
**Cowichan Valley Regional District
Shawnigan Village Plan – Schedule A, Appendix B**

Official Community Plan

No. 3510



C·V·R·D

Cowichan Valley Regional District
Shawnigan Village Plan
Schedule A, Appendix B
South Cowichan Official Community Plan Bylaw No. 3510

Amended up to and including Bylaw No. 3604

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AMENDING BYLAWS:

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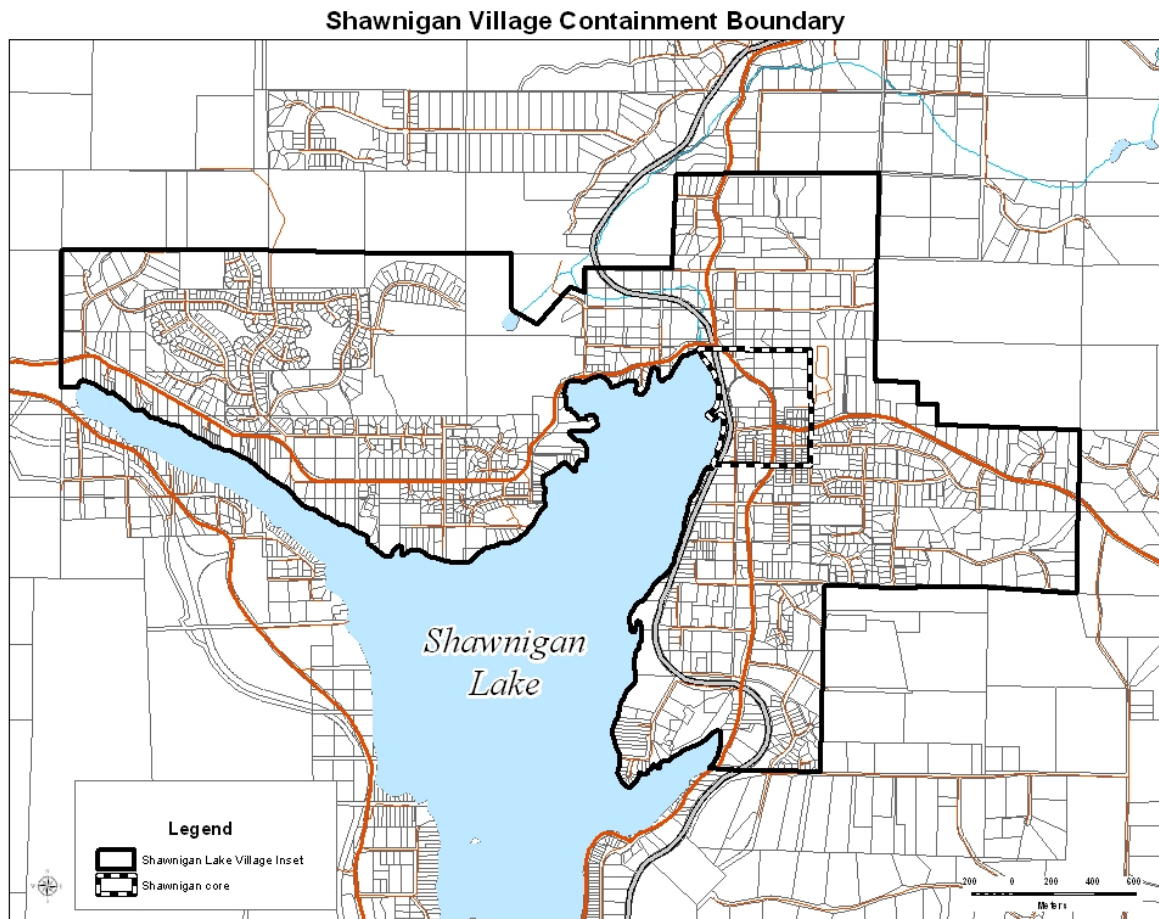
SHAWNIGAN VILLAGE PLAN

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1.0 INTRODUCTION

This Section of Official Community Plan (OCP) Bylaw 3510 is Schedule A - Appendix B – Shawnigan Village Plan. It is a part of the South Cowichan (OCP), and provides goals, objectives and policies, including land designations, for the future land use and development of the Shawnigan Village area, which for the purposes of this plan is defined as being those lands located within the Shawnigan Village Containment Boundary (VCB), shown on Figure 1-A.



It is important to express that the South Cowichan OCP is essentially a four-document plan that includes a main OCP document and three village plans. The main OCP document affects lands within the entire Plan area (Electoral Areas A (Mill Bay/Malahat), B (Shawnigan Lake) and C (Cobble Hill), including within the Shawnigan Village area. To fully understand the policy framework in this Shawnigan Village Plan, it is necessary to review Sections 1 through 10 of the main OCP document, as it provides goals, principles, objectives and policies for environmental protection, Shawnigan Lake Watershed protection, climate change and energy efficiency, economic development, social sustainability, heritage conservation, and village containment boundaries for all Plan area lands, including Shawnigan Village. Sections 18 to 23 provide transportation and servicing policies for lands within and outside of the Shawnigan

Village Containment Boundary, while Section 25 provides objectives and policies to implement the entire OCP.

This Appendix B - Shawnigan Village Plan, is an integral component of the South Cowichan OCP, and provides a set of Goals as well as objectives and policies for lands within Shawnigan Village.

Shawnigan Village is a small, unincorporated settlement located on the north-eastern shores of Shawnigan Lake. It has a unique, rustic appeal and is mainly noted for its recreational opportunities associated with the lake, and for its many studios and small shops. For people living nearby, it consists of the commercial core (see Figure 1A) where services can be attained. For tourists and visitors it is a quaint Village where one can take music, art, theatre or dance lessons, enjoy the many recreational activities such as swimming, boating or hiking, or simply enjoy one of the most peaceful and picturesque places on southern Vancouver Island.

The VCB (or Village Area) includes the village core, where most commercial and mixed commercial/residential uses are located, and the residential settlement areas on the north-east areas of Shawnigan Lake. It is in this area that most future development in Electoral Area B will occur. Future growth and development in this area will provide a revitalized core and a diverse array of housing to ensure that the needs of the entire community are met, from young families to seniors who wish to remain in the community. At the same time, the rustic, rural character of the Village will be preserved.

1.1 SHAWNIGAN VILLAGE YESTERDAY



The first people to use the Shawnigan Lake area were the Coast Salish nations of Cowichan, Tsawout, Tsartlip, Pauquachin, Malahat and others, who generally visited the Shawnigan Lake area for camping, fishing and gathering. Lands within the Village area are within the traditional territory of the First Nation bands that originally inhabited this area.

A few European settlers arrived by the 1860's, when a trail was built from Goldstream over the hills to Shawnigan Lake (roughly in the location of Sooke Lake Road), but it wasn't until after 1886, when the E&N Railway was completed, that a cluster of homes were built.

During the late 1880's Shawnigan Lake became known by Victoria residents as a fashionable weekend get-away spot, with the railway providing access. The first hotel at Shawnigan (Morton House) was built in 1885, a year before the E & N rail line was completed. The first two excursion trains to Shawnigan Lake were run on Good Friday, 1887, with 200 passengers on both trains. Visitors far outnumbered residents, especially in summer and on weekends, when large numbers would arrive by train to enjoy the many festivities that marked the small settlement. Visitors camped or stayed in the hotels that were established for that purpose.

Within a year of Prime Minister Sir John A. Macdonald driving the last railway spike at Cliffside, just south of Shawnigan Village, there were often 300-400 people arriving by rail to stay every weekend. By 1900, there were two big hotels (Shawnigan Lake Hotel and Strathcona Hotel) that hosted regattas, dances, concerts, company picnics, steam boat rides, fishing, and hunting parties. Through most of the next century, Shawnigan served as a cottage community, a place where one could get away from the hustle of Victoria and enjoy the serenity of a waterfront setting. Surprisingly, by 1912, much of the waterfront was already sold, or spoken for. Hunting and fishing were a main activity at the time and there was an abundance of wildlife – deer, cougar, elk and birds, which persisted until well into the 1900's.

In addition to the railway, the forest industry helped to establish the Shawnigan Lake community, providing the employment for those who lived there and lumber to build nearby homes. The first sawmill was in production by the fall of 1890, complete with a boarding house, general store, bunkhouse, cookhouse, laundry, and a cluster of small dwellings surrounding them. Located at what is now Old Mill Park, the Shawnigan Lake Lumber Company leased the timber rights and harvested the lands all around the lake, from the shoreline to one mile back from the shoreline. The Shawnigan Lake mill (which burned down three times and was rebuilt twice) operated from 1890 to 1945. At its peak, it employed 250 people. Initially, nearby logs were hauled to the mill by oxen. Later, horses and steam donkeys were used to haul the logs into the lake, where a steam tug would haul them across the lake to the mill. A log dump was established at the (now) West Provincial Park.

Some of these early pioneers and lumbermen established themselves full time in Shawnigan, generally building their home sites on the east side from the base of Old Baldy mountain to just north of where the Village is now located. While the land was sub-divided, all the way around the lake, most of the services, stores, hotels and most dwellings were situated in the Village area, adjacent to the Rail stops. Many prominent people, who were attracted by the peaceful serenity of the community as well as its location near Victoria, bought tracts of land on, or near, the lake – several Judges, Victoria businessmen, teachers and famous artists established themselves in the community. Many large properties on the lake have been passed down through several generations, for over a hundred years, and are still owned by the same family. In 1903, Shawnigan-Mill Bay Road was built, allowing even greater opportunities for travel to and from the community.

The first public school (named Malahat School) opened in 1893. Shawnigan Lake Boys' School opened in 1916 in a house that had previously had a small girls' school. Shawnigan Lake School quickly achieved, and has maintained, educational standards rated at the top for excellence internationally. In 1927, a Strathcona Lodge, a girls' boarding school, opened in one of the old hotels and was successful for over 50 years.

Shawnigan Lake was a busy community. Weekly dances, Annual Flower Shows and numerous fundraisers kept residents active. The owner of the Shawnigan Garage built a community water system in 1927 to service the garage, a dwelling and two stores. Agricultural lands were being harvested and the forestry industry was booming.

Until the Village fire of 1930, the commercial core was on the Village lakefront. After the fire, the village re-established itself at its present location, relocating a variety of shops and services - a library, post office, at least two general stores, including Aitken and Fraser, laundry, coffee shop, butcher, and bakery. The only building that was rebuilt on the waterfront was the Shawnigan Lake Athletic Association Hall, which later became the Shawnigan Lake Community Hall.

Meanwhile, in the 1920s and 30s, the E&N Railway was running four passenger trains per day, two north and two south, along with numerous freight trains, through all hours of the day and night. Shawnigan Village was thriving. Shawnigan Lake experienced a boom in the mid to late 1930s. The Shawnigan Beach Hotel (formerly the Forest Inn) was renovated, and expanded, the Shawnigan Garage was expanded and several new stores were established. By 1940, there was a fire brigade due to the ARP from WWII, barber shop, art studio, photographer studio, and a Legion Branch. The community expanded the water system to serve a few more central buildings, and electricity was expanded.

Since the mill's demise in 1945, several small mills have operated in the area, but most of the timber rights in the area were allocated to large companies that transported the logs by road to mills outside of the Shawnigan Lake area. Still, many Shawnigan Lake residents continued to work in the mills and in outlying timber license areas. The forest industry continued to be a major economic sector of the economy.

Shawnigan Village was a prosperous and busy community until the mid-1940s, when the automobile began to overtake rail transit as the preferred transportation mode. The Island Highway bypassed Shawnigan Village, and trains that had previously attracted so many became fewer and fewer. The station agent at Shawnigan Lake was removed in 1958 and the number of trains per day gradually decreased even more.

