

**TOWN OF LAKE COWICHAN
BYLAW NO. 1070-2022**

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN BYLAW NO. 1022-2019

WHEREAS the *Local Government Act* provides that a local government may adopt and amend one or more official community plans to guide decisions on planning and land use management;

AND WHEREAS the Council of the Town of Lake Cowichan deems it necessary to amend Bylaw 1022-2019 to allow for changes with respect to land use and zoning requirements;

NOW THEREFORE, the Council of the Town of Lake Cowichan in open meeting assembled enacts as follows:

1. TITLE

This bylaw may be cited for all purposes as the "Town of Lake Cowichan Official Community Plan Amendment Bylaw No. 1070-2022".

2. AMENDMENTS

The Official Community Plan Bylaw, cited as the "Town of Lake Cowichan Official Community Plan Bylaw No. 1022-2019" is hereby amended with the following revisions:

1. The addition of a new Section within Part 5 Community Health and Wellness entitled 'Agriculture and the Agricultural Land Reserve' containing the following introduction, provincial legislative context, goals, objectives, and policies:

Agriculture and the Agricultural Land Reserve

Introduction

A parcel of 6.2 ha to the east of the '100 houses' subdivision, and to the south of the Trans Canada Trail lies within the Agricultural Land Reserve (ALR). This site includes the former AB Greenwell School. This parcel is contiguous on its southern boundary to a relatively large area of land lying within the ALR.

Provincial Legislative Context

Notwithstanding any other provisions of this bylaw, all lands within the ALR are subject to the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the Regulation), and any Orders of the Agricultural Land Commission (ALC). The ALCA and Regulations generally prohibit or restrict non-farm use and subdivision of ALR lands, unless otherwise permitted or exempted.

5.5 Agriculture and the Agricultural Land Reserve Goal

Reserve lands within the ALR for agricultural and related uses.

5.5.1 Objectives

- 1) Minimize conflicts between farm and non-farm uses.
- 2) Support and promote the economic viability of the agriculture sector.

5.5.1.1 Policies

- 1) Permit a full range of agricultural and complementary uses in the ALR and encourage value added activities that can improve farm viability.
- 2) Where proposed development abuts the ALR, agricultural activity must be protected from negative urban influences using such mechanisms as establishing buffers, registering restrictive covenants, and requiring development permits.
- 3) Recognize and protect the needs and activities of farm operations when considering adjacent and nearby land uses.



- 4) Plan for uses that are compatible with agriculture along the ALR boundary.
 - 5) Preserve contiguous areas of agricultural land and avoid severance by transportation and utility corridors.
 - 6) Encourage partnerships with the agriculture community, senior governments, and private enterprise to promote the development of the agriculture sector.
 - 7) Protect land within the ALR and other agriculturally productive lands from inappropriate development.
 - 8) Support re-use of the former AB Greenwell School facility, inclusive of existing building, parking lot, playground, and playing fields, for non-farm uses of public works administration, public works yard, and fire department training yard.
2. An amendment to the Land Use Map with a new land use designation of Agriculture as shown in Schedule A, attached to, and forming part of this bylaw.
 3. The addition of the following guidelines within a new Section 6.3 Natural Hazard Lands Development Permit Area (DPA 2):

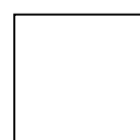
6.3.7 Wildfire Hazard Guidelines

Site Design

- 1) To an extent that is reasonable and feasible, new buildings and structures shall be located away from any contiguous undeveloped forested areas or areas containing hazardous forest fuel types or accumulations.
- 2) Subdivision and neighbourhood design shall consider incorporating fire breaks or fuel breaks adjacent to residential areas, which may be in the form of fuel-reduced borders, roads, or trails.
- 3) FireSmart design standards, as identified in the latest version of 'FireSmart: Protecting Your Community' shall be applied to all fire breaks, fuel breaks, and infrastructure design.
- 4) The Subdivision, Works and Services Bylaw establishes design standards for streets and infrastructure that minimize the risks to public safety due to wildfire hazards.
- 5) All development applications shall be jointly reviewed with and assessed by the Fire Department.



Figure 22
Fire Break with no vegetation next to a house



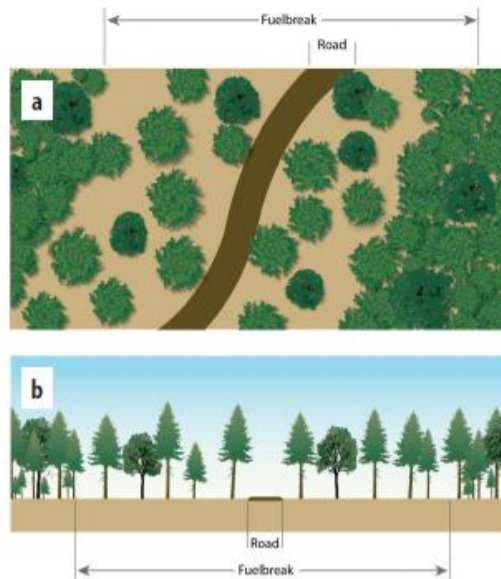


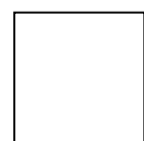
Figure 13
Shaded fuel break:
diagram 'a' is the plan view;
diagram 'b' is the profile view

Building and Infrastructure Materials

- 6) The following fire resistive materials and construction practices are required:
 - a) Class A fire retardant roofing materials, such as asphalt or metal;
 - b) decks, porches and balconies sheathed with fire resistive materials;
 - c) all eaves, attics, roof vents and openings under floors screened to prevent the accumulation of combustible material, using 3mm, noncombustible wire mesh, and vent assemblies with fire shutters or baffles;
 - d) exterior walls sheathed with fire resistive materials such as poured concrete, stucco, brick, and fiber cement boards/panels;
 - e) portions of exterior walls facing away from forested edges may use fire resistive wood, subject to a report by a qualified professional;
 - f) fire-resistive decking materials, such as solid composite decking materials or fire-resistive treated wood;
 - g) all windows tempered or double-glazed to reduce heat and protect against wind and debris that can break windows and allow fire to enter the new building or structure;
 - h) all chimneys and wood-burning appliances with approved spark arrestors; and
 - i) building design and construction generally consistent with the highest current wildfire protection standards published by the National Fire Protection Association or any similar, successor or replacement body that may exist from time to time.
- 7) security in connection with such removal.

