Park, that were visited in conjunction with the preparation of this report. Methods of mitigating the adverse impacts of development are suggested.

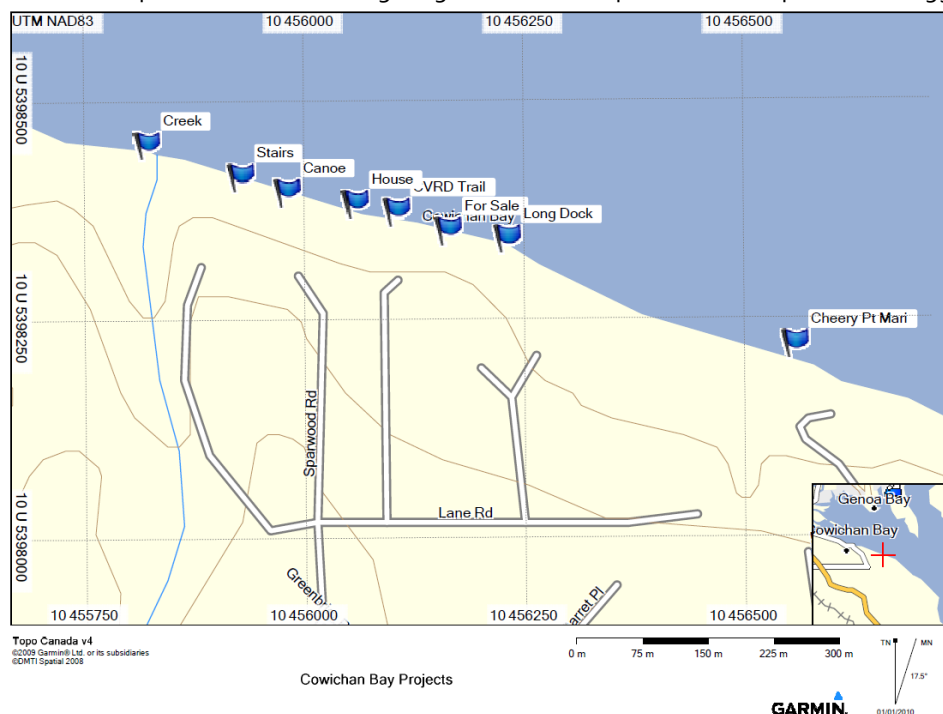


Figure 1. Areas along the Cowichan Bay shoreline that were visited in conjunction with the preparation of this report.

BIOPHYSICAL CONDITIONS

The Cowichan Bay area has been sculpted by glacial ice at least three times over the past 100,000 years, most recently during the Fraser Glaciation starting about 29,000 years before present. Eventually the Fraser Glaciation covered Vancouver Island with ice, ending in an ice shelf off the West Coast of the Island. During the advance of the glaciers down the Georgia Depression outwash sands and gravels collected along the margins of the ice and in front of the great ice sheets resulting in a deposit of sands, silts and gravels known as the Quadra Formation (Photograph 1). Eventually the

APPENDIX A – FOR INFORMATION ONLY

whole Island was covered and deposits of till known as the Vashon Till were laid down below the ice and on top of the Quadra sediments. Organic materials found in the Quadra Formation materials have been dated to about 25,000 years before present while the Vashon Till has been dated at about 12,000 years before present. The Vashon Tills form a protective cap over the highly erosive Quadra sediments. The Vashon Till is relatively impervious and due to the highly compacted nature of this material, it provides an excellent base for buildings and other structures. The Quadra Formation, on the other hand, is very variable with zones that easily carry water (aquifers) and zones that prevent movement of water (aquatards). Yorath and Nasmith (1995) provide an excellent account of the geology and glacial history of Vancouver Island. Understanding the materials that comprise the landforms of the Cowichan Bay area can help to minimize problems when these materials are disturbed during development. In addition, understanding the properties of these materials can help provide effective treatments when these materials are disturbed.

The natural vegetation of the Cowichan Bay area has been classified as belonging to the Moist Maritime subzone of the Coastal Douglas-fir Biogeoclimatic Zone (Green and Klinka 1994). This is a fire maintained ecosystem where stand replacing fires occur every 350 to 400 years (Roemer 1972) (Photograph 2). The vegetation in the Cowichan Bay area now consists primarily of second growth forests comprised of early seral woody species such as Red Alder and Big-leaf Maple and disturbed areas (farms, urban areas, roads, etc.). Young (relatively) Douglas-fir forests are also common in some areas. Much of the native vegetation in the Cowichan Bay area has been cleared for agriculture and replaced by non-native forage crops. In addition, many of the disturbed areas along roads, fields, streams and on shoreline slopes are now vegetated by a variety of invasive species, notably Himalayan Blackberry. Unfortunately, these non-native species do not provide many of the ecological goods and services that the native species provide.

The presence of invasive species on the slopes above Cowichan Bay is indicative of the stress the native vegetation is under. Invasive species rarely occur in natural, undisturbed native forests (Photograph 2). Management of invasive species (discussed below) must be conducted carefully or unintended consequences such as slope instability can result.



Photograph 1. The banded layers exposed in this small slump are part of the Quadra Formation deposits. Stony deposits at the top of the slope are part of the Vashon Till.

APPENDIX A – FOR INFORMATION ONLY



Photograph 2. Coastal Douglas-fir forests once covered the uplands of the Cowichan Bay area. The deep roots, thick organic layers and canopy intercepts provided by these forests reduced the slope instabilities that are present today

DEVELOPMENT IMPACTS

Humans have modified the land on which they live for millennia. Traditional Camas and berry harvests practiced by the ancestors of Cowichan Tribes members created and maintained large cleared areas as well as modifying forest structure to provide appropriate seral conditions to enhance food production (Turner 1995). With the arrival of Europeans, wholesale clearing of the land for agriculture became the standard practice, further modifying the land and ecological processes associated with the undisturbed ecosystems. The construction of roads and urban areas has added to these modifications, generally to the detriment of the natural processes and the ecological goods and services these provide. Although a return to pre-human influence on the land is not possible, understanding the impacts that humans have had (and are having) on the land can help in the development of regulatory environments and stewardship ethics that will protect the land and processes for future generations to enjoy. This section provides an overview of the various adverse impacts humans have had on the land specifically in the Cowichan Bay area.

Understanding the impacts associated with disturbances is incomplete without an understanding of the ability of the land to recover from disturbances. Resilience (Holling 1973) when applied to ecosystems is the concept that ecosystems have the ability to recover, at least in some manner, from drastic disturbances. Study of these recovery processes can provide solutions for the restoration of drastically disturbed sites (Polster 2011). In the case of the Cowichan Bay area natural recovery processes operate to restore damages humans cause, although sometimes this recovery is slow with a reduction in ecological services in the interim. In the absence of human intervention the disturbed areas in the Cowichan Valley would return to the natural regional vegetation cover, although this might take many centuries in some situations. Photograph 3 shows a site where natural recovery processes are addressing a disturbance by both erosion and revegetation. Natural recovery processes are evident on many of the sites discussed in the following paragraphs.

Urban development within the intertidal areas in the Cowichan Bay village area (cover photograph) is the most profound human disturbance in the Cowichan Bay area while the upland areas above the village contribute to the ecological degradation in the area. Paving and the discharge of excess water in local watercourses causes substantial damage. In addition, tree cutting and topping on the slopes above the shores of Cowichan Bay can operate in combination with the paving to cause significant problems. Root strength is critical to hold slopes together. In addition, where materials are pushed over the edge of the steep slopes above the shore, slope failures can occur (Photograph 4).

APPENDIX A – FOR INFORMATION ONLY



Photograph 3. Resloping of this shoreline 15 to 20 years ago resulted in materials being pushed into the intertidal zone. This material is now being eroded away in a natural process to restore the original shoreline. Beach rye (*Leymus mollis*) is starting to colonize this new upper intertidal area while big-leaf maple (*Acer macrophyllum*) is establishing on the upland areas.



Photograph 4. Slides such as the one shown in this photograph originate from fill materials placed on the slope in combination with the loss of root strength associated with cutting trees on the slope. The maple tree on the left shows evidence of having been topped about 20 years ago.

