



City of Duncan OCP Bylaw 2030 Policy Excerpts

Community Vision

“To be one of the most livable small towns in Canada”

- **Managed growth**
 - **A thriving economy and business community**
 - **Responsible stewardship of the environment**
 - **Strong community connections**
 - **A safe, healthy community**
- **A well-serviced community**

The City is green and takes pride in its sustainability practices: *Streets are lined with trees, the River sparkles, commercial areas are well-landscaped, permeable surfaces have replaced pavement, community gardens are found throughout, natural areas are protected, clean air and water are vital community attributes, reduction, recycling and reuse are widely employed.*

This vision, describing what residents would like their city to become, is a synthesis of views drawn from the Community Survey, in workshops, and at an Open House as part of the preparation of this Official Community Plan.

The built environment is compact and attractive: *The City exemplifies good design and smart well-managed growth. Neighbourhoods are well-maintained with a variety of housing choices, services, and activities for younger people, seniors, and families. Distinct neighbourhood centres are beginning to emerge with a mix of uses, wider and landscaped sidewalks, benches for seating, and good transit access.*

Economic opportunities abound: *Duncan is the hub of the Cowichan Valley, new businesses start-up regularly, unemployment is low, tourists stop by to visit. Downtown is a busy, vibrant and charming city centre; more people are living, working, shopping, and enjoying Downtown's many successful small shops, heritage and well-designed new commercial and mixed commercial-residential buildings, public art and totems, interconnected pathways, and landscaped streets.*

It is easy and pleasant to get around: *Traffic congestion is minimal with traffic flows and neighbourhood connectivity working well, traffic corridors are visually attractive, the City is walkable, cycling lanes are numerous, public transit works effectively, and bus and rail inter-city connections are used extensively.*

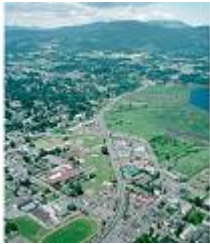
There is much to enjoy and take part in: *Community's ties and spirit are strong supported by the farmers' market featuring locally produced products, a lively cultural scene featuring west-coast and First Nations artists, community events and celebrations throughout the year, recreational facilities and programs for all ages, and active community and volunteer participation. The City and Cowichan Tribes have a close and cooperative working relationship.*

Residents have a strong connection and sense of identity with the place where they live and with each other: *Residents value Duncan's small town friendliness, quiet, convenience, safety, tolerance, accessibility, and affordability. The City is one of Canada's most livable small towns, a town of which its citizens are justifiably proud.*

Plan Goals

The following goals form a solid foundation for the future growth and development of the City of Duncan.

* Managed Growth



To accommodate and manage population growth to meet the needs of Duncan's residents, build on and enhance the City's attributes, and work towards a more sustainable built and natural environment.

Managed growth will be achieved through smart growth policies such as: mixed land uses; well designed compact neighbourhoods; diverse housing opportunities and choices; a broad range of community services; varied employment opportunities, transportation options, and commercial activities; smarter infrastructure and green buildings; preservation of open space, natural beauty, and environmentally sensitive areas; protection and enhancement of farmland; vibrant cultural and recreational opportunities; and an active, involved citizenry.

* A Thriving Economy and Business Community



To maintain and enhance the City's role as the commercial, service, employment and social centre of the Cowichan Valley where businesses and residents can prosper in a sustainable manner and where residents and visitors can work, shop, access services, and enjoy many cultural and recreational amenities.

A thriving economy and business community will be achieved by: fostering community partnerships; encouraging investment; providing social and physical infrastructure; promoting economic development, marketing, and sustainable business strategies and practices; supporting tourism; and adapting and responding to emerging technology and economic trends. Downtown Duncan will continue to be revitalized, capitalizing on its unique role and features.

* Responsible Stewardship of the Environment



To encourage environmental sustainability by accommodating change and development in a manner that improves Duncan's environmental health and recognizes the City's interconnection with the ecology of the broader region.

Responsible stewardship will be achieved through: the protection and enhancement of environmentally sensitive areas such as the Cowichan River, the aquifer, flood plain, habitats, natural areas, and steep slopes; more compact settlement patterns and a reduction in the ecological footprint; preservation of the region's farmland; transportation choices, including a more walkable city; smarter infrastructure and servicing practices to reduce resource consumption and ensure clean air, land and water.

* Strong Community Connections



To enhance and facilitate social and cultural interaction, community and neighbourhood identity and pride.

Strong community connections will be achieved through: support for Duncan's heritage and local arts, support for recreational activities and events that bring people together; the creation of distinct neighbourhoods; encouragement of active citizen involvement; building bridges between cultural groups, importantly with Cowichan Tribes; incorporating elements in the built environment that encourage

social interaction (e.g. connected pathways, wide sidewalks, seating areas and gathering places); and the provision of an effective road network with enhanced and accessible transit, walking and cycling choices for improved movement both within the City and to other communities.

*** A Safe, Healthy Community**



To create a community where all sectors work together to achieve the social, economic and environmental well-being of residents.

A safe, healthy community will be achieved by: providing adequate and accessible greenspace and recreational facilities, health, social, and educational services; proactive policing, fire protection, and emergency planning; a supportive institutional environment; and a built environment designed to improve community and individual security and well-being.

*** A Well-Serviced Community**



To provide appropriate physical infrastructure to support a vibrant local economy, community connectivity, and social and environmental health and safety.