While its location off the main route may have helped to cause the decline of the Shawnigan Village as a regional centre, it also allowed the community to remain quaint and unique, and Shawnigan Lake residents continued to make community improvements. The water service that had previously serviced the Shawnigan garage and two other buildings was expanded to serve about sixty buildings in 1966. The Shawnigan Lake Fire improvement District was formed in 1950 to ensure fire protection for the area.

In the 1970s there was a large influx of residents to the Shawnigan Lake area. That trend continues today. Major events such as Triathlons, marathons and Regattas and attractions such as the historic Kinsol Trestle, continue to attract people to this beautiful community.

1.2 SHAWNIGAN VILLAGE TODAY



Today, of the over 7,500 people residing in Electoral Area B, about 3,600 people live in Shawnigan Village. There are some 1380 (single family and mobile home) dwellings in the Village, and an estimated 50 businesses, many of them home-based. The arts community has maintained its prominence – a music studio, theatre, museum, yoga and dance studios, and art studios are all present. There is also the original grocery store, a barber, several restaurants, a realty office, medical clinic, police station, community centre, several boutiques, hairdresser, and other services. The Village is noted for high quality restaurants that serve local, organic produce. Discovery Elementary School and Shawnigan Lake School are located in the VCB, while Dwight International is nearby.

The main defining characteristic of Shawnigan Lake is the lake itself, with its many recreational opportunities - swimming, sailing, fishing, canoeing, kayaking, water skiing, and camping. There are also numerous parks and hiking trails. The community is naturally endowed with plenty of greenspace and spectacular scenery.



Shawnigan Lake has continued to be known for its lake recreational opportunities. Residential development has spread out into rural areas, as roads have improved, and many residents work outside of the area. However, despite all of the development that has occurred in its watershed, it is still one of the most beautiful lakes in Canada, and it continues to be the attribute that Shawnigan Lake residents are drawn to and depend upon.

Shawnigan Village is the most challenged of the three village areas for provision of community sewer services. This is because it both has the most populous core area and at the same time it does not have any existing private or public sewer systems in the Village core area that could constitute the nucleus of a public sewer service. The Shawnigan Beach Estates Sewer system is located in the western part of Shawnigan Village containment area, but it is at full capacity, and therefore is incapable of expansion.

1.3 SHAWNIGAN VILLAGE TOMORROW

The defining characteristic of Shawnigan Village is the lake - it draws people to the Village, and makes them want to live there. It is not surprising that residents place a high priority on protecting Shawnigan Lake and its watershed from potential development impacts. As its second largest lake, it is a jewel of the CVRD, and it contributes to the social and economic well-being of all CVRD residents. All of the goals, objectives and policies within the OCP are consistent with the need to protect the Shawnigan Lake watershed.

Residents have not only expressed the need to protect the lake, but at the same time to allow for more residents to gain benefit from the lake. New commercial areas and public spaces in the Shawnigan Village core will be oriented to the lake so that residents and visitors alike will enjoy the lake ambiance while they shop, access the shoreline or have lunch with friends or neighbours, while enjoying a view of the lake. It is possible and feasible to protect the watershed and at the same time allow for new shops, services and restaurants in the Village area. Residential development will be encouraged to locate above commercial businesses, to create a more active, vibrant village, where there are 'eyes on the street.' Lake views and lake access will be enhanced.

The *Local Government Act* is the enabling legislation for the Official Community Plan, and requires that anticipated housing demands be met for a period of at least five years. As the CVRD has nine electoral areas, and therefore does not review each OCP on a five year basis, this OCP ensures that housing demand will be accommodated to 2026. It is important to ensure that the OCP provide for different housing types to serve a diverse population.

BC Stats, Ministry of Citizens' Services, has compiled a projected growth rate for Electoral Area B (Shawnigan Lake), as shown in the Table below. The population of Electoral Area B is expected to increase from 8,608 to 11,353 people – an increase of 2,745 people, from 2011 to 2026. This estimate is for the entire electoral area, including lands within the VCB:

Projected Total Population and Growth Rates for Electoral Area B – Shawnigan Lake		
Year	Total Population	Annual Population Growth Rate (%)
2006	7,723	
2011	8,608	2.0
2012	8,786	2.1
2013	8,959	2.0
2014	9,132	1.9
2015	9,312	2.0
2016	9,494	2.0
2017	9,678	1.9
2018	9,861	1.9
2019	10,045	1.9
2020	10,229	1.8
2021	10,419	1.9
2022	10,608	1.8
2023	10,797	1.8
2024	10,984	1.7
2025	11,169	1.7
2026	11,353	1.6
<i>Source: BC Stats, Ministry of Citizens' Services.</i>		

Should the household size remain the same as in recent years (2.5 people per household), this projected population increase of 2,745 people translates into a demand for 1,098 additional dwelling units by 2026. On average, 73 dwellings will be required annually, 366 by 2016, and 1,098 by 2026, as shown in the Table below:

Total Electoral Area B Housing Demand by Population Increase (Stats BC Projection)	
Time Period	Required Dwelling Units
Annual	73
By 2016	366
By 2026	1,098

While some development will occur through the infilling of residential areas located outside of the Shawnigan Village Containment Boundary (VCB), most will be encouraged to occur within the VCB. It is therefore important to ensure that Shawnigan Village can absorb the anticipated future population growth. A technical assessment of developable lands within Shawnigan Village indicates that there is a potential to provide a sufficient supply of housing for Electoral Area B (Shawnigan Lake) to 2026, which is well beyond the five year requirement under the *Local Government Act*.

Potential housing supply means the amount of housing that can be created within the policy framework of an official community plan, without amending the OCP. This includes the potential number of parcels that could be created through the rezoning and/or subdivision of parcels. A technical assessment of developable lands within the Shawnigan VCB indicates that there is a potential for 1,148 dwellings. It should be noted, however, that much of the development in Shawnigan Lake is dependent on the provision of a community sewer system:

Shawnigan Village Housing Capacity	
Area	Number of Dwellings
Shawnigan Station	100
Shawnigan Station Commercial Area	60
Legion Seniors Housing	65
Commercial Core Area	60
Multiple Family Development through rezoning	300
Suburban Residential Infill	140
Village Residential Infill (Single Family) at 0.2 ha	423
Total Potential Housing Capacity	1,148

The above Table illustrates that there is potential for about 1148 dwelling units within the Shawnigan Village Containment Boundary. It should be mentioned that, with the exception of the infill potential of 563 units within the residential designations, future development will require community sewer servicing, whether in advance of a community wide system or made to retrofit to such a system.

Further, the above Table represents only one example of how the housing demand could be accommodated. In effect, it is conceivable that some single family neighbourhoods will develop at higher densities on community sewer. Also, multiple family units are dependent on the rezoning applications that will play a role in the Plan's implementation. There will also be an increase in secondary suites and small suites, which have not been quantified above.

The estimated housing demand in Shawnigan Lake is higher than the estimates for Electoral Area C (Cobble Hill) and Electoral Area A (Mill Bay/Malahat), simply because during the past two decades Shawnigan Lake has developed faster and has absorbed more population increase than have the adjacent areas. As this is a South Cowichan Plan encompassing all three areas, there is no actual requirement for Shawnigan Lake to continue to absorb the majority of growth. There is a potential surplus supply in Electoral Area A, for example, that could offset any potential deficit within Electoral Area B.

Priority will be granted to the creation of pedestrian and cycling corridors between key community destinations, such as the Community Centre, the public and private schools, parks and residential neighbourhoods. The planned revitalization of the E&N railway is expected to lead to increased tourism, commuters and freight travel through Shawnigan Village, all of which can assist in revitalizing the Village centre in a way that respects the heritage of the Village. Corresponding improvements to the public transit system, including construction of well-defined bus stops, pedestrian walkways, bike paths and amenities, and increased road safety will also enhance the quality of life in the community.

There are several tools that will be used to implement the OCP. The South Sector Liquid Waste Management Plan will be amended to ensure that key areas are serviced by a Class "A" community sewer collection and treatment system. Development that occurs prior to the CVRD system being established will be required to provide a class "A" system that can later be retrofitted to connect to the future system.

A streetscaping/beautification plan is another implementation tool of the OCP. Such a plan will ensure that measures are taken to encourage an aesthetically pleasing village area with an abundance of green space, parks, walkways, and public gathering spaces. Over the long term, the creation of a lakefront green area, in the vicinity of the old community hall, may provide an additional public outdoor space on the lake for people to gather informally in a park setting, with events such as outdoor festivals, markets, theatre and other community events.

Additionally, all commercial, multiple family and intensive residential development will be subject to strict design guidelines to ensure that development enhances the community, promotes greenspace and fits into the small-scale Village setting of the community. The Shawnigan Village Development Permit Area will also ensure that the natural environment, including the Shawnigan Lake Watershed, is respected, invasive plants (such as Scotch Broom and Gorse) are eradicated or managed, riparian areas are protected, and rainwater runoff is managed.

SECTION 2 VISION STATEMENT AND GOALS

Shawnigan Village will be one of the most desirable places to live on Vancouver Island, through revitalization that focuses on public spaces with exquisite lake views and shoreline access, and watershed protection.

1. To protect the quality of the natural environment within the Shawnigan Lake Watershed;
2. To protect Shawnigan Lake as a source of potable water and as a freshwater recreational lake;
3. To preserve and enhance the Shawnigan Village character;
4. To ensure that the Village area remains compact and becomes complete, whereby residents have the option to live, work and play without being required to travel elsewhere;
5. To preserve, enhance, improve and increase greenspace, parks and trails;
6. To preserve and celebrate the heritage and history of Shawnigan Lake;
7. To provide housing and community amenities for a diverse population;
8. To encourage services, shopping opportunities and employment for local residents;
9. To encourage alternative transportation modes such as walking, cycling, and public transit;
10. To maximize opportunities for lake views and lake access; and
11. To encourage safety for all residents, inclusive of abilities, ages, incomes, races, and gender;
12. To ensure that community amenity contributions are provided;
13. To ensure the provision of community water services and community sewer services in Shawnigan Village.

SECTION 3 GENERAL POLICIES

Policy 3.1: The Shawnigan Village area will remain a compact, lakeside community. Although new urban development is not permitted outside of the Village Containment Boundary, rural densities are permitted within. Densities will generally be more rural in areas adjacent to the village containment boundary.

Policy 3.2: Shawnigan Village is a lakeside community which, due to historical development patterns, has limited access to the waterfront. To improve public waterfront access over the long term, and to promote a healthy community with a wide variety of recreational opportunities, all applications for rezoning a parcel of land along the Shawnigan Lake shoreline will be conditional on the provision of public access to the waterfront, to accommodate the construction of a public walkway along the shoreline.

Policy 3.3: The South Sector Liquid Waste Management Plan will be amended to ensure that lands within the core area of the Shawnigan VCB are serviced by a Class A community sewer collection and treatment system. Lands outside of the Village Containment Boundary will not be serviced.

Policy 3.4 When an application is received to rezone land within Shawnigan Village, the Regional Board will apply amenity zoning, whereby the land density is increased based on the provision of amenities which enhance the character of Shawnigan Village in accordance with Section 8 - *Social Sustainability* of the main OCP document. By applying amenity zoning:

- a. The CVRD may accept the provision of an amenity or a contribution toward an amenity on the subject property or within the VCB; or
- b. The CVRD may accept cash-in-lieu of amenities, and subsequently provide amenities within the VCB through a capital program.

The CVRD may require the construction of the amenity or amenities by the developer prior to granting an occupancy permit, require the registration of a covenant on title to ensure the amenity is provided, include the amenity as a requirement in a housing agreement or require an irrevocable letter of credit equal to the value of the amenity or housing to be held as a security, to cover the costs of providing the amenity in the event of default. Amenities and public benefits will include items listed in Section 8 - *Social Sustainability* in the main OCP document.