Root systems contract when the tops of trees are cut (Esau 1960). This causes a loss of root strength, particularly the less than 2 mm roots where most of the soil holding capacity of the plants is lodged (Gray and Leiser 1982). The loss of root strength may not occur for 10 to 15 years after the trees are cut so the connection between cutting the trees and the subsequent landslide may not be apparent. This is a common problem where timber harvesting on steep slopes results in landslides just as the new forest is becoming established (Atkins et al. 2001). Where trees are topped, the contraction of the root system can cause similar problems (Photograph 5). The loss of root strength interacts with other features of the site such as the steepness of the slope, the material the slope is composed of and the presence of groundwater seepage to influence the propensity of the site to slide (Chatwin et al. 1994).



Photograph 5. These trees have been topped. The subsequent loss of root strength may cause the slope on which they are growing to fail.



Photograph 6. Grassy lawns and fields do not provide the same ecological services that forests provide and may contributed to slope instabilities.

APPENDIX A – FOR INFORMATION ONLY

Upland development can have a significant impact on the slopes along Cowichan Bay. A normal Coastal Douglas-fir forest can intercept and re-evaporate up to 30% of the rain that fall on it. The humus layer under these forests similarly absorbs moisture, slowly releasing it to the plants in the forest or into the groundwater system. The key here is that the large volumes of water that fall on the Cowichan Valley over the winter are slowed in their travel to the ocean by the forests of the valley. If these forests are replaced by grasslands (Photograph 6) then these ecological services (water interception and pathway slowing) are lost. Where upland areas are hardened so water cannot infiltrate, then in addition to the loss of the forest related ecological services, the areas where the water is discharged will experience flashy flows which may significantly increase erosion and degrade fish habitats.

Just as hardening and development of upland areas can have an impact on slope processes (Photograph 7), hardening shorelines changes shoreline processes and often leads to erosion of adjacent areas, beach deflation and the loss of spawning habitat for shore-spawning forage fish. Movement of materials along the shore in association with wave action is called longshore drift (Schiechtl and Stern 1997). Where piers and other structures interrupt this natural process, dramatic changes in the shoreline can occur. Sediments that would normally be delivered from eroding parts of the shore to deposition areas are intercepted and accumulations can occur in areas such as at marinas where water depth is an important feature. Similarly, areas that are starved of sediment due to the interrupted movement can experience beach deflation. Areas that were once sandy and pleasant to walk along may become covered with cobbles that make beach walking difficult. Although this has an unwanted consequence for beach walking, the impacts on shore-spawning forage fish are much more significant. The availability of the right sized granular material is essential for the successful spawning of these fish. As one of the lower rungs on the marine food chain, reductions in forage fish can cause reverberations throughout the marine world, including into our sport fishing industry.



Photograph 7. New developments above the slope can have a significant impact on slope hydrology and can trigger slides on the slope (see also Photograph 2).

The interaction between the trees on the lower slopes above the beach and shoreline processes is also important (Photograph 8). Wave erosion tends to gnaw away at the toe of the shoreline slopes. This may cause the shoreline trees to fall onto the beach where they become an obstruction for beach walkers. However, these fallen trees also provide an important function in damping wave erosion and serving as a substrate for a variety of organisms. In addition, when trees

APPENDIX A – FOR INFORMATION ONLY

and their attached root wads fall onto the beach, they bring with them a variety of nutrients that may be important in the maintenance of intertidal ecosystems. Red alder is a common shoreline tree. This species is associated with nitrogen fixing bacteria so the leaves from this tree provide a high nitrogen substrate for intertidal organisms while the roots and root wads bring additional nitrogen if these trees fall onto the beach. Bigleaf maple is another common shoreline species. This tree produces large quantities of leaf litter. This organic carbon source is an important material for bacteria and other organisms that live in the intertidal areas. Overhanging trees are an important part of the intertidal ecosystem as they provide nutrients and foods for intertidal organisms as well as serving as perches for birds like the belted kingfisher. Maintaining the diversity associated with overhanging trees helps to ensure the stability and resilience of these riparian ecosystems (Loreau 2010).



Photograph 8. Overhanging trees are important to the intertidal ecosystem by providing carbon based food as well as nutrients for intertidal organisms.

MITIGATION MEASURES

The primary emphasis of minimizing the human impacts on shorelines in the Cowichan Bay area should focus on being as light and gentle on the land as possible. Small trails that weave through the forest without causing major openings and inconspicuous stairways such as the one illustrated in Photograph 8 will have a minimal impact on the riparian zone. However heavy land-altering activities such as the re-grading of the shoreline slope as shown in Photograph 3 as well as tree topping (Photograph 5) and clearing (Photograph 6) can have significant adverse impacts. Views can be maintained by trimming side branches without taking the tops off trees (Photograph 9). This will minimize the loss of root strength while at the same time opening the view and providing increased light.

Developments that are contemplated for the Cowichan Bay area should be designed to be zero discharge. Zero discharge communities seek to replace the ecological functions associated with the pre-development natural forests with built facilities that replace these functions. For instance, where natural forests (Photograph 2) address rainfall in a variety of ways with the ultimate result that there are no surface flows except in groundwater fed streams (water does not run across the surface of forests), developments can also address rainfall in a variety of ways. Roofs can be fitted with rainwater collection facilities with the collected water being used for irrigating gardens and flushing toilets, resulting in a subsequent reduction in water demand. Excess water can be injected into infiltration galleries that are built as part of the development. Paved areas such as driveways and roads can be built with porous pavements that are coupled to infiltration galleries or swales with natural wetland vegetation (Cattails, Willows, Hardhack, etc.) rather than traditional curbs and

APPENDIX A – FOR INFORMATION ONLY

gutters. Landscaping can use native groundwater injection plants (Photograph 10) to move rainfall into the groundwater system. Many of the local native species are adapted to address the rainfall that occurs in this area with evergreen leaves (e.g. Salal, Oregon Grape) and funnel shaped stems (e.g. Salmonberry) that protect the soil from raindrop erosion and move the water directly into the near surface groundwater system.

There are a wide variety of opportunities to restore degraded riparian ecosystems (e.g. as shown in Photograph 6) to return the important ecological services that have been lost through development. Soft shoreline restoration techniques can be used to address eroding shorelines where the natural protection has been lost. The first step is to identify why the shore is eroding. Was fill material pushed into the intertidal area (Photograph 3) and the erosion is trying to restore the natural shoreline configuration? Replanting forests on grasslands and creating zero discharge urban (see above) areas can help restore hydrologic integrity to the Cowichan Bay area. Where heavy rip-rap has removed the riparian vegetation such as at Hecate Park pocket planting using riparian species such as Red Alder and Bigleaf Maple can return some of the riparian values. Support of programs such as the Eelgrass planting program that is conducted by local ENGOs can help mitigate some of the impacts associated with the village of Cowichan Bay. Rebuilding resilient ecosystems in the Cowichan Bay area will be essential if the beauty and charm of this area is to be retained.



Photograph 9. Pruning the branches along the sides of these trees opens the views while maintain critical root strength.