A well-serviced community will be achieved through: the protection of the City's water supply and quality; sustainable solid and liquid waste management practices; environmentally sensitive rainwater management; innovative technology; and alternative sustainable public works standards. Existing infrastructure will be well-maintained and new infrastructure completed as needed, balancing growth and sustainability.

Land Use Designations

The following land use designations have been identified to provide a guide to the type of activities that would be permitted in various locations in the City and the framework for the detailed regulations contained in the Zoning Bylaw. Zoning is used to establish a more detailed regulatory framework that can include building height, setbacks, and parking standards. The following land use designations are shown on Plan Map 1.

- **Low Density Residential:** To permit single-family housing and duplexes throughout Duncan's neighbourhoods, outside of Downtown.
- **Medium Density Multi-Family Residential:** To permit ground-oriented triplexes and townhouses, and medium-rise apartments.
- **High Density Multi-Family Residential:** To permit multi-level apartment buildings.
- **Mixed Use Commercial and Residential:** To permit a mix of commercial and multi-family residential uses generally in commercial areas and, in particular, in Downtown.
- **Commercial:** To permit a wide range of retail and office uses, restaurants, visitor accommodations, entertainment facilities, and public open spaces.
- **Institutional:** To permit uses which provide community and public services, including schools, places of assembly, recreation facilities, cultural facilities, government offices, care facilities, and utilities.
- **Heritage:** To recognize the heritage value or character of a property, an area, or some other aspect of the community's heritage.
- **Parks and Open Spaces:** To provide for outdoor recreational activities and to protect areas of natural significance by restricting intensive development and minimizing detrimental impacts on land and water in these areas.
- **Trails:** To provide pedestrian and/or cycling corridors, currently publicly-owned or which may be publicly acquired.
- **Roads:** To provide for the efficient movement of people and goods on public rights-of-way.

1- Managed Growth

Growth Management Objectives

- To encourage sustainable high-quality development that enhances and benefits the community as a whole and meets the needs of residents.
- To effectively direct growth, as well as influence the rate of growth.
- To provide diverse housing options through infill, new development, and redevelopment, while minimizing the impact of new development in established areas.
- To be sensitive to the protection of the natural environment and reflect rigorous environmental design standards where protection of the environment is fundamental in the consideration of new development applications.
- To encourage 'regenerative' development projects where the compromised local ecology is remediated and ultimately enhanced.
- To utilize sustainable building design to minimize the impact on the City's infrastructure, maximize existing resources, and minimize costs to the tax base.
- To evaluate the potential impacts of land use proposals more effectively, both quantitatively and qualitatively.

Growth Management Policies

- 5.1.1 Ensure that new development, infill, and redevelopment is in accordance with the land use designations outlined in Section 3, together with the guidelines set out for Development Permit Areas. Developers and their design teams are encouraged to become familiar with all aspects of this Plan and related regulatory bylaws.
- 5.1.2 Encourage and strongly support smart growth principles (see Appendix 7).
- 5.1.3 Adopt the principle of minimal impact and require developers to follow best practices in sustainable development – seeking out leading edge technologies, where possible, to ensure the impact on existing infrastructure (water, sewage treatment, and stormwater management and hydro) is minimized, e.g. includes using wetlands or permeable parking lots to treat stormwater and solar aquatic systems to treat waste on-site, water centric design, green roofs, and recycled roof water as set out in the BC Ministry of Environment report, *Develop With Care* (www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html).
- 5.1.4 Work towards removing policy barriers and regulations that prevent sustainable infrastructure innovations (such as reusing water on-site that will help reduce the City's environmental footprint).
- 5.1.5 Require a geotechnical assessment for all public and private development proposals in steep slope areas and a geotechnical and hydrologic assessment for areas lying within a floodplain or along a watercourse, and/or potentially impacted by a site specific hydrologic hazard(s), including flooding and/or inundation, to ensure that adequate protection measures will be incorporated into project design. (See DPA 6.)
- 5.1.6 Consider creating incentives for responsible development practices by developing an *Incentives for Green Building Policy* that exchanges developer investment in green technology for density bonusing, modified development standards or other appropriate mechanisms. As a performance benchmark, the City may choose to adopt the LEED

standards (see Appendix 8) or could develop its own set of Alternative Development Standards (ADS).

- 5.1.7 Encourage compact and pedestrian-friendly neighbourhoods with a sense of place and cohesion, incorporating mixed uses (i.e. commercial/ residential), ensuring as many activities of daily living as possible are within walking distance. Require new development to be a 'good fit' with the character of the neighbourhood.
- 5.1.8 Support and implement the principles of Crime Prevention through Environmental Design (CPTED) as an effective means of making the community safer by reducing opportunities for crime.
- 5.1.9 Coordinate planning with adjacent local governments to ensure compatible development across boundaries.
- 5.1.10 Facilitate the involvement of local residents in land use decisions (see also Section 8).
- 5.1.11 Require developers of multi-family, commercial, and institutional uses to undertake a consultation process with the local neighbourhood prior to and during the development process.
- 5.1.12 Support the development of a Regional Growth Strategy for the CVRD to ensure that the City's role in the Region is clearly identified, that appropriate policies are in place, consistent with that role, and that a course of action to meet common social, economic and environmental objectives is initiated.
- 5.1.13 Continue to develop growth management and sustainability indicators to measure quality of life and evaluate the impacts of growth on the long term economic, ecological and social health of the City. (See Appendix 5.)

General Housing Objectives

- To recognize the importance of housing as a fundamental part of community health and livability.
- To provide a range of housing types, tenures, and densities, which meet the diverse