Policy 3.5: The CVRD will initiate a Streetscape Beautification Plan for Shawnigan Village to take better advantage of the street frontage areas, and encourage an aesthetically pleasing and dynamic Village area. The Streetscape Beautification Plan would, at a minimum, consider:

- a. the provision of mature trees, shrubs and flowers along or adjacent to road rights of way;
- b. the provision of cycling and pedestrian walkways along or adjacent to road rights of way;
- c. the provision of public outdoor art, seating areas and bike racks;
- d. the provision of farmers market gardens;
- e. the provision of aesthetically appealing and distinctive bus shelters;
- f. traffic safety measures such as improved pedestrian crossings;

- g. possible themes or unique heritage amenities such as unique streetlights and road signs; and
- h. in the commercial core, the potential for pedestrian only areas to encourage a more active and dynamic place, possibly in the commercial area adjacent to the lake.

Policy 3.6: Lands within the Shawnigan Lake VCB are within a Development Approval Information (DAI) Area. Any application for rezoning of land that would increase density by 5 lots or more is subject to the provisions of the CVRD Development Information Approvals Bylaw (see Main OCP Document Section 25 – *Implementing the Plan*).

Policy 3.7: The Shawnigan Village Containment Boundary (VCB) is a foundation upon which the OCP is built. To ensure its effectiveness in preventing urban sprawl, any proposal to expand it will only be considered if consistent with the provisions of Sections 10.7 and 10.8 of the main OCP Document.

SECTION 4 RESIDENTIAL DESIGNATIONS



This Section focuses on residential development within the Shawnigan Village Containment Boundary. There are four residential designations: Village Residential (R), Suburban Residential (SR), Multi-Family Residential (MF), and Manufactured Home Park Residential (MP).

The Village Residential Designation (R) is intended primarily for single family dwellings, while the Multi-Family Residential Designation (MF) allows for low density attached housing such as small scale apartments, condominiums and townhomes. Additionally, in core areas where community sewer services will be provided, rezoning applications for multiple family residential developments will be considered, subject to a variety of criteria aimed at ensuring that such uses will enhance the Village character. The Suburban Residential Designation (SR) is intended for single family residential areas farther from the core, in areas where higher levels of servicing are not intended to be delivered. The Manufactured Home Park Designation (MP) accommodates and encourages the continued use of the mobile home park off Wooden Road as a viable and necessary housing option. It is anticipated that these residential land use designations will accommodate housing demand to 2026

RESIDENTIAL DESIGNATIONS OBJECTIVES

- A. To provide a sufficient supply of housing to allow for anticipated growth to 2025;
- B. To provide for a range of housing options to accommodate a diverse population composed of people from all age groups;
- C. To ensure that new residential development maintains the small scale, rural Village character of the community;
- D. To provide incentives for developers to construct multifamily dwellings, and in turn have a more vibrant Village centre;
- E. To provide for affordable, special needs, seniors and rental housing;
- F. To mitigate conflicts between different densities of residential development arising from height, massing, and design;
- G. To provide the Village area with appropriately-scaled residential development, to support local businesses and create more compact, complete community.

4.1 VILLAGE RESIDENTIAL DESIGNATION POLICIES

Policy 4.1.1: Lands designated as Village Residential (R) are shown on “Inset B” of Schedule B – The Plan Map, and all are located within the VCB.

Policy 4.1.2: Lands designated as Village Residential (R) will continue to be generally characterized by single family residential dwellings, whereby the implementing Zoning Bylaw will provide for a variety of zones, including the R-3 (Village Residential Zone) with a minimum parcel size of:

- a. 2 ha for parcels not served by a community water system and community sewer system;
- b. 0.2 ha for parcels serviced by a community water system only; and
- c. 0.16 ha for parcels served by a community water system and a community sewer system

Policy 4.1.3: To provide an additional affordable housing option in Shawnigan Village, one single family dwelling and one secondary suite or a small suite will be permitted in the Village Residential Designation (R), provided that:

- a. The subject parcel is serviced by a community water and a community sewer system, or
- b. The subject parcel is at least 0.4 ha in size and is serviced by a community water system; and
- c. The subject land does not have frontage on Shawnigan Lake,
- d. The accessory dwelling unit or secondary suite is located not less than 30 metres from the natural boundary of Shawnigan Creek, or not less than 60 metres from the natural boundary of Shawnigan Lake where the parcel has no lake frontage.

Policy 4.1.4: The implementing Zoning Bylaw will allow for a home based business on a parcel within the Village Residential Designation (R), where a principal single family dwelling is located, provided that the home based business use is in keeping with the residential character of the neighbourhood. Uses that may be unsightly or create a nuisance by traffic, noise, dust, and odour will be prohibited in the Village Containment Boundary. Uses such as auto body repair shops, welding shops, heavy equipment repair, and similar uses will be prohibited.

Policy 4.1.5: Daycare centres for up to 8 persons, within single family residences, will be permitted within the Village Residential Designation (R), in accordance with the *Community Care Facilities Act*.

Policy 4.1.6: To encourage tourism opportunities, bed and breakfast operations will be permitted within the Village Residential Designation (R), provided that the bed and breakfast accommodation is contained within a principal single family dwelling and limited to not more than three rooms for guest accommodation.

Policy 4.1.7: Limited agriculture will not be a permitted use in portions of the Shawnigan Village that are zoned as Village Residential 3, unless the parcel is 0.4 hectares in area or greater.

Policy 4.1.8: Notwithstanding Policy 4.2.2, parcels within the Village Residential Designation (R) may be rezoned to a more compact form of low density multiple family or intensive residential development, such as apartments, row houses, patio homes or townhomes, through rezoning, without an amendment to the official community plan, subject to the following criteria:

- a. The maximum density does not exceed 20 units per ha;
- b. A community sewer system and a community water system is provided;
- c. Existing views from surrounding properties are respected;
- d. The site is developed in a manner which is harmonious with adjacent residential development with respect to scale, building height and overall appearance.
- e. The development will preserve natural environment features and open space areas;
- f. Community amenities, that enhance the character of the community, in accordance with Section 8 - *Social Sustainability* of the main OCP document, are provided;
- g. Public walkways are an integral component of the proposed development;
- h. For parcels fronting Shawnigan Lake, a minimum 30 metre buffer area is provided along the shoreline for environmental protection as well as to provide a public trail or park.

Policy 4.1.9: Minor siting adjustments on residential parcels may be permitted through a development variance permit or a development permit in order to preserve unusual or large stands of trees or other natural features.

Policy 4.1.10: Any proposed development of over five lots should be referred to School District 79 for comment.

Policy 4.1.11: Development on lands within the Village Residential Designation (R) may be subject to Section 7 *Shawnigan Village Development Permit Area*.

Policy 4.1.12: Despite its designation as Village Residential, the Remainder of Block A, Section 3, Range 5, Shawnigan District, Plan VIP11434 may be zoned as Village Institutional in the implementing zoning bylaw, due in part to its long standing institutional zoning.

4.2 SUBURBAN RESIDENTIAL DESIGNATION POLICIES

Policy 4.2.1: Lands designated as Suburban Residential (SR) are shown on Schedule B – The Plan Map, and all are located within the Village Containment Boundary (VCB).

Policy 4.2.2: The Suburban Residential Designation (SR) is intended to accommodate a suburban, single family lifestyle choice, whereby the implementing Zoning Bylaw may provide a variety of zones, and will provide a minimum parcel size of not less than 1 ha, unless a parcel is serviced by a community water system, in which case the minimum parcel size will be not less than 0.4 ha.

Policy 4.2.3: Parcel A, Shawnigan District Plan VIP66700 (Shawnigan Gravel) will continue to be zoned for a gravel operation use, but will be designated as Suburban Residential (SR) in this Plan, so as to encourage the residential use of the parcel over the long term.

Policy 4.2.4: To provide an additional affordable housing option in Shawnigan Village, one single family dwelling and one secondary suite or a small suite will be permitted in the Suburban Residential Designation (SR), provided that:

- a. The subject parcel is serviced by a community water and a community sewer system, or
- b. The subject parcel is at least 0.4 ha in size and is serviced by a community water system; and
- c. The proposed secondary dwelling unit or secondary suite is located more than 30 metres from the high water mark of Shawnigan Lake.

Policy 4.2.5: The implementing Zoning Bylaw will allow for a home based business on a parcel within the Suburban Residential Designation (SR), provided that the home based business use is in keeping with the residential character of the neighbourhood. Uses that may be unsightly or create a nuisance by noise, dust, and odour will be prohibited within the Village Containment Boundary. Uses such as auto body repair shops, welding shops, heavy equipment repair, and similar uses will be prohibited.

Policy 4.2.6: To encourage a strong economy and tourism, bed and breakfast accommodations will be permitted within the Suburban Residential Designation (SR), provided that the bed and breakfast accommodation is contained within a principal single family dwelling and limited to not more than three rooms for guest accommodation.

Policy 4.2.7: In recognition of the need for greater food self sufficiency and security, limited agriculture will be permitted in the Suburban Residential Designation (SR), with adequate setbacks provided to ensure that the rural residential lifestyle of residents is protected. For parcels located in close proximity to Shawnigan Lake, a 60 metre buffer area will be required along the lakefront.

Policy 4.2.8: Limited agriculture will be a permitted use in portions of Shawnigan Village that are zoned as Village Suburban Residential 2 and this will permit limited agriculture as an accessory use in accordance with general regulations in the implementing zoning bylaw.

Policy 4.2.9: Daycare centres for up to 8 people, within single family residences, will be permitted within the Suburban Residential Designation (SR), in accordance with the *Community Care Facilities Act*.

Policy 4.2.10: Lands designated as Suburban Residential (SR) may be redesignated to Village Residential (R), through an amendment to this Plan, subject to the following criteria:

- a. Substantial infill has occurred within the village residential areas closer to the village core;
- b. The subject property does not adjoin agricultural lands or forest lands;
- c. The subject property is serviced by a community water system, for proposed lots 0.4 ha or larger, or a community water system and a community sewer system for proposed lots less than 0.4 ha;
- d. The proposed development will preserve natural environment features and open space areas;
- e. Community amenities, that enhance the character of the community, are provided in accordance with Section 8 *Social Sustainability* of the main OCP document;
- f. Public trails and walkways are an integral component of the proposed development; and
- g. A neighbourhood plan is prepared which at a minimum includes:
 - i. Lot layouts showing proposed lot lines, buildings, roads, walkways and trails, playgrounds and community amenities;
 - ii. A concept plan indicating how the parcels will connect with the overall community, including pedestrian trails and walkways;
 - iii. An environmental assessment, showing how any environmental impacts will be avoided or mitigated; and
 - iv. Other information to determine the suitability of the proposed development with regard to the policies of this Plan.

Policy 4.2.11: Development on lands within the Suburban Residential Designation (SR) may be subject to Section 7 *Shawnigan Village Development Permit Area*.

4.3 MANUFACTURED HOME PARK RESIDENTIAL DESIGNATION POLICIES

Policy 4.3.1: Lands designated as Manufactured Home Park Residential (MP) are shown on Inset B (Shawnigan Village) to Schedule B – the Plan Map.

Policy 4.3.2: The Manufactured Home Park Residential Designation (MP) is intended to encourage an affordable housing option. The implementing Zoning Bylaw will allow for a maximum residential density of 15 units per hectare, and a minimum parcel size of 2 ha.

Policy 4.3.3: Development within the Manufactured Home Park Residential Designation (MP) will be required to comply with the Regional District Mobile Home Park Bylaw.

Policy 4.3.4: In recognition of the need for greater food self sufficiency and security, community gardens are encouraged within the Manufactured Home Park Residential Designation (MP).