APPENDIX A – FOR INFORMATION ONLY

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Population & Housing Analysis

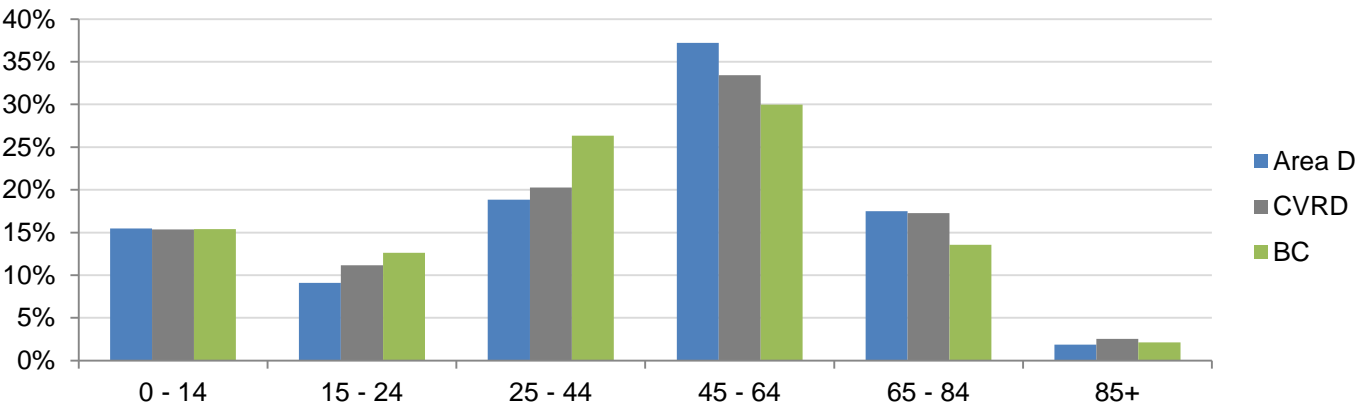
INTRODUCTION

An Official Community Plan is required by law to include statements and map designations respecting the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of a least five years. This requires an analysis of population and household characteristics, estimate of projected population growth, and approximation of required housing to meet anticipated demand. The Electoral Area D – Cowichan Bay Official Community Plan takes a long-term view, establishing population and household characteristics and corresponding housing requirements for a period of approximately twenty-five years. The following is a technical analysis of population and household trends and other key indicators of housing demand, intended to inform the residential growth policies contained with the Official Community Plan for Area D – Cowichan Bay.

POPULATION PROFILE

Electoral Area D – Cowichan Bay is officially home to 2,971 people (not including First Nations reserves). The 2011 census reports a median age of 49.4 for Cowichan Bay compared to 47.2 for the CVRD and 41.9 for BC. Similar to the CVRD and province as a whole, the 45 – 64 age cohort (36% of the total population), has the biggest share of the Area D population. In comparison to the province, both the CVRD and Area D have fewer people who are younger than 45 and more people who are 45 and older.

POPULATION AGE DISTRIBUTION – ELECTORAL AREA D, CVRD AND BC, 2011



Source: Statistics Canada

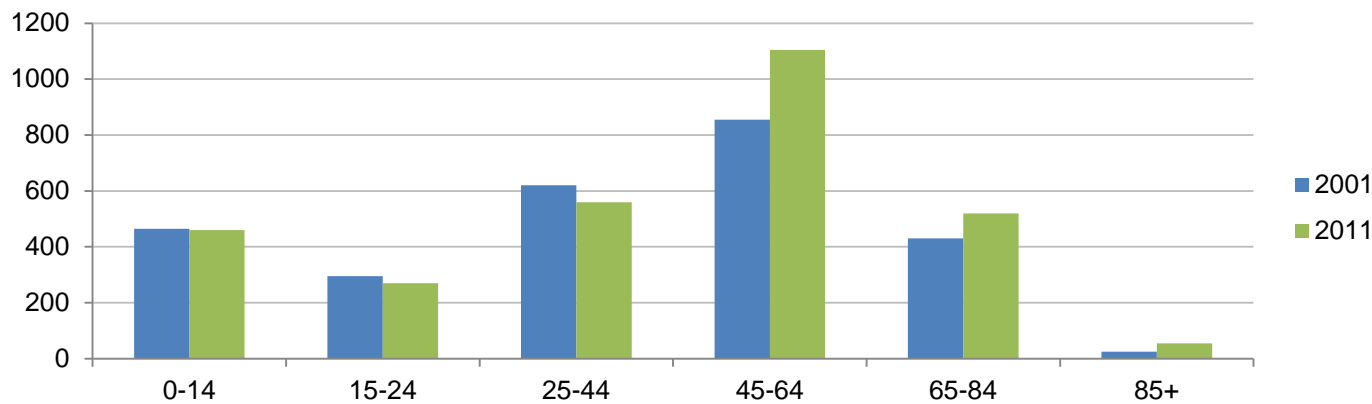
POPULATION GROWTH TRENDS

The Cowichan Valley – like many other areas of British Columbia – is growing older. Over the past 25 years, there has been steady growth in the 45 and over population with significant growth in the 45 to 64 age cohort, typically known as the “baby boom” generation. Over the same period of time, the population aged 45 and under experienced losses, however, which is indicative of declining numbers of younger households and children in the region.

APPENDIX B – FOR INFORMATION ONLY

Electoral Area D – Cowichan Bay has experienced similar trends. Between 2001 and 2011, the 45 to 64 age group increased significantly from 855 to 1105 people (29% while the 65 to 84 age group grew from 430 to 520 (21%) and the 85+ group increased from 25 to 55 people (120%) . During the same period, the 0 – 14 age group decreased from 465 to 460 (-1%); the 15 – 24 age group decreased from 295 to 270 (-8%); and the 25 to 44 age group decreased from 620 to 560 (-10%). The changes that have occurred in Area D between 2001 and 2011 further substantiate the trend toward an increasing proportion of older to younger people in the region with an aging population and fewer younger households.

CHANGE IN POPULATION AGE DISTRIBUTION – ELECTORAL AREA D, 2001 – 2011

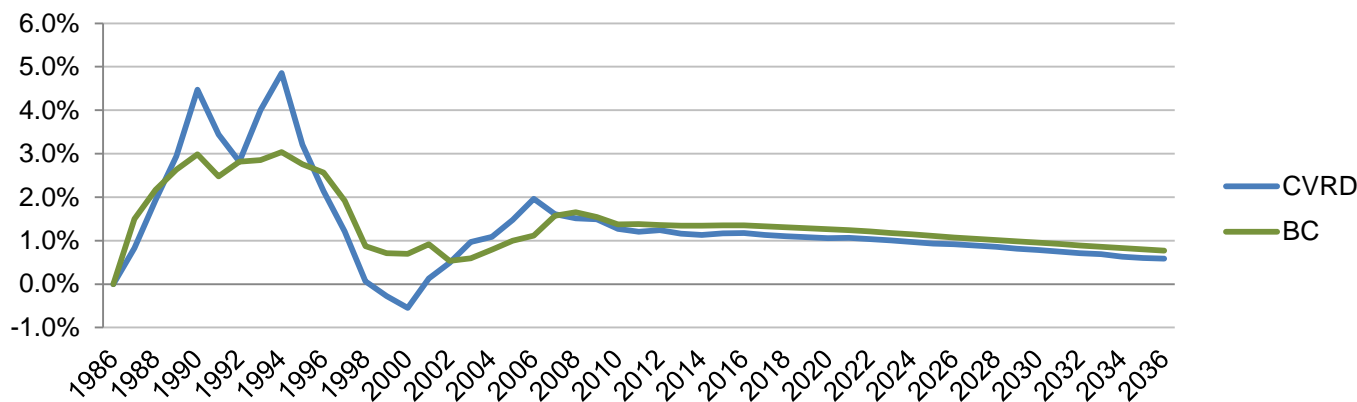


Source: Statistics Canada

HISTORICAL & PROJECTED RATES OF GROWTH

Between 1986 and 2006, the CVRD population grew by 1.9% annually and 44% overall while BC’s population increased by 1.7% annually and 41% overall. Going forward, the CVRD regional population is expected to continue to grow from just over 80,000 in 2011 to over 106,000 in 2036. Notably, the rate of population will continue to decline, as shown in the following chart. BC Stats, the provincial statistical agency, also expects that by 2036 the dependency ratio will increase to 8 dependents for every 10 people of working age. Dependents are considered to be people who are unable to meet their needs alone. Instead, they require assistance from others in the form of time or energy. An increasing dependency ratio means that there will be greater pressure upon the working population (aged 15 to 64).

POPULATION GROWTH RATES – CVRD AND BC, 1986 TO 2036



Source: BC Stats

APPENDIX B – FOR INFORMATION ONLY

Electoral Area D – Cowichan Bay is also expected to continue to grow although the rate of growth should not exceed 1%, consistent with the historical rate of growth in the community between 1986 and 2011. Assuming an average growth rate of approximately one per cent annually, the projected 2036 population for Area D – Cowichan Bay is 3,819 people – 849 (28%) more than the 2011 census. The following table indicates the population growth by age group anticipated in Electoral Area D – Cowichan Bay between 2011 and 2036.