Landscaping and Vegetation Management

- 8) The following landscape and service conditions are required:
 - a) firebreaks may be in the form of cleared parkland, roads, or utility rights-of-way (see figure 22);
 - b) fuel breaks may be in the form of shaded landscaping with dispersed tree plantings and no understory plantings (see figure 23);
 - c) wildfire risk mitigation and landscaping should be designed and installed to protect, conserve and enhance natural features of the site and adjacent ecosystems in accordance with Provincial and Town bylaws;
 - d) landscape plantings should be fire resistant, in accordance with the latest version of the FireSmart Guide to Landscaping;



- e) if removal of trees or vegetation is deemed necessary by the Qualified Professional for the purpose of reducing wildfire risk, Town approval is required and replacement trees or vegetation may be required;
 - f) if deemed necessary by the Qualified Professional for the purpose of reducing wildfire risk, a defensible space shall be established and managed around buildings and structures in accordance with the latest version of the FireSmart Homeowner’s Manual;
 - g) establish and maintain a 1.5 metre non-combustible zone around buildings and any attachments (i.e. decks) in accordance with FireSmart Homeowner’s Manual; and
 - h) the Town may enforce any FireSmart standards and recommendations of Qualified Professionals through a covenant at the time of development approval.
- 9) A tree assessment and retention or restoration plan by a Qualified Professional may be required.

4. FORCE AND EFFECT

That upon adoption of this bylaw, Town of Lake Cowichan Official Community Plan Amendment Bylaw No. 1070-2022, the “Town of Lake Cowichan Official Community Plan Bylaw No. 1022-2019” shall hereby be amended and take effect with the amendments hereto attached.

READ A FIRST TIME on the 22nd day of February 2022.

READ A SECOND TIME on the 22nd day of February 2022.

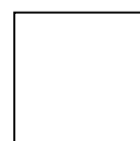
PUBLIC HEARING held on the 22nd day of March, 2022.

READ A THIRD TIME on the ___ day of _____, 2022.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the _____ day of _____ 2022.

Bob K. Day
Mayor

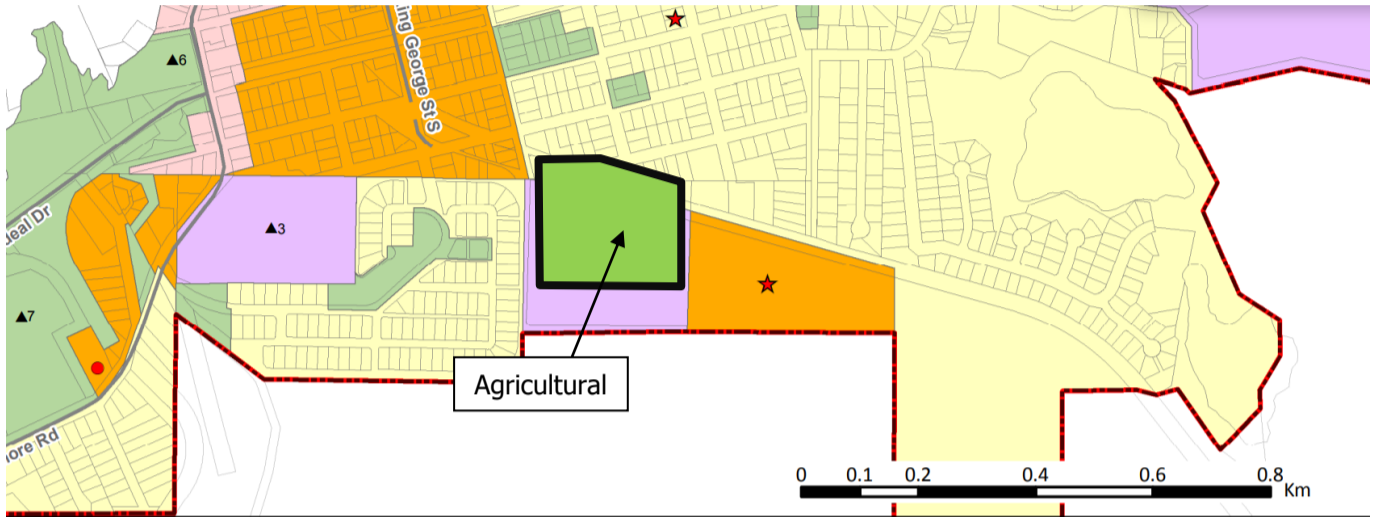
Joseph A. Fernandez
Corporate Officer



SCHEDULE "A"

Attached to and forming part of Bylaw No. 1070-2022

Land Use Map Amendment



Other Features

- | | | |
|-------------------------|--|----------------------------|
| Institutional | Friendship Park Special Designation Area | Urban Containment Boundary |
| Employment | Highway Commercial | Neighbourhood Centre |
| Ecological Preservation | Uptown | Tourist Commercial |
| Parks and Open Space | Downtown | Gravel Deposit |