Policy 4.3.5: The existing mobile home park in Shawnigan Village is essential in providing for affordable and rental housing in Shawnigan Village. Therefore, the Board will not look favorably upon rezoning applications that could potentially eliminate this form of housing. Should an application to change a manufactured home park use be made, the CVRD Manufactured Home Park Re-Development Policy (Board Resolution No. 08-055) would apply.

Policy 4.3.6: The CVRD will not support bare land strata subdivisions within the Manufactured Home Park Designation (MP).

4.4 MULTI-FAMILY RESIDENTIAL DESIGNATION POLICIES

Policy 4.4.1: Lands designated as Multi-Family Residential (MF) are shown on Inset B to Schedule B – The Plan Map, and all are located within the VCB.

Policy 4.4.2: The Multi-Family Residential Designation (MF) provides for a residential option for multiple family residential development in the vicinity of the commercial core, to help provide a housing mix that will benefit a diverse population. Lands designated as Multi-Family Residential may be suitable for a multiple family form of housing such as row houses, apartments, townhouses, personal care homes and senior’s facilities.

Policy 4.4.3: Emphasis will be placed on preserving important natural environment features. During a proposal to develop a multiple family residential development, sensitive areas should be preserved to the satisfaction of the CVRD.

Policy 4.4.4: Development within the Multi-Family Residential Designation (MF) will be required to dedicate pedestrian walkways, to ensure easy access from the commercial core area to residential neighbourhoods.

Policy 4.4.5: The implementing Zoning Bylaw may provide for a density bonus zone, to encourage the provision of community amenities, whereby an additional density may be permitted on a parcel, in exchange for an amenity or amenities that enhances the Shawnigan Lake community. The required amenity will be stated within the implementing zoning bylaw and must be provided on the subject property, for the additional density to be granted. The CVRD may require the construction of the amenity or amenities by the developer prior to granting an occupancy permit, require the registration of a covenant on title to ensure the amenity is provided, include the amenity as a requirement in a housing agreement or require a letter of credit equal to the value of the amenity to be held as a security or cash if the amenity is not delivered.

Policy 4.4.6: Development in the Multi-Family Residential Designation (MF) will maintain and promote the Village character, and is subject to the guidelines within Section 7 *Shawnigan Village Development Permit Area*.

SECTION 5 VILLAGE COMMERCIAL DESIGNATION



This section of the OCP provides objectives and policies for commercial development within Shawnigan Village. The Village Commercial Designation (C) applies to all commercial development in the Village area, and the implementing Zoning Bylaw will provide a variety of commercial zones.



There are currently some 37,000 m² of land designated for commercial use in the commercial core area (See Figure 1A). Growth in the commercial sector is critical if we are to avoid strain on the infrastructure in Shawnigan Village and the surrounding area, as the population grows. The commercial area will expand gradually over time, through rezoning applications by landowners, by 32,000 m², to include lands that are located west of Wallbank and north of Thrush Road. These lands are initially zoned as residential, in order to accommodate the existing residential dwellings during the transition of the area to a commercial use. They are oriented toward the lake, and will be developed in a manner that enhances the village core area and, where possible, provides public views of and access to the lake. The types of commercial development found to be desirable to residents through the public input process include small scale, commercial uses such as a bakery, restaurant, museum, tea room, coffee shop, bank/credit union, and medical office, among others.



Outside of the commercial core, Masons Store, an adjoining heritage house (at the corner of Renfrew Road and Shawnigan-Cobble Hill Road), the Black Swan Pub, the West Arm Grill and the Shawnigan Beach Hotel property are designated Village Commercial (C). Strict guidelines, unique to Shawnigan Village, are in place to ensure that new commercial development is consistent with the Village character and that mitigating measures are in place to protect the Shawnigan Lake Watershed.

VILLAGE COMMERCIAL DESIGNATION OBJECTIVES

- A. To provide for a vibrant commercial core to meet the shopping and service needs of Shawnigan Lake residents;
- B. To improve the aesthetic character of the commercial core, and ensure that commercial establishments are in keeping with the small scale, Village atmosphere;
- C. To encourage residential development above commercial businesses and provide for a more vibrant commercial/residential mix in the core area;
- D. To provide opportunities for public lake views and public lake access, while respecting the need to protect the Shawnigan Lake Watershed;
- E. To improve the local economy, and raise quality of life by increasing commercial opportunities and employment within Shawnigan Village;
- F. To ensure the provision of community sewer services in the commercial core; and
- G. To encourage the provision of community amenity contributions (see Section 8 – *Social Sustainability* - of the main OCP document);
- H. To ensure rainwater management practices to protect the quality of water in the lake.

VILLAGE COMMERCIAL DESIGNATION POLICIES

Policy 5.1: Lands considered suitable for village commercial uses are designated as Village Commercial (C) on Inset B to Schedule B - The Plan Map, and are all located within the VCB.

Policy 5.2: Within the Village Commercial Designation (C), the implementing Zoning Bylaw will allow for a variety of zones to accommodate a diverse range of small-scale commercial uses, such as bakeries, restaurants, museums, coffee shops, banks/credit unions, hair dressing salons, retail stores, doctor's offices, retail outlets and boutiques. This designation also accommodates Mason's Store and an adjoining parcel, the Black Swan Pub, and tourist commercial uses outside of the commercial core, including the West Arm Grill and the Shawnigan Beach Hotel property.

Policy 5.3: The commercial core area will be expanded, through rezoning applications, to include lands that are located west of Wallbank and north of Thrush Road. These lands will initially be zoned as residential, at the time of OCP adoption, in order to accommodate the existing residential dwellings during the transition of the area to a commercial use. Rezoning applications to provide a commercial use will be subject to the following criteria:

- a. The proposed commercial development must be serviced by a community water system and a community sewer system;
- b. The site will be developed in a manner which is harmonious with adjacent residential development with respect to scale, building height and overall appearance;
- c. Commercial development on the lakeshore will provide a buffer area of at least 15 metres for a continuous public walkway along the shoreline, and for watershed protection;
- d. Where possible, commercial development will offer opportunities for lake views, while being respectful of existing views of neighbouring properties;
- e. The maximum density does not exceed 20 units per ha;
- f. The development will preserve natural environment features and open space areas; and
- g. Public sidewalks or walkways are provided.

Policy 5.4: The Village Commercial Designation (C) will encourage a vibrant, active community core by allowing for residential units above the commercial uses. Commercial businesses will be located on the ground floor with commercial uses or residential apartments above, provided that:

- a. The development is serviced by a community water system and a community sewer system;
- b. The residential units are located above the commercial use, and not on the ground level or main floor;
- c. The height of the development is in keeping with the small scale, rural heritage character of Shawnigan Village; and
- d. Community amenity contributions, that benefit the community in accordance with Section 8 *Social Sustainability* of the main OCP document, are provided.

Policy 5.5: The Village Commercial Designation (C) will allow for a service commercial use, to accommodate the Shawnigan Lake Garage on Shawnigan Lake Road.

Policy 5.6: A neighbourhood pub use will be permitted in the Village Commercial Designation (C) but requires a separate zone. The Black Swan Pub will continue to be zoned for the neighbourhood pub use. Rezoning proposals to consider an additional neighbourhood pub use will be considered based upon the following criteria:

- a. There should be clear evidence that there is a local demand for a new neighbourhood pub facility;
- b. The neighbourhood pub should not generate excessive traffic on local residential roads and should not create traffic safety problems;
- c. The neighbourhood pub should be serviced by a community water system and a community sewer system;
- d. The site is developed in a manner which is harmonious with adjacent development with respect to scale, building height and overall appearance;
- e. If the neighbourhood pub development is on the lakeshore, a public shoreline amenity contribution of at least 15 metres should be provided for a continuous walkway and environmental enhancement;
- f. Where possible, the neighbourhood pub development will offer opportunities for lake views, while being respectful of existing views of neighbouring properties;
- g. Public trails and walkways are provided;
- h. The development is in compliance with the *BC Liquor Control and Licensing Act*, and
- i. Community amenity contributions, that benefit the community in accordance with Section 8 *Social Sustainability* of the main OCP document, such as affordable housing or community facilities, are provided.

Policy 5.7: Within the Village Commercial Designation (C), the implementing Zoning Bylaw will provide a tourist commercial zone for commercial uses that cater to recreational or tourist activities such as campgrounds, hotels, and accessory uses.

Policy 5.8: Restaurants in the Village Commercial Designation (C) are required to provide for seating for patrons, and drive-thru features are strictly prohibited.

Policy 5.9: New construction should be located close to the street, or provide for outdoor amenities adjoining the street, to create a welcoming atmosphere for residents and visitors.

Policy 5.10: The installation of sidewalks or pathways will be required within the commercial core area as development or redevelopment proceeds.

Policy 5.11: Development on lands within the Village Commercial Designation (C) will maintain and promote the Village character, and will be subject to the guidelines within Section 7 *Shawnigan Village Development Permit Area*.

SECTION 6 PARKS AND INSTITUTIONAL DESIGNATION



This Section focuses on existing and future parks and institutional uses in Shawnigan Village. As the community grows, it will become even more important to ensure that a variety of recreational uses and walkways are provided, and that appropriate institutional uses, such as schools, post offices and museums, are encouraged to provide for the needs of residents. The OCP expands the uses historically provided for in the institutional designation to allow for affordable senior's housing near the site of the Shawnigan Lake Legion Hall. Community amenity contributions will help to ensure that, in the future, the Village is able to develop the amenities it needs to provide services and maintain its unique character.



Shawnigan Village is fortunate to have a wide array of institutional uses, including a post office, museum, community centre, legion hall, public school, private school, church and a variety of parks and trails. Lands adjoining the Shawnigan Legion Hall will be designated as Parks and Institutional to allow for an affordable seniors housing complex at that location.



There are several existing parks: Dougan Park is a 2 ha park that accommodates the Shawnigan Lake Community Centre. It includes a well-equipped adventure playground and walking trails overlooking the lake. The park was purchased by the CVRD in 1989, the community centre was opened in 1994, and the playground was built in 2006. Elsie Miles School, now used as an extension to the community centre, shares the same site.



Galland Road Park is a 0.4 ha tot-lot nestled amongst beautiful, mature trees. This park is owned by a strata corporation and maintained by the CVRD. A small playground and a picnic area were installed in 2002.

Gibsons Park is a 0.6 ha park located in a forested area on Wilmot Road, and features a playground, picnic area, trails and washroom facilities. This neighbourhood park was acquired by the CVRD during a subdivision approval process in 1988, and was developed between 1992 and 1994.

Masons Beach is a 0.7 ha waterfront park that the CVRD has operated since 1991. It includes a large



sandy beach, a swimming area, a picnic area, parking, change rooms and washroom facilities.

Old Baldy Mountain Trail is a 0.55 ha trail network off Shawnigan Lake Road that meanders through subdivisions, offering majestic lake views. This park was acquired by the CVRD in 1985 and the trail was built in 2000 and is open daily from dawn until dusk.

Old Mill Park is a popular 6.9 ha waterfront park with trails, a swimming area, a playground, a picnic area, parking, washroom facilities, an informational kiosk about the history of the park, and a viewing platform for bird watching. The park was the original sawmill site from 1891 until 1945.

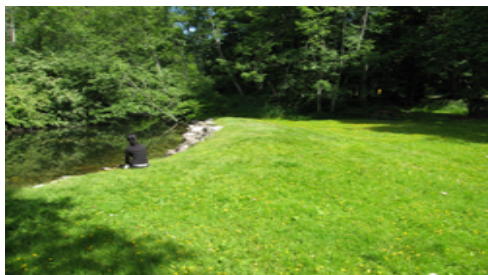
The Recreation Road Boat Launch is a 0.09 ha site located south of the commercial core area. It includes a large ramp facility, washroom facilities and parking for boat trailers. The boat launch was upgraded in 2005.