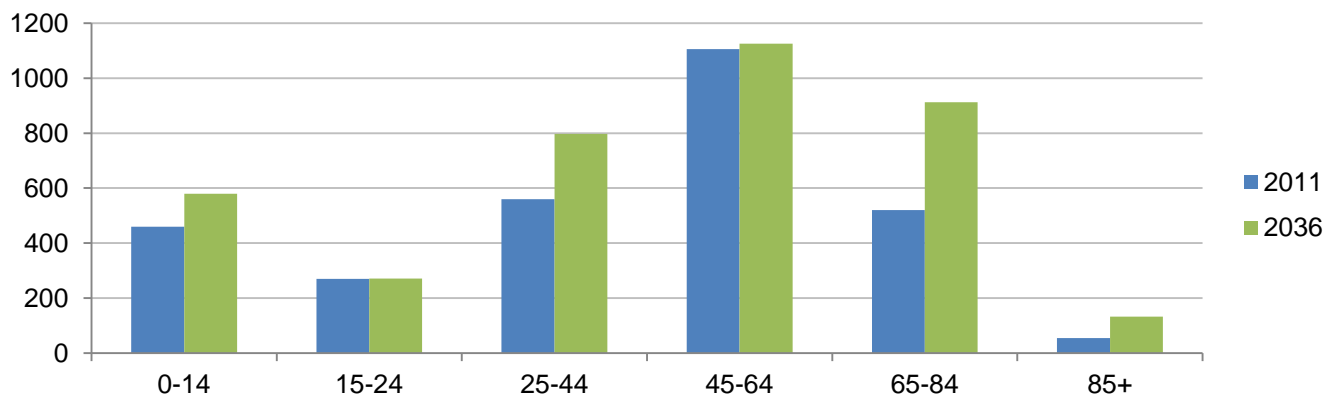
PROJECTED POPULATION BY AGE GROUP – ELECTORAL AREA D, 2011 TO 2036

Year	0 – 14	15 – 24	25 – 44	45 – 64	65 – 84	85+	Total	Projected Total Population Growth
2011	460	270	560	1105	520	55	2971	
2016	473	243	648	1078	644	67	3153	
2021	514	224	729	1040	763	75	3345	375 (10 yr. change)
2026	554	229	782	1008	870	83	3526	556 (15 yr. change)
2031	575	250	821	1000	932	101	3681	
2036	580	271	797	1125	913	132	3819	849 (25 yr. change)

Source: Statistics Canada, BC Stats, CVRD Calculations (Note: Population projections for Electoral Area D – Cowichan Bay are derived from BC Stats' P.E.O.P.L.E. 36 projections for the CVRD with five-year age interval data aggregated to broader age categories. Population projections are not routinely prepared by BC Stats for small areas such as Electoral Area D – Cowichan Bay. However, the recommended method for developing population projections for small areas is to use the projection that has been developed for the greater region – in this case, the CVRD.)

Notably, the population will age considerably. Between 2011 and 2036, it is expected that the 65 and older age cohort will grow from 19% to 27% of the total population. In absolute terms, this means that the 65 and older age cohort will almost double (from 575 to 1045) and that the 85 and older age cohort will almost triple (from 55 to 132). During the same period, while the total population will grow, there is expected to be little change in the 15 to 24 and 45 to 64 age cohorts. Some moderate growth will be seen in the 0 to 14 and 25 to 44 age cohorts. The following chart shows the change in population age distribution (in absolute values) that is anticipated between 2011 and 2036.

PROJECTED CHANGE IN POPULATION AGE DISTRIBUTION – ELECTORAL AREA D, 2011 TO 2036



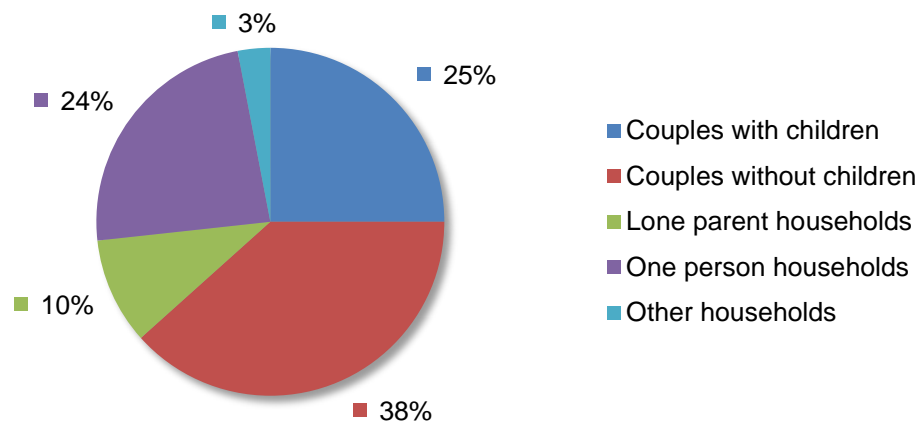
Source: Statistics Canada, BC Stats, CVRD Calculations

APPENDIX B – FOR INFORMATION ONLY

HOUSEHOLD PROFILE

At the time of preparing this Plan, household data for Electoral Area D – Cowichan Bay was not yet available from the 2011 Census. Hence, the 2006 census data was used to describe the household profile of the area, as shown in the following chart. In 2006, the 1,160 households in Area D – Cowichan Bay included 290 (25%) couple households with children, 445 (38%) couple households without children, 115 (10%) lone parent households, 275 (24%) one person households and 35 (3%) other household types. At 38%, couple households without children exceeded the provincial total of 30%.

HOUSEHOLD DISTRIBUTION – AREA D, 2006



Source: Statistics Canada

Demographic analysis points to shrinking household sizes. In 1986, the average Cowichan Valley household had 2.7 people. By 2006, household size had fallen to 2.4 people and in 2011, to 2.3 people. Applying BC Stats' methodology to create household projections, it is expected that average household size will fall to 2.2 persons per household in Electoral Area D – Cowichan Bay, as shown in the following chart.

HOUSEHOLD SIZE PROJECTIONS – 2006 TO 2036

Year	Population	Number of Households	Average Household Size
2006	2,823	1,160	2.4
2011	2,971	1,265	2.3
2016	3,153	1,433	2.2
2026	3,526	1,602	2.2
2036	3,819	1,736	2.2

Source: BC Stats, CVRD Calculations

APPENDIX B – FOR INFORMATION ONLY

HOUSEHOLD & HOUSING DEMAND PROJECTIONS

The table below indicates the projected growth in households and corresponding housing units that are required to accommodate project population growth. Based on the projections, about 460 housing units are needed by 2036.

HOUSEHOLD & HOUSING DEMAND PROJECTIONS – 2006 TO 2036

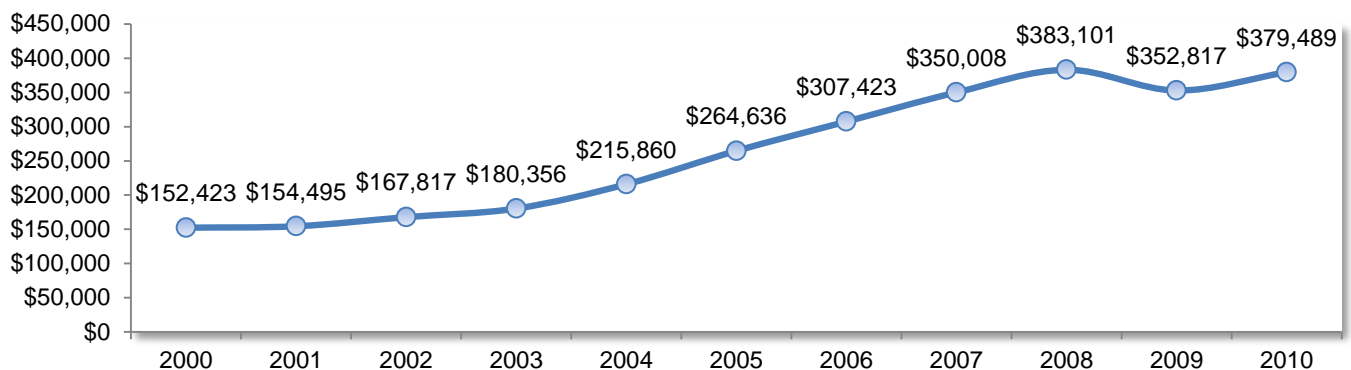
Year	Population	Number of Households	Average Household Size	Total number of private dwellings (used by usual residents)	Total projected number of new dwelling units needed	Net projected number of new dwelling units needed ⁵
2006	2,823	1,160	2.4		-	-
2011	2,971	1,265	2.3	1,269	-	-
2016	3,153	1,433	2.2		273	150
2026	3,526	1,602	2.2		442	319
2036	3,819	1,736	2.2		576	453