The Shawnigan Hills Athletic Park is a 3.7 ha community park located on a plateau in the north Village area, adjacent to Shawnigan Beach Estates. It features a sports field, two ball fields, an enclosed sports court, parking and washroom facilities. It was acquired through subdivision in 2001 and development commenced in 2007.

Shawnigan Wharf Park is a 1.2 ha waterfront park located off Thrush Road. It offers a beautiful beach area, swimming area, volleyball court, parking, washroom facilities, public wharf and boat launch. In 1989 the CVRD leased the foreshore and beach from the Ministry of Crown Lands for the purpose of a public wharf, community park and moorage for a fireboat. The following year, the Shawnigan Lake Volunteer Fire Department constructed a boathouse and wharf to house and launch their fire fighting boat. The Volleyball court was installed in 2007.

Williams River Park is a 0.3 ha neighbourhood park in a stunning setting with a picnic area. This park was named after William Rivers, a pioneer who lived in Shawnigan Lake during the 1890's. The parking and picnic area, overlooking Shawnigan Creek, was developed in 1993.

Highland Ridge Park is a 0.4 ha community park, with no amenities. It was acquired through subdivision in 2008.



Ceylon Park is a 1.03 ha community park, acquired through subdivision in 1983. It has no amenities.

Courtney Way Park is a 1.34 ha community park with no amenities. It was acquired through subdivision in 2000.

Bob-O-Link Trail is a 0.64 ha trail. It was acquired through subdivision from 2007 to 2009.

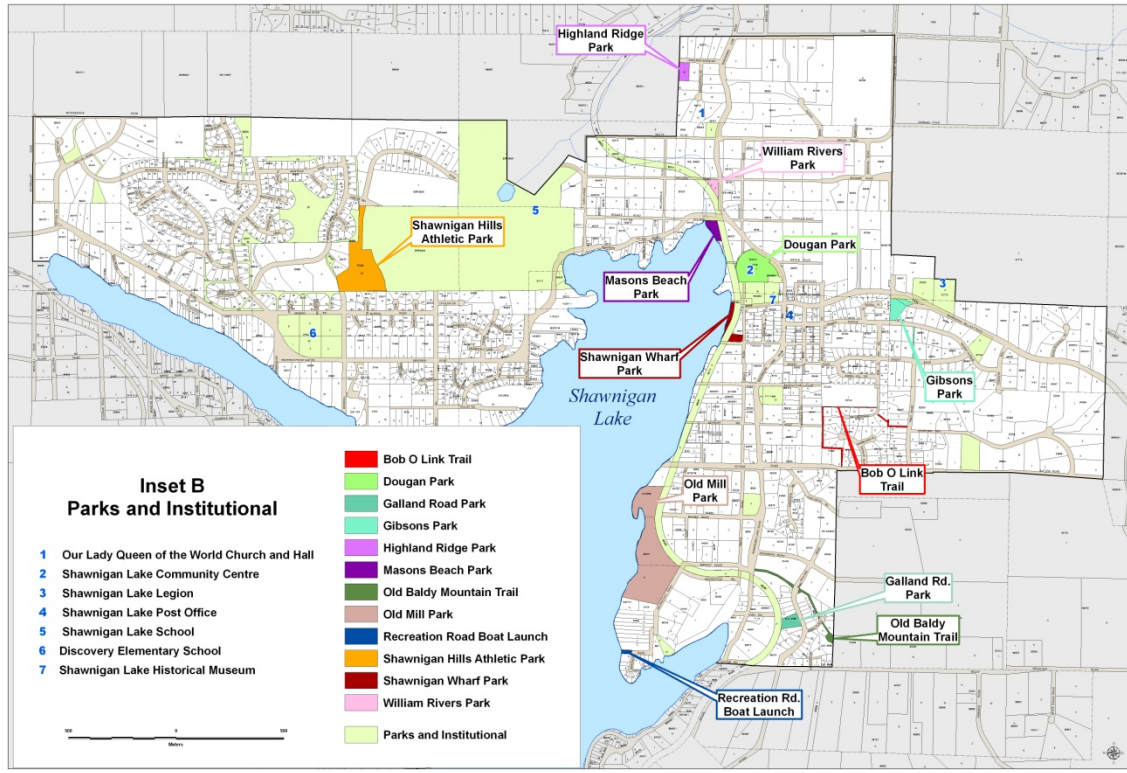


Residents wish to ensure that, as the community grows, there is plenty of public green space and trails to provide pedestrian access between residential areas, the commercial core and the lake. The many parks help to define Shawnigan Village as a community and raise the quality of life for residents. The OCP supports the continued upgrade and maintenance of existing parks and the acquisition of new ones through subdivision, lease or purchase.

PARKS AND INSTITUTIONAL DESIGNATION OBJECTIVES

- A. To maximize opportunities for recreation and active living in Shawnigan Village, and to recognize them as being essential to personal health, strong families and healthy communities;
- B. To provide a variety of appropriately scaled parks, trails and recreational opportunities for the diverse resident population and visitors to Shawnigan Village;
- C. To encourage eco-tourism and nature parks, and other strategies to preserve natural ecosystems;
- D. To encourage parks and trails on the shoreline of Shawnigan Lake, and parks with views of the lake;
- E. To provide safe pedestrian and cycling trails in Shawnigan Village, between commercial areas, parks and residential neighbourhoods;
- F. To designate lands for rail transportation use to promote rail transit;
- G. To designate lands for institutional uses such as schools, recreational and community service uses;
- H. To provide affordable housing in the Village area; and
- I. To engage and involve residents in the planning, development and stewardship of parks and recreation.

FIGURE 6A



PARKS AND INSTITUTIONAL DESIGNATION POLICIES

Policy 6.1: Parcels designated as Parks and Institutional (P) are delineated on Inset B to Schedule B – the Plan Map. The Zoning Bylaw may include a variety of parks and institutional zones, including:

- P-1 Parks Zone for Parks;
- P-2 Parks and Institutional”, for Parks and Institutional Uses;
- P-3 Village Institutional”, for Institutional uses that allow for affordable seniors or non-market housing; and
- T-1 Railway Corridor Zone, for transportation, utility and recreational uses.

Policy 6.2: Community leisure activities and public facilities are taking on a greater role in attracting tourism and economic development as well as providing for community places where residents can gather in aesthetically pleasing, quality indoor environments. Therefore, the Shawnigan Lake Community Centre will continue to provide a variety of recreational opportunities and will ensure access to the broadest range of customers – to serve all ages and both genders.

Policy 6.3: The Shawnigan Lake Community Centre, Discovery Elementary School, Shawnigan Alliance Church, Our Lady Queen of the World Catholic Church, Shawnigan Lake School, the Royal Canadian Mounted Police Station, the Shawnigan Lake Museum and the Shawnigan Post Office will be designated as Parks and Institutional and Zoned as P-2 – “Parks and Institutional”.

Policy 6.4: The OCP will designate the Shawnigan Lake Legion Hall as Parks and Institutional, and will provide a P-3 “Village Institutional” zone to allow for an affordable housing development in conjunction with the institutional use.

Policy 6.5: The E&N Railway corridor will be designated as Parks and Institutional (PI) and Zoned as T-1 Railway Transportation Zone. This designation will allow for railway use, freight services and light rail transit, terminal facilities for passengers and freight, railway stations and accessory uses.

Policy 6.6 The creation of a Shawnigan Village Common, in the vicinity of the Elsie Miles School site, is encouraged. This would provide an additional public outdoor space in the heart of the Village for people to gather informally in a park setting, where there could be programming such as outdoor festivals, markets, theatre and other community events.

Policy 6.7: To ensure that the future institutional needs of Shawnigan Village are met, the CVRD may enter into agreements with non-profit societies and private interests to acquire land, property or facilities that would provide a benefit to the Shawnigan Lake community.

Policy 6.8: The CVRD will provide leadership in water conservation, and will consider energy efficiency and green building design, when renovating existing buildings or building new CVRD owned facilities.

Policy 6.9: The CVRD will work with School District No. 79 in the acquisition of future school sites. Potential school sites acquired through rezoning will be dedicated to the CVRD, which in turn will lease such sites to School District No. 79. This is intended to ensure that school sites acquired for public school purposes remain in community ownership in the event that such sites are deemed no longer required for school purposes.

Policy 6.10: School District No. 79, is encouraged to continue to make school buildings and adjacent school ground properties available for recreation, cultural activities, community activities and educational programs during non-school hours.

Policy 6.11: In considering applications for institutional uses within Shawnigan Village, the following criteria will apply:

- a. The proposed institutional development is compatible with surrounding land uses;
- b. The proposed institutional development will protect environmentally sensitive areas;
- c. The proposed institutional development provides a significant social or economic value to the community; and
- d. A public process is conducted to ensure that the proposed institutional use is supported by the community.

Policy 6.12: The Plan area, including Shawnigan Village, is considered as a potential park acquisition area. At the time of subdivision, the CVRD will continue to acquire parkland in accordance with Section 941 of the *Local Government Act*, whereby the owner of land subject to a subdivision application shall, at the discretion of the CVRD:

- a. Provide, without compensation, community recreation parkland equivalent to five percent of the parent parcel size and in a location acceptable to the Regional District; or
- b. Pay to the CVRD an amount equalling 5% of the land value based on the provisions of the *Local Government Act*.

The Board will only consider parkland explicitly accepted as such, counting towards the 5% park dedication required by the *Local Government Act*. Lands such as environmental buffer areas and streamside protection and enhancement areas will not be counted in the 5% calculation.

Policy 6.13: Where cash in lieu of parkland is received, it shall be deposited into a parkland acquisition reserve fund for parkland acquisition in any suitable location within Electoral Area B Shawnigan Lake.

Policy 6.14: To facilitate the acquisition of future parkland, parks are permitted in any land use designation and any zone throughout the Plan area. To formally acknowledge the change in land use for acquired parkland, it is recommended that the OCP and the Zoning Bylaw be updated regularly to appropriately designate and zone new parks that have been acquired.

Policy 6.15: The CVRD will maximize opportunities for waterfront park access on the Shawnigan Lake shoreline. Where banks are too steep to allow access to the shore, viewpoints with rest areas should be provided to welcome users to enjoy the view in a quiet setting.

Policy 6.16: The CVRD will continue to acquire streamside and riparian dedications to provide trails and protect natural ecosystems.

Policy 6.17: The CVRD will consider acquiring and developing neighbourhood type parks in commercial areas, to provide employees of businesses with green space and activity areas and to enhance natural ecosystems.

Policy 6.18: Tot-lots and sports fields should be provided for families and children, while encouraging a diverse range of activities.

Policy 6.19: The CVRD will place a high priority in providing trails throughout the Village area, including pedestrian and cycling trails along the E&N corridor and along or adjacent to highway rights-of-way, and connecting parks, commercial areas and residential neighbourhoods.

Policy 6.20: The CVRD will recognize that public involvement in the planning, acquisition, and development of parks and trails is essential for ensuring that they respond to community desires and aspirations.

Policy 6.21: The Shawnigan Lake Community Parks and Trails Master Plan (2007) provides policy recommendations for the Plan area with respect to:

- a. priorities for community park land acquisitions in Electoral Area B Shawnigan Lake;
- b. priorities for various types of parks, trails, and recreational amenities, such as outdoor recreation areas (i.e., sports fields), natural areas, community pathways, and playgrounds;
- c. the expansion and upgrading of existing parks;
- d. protecting special environmental features and heritage resources in parks;
- e. protecting parkland from invasive plant species;
- f. priorities for linking parks within Village areas;
- g. assessing the need for swimming areas, and support facilities such as washrooms, shelters, picnic facilities, and benches;
- h. entering into partnerships with local clubs, resident groups or senior governments;
- i. ensuring that parks and trails are considered in efforts to redevelop the Village areas; and
- j. encouraging and supporting community participation in the planning, development and stewardship of community parks and trails.

SECTION 7: SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA

Development permit powers under the *Local Government Act* allow for site-specific planning of development, which supplements what can be achieved through Official Community Plan designations and the implementing Zoning Bylaw. The Shawnigan Village Development Permit Area (DPA) contains guidelines respecting a number of important matters, which are described in some detail in the “Justification” section below. Within the DPA, a development permit is required before a building permit can be issued, a subdivision can be approved or in some cases before land can be altered or vegetation removed.

This development permit area contains provisions to ensure that Shawnigan Village develops in a manner that enhances and does not negatively impact the social and environmental characteristics of the community.

7.1 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: ESTABLISHMENT

The Shawnigan Village Development Permit Area has been established pursuant to Section 919.1 of the *Local Government Act* for the following purposes:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions;
- Protection of farming;
- Revitalization of an area in which a commercial use is permitted;
- Establishment of objectives for the form and character of intensive residential development;
- Establishment of objectives for the form and character of commercial, industrial, and multiple family residential development;
- Establishment of objectives to promote energy conservation;
- Establishment of objectives to promote water conservation; and
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

7.2 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: JUSTIFICATION

- a. Agriculture is a vital part of the local economy and an important element in regional sustainability and food security. The agricultural land base should not be compromised by the inappropriate location of non-farm uses located close to agricultural land.
- b. The design of all commercial, mixed use, intensive residential, and multiple family residential structures must complement the community's expectations for visual quality, safety and be compatible with surrounding land uses.
- c. Energy efficiency, environmental protection and water conservation are fundamental values of this community.
- d. Shawnigan Village is a lakefront community and a goal of the Plan is to ensure that Shawnigan Lake residents have convenient access to the shoreline. The development of a lakeshore walkway over the long term is proposed, which would provide public access to the shore and not impact lake water quality.
- e. Pedestrian activity, safety and comfort should be encouraged through good design.
- f. Shawnigan Lake Road, Renfrew Road, Shawnigan-Mill Bay Road and Cobble Hill-Shawnigan Lake Road are the Major Network Roads identified on Figure 18A (of the main OCP document). It is important to maintain an attractive, welcoming landscape along these corridors for visitors and residents alike, and the development in these areas should be well adapted to road traffic safety as well as that of pedestrians and cyclists.
- g. Developments should be adequately landscaped and, for potentially unsightly uses, screened.
- h. Invasive weeds are unsightly and pose a threat to the natural environment that the OCP seeks to protect.
- i. The OCP aims to provide greater protection of eagle, hawk, owl, osprey, peregrine falcon and Great Blue Heron nest sites from direct and indirect development. These species are sensitive to disturbance around their nest sites. The Ministry of Environment recommends buffer areas surrounding these trees.
- j. The Shawnigan Lake shoreline and associated riparian area is highly sensitive and deserves special protection measures.
- k. The aquifer underlying Shawnigan Village requires protection, as does the lake itself.
- l. An objective of the Shawnigan Village Development Permit Area is to encourage the sidewalk development in the core area, plus the expansion of existing trails and walkways in outlying areas.
- m. The province of British Columbia's *Riparian Areas Regulation (RAR)*, under the *Fish Protection Act*, aims to protect fish habitat. This regulation requires that residential, commercial or industrial development as defined in the *RAR*, in a Riparian Assessment Area near freshwater features, be subject to an environmental review by a Qualified Environmental Professional (QEP).
- n. Careful development is necessary for hazardous lands that may pose a potential threat to life and property in the Plan area.

7.3 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: APPLICABILITY

The Shawnigan Village Development Permit Area applies to all lands in the Shawnigan Village area as delineated in this Plan. This Development Permit Area is multi-faceted, intended to provide guidelines for a wide variety of types of development throughout Shawnigan Village. Therefore, it is important to understand that no one site in the Village area will be simultaneously subject to every single guideline in the section that follows.

Unless specifically exempted below, a development permit is required prior to undertaking any of the following activities:

- removal, alteration, disruption or destruction of vegetation;
- disturbance of soils;
- construction or erection of buildings and structures;
- creation of nonstructural impervious or semi-impervious surfaces;
- flood protection works;
- construction of roads, trails, docks, wharves and bridges;
- provision and maintenance of sewer and water services;
- development of drainage systems;
- development of utility corridors;
- subdivision as defined in section 872 of the *Local Government Act*.

7.4 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: GUIDELINES AND EXEMPTIONS

Prior to commencing any development, including subdivision, construction or land clearing, on lands within the Shawnigan Village Development Permit Area, the owner will submit information that demonstrates how the proposed development meets the guidelines in the following sections.

7.4.1A General Guidelines

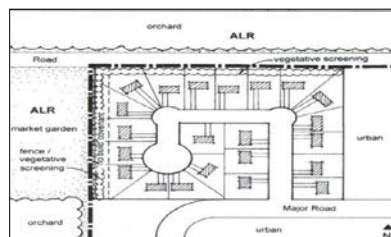
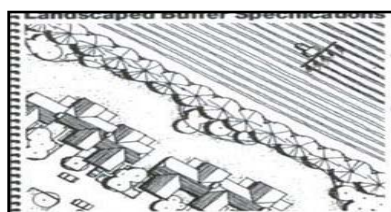
1. In all cases where a development permit is required, the eradication of invasive weeds, such as English Ivy, Scotch Broom, Gorse, Himalayan Blackberry, Morning Glory and Purple Loosestrife, and other non-native invasive weeds listed by the Coastal Invasive Plant Committee and the BC Landscape and Nursery Association, will be a requirement of the development permit.
2. In all cases where a development permit is required, the best management practices within the Ministry of Environment's *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* will be encouraged.
3. Where the Regional District considers that construction would be on land that is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrent, erosion, landslide, rock falls, subsidence or avalanche, the applicant may be required to provide a report certified by a professional engineer with experience in geo-technical engineering indicating that the development will not result in property damage or the loss of life on the site or in the surrounding area.

7.4.1B General Guideline Exemptions

The General Guidelines do not apply to development that does not require a development permit under Sections 7.4.2 through 7.4.11.

7.4.2 A Agricultural Protection Guidelines

The Agricultural Protection Guidelines apply to development of non-agricultural uses, buildings and structures that are located within 30 metres of a parcel of land designated as agricultural.



1. Principal buildings and structures adjacent to lands designated as Agricultural should be located as far away from the edge of the Agricultural Designation as possible, without unduly impacting on the usefulness of the lot.
2. Any subdivision next to agricultural land should be designed to gradually reduce densities and the intensity of uses toward the boundary of the Agricultural land.
3. Road endings should not be located in close proximity to agricultural lands, unless they are part of the Major Road Network Plan.
4. A continuous 15 metre wide buffer area should be provided between residential, commercial, and institutional development and lands in the Agricultural Designation. Buildings and structures should not be located within the buffer area, in order to reduce potential for land-use conflicts to arise. A restrictive covenant, registered in the Land Title Office, may be required to ensure that the required buffer is maintained.
5. Mature trees existing at the time of application within the buffer area should be preserved. A majority of the plant material selected should be low maintenance, indigenous vegetation and should be able to survive with little or no fertilizers. Guidelines contained in the B.C. Agricultural Land Commission's report: Landscaped Buffer Specifications should be respected.
6. Walkways, bikeways or passive recreational uses (such as picnic areas and lookout areas) should not be permitted within the landscaped buffer.

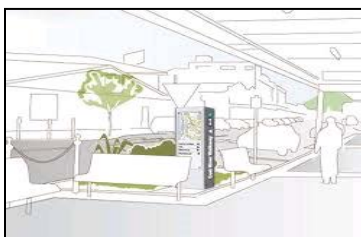
7.4.2 B Agricultural Protection Guideline Exemptions

The Agricultural Protection Guidelines do not apply to:

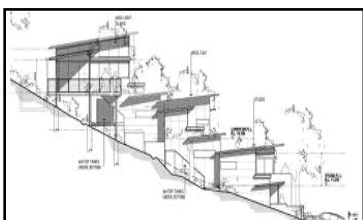
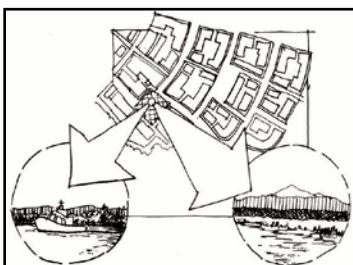
- a. Interior renovations or minor exterior alterations of existing buildings;
- b. Fences.

7.4.3 A Building Design Guidelines

The Building Design Guidelines apply to commercial, mixed use and multiple family residential development and their accessory buildings and structures.



1. Commercial, mixed use, and multiple family residential buildings should demonstrate a range of architectural features and designs that reflect the natural and west coast architectural heritage of Shawnigan Village. These features may include bay windows; corner accents such as turrets or protruding balconies, gabled rooflines, canopies and overhangs; masonry treatments such as ceramic tile inlays, paving stones, brick patterns; natural stone features, artwork, trellises or arbours.
2. A mix of natural exterior finish materials will be required. Examples are board and battens, clapboard, shingles, shakes, stonework and wood finishes. Buildings will be designed in keeping with the west coast climate with particular attention given to rain related design with overhangs to protect walls and windows.
3. Design themes should include the use of natural wood and/or stone materials in some of the exterior finishes, along with generous glazing to take advantage of solar access and views, where applicable.
4. The design of buildings should acknowledge the influence of sunlight during the day and seasonally, and take advantage of natural light as well as acknowledging architectural, design and heritage features.
5. Buildings should be sited and oriented to reduce overshadowing effects on surrounding buildings and open spaces.
6. Buildings should not dominate or overpower a neighbourhood but should be located on parcels in such a way as to minimize impacts upon the privacy of any adjacent residential areas.
7. The visual mass of large buildings should be reduced by creating variation, for example by separation into smaller groups or clusters of units and use of articulated wall features or rooflines. Monolithic structures and long expanses of blank walls, or bare walls facing a street or disrupting a lake view, will be avoided.
8. Commercial and mixed use buildings should be located as close to the street line as possible to take advantage of the street frontage making the use and the street an active and dynamic place. Architectural and landscaping treatments should enhance the pedestrian experience and enhance



community identity.

9. Views to the lake are to define and orient streets, parks and public areas. Commercial development should create, enhance and preserve lake views and lake access, where possible, without detracting from the viewscales of neighbouring parcels.
10. New development should reflect, rather than obscure, significant natural topographic features. For example, buildings should be designed to step up hillsides using terraces that connect with the walkway and street, and preserve public views over, around or past buildings wherever possible.
11. Where new construction of multiple family, mixed use and commercial development could potentially block an attractive view from an existing development, proposed buildings should be oriented and of such a scale that some view around or over the proposed buildings would exist. Further, the portions of buildings visible from roads or neighbouring properties must be designed in a similar manner to the main façade. Building height should not be varied upward from the zoning regulation, where it would interfere with a view or the solar access of a neighbouring building.
12. Site design and the location of buildings and structures will complement the development of a continual public walkway along the lake shoreline that may over the long term be constructed along the entire lake shoreline within Shawnigan Village.
13. Shop fronts should have prominent entrances, narrow frontages, and largely transparent store fronts, where internal uses are visible from the street. These shops may, where appropriate, extend onto a terrace or public area.
14. Residential uses located in commercial buildings will only be permitted on the upper floors of the building.
15. Where both residential uses and commercial uses are permitted, entrances should be differentiated architecturally, with residential entrances being less prominent. Side access should primarily be for residential uses above commercial, except where a lot is situated on a corner, where residential access will be encouraged to be from the rear.
16. Multiple family residential and mixed use developments should be sited and oriented for residential units to overlook public streets, parks, walkways and green spaces while ensuring the security and privacy of building residents.