Source: BC Stats, CVRD Calculations

HOUSING AFFORDABILITY

Affordable housing is typically considered to be housing that costs less than 30% of a household's gross income. Whilst affordability challenges are not as readily apparent as larger urban markets such as Victoria and the lower mainland, steady increases in housing costs in the early part of the 21st century coupled with increasing demand and lack of diversity of housing stock present concerns. Between 2000 and the early part of 2010, the average price of a home in the Cowichan Valley more than doubled from \$152,423 in 2000 to \$379,489.

AVERAGE ANNUAL HOME SALE PRICES – COWICHAN VALLEY, 2000 – 2010



Source: Vancouver Island Real Estate Board

⁵ Between 2006 and 2011, there were 123 new housing starts in Electoral Area D – Cowichan Bay.

APPENDIX B – FOR INFORMATION ONLY

In 2006, the average value of owned dwellings in Area D – Cowichan Bay was \$343,024 compared to \$307,423 in the Cowichan Valley and \$418,703 province-wide. At the same time, the median cost of rental housing increased to \$909 compared to \$752 province wide – almost a 50 percent increase over a five-year period. In 2006, 40% of renter households lived in housing costing more than 30% of their gross household income compared to 35% province wide. At the same time, only 14% of owner households paid more than 30% of their gross household income on housing compared to 19% province wide. While it appears that housing is less affordable for renters than for owners, this may be attributed to limited supply of rental housing in the Plan Area at the time of preparing the Plan.

Housing affordability is directly related to household income. The 2005 income data captured in the 2006 census was adjusted to 2010 based on average wage increases for British Columbians over the past five years. Based on 2005 income data adjusted to 2010 rates, the following table shows the maximum monthly housing costs and estimated maximum home purchase prices available to typical households earning the median income in Area D – Cowichan Bay. Based on the calculations, couple households with children have the greatest choice in both the rental and ownership housing markets. Singles have the least choice in the market with insufficient income to cover average monthly rents and virtually no ability to find ownership housing in Area D priced at \$100,000.

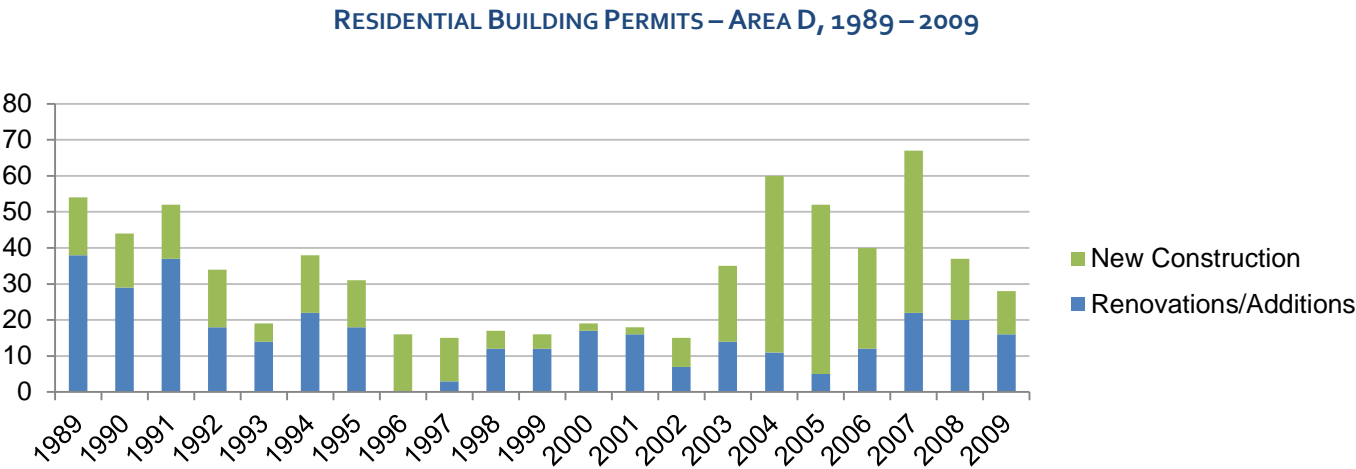
MAXIMUM MONTHLY HOUSING COST AND HOME PURCHASE PRICE FOR MEDIAN INCOME HOUSEHOLDS (2010)

Household Type	Median Income (2005)	Median Income (2010)	Monthly Income Available (30%)	Estimated Maximum Home Purchase Price (10% down)
Couples with children	\$86,050	\$100,075	\$2,502	\$440,000
Couples without children	\$58,780	\$68,360	\$1,709	\$300,000
Lone parent households	\$37,558	\$43,679	\$1,092	\$190,000
One person households	\$19,549	\$22,735	\$568	\$100,000
Other households	\$44,884	\$52,119	\$1,303	\$230,000

Source: Statistics Canada, BC Stats; median incomes adjusted to 2010 rates using BC Stats Labour Force Survey; estimated maximum home purchase price calculations based on fixed 6.5% interest rate amortized over 25-years and includes mortgage insurance, property taxes and utilities; CVRD Calculations

HOUSING STARTS

According to CVRD building permit statistics, a total of 140 permits were issued between 1989 and 2009 for new single detached dwellings in Electoral Area D – Cowichan Bay. Residential building activity was strongest during the early 1990s and between 2003 and 2008. During this time, the proportion of new construction to renovations and additions has been roughly equal suggesting that, reinvestment in existing residential properties has occurred. On average, 17 new residential units were created each year between 1989 and 2009.



Source: CVRD Planning and Development Department

Using housing starts as a demand indicator, 17 units would be needed annually and 425 units would be needed by 2036. Notably, the analysis of housing starts yields a comparable housing demand projection to that based on the population growth and corresponding household size projections. For the purpose of the Electoral Area D – Cowichan Bay Official Community Plan, population growth and household size projections are used to determine anticipated housing demand, as these factors yield a slightly higher figure.

HOUSING CAPACITY ANALYSIS

Potential housing supply or housing capacity relates to the amount of housing that can practically be created under the policy and regulatory framework for Electoral Area D – Cowichan Bay. Indicators of housing capacity include: analysis of existing housing stock, development potential of vacant parcels; current subdivision applications; and current rezoning applications.

One method for determining potential housing supply in Area D – Cowichan Bay is to identify vacant parcels that are developable because they have permissible zoning and are of sufficient size to accommodate development. At the time of preparing this Plan, BC Assessment records indicate that there are 159 vacant lots in the Plan Area. Of these, 147 vacant parcels have zoning that permits residential development. However, only 80 of the 147 parcels meet the minimum parcel size required for development. Assuming that these 80 parcels were subdivided under pre-existing zoning, there could potentially be up to 433 parcels available for development, without factoring any necessary park or public roadway dedication. The number of potential dwellings would only be marginally higher as there are very few zones that permit more than one dwelling per parcel. It should be noted that this estimate of potential housing supply does not consider external factors which have a bearing on development potential, such as topographic or soil conditions, suitable road access, and availability of water and sewer. The latter is particularly significant in the Plan Area and not definitive.

APPENDIX B – FOR INFORMATION ONLY

At the time of preparing this Plan, two major subdivisions had recently been completed in the Plan Area including the Park Place subdivision in the Four Ways area and Cowichan Bay Estates subdivision on Wilmot Road, with an approximate total of 150 residential units available following development. Other proposed developments including Wilcuma Lodge, Cherry Point Marina and the Oceanfront Suites which have the potential to yield an additional 100 units.