17. Green building features should be incorporated into the building design, to minimize environmental impacts and promote sustainability. This should include energy efficiency and water conservation measures.
18. New buildings and the sites they are built on should be arranged in such a way as to prioritize pedestrian activity over motor vehicles.
19. Streetscape design should be a top priority, with the buildings being oriented towards streets rather than inwardly. Architectural and landscaping treatments should enhance the pedestrian experience and enhance community identity.
20. Commercial, mixed use and multiple family residential developments must provide space to store and transfer solid waste, recyclables and compostable materials. This space must be screened from neighbouring properties and roads, and animal-proofed.
21. Underground wiring on development sites is very strongly encouraged.
22. All plans and building designs must promote personal and public safety, consistent with the principles of Crime Prevention through Environmental Design (CPTED).

7.4.3 B Building Design Guideline Exemptions

The Building Design Guidelines do not apply to:

- a. Interior renovations to existing buildings;
- b. Minor exterior alterations to existing buildings;
- c. Single family dwellings.

7.4.4 A Habitat Protection Area Guidelines

The Habitat Protection Guidelines apply to development within 60 metres of an eagle, hawk, osprey, owl or peregrine falcon nest, and within 100 metres of a Great Blue Heron nest.



1. Development should be sited so as to maximize the separation between the proposed development and the nest or perch trees.
2. In cases where there are no appropriate alternatives but to locate development adjacent to a nest or perch tree, the applicant must demonstrate that such siting is necessary due to circumstances such as topography, hazards or the entire parcel being located within the Development Permit Area. In such cases, mitigation and restoration measures may be required to minimize the impact of the development on the habitat area.
3. Breeding and nesting season for Pacific Great Blue Herons is generally from mid February until mid August. Construction and development, including unusual or loud activities such as blasting, tree falling, chain saws, and concrete cutters, should not take place during breeding or nesting season for any bird species listed in this Section.
4. Subdivisions should be undertaken in a manner that does not create parcels entirely within the Development Permit Area, or parcels that would require or encourage additional development to occur within the Development Permit Area.

7.4.4 B Habitat Protection Guideline Exemptions

The Habitat Protection Guidelines do not apply to:

- a. Interior renovations and minor exterior alterations.
- b. Emergency works to prevent, control or reduce flooding, erosion, or other immediate threats to life and property, provided that emergency actions are reported to the Regional District and applicable provincial and federal Ministries to secure exemptions. Such emergency procedures include:
 - i) Clearing of an obstruction or repairs to a bridge, culvert or drainage flow;
 - ii) The removal of hazardous trees that present an immediate danger to the safety of persons or are likely to damage public or private property;
- c. Development where a registered professional biologist, with experience and knowledge in dealing with Great Blue Herons, eagles, hawks, peregrine falcons and/or ospreys, and their nesting requirements, provides a report to the CVRD indicating that the birds are not present or would not be affected by the proposed development, and that the proposed work complies with the *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* ((Ministry of Environment: 2006).

7.4.5 A: Landscaping, Rainwater Management and Environmental Protection Guidelines

The Landscaping/Rainwater Management/Environmental Protection Guidelines apply to the subdivision of land, and to commercial, mixed use, multiple family residential and intensive residential development and their accessory uses.



1. Preparation of a landscaping plan by a British Columbia Society of Landscape Architects (BCSLA) or BC Landscape and Nursery Association (BCNTA)-certified landscape architect is preferred. Any landscaping plan submitted with an application for a development permit, whether professionally prepared or not, will be assessed by the CVRD according to BCSLA/BCNTA guidelines.
2. All required landscaping plans should be integrated with a rainwater management plan, which should favour natural solutions to drainage such as rain gardens and bio-swales, and should contain measures to limit impervious surfaces. The rainwater management plan must be prepared by a professional engineer with experience in drainage and submitted with the application for any commercial, mixed use or multiple family residential development proposal. The aim of the plan is to eliminate the potential for runoff into adjacent areas, and protect lake quality.
3. Runoff from the development must be strictly limited to prevent rainwater flows from damaging roads, surrounding properties and sensitive watershed features. Pervious surfaces should predominate, to encourage infiltration of water. The removal of trees should only be allowed where necessary and where alternate vegetation and water retention measures can be achieved.
4. All public areas should be landscaped, including entrances, building peripheries, parking and pedestrian areas, and open space areas, in a way that is complementary to both the site and surrounding lands.
5. Streetscape design should incorporate treatments that enhance the pedestrian experience and create a sense of local identity. Public streetscape amenities including benches, planters, and bike racks should have a high quality of design.
6. The appearance of large buildings should be enhanced using plants, shrubs and trees, and where necessary, hard landscaping treatments such as terraced retaining walls, planters, gardens, courtyards or fountains, outdoor seating and decorative paving and lighting.
7. Where appropriate, trees should be planted along street



frontages to create a mature treed “boulevard” streetscape. Tree species that provide high quality bird habitat and do not grow to a size that would detract from the architecture are preferred.

8. Developments should incorporate and emphasize native landscape materials, and use drought resistant plants to reduce irrigation needs.
9. The provision open space areas, pedestrian oriented street furniture and, for multiple family developments, the allocation of space for residents to garden and grow edible plants is encouraged, where feasible.
10. Commercial and multiple family developments visible from major network roads should be screened and landscaped, including entrances, building peripheries, parking and pedestrian areas, and open space areas. The landscaping should consist of a mix of coniferous and deciduous vegetation, with low plantings and taller tree species at intervals.
11. Sites should not be dominated by areas of bark mulch, gravel or other similar materials.
12. Walkways or trails must be developed to encourage walking and cycling and to connect the development with surrounding commercial, mixed use, and residential areas.

7.4.5 B Landscaping, Rainwater Management and Environmental Protection Guideline Exemptions

The Landscaping, Rainwater Management, and Environmental Protection Guidelines do not apply to the construction of single family residential dwellings, or to single family residential subdivision where it is located within a drainage control area.

7.4.6 A Outdoor Lighting Guidelines

The Outdoor Lighting Guidelines apply to commercial, multiple family, and intensive residential development.



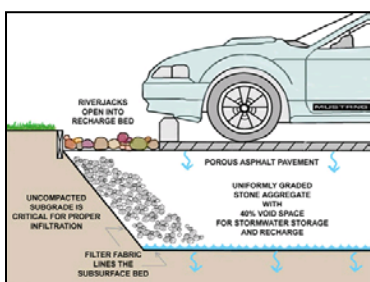
1. An illumination plan will be submitted with the application, indicating how building entrances, parking areas and pedestrian routes on a site will be lit. This will preferably be accomplished with lighting that is designed to illuminate the surface of the site, for pedestrian comfort and safety, without glare spill-over to adjacent parcels or roads.
2. Lighting must reflect the mass, character, shape and form of existing buildings and uses within the village. Attention shall be given to the historic, architectural and design features of the development.
3. All development must use low-impact lighting to provide for safety and security as well as to reduce glare and spillage onto adjacent areas.
4. Fluorescent lighting of building exteriors will be prohibited.
5. To minimize light pollution and impacts on motorists, outdoor lighting should be shielded so that all light is directed below the horizontal plane towards the ground.

10.4.6 B Outdoor Lighting Guideline Exemptions

The Outdoor Lighting Guidelines do not apply for interior renovations and minor exterior alterations to existing buildings.

7.4.7 A: Parking, Vehicular Access, and Pedestrian Guidelines

The Parking, Vehicular Access and Pedestrian Guidelines apply to commercial, multiple family and intensive residential development.



1. Parking areas should not be covered with either hard impervious surfacing such as asphalt or poured-in-place concrete, or gravel and dirt. Rather, dust free forms of pervious surfacing that allow for groundwater infiltration of water are preferred. Where impervious surfaces are necessary, the separation of oil and water will be encouraged.
2. Convenient, safe and attractive parking entrances should be provided, without unnecessary duplication of access points, and without parking access points or parking facilities dominating a site.
3. Rain gardens, bioswales, and permeable materials are strongly encouraged to absorb runoff.
4. Access and egress to major network roads should be provided from local roads in locations which are safe and approved by the Ministry of Transportation and Infrastructure. Direct access from a major network road should be avoided, where possible.
5. Parking lots should be heavily landscaped with trees that will not damage paint finishes, for comfort, shade and visual interest and to minimize heat gain caused by large contiguous paved surfaces.
6. Parking lot design will incorporate designated pedestrian walkways for people to exit their automobiles and access buildings and surrounding areas safely, and these will be separated from the parking area by raised or landscaped features. Physical separation between well-marked pedestrian and vehicular traffic is required, and where the two share space, design features will clearly indicate that pedestrians have priority. All pedestrian areas should be level, smooth, and non-slip surfaced so as to accommodate people with accessibility challenges such as mobility, sensory, or cognitive disabilities.
7. Pedestrian access walkways will be provided to connect upland areas with a lakeside walkway. The intent of this guideline is to develop a continuous lakefront walkway in the Village Core area, over the long term, as land is developed.
8. Where outdoor café tables are provided near pathways within commercial areas, safe passage for pedestrians and emergency access must be maintained. To maintain the



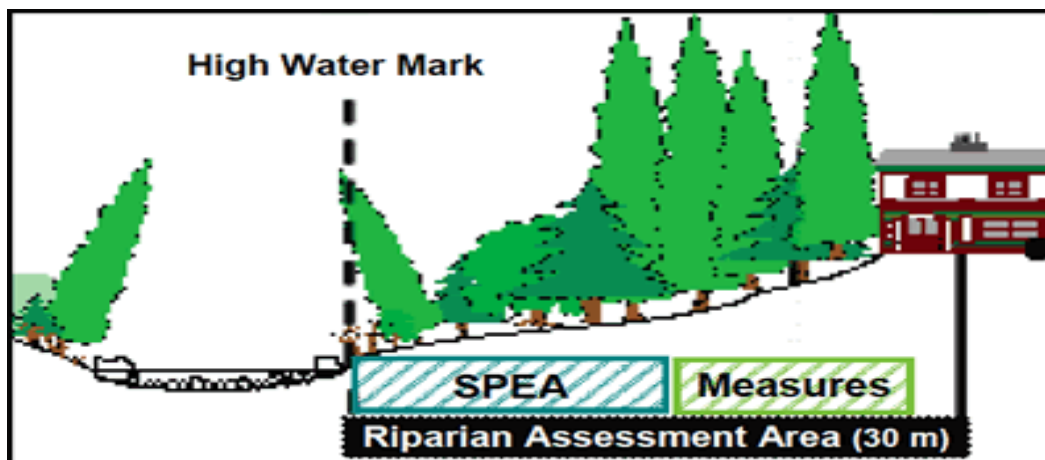
- unique character of the development, parking standards may be modified where development has regard for alternative transportation modes or other amenities.
9. Where appropriate, aesthetically appealing and distinctive bus shelters and pullouts may be incorporated into the site design to facilitate pedestrian traffic and provide space for landscaping, seating and public art.
 10. Loading areas are to be screened with adequate landscaping or separation from parking and pedestrian areas.
 11. Parking requirements within the implementing Zoning Bylaw may be varied where provisions are made for alternative transportation amenities.

7.4.7 B: Parking, Vehicular Access, and Pedestrian Guideline Exemptions

The Parking, Vehicular Access and Pedestrian Guidelines do not apply to parking areas designed for less than 5 vehicles.

7.4.8 A Riparian Protection Guidelines (Freshwater)

The Riparian Protection Guidelines apply to lands within 30 metres of a watercourse, including a seasonal watercourse or wetland.