Demographic trends point to an increasing number of seniors, one-person households (singles), and shared housing arrangements among individuals who are not related by blood or marriage. Redevelopment, in addition to the new development potential described above, presents an opportunity to accommodate the needs of these and other household types. Redevelopment of existing single detached housing stock could yield additional housing typologies such as secondary suites and accessory dwellings, semi-detached dwellings (duplexes) and attached dwellings (multi-unit dwellings). Given that 89% of the housing stock consists of single detached dwellings and that more than one-third of this stock was built during the 1970s, it is expected that renovation and redevelopment opportunities may be readily available.

CONCLUSION

Based on an analysis of population and household trends, it is estimated that approximately 450 new housing units are required by 2036. Housing supply indicators show that Area D – Cowichan Bay has ample capacity to absorb anticipated population growth and corresponding housing demand for at least five years. Furthermore, if all vacant parcels in Area D – Cowichan Bay were developed, there would be sufficient housing supply to accommodate projected population growth for a period of 25 years. In practice, there are challenges to reaching this potential build-out, related to the provision of water and service services. The Plan includes servicing policies to ensure that housing capacity is available to accommodate population growth for the long-term. Furthermore, status quo development practices would yield additional single detached dwellings, which are technically sufficient to accommodate population growth. However, further consideration is needed with respect to changing demographics, housing preferences and lifestyles to ensure that the types of dwelling units constructed in the future adequately meet the population's diverse housing needs. Accordingly, the Plan includes growth policies to ensure that there is diversity in the housing stock in terms of housing size, type and price to meet the diverse needs of different household types.

Glossary of Terms

Accelerated Erosion: Refers to erosion that exceeds normal geologic erosion and becomes destructive. It occurs when soil or natural vegetation is disturbed by clearing forested areas, overgrazing, plowing hillsides, recreational activity (e.g., ATV vehicle uses), indiscriminate (arbitrary) burning, or denuding land for construction of roads and buildings.

Accessible: A person with disabilities who, without assistance from another person, is able to approach, enter, pass to and from and make use of an area and/or its facilities.

Accessory Dwelling: A dwelling unit that is clearly ancillary and subordinate to a principle use on a parcel.

Accessory Use: A use that is clearly ancillary and subordinate to and associated with a principal use, building or structure on the same parcel or on common property in a strata plan.

Accommodation Unit: A self-contained housekeeping unit comprised of one or more rooms including sleeping and sanitary facilities, available for temporary accommodation.

Adult: A person who has reached 19 years of age.

Affordable Housing: Housing that falls within the financial means of a household living in either market or non-market dwellings. Total costs for rent or mortgage plus taxes, insurance and utilities should equal 30 percent or less of a household's gross annual income. Housing affordability is influenced by household income, and cost and supply of housing.

Agricultural Land Reserve (ALR): Land that is subject to the *Agricultural Land Commission Act*.

Aging in Place: A concept that supports the opportunity for residents to remain living in their own neighbourhood or community as they age through the availability of appropriate services, facilities and housing options.

Bed and Breakfast: Accessory use of a single detached dwelling for the temporary accommodation of transient, paying guests where the single detached dwelling is occupied by the owner and only one breakfast meal is served per day.

Big Box: Generally specialized retail facilities which are intended to drive the competition from a market by offering greater depth in a particular retail area (e.g. sports, home furnishing, drugs, etc.). Big Box Stores are often characterized by one-level 'warehouse' style construction). *There are several recognized size variations on the Big Box format:* Conventional Big Boxes - 60,000 to 150,000 ft² (5,500 – 14,000 m²); Mid-Boxes - 25,000 to 60,000 ft² (2,300 – 5,500 m²); and Junior Boxes or Mini-Boxes - up to 20,000 to 25,000 ft² (1,800 – 2,300 m²).

Building: Any structure, wholly or partly enclosed by a roof or roofs supported by walls or columns, which is used or intended to be used for supporting or sheltering any use or occupancy.

Census Family: Refers to a married couple (with or without children of either or both spouses), a couple living common-law (with or without children of either or both partners) or a lone parent of any marital status, with at least one child living in the same dwelling. A couple may be of opposite or same sex. Children in a census family include grandchildren living with their grandparent(s) but with no parents present.

Cluster or Clustering: Refers to a site-planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and/or preservation of features and/or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in parcel sizes, setback, and floor area ratio.

APPENDIX C – GLOSSARY OF TERMS

Cluster Residential Development: Refers to a land development project in which the site planning technique of clustering dwelling units is employed.

Commercial Accommodation: The commercial use of land or a building or structure, or set of buildings or structures other than a campground, for temporary accommodation of transient paying persons, and includes hotels but not bed and breakfasts.

Community Care Facility: The use of a building or part thereof including any other premises or part of such premises, in accordance with the *Community Care and Assisted Living Act*, to provide care to three or more persons residing within the premises who are not related by blood or marriage to the person providing such care.

Community Garden: A plot of land where community members produce food, flowers, native and ornamental plants, edible berries and food perennials on public or private lands.

Community Heritage Register: A list of property that is formally recognized by the CVRD to have heritage value or heritage character.

Community Services: An inclusive term that encompasses the broadest range of services to people, including social, health, recreation and education, provided by the public, private and non-profit sectors.

Community Water System: A potable water distribution system owned and operated by the Cowichan Valley Regional District or an Improvement District.

Community Well-Being: A concept that refers to an optimal quality of healthy community life. Community well-being is only possible when the basic needs of all citizens are met and citizens have the skills and abilities to contribute to their own well-being, and the well-being of the community.

Community Sewer System: A liquid waste treatment and disposal service owned and operated by the Cowichan Valley Regional District or the District of North Cowichan.

Contaminated Site: An area of the land in which the soil or any groundwater lying beneath it, or the water or the underlying sediment, contains (a) a hazardous waste, or (b) another prescribed substance in quantities or concentrations exceeding prescribed risk based or numerical criteria or standards or conditions.

Cowichan Valley Regional District (CVRD): Cowichan Valley Regional District Local Government Authority

Crime Prevention Through Environmental Design (CPTED): Refers to the places and things, the "built environment," which can either be targets of criminal activity or the location where crime takes place. The proper design, effective use and maintenance of the built environment can lead to a reduction in the incidence and fear of crime, and an improvement in community well-being.

Crown: Government responsible for the administration of Crown Lands.

Crown Lands: Designated area belonging to the Queen in Right of British Columbia.

CVRD Board: Board of Directors of the Cowichan Valley Regional District

Day Care: The use of a building or part thereof for the purpose of providing care to seven or fewer persons under the age of thirteen, including members of the household occupying the premises.

Density: A measure of specified units as in persons, employees, or buildings/floor space per unit of area.

APPENDIX C – GLOSSARY OF TERMS

Design with Nature: An approach that utilizes natural methods during site design to work with the terrestrial, aquatic, and biological characteristics of the site and the relationships among them. These measures may reduce reliance on technological solutions, which may be expensive, energy- or management-intensive, and less environmentally sensitive. This may include:

- Retention of natural vegetation on slopes to reduce erosion;
- Conservation of as many existing trees as feasible;
- Use of appropriate natural infiltration techniques on site to reduce the need for stormwater management ponds;
- Orientation of streets to maximize opportunities for passive solar heating and reflection of natural contours;
- Protection of natural stream corridors and incorporation of natural features into open spaces.

Detached Dwelling Unit: A residential use clearly ancillary and subordinate, but not attached to, to the principle dwelling unit on a parcel. This includes residential uses in freestanding accessory buildings.

Development: The construction, re-construction, erection or placing of one or more buildings or structures on land or the making of any material change in the use or intensity of the use of any building or land. Also any activity referred to in Section 920(1) of the *Local Government Act*.

Development Potential: The unused potential for additional density in the form of floor area, dwelling units, or parcels.

Drainage Feature: Includes a) a watercourse, whether it usually contains water or not b) a pond, lake, river, creek or brook; or c) a ditch, spring or wetland that is connected by surface flow to something referred to in a) or b), that may or may not provide fish habitat. Drainage features provide a critical role in controlling surface runoff rate and volume and filtering pollution.

Dwelling or Dwelling Unit: A self-contained housekeeping unit comprised of one or more rooms including one kitchen and living, sleeping and sanitary facilities, having direct access to the outdoors without passing through any other similar unit, intended to be used as the principle residence of one household, and not rented or available for rent or occupation for periods of less than 30 days.

Ecological Function: The physical conditions, habitat, and ecological processes that sustain a particular biological community. A change or disruption to ecological function can result in a change or loss in habitat type, with resulting loss of species that depend on the specific habitat type.

Ecological Services: The transformation of natural assets (soil, plants and animals, air and water) into things that people value. They can be viewed as “provisioning” such as food and water; “regulating”, such as, flood and disease control; “cultural” such as spiritual, recreational, and cultural benefits; or “supporting” such as nutrient cycling that maintain the conditions for life on Earth.

Ecosystem: A dynamic set of living organisms (plants, animals and microorganisms) all interacting among themselves and with the environment in which they live (soil, climate, water and light).

Endangered: Facing imminent extirpation or extinction.

Estuary: A transition zone between river and ocean environments subject to both marine influences, such as tides, waves, and the influx of saline water; and river influences, such as flows of fresh water and sediment. The inflow of both seawater and freshwater provide high levels of nutrients in both the water column and sediment, making estuaries among the most productive natural habitats in the world.

Evaluation: The periodic process of assessing the extent to which a Plan, project, or indicator produced the intended results.

APPENDIX C – GLOSSARY OF TERMS

Firesmart: Design approach to reduce the risk of fire through wise and responsible use of building and landscape materials.

Floating Home: A structure built on a flotation system, which is used for permanent residential habitation, is physically connected and serviced by community water and sewer systems, and is not intended for navigation, nor usable as a navigable craft.

Food Security: A situation that exists when people have secure access to sufficient amounts of safe and nutritious food for normal growth, development and an active and healthy life.

Foreshore: The part of the shore that lies between high-water and low-water marks.

Fragmented Landscape: See Habitat Fragmentation

Green Shores Approach: recognizes the ecological functions and features of coastal ecosystems and enables project planning and design that connects people with the shore environment, delivers triple bottom line (environment, social and economic) benefits and recognizes that site specific, cost effective solutions can only be achieved by using an integrated design approach. Guiding principles include:

- Preserving the integrity or connectivity of coastal processes;
- Maintaining or enhance habitat diversity and function (on a local or regional scale;
- Minimizing or reduce pollutants to the marine environment; and
- Reducing cumulative impacts to the coastal environment.

Goal: A statement that indicates a desire for something that the community would like to achieve in the future. A goal is generally broad in scope and works toward the desired outcome articulated by the community's vision.

Ground-oriented Dwelling: A residential unit that has individual and direct access to the ground.

Groundwater: Sub-surface water or water stored in pores, cracks, and crevices in the ground below the water table.

Habitat Fragmentation: an ecological process in which a large patch of habitat is divided into smaller patches of habitats. Usually, this process is caused by human activities (roads, agriculture, and logging). It also reduces the value of the landscape as habitat for many species (plants and animals). Fragmentation alters natural habitat in many ways, including reduction of patches' sizes, increment of distances between similar patches, and increment of edges and predation.

Heritage Conservation: Includes, in relation to heritage, any activity undertaken to protect, preserve or enhance the heritage value or heritage character (including but not limited to character-defining elements) of heritage property or an area.

Heritage Character: Overall effect produced by traits or features which give heritage property or an area a distinctive appearance or quality.

Heritage Designation: Formal protection of a recognized heritage resource or heritage property.

Heritage Property: A structure, building, group of buildings, district, landscape, archaeological site or other place that has been formally recognized for its heritage value.

Heritage Value: The historic, cultural, aesthetic, scientific or educational worth or usefulness of (heritage) property or an area. The heritage value of a heritage resource is embodied in its heritage character.

APPENDIX C – GLOSSARY OF TERMS

Highly Visible: In the context of home based businesses, highly visible means it is likely clear to the neighbours and even passersby that commercial use is being made of the property (e.g., purpose-built extension or separate building with identifiable use, such as boat repair; on-site signage advertising a commercial aspect, such as a hair dresser or dog groomer).

Home-Based Business: A business use which is carried out property which is primarily intended for residential use, either in the main residence or other buildings located on the property.

Household: A person or group of persons who occupy the same dwelling unit as their usual place of residence. It may consist of a family with or without other persons, of two or more families sharing a dwelling, of up to five unrelated persons, or of one person living alone.

Human Scale: The experience of comfort and fit between the size (height, distance, areal extent, details) of physical surroundings and its natural and built elements relative to the size of a human person with normal vision, hearing and walking ability..

Impervious: Incapable of allowing precipitation to penetrate to underlying soils.

Important Bird Area (IBA): These are discrete sites that support specific groups of birds: threatened birds, large groups of birds, and birds restricted by range or by habitat.

Indicator: A discrete, mutually exclusive unit of measurement to evaluate inputs, activities, outputs and outcomes, as well as other aspects of performance that need to be monitored, such as service quality and cost.

Infill: The development of vacant sites and sites with development potential within existing developed areas.

Infrastructure: Physical structures that form the foundation for development. Infrastructure includes wastewater and water works, electric power, communications, transit and transportation facilities, and oil and gas pipelines and associated facilities.

Intensive Residential Development: Residential development associated with semi-detached dwellings, single detached dwellings on parcels less than 500 m² in size, and parcels with less than 10 m frontage (including panhandle lots).

Invasive Species: Species of plants or animals that are non-native or alien to the ecosystem under consideration, and, if present or introduced, may cause economic or environmental damage or harm to human health.

Light Pollution: Excessive or obtrusive artificial light, and resulting impacts on adjacent development, ecosystems, human health and illumination of the night sky.

Limited Agriculture: Agricultural use which is clearly ancillary and subordinate to the primary non-agricultural use of a parcel and does not pose a nuisance or alter neighbourhood character.

Living Wage: The hourly wage that a family provider must earn in order to afford typical everyday family expenses such as food, housing, shelter, utilities, health care, child care, transportation, and recreation. The Living Wage is not the minimum wage.

Low Impact Development (LID): A stormwater management and land development strategy applied at the parcel and subdivision scale. This strategy emphasizes conservation and use of on-site natural features, integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrology. The goal of LID is to prevent measurable harm to streams, lakes, wetlands and other natural aquatic systems from commercial, residential or industrial development sites.

APPENDIX C – GLOSSARY OF TERMS

Low-Rise Building: A building four storeys or less in height.

Marina: A facility for moorage of marine vessels, consisting of docks, floats or piers, which may include ancillary, subordinate, and customarily incidental non-residential uses such as boathouses, fuel docks, marina ways, launching ramps, boat sales, boat rentals and boat charters.

Massing: The overall shape or arrangement of the bulk or volume of development.

Medical Health Officer: A medical health officer designated under the *Public Health Act*.

Merton Rule: Named after the energy policy first developed by the Council of Merton, UK, which required new commercial buildings over 1,000 m² in size to generate at least 10 per cent of their energy needs onsite. The Merton Rule has become part of the UK Planning and Policy Statement in 2008 and while the policy has met with some resistance from the development community due to increased capital costs, the revenue benefit accrues to the subsequent users and residents of a development due to decreased operating costs.

Mini-storage: The use of land, buildings or structures for the purpose of storing personal property inside buildings, for compensation, excluding all outdoor storage and excluding the storage of recreational vehicles unless the Zone expressly permits it.

Mixed Use: Different uses in relatively close proximity either in the same building (apartments above a retail store) or on the same site or, when referring to an area, on an adjacent site (e.g. light industry adjacent to a retail building).

Mobile Home: A dwelling unit, normally built in a factory in one or more sections, intended to be occupied in a place other than of its manufacture, and which is certified as being constructed to the Canadian Standards Association Z240 Mobile Home Series.