1. For lands within 30 metres of a fish-bearing watercourse, or a watercourse that is connected by surface water to a freshwater, fish-bearing watercourse, a qualified environmental professional (QEP) will be retained at the expense of the applicant, for the purpose of preparing a Riparian Area Report pursuant to Section 4 of the *Riparian Areas Regulation*. The Report will examine the Riparian Assessment Area – RAA – generally 30 metres from a watercourse, wetland or body of freshwater, and determine the Streamside Protection and Enhancement Area – SPEA – and any measures that must be taken in the RAA to protect the SPEA. The Riparian Assessment Report will be registered to the Ministry of Environment website and when the CVRD receives notification from senior government that registration has been completed and we are able to issue a development permit, this will be done, with the Riparian Assessment Report forming a part of the permit. All works within a Riparian Assessment Area must comply with the provisions of the Riparian Assessment Report.
2. For development located within 30 metres of a watercourse, including a seasonal watercourse that does not contain water at all times, development should be located away from and should not contribute to changes in the riparian area through loss of trees and vegetation or alteration of natural processes. These changes may diminish the ability of the riparian area to function as a water storage and purification area and to help prevent hazardous flooding and erosion conditions. Developers may be required to provide restoration to



riparian areas that have already been damaged.

3. Runoff from the development should be strictly limited to prevent storm flows from damaging property, roads and downstream areas. This shall be accomplished partially by limiting impervious surfaces to the minimum through appropriate building design and providing pervious surfaces in landscaping and driveway design that can absorb runoff. Applicants shall submit figures for total site imperviousness. The Board may specify maximum site imperviousness in a development permit.
4. Proposed lots that within or adjacent to riparian areas should be large enough to contain a building site and driveway that does not require a Streamside Protection and Enhancement Area (SPEA) to be encroached. There should be a usable yard area between the proposed building envelope and the edge of a SPEA, a minimum of 7.5 metres in depth, measured perpendicularly from the edge of the building envelope.
5. Road, trail and utility crossings of watercourse and riparian areas must be kept to a minimum, and crossing points should be chosen for low impact, in particular to avoid critical habitats of sensitive species.
6. Pedestrian/cycle and road crossings of watercourses must have a low impact design; i.e., boardwalk or bridge.
7. Construction of docks on Shawnigan Lake should be undertaken in a manner that mitigates disturbance of fish habitat and related environmental values. A report by a registered professional biologist may be required.
8. Recommendations in the Ministry of Environment's *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* should be applied

7.4.8 B Riparian Protection Guideline Exemptions (Freshwater)

The Riparian Protection Guidelines do not apply to:

- a. Development, including vegetation clearing and soil removal or deposit and subdivision, if the subject parcel is located more than 30 metres from the natural boundary or top of bank as defined in the *Riparian Areas Regulation*;
- b. Renovations, repairs and maintenance to existing buildings that are subject to Section 911 of the *Local Government Act*;
- c. Minor interior and exterior renovations to existing buildings, excluding any additions or increases in building volume, provided the work is above existing foundations;
- d. Non-chemical removal of invasive non-native vegetation such as Gorse, Scotch Broom, and its immediate replacement with native vegetation;

- e. Creation of a passage or trail not more than 1.5 metres in width cleared of vegetation, which does not involve the removal of any tree greater than 5 metres in height or with a diameter at breast height (DBH) of 10 centimetres, to allow for passage to the water on foot.
- f. Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;
- g. Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.

7.4.9 A Sensitive Ecosystems Guidelines

The Sensitive Ecosystem Guidelines apply to lands within that have been identified within or are within 15 metres of a sensitive ecosystem as identified by the Sensitive Ecosystem Inventory (1993-1997) by Environment Canada and the Province of BC.



1. Development should, wherever possible, be directed to lands outside of the sensitive ecosystem. In cases where there are no appropriate alternatives, the onus will be on the applicant to demonstrate that encroaching is necessary due to circumstances such as topography, hazards or the entire parcel being located within the sensitive area.
2. Where a parcel of land is entirely or significantly within a sensitive ecosystem, the development should be sited to maximize the separation between the proposed development and the most sensitive area. In such cases, mitigation and restoration measures may be required to minimize the impact of the encroachment;
3. Vegetation that is not indigenous to the South Cowichan must not be planted within a sensitive ecosystem. In order to protect the sensitive ecosystem, the development permit may specify the amount and location of new tree and vegetative cover to be planted or retained.
4. Roads and driveways should be located as far as possible from the edge of a sensitive ecosystem.
5. Figures for total imperviousness on sites within this development permit area will be calculated by the proponent and submitted at the time of development permit application.
6. Recommendations of the BC *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* ((Ministry of Environment: 2006).should be applied, to reduce areas of impervious surfaces and increase natural groundwater infiltration. On-site rainwater management techniques that do not impact surrounding lands should be used, rather than the culverting or ditching of water runoff. Increased soil depth is one proven method for achieving reduced rainwater runoff; rain gardens are another.

7.4.9 B Sensitive Ecosystems Guideline Exemptions

The Sensitive Ecosystem Guidelines do not apply to:

- a. Interior renovations;
- b. Minor exterior alterations;
- c. Emergency works to prevent, control or reduce flooding, erosion, or other immediate threats to life and property, provided that emergency actions are reported to the Regional District and applicable provincial and federal Ministries to secure exemptions. Such emergency procedures include:
 1. Clearing of an obstruction from a bridge, culvert or drainage flow;
 2. Repairs to bridges and safety fences; and
 3. The removal of hazardous trees that present an immediate danger to the safety of persons or are likely to damage public or private property.

7.4.10 A Sign Guidelines

The Sign Guidelines apply to the installation of all commercial, multifamily, mixed use and intensive residential signs.



1. Signage for all intensive residential, multiple family residential, and commercial development must be in keeping with the character, form of existing signs in the area, and the mass, character, shape, and form of similar buildings and uses in the village. The use of thematic, painted, handcrafted wooden fascia signs will be required over other types of signage. Signs will be constructed of natural materials and must complement the architectural design of buildings on the site.
2. The use of thematic, painted, hand-crafted wooden fascia signs are preferred over other types of signs. Signs shall be constructed of natural materials and shall complement the architectural design of structures on the site.
3. Signs should identify uses and shops clearly, but be scaled to the pedestrian rather than automobile traffic moving at speed limits.
4. All forms of illuminated signs, roof mounted signs and multiple free standing signs are strongly discouraged.
5. Where multiple, free standing signs are proposed on a site, they must be consolidated into a single, comprehensive sign that should not exceed 5 metres in height. No more than one free standing sign is permitted per parcel.
6. Entrance ways should provide visible signage identifying building address.
7. Facia or canopy signs may be approved provided that they are designed in harmony with the architecture of the building or structure proposed.
8. Projecting signs are discouraged since they tend to compete with one another and are difficult to harmonize with the architectural elements of commercial buildings.
9. Signs with temporary and changeable lettering are not supported, except where clearly required due to the nature of the business activity.
10. Third party signs, advertising goods or services not available on the subject lands, are not permitted.

7.4.10 B Sign Guideline Exemptions

The *Sign Guidelines* do not apply for changes to the text or message on an existing sign allowed by a previous development permit.

7.4.11 A Subdivision Guidelines

The Subdivision Guidelines apply to the subdivision of land, regardless of the land designation.

1. A trail system should link neighbourhoods to amenities and, where possible, provide corridors of native vegetation that can provide for groundwater infiltration.
2. The removal of trees should only be allowed where necessary and where alternate vegetation and water retention measures can be achieved.
3. If a subdivision proposal is received in an area identified for major road network connection or improvement in the Transportation section of this OCP, any development permit issued should accommodate major road network and intersection improvements that have been identified.

7.4.11 B Subdivision Guideline Exemptions

The Subdivision Guidelines do not apply to proposed boundary adjustments between two or more parcels of land.

7.5 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: VARIANCES

Where a proposed development plan is consistent with the guidelines of the Shawnigan Lake Development Permit Area, the CVRD may give favorable consideration to variances of the regulations of its zoning, sign, parking and other bylaws, where such variances are believed to have no significant impact on adjacent parcels, and would enhance the function or appearance of the site in question. Such variances would be incorporated into the development permit.

7.6 SHAWNIGAN VILLAGE DPA: APPLICATION REQUIREMENTS

Prior to issuing a development permit on a parcel in Shawnigan Village, the Regional District, in determining what conditions or requirements it will impose in the development permit, shall require the applicant to submit, at the applicant's expense, a development permit application which shall include:

- a. a brief written description of the proposed development,
- b. maps/elevation drawings which include:
 - i) the location of the project;
 - ii) a site plan drawn to scale, showing the general arrangement of land uses including parcel lines, existing and proposed buildings and structures, parking and loading areas, vehicular access points, sidewalks, pedestrian walkways and bike paths, and outdoor illumination design;
 - iii) a building design including proposed wall, roof and exterior finish details;
 - iv) a landscaping plan, identifying the existing and proposed plant species, areas of sensitive native plant communities and areas to be cleared or planted;
 - v) a calculated figure for total site imperviousness;
 - vi) a sign plan if any signs are proposed;
 - vii) the location of all natural watercourses and water bodies, and top of bank, indicating whether development will be within the Riparian Assessment Area set 30 metres back from the above;
 - viii) topographical contours;
 - ix) the location of lands subject to periodic flooding,
 - x) existing and proposed roads, driveways, drainage systems, septic tanks or other sewage systems, irrigation systems and water supply systems,
 - xi) proposed erosion control works;
 - xii) areas infested with Scotch Broom, Scotch Gorse, Japanese Knotweed, Himalayan Blackberry, Giant Hogweed or other invasive species;
- c. In addition to the requirements in subsections (a) and (b), the Regional District may require the applicant to furnish, at his/her own expense:
 - i) a report by an engineer with experience in geotechnical engineering, regarding the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition;

- ii) a report by an engineer with experience in geotechnical engineering and natural hazards mitigation, regarding the safety of the proposed use and structures on-site and off-site or indicating that the land may be used safely for the use intended; and
- iii) Sun/shade diagrams of the subject development and the surrounding properties at 8 AM, 12 noon, and 4 PM.

7.7 SHAWNIGAN VILLAGE DPA: APPLICATION SECURITY

To ensure that all of the applicable development permit area guidelines are met, the CVRD may require, by Resolution of the Board, the deposit of a Security to be held until the requirements of a Permit have been met to satisfaction of the CVRD. Should a development permit holder fail to fulfill the requirements of the development permit, the CVRD may undertake and complete the works required at the cost of the permit holder and may apply the Security in payment of the cost of the work, with any excess to be refunded to the Permit holder. Should there be no default as described above; the CVRD will refund the Security to the Permit holder. The security will be in the form of an **Irrevocable Letter of Credit** from a recognized financial institution of the applicant's choice.

7.8 SHAWNIGAN VILLAGE DPA: VIOLATION

- a. Every person who:
 - 1. violates any provision of the Shawnigan Village Development Permit Area;
 - 2. causes or permits any act or thing to be done in contravention or violation of any provision of the Shawnigan Village Development Permit Area;
 - 3. neglects to do or refrains from doing any act or thing required under the Shawnigan Village Development Permit Area;
 - 4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to the Shawnigan Village Development Permit Area;
 - 5. fails to comply with an order, direction or notice given in respect of the Shawnigan Village Development Permit Area; or
 - 6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;
 commits an offence under this Bylaw.
- b. Each day's continuance of an offence constitutes a new and distinct offence.

7.9 SHAWNIGAN VILLAGE DPA: PENALTY

A person who commits an offence against the Shawnigan Village Development Permit Area is liable, upon conviction in a prosecution under the *Offence Act*, to the maximum penalties prescribed under the *Community Charter* for each offence committed by that person.

7.10 SHAWNIGAN VILLAGE DPA: SEVERABILITY

If any section, sentence, clause, phrase, word or schedule of the Shawnigan Village Development Permit Area is for any reason held to be 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 this Development Permit Area.