Monitoring: The continuous process of assessing the progress of a Plan or project, and observing potential challenges and inefficiencies with a view to improving the Plan or project.

Multi-Unit Residential Development: A building containing three or more dwelling units.

Natural Boundary: The visible high water mark or any lake, river, stream or other body of water, where the presence and action of the water are so common and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of its banks, in vegetation, so well as in water; and the edge of dormant side channels of any lake, river, stream or other body of water.

Natural Features: Physically tangible elements of the environment including wetlands, forests, rock outcroppings, ravines, rivers, permanent and intermittent streams, and associated wildlife habitat areas along the edge of, or which support significant ecological functions within, the natural feature.

Natural Site Hydrology: The natural ecological functions of water occurrence, distribution, movement, and balance.

Neighbourhood Pub: A licensed establishment pursuant to the Liquor Control and Licensing Act, serving primarily alcoholic beverages as well as full lunch and dinner menus, and may include a retail store for beer or wine.

Non-Profit: Not established for the purpose of making a profit.

Non-Profit Organization: A corporation no part of the income of which is distributable to its members, directors or officers. A society that is created under the Society Act of BC or the Canada Corporations Act will be a non-profit corporation.

Objective: A specific aim to be reached in the achievement of Plan goals.

APPENDIX C – GLOSSARY OF TERMS

Open Space: Land that provides outdoor space for unstructured or structured leisure activities, recreation, ecological habitat, cultural events or aesthetic enjoyment that is generally publicly-accessible,

Parcel: A lot, block, or other area in which real property is held or into which real property is subdivided and includes the right or interest of an occupier of Crown land but does not include a highway or portion of a highway.

Park: Land managed by a government agency that provides outdoor space for unstructured or structured leisure activities, recreation, ecological habitat, cultural events, or aesthetic enjoyment, not including highways or roadways.

Plan: The Electoral Area D – Cowichan Bay Official Community Plan

Plan Area: Lands, including water surfaces, within the area affected by the Electoral Area D – Cowichan Bay Official Community Plan.

Policy: A statement that provides direction and guidance on courses of action to be undertaken to achieve the objectives of this Plan.

Principle Use: The primary use for which a parcel, building or structure has been designed or developed.

Pollution: The presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment.

Processing: A procedure which results in a change in the nature or appearance of the goods and treatment which makes the goods more marketable. Furthermore, a process typically involves a series of steps rather than just one activity.

Qualified Agrologist: a person, as defined in the *Agrologists Act*, practicing in the field of agrology.

Qualified Coastal Professional: A Qualified Professional Engineer or Qualified Professional Geoscientist with demonstrated experience working in coastal areas and applying green shores principles.

Qualified Design Professional: a practicing member of the Canadian Institute of Planners (CIP), the Planning Institute of British Columbia (PIBC), the BC Society of Landscape Architects, the Canadian Society of Landscape Architects (CSLA), the Architectural Institute of BC (AIBC), the American Institute of Certified Planners (AICP), or the Royal Institute of British Planners (RIBC).

Qualified Environmental Professional (QEP): An applied scientist or technologist, acting alone or together with another qualified environmental professional, if: (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and (c) the individual is acting within that individual's area of expertise.

Qualified Landscape Architect: A person who has met the educational standards, passed admissions examinations and is in good standing with the British Columbia Society of Landscape Architects through compliance with its Bylaws, including the Principles and Standards.

Qualified Professional: A person who has met the educational standards, passed admissions examinations and is in good standing with a professional association.

Qualified Professional Engineer (P.Eng): a person who has met the academic and experience requirements, is licensed to practice engineering at a professional level, takes professional responsibility for his or her work, and is a member in good standing with the Association of Professional Engineers and Geoscientists of BC.

APPENDIX C – GLOSSARY OF TERMS

Qualified Professional Geoscientist (P.Geo): a person who has met the academic and experience requirements, is licensed to practice geoscience at a professional level, takes professional responsibility for his or her work, and is a member in good standing with the Association of Professional Engineers and Geoscientists of BC.

Rare: Uncommon; atypical of the local environment.

Ravine: A narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

Regional District: (a) A regional district incorporated under the Local Government Act, or (b) the geographic area of a regional district corporation referred to in paragraph (a).

Registered Professional Biologist (R.P. Bio): A practicing member of the College of Applied Biology of British Columbia.

Renovation: General term to cover changes and upgrading of an existing property that will provide new life, energy or vigor.

Restrictive Covenant: Provision in a deed limiting the use of the property and prohibiting certain uses. In context of property law, term describes contract between grantor and grantee which restricts grantee's use and occupancy of land; generally, purpose behind restrictive covenants is to maintain or enhance value of lands adjacent to one another by controlling nature and use of surrounding lands.

Surface Run-off: Occurs when excess water from rain, meltwater or other sources flows over land due to the ground being completely saturated or impervious.

Rural Character: The combination of rural landscape features (i.e. agricultural lands, wooded areas, watercourses, parks, and natural open space), low-rise residential, agricultural, commercial, institutional and industrial buildings, and activities that collectively determine the experiential and visual character of place.

Rural Village Area: The area of land within a Rural Village Containment Boundary.

Secondary Suite: One or more habitable rooms, containing or providing cooking facilities, constituting a small self-contained dwelling unit for the residential accommodation of one census families or not more than two unrelated adults, contained within or attached to a principle single detached dwelling.

Selective Tree Removal: Refers to the careful removal of single trees for the purpose of maintaining a healthy balance of young, medium and older trees in a treed area, with the exception of their root systems which provide soil-binding benefits.

Sense of Place: The subjective experience of a place as having physical and social attributes that make it distinctive and memorable.

Shoreline Hardening: The construction of a retaining wall, seawall, groyne, headland, gabion or rip-rap stabilization device or other hard surface for the purpose of shoreline stabilization. Under unique circumstances, a *green shores approach* may be impractical and shoreline hardening may be deemed necessary by a *Qualified Coastal Professional*.

Semi-Detached Dwelling: A dwelling unit contained within a building containing one other dwelling unit, which is not a secondary suite, where the dwelling units are placed one above the other, side by side, or one in front of the other.

Single Detached Dwelling: A building designed for the principle use of one dwelling unit or a community care facility licensed under the *Community Care and Assisted Living Act*, but not including a recreational vehicle, floating home or mobile home.

SPEA: See Streamside Protection and Enhancement Area

APPENDIX C – GLOSSARY OF TERMS

Special Needs Housing: See Supportive Housing

Stream: Includes any of the following that provides fish habitat: a) a watercourse, whether or not it usually contains water b) a pond, lake, river, creek or brook; or c) a ditch, spring or wetland connected by surface flow to something referred to in a) or b).

Streamside Protection and Enhancement Area (SPEA): As defined in the *Riparian Areas Regulation*; an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts and influence on the stream, and an area the size of which is determined according to this regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.

Structure: Any construction fixed to, supported by, or sunk into land or water, but no concrete paving or asphalt paving or similar surfacing of a parcel.

Subdivision: A subdivision as defined in s. 872 of the *Local Government Act*.

Supportive Housing: Housing for persons with physical or mental disabilities, persons recovering from addiction, or persons at risk of homeless or previously homeless, where supports are provided, either on-site through dedicated staffing or outreach.

Target: A specific, qualitative or quantitative measurable goal of a particular policy or group of policies.

Temporary Accommodation: Accommodation for a period of no more than 90 consecutive days.

Top of (Ravine) Bank: The first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

Village Area: The area of land within a Village Containment Boundary.

Wayfinding: A system of signage, distinctive physical features and information that aid in navigation, primarily for, but not limited to, pedestrians.

Watercourse: Any natural drainage feature, whether usually containing water or not, and includes any wetland, spring, pond, lake, river, stream, creek, brook or the sea that provides fish and/or non-fish bearing habitat.

Wetland: Land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a watercourse.

Zoning Bylaw: A legal document that describes the permitted uses of land. Zoning is defined as the public regulation of the character and extent of real estate use relating to improvements, structure heights, areas, bulk, density of population, and other limitations on the use and development of public and private property.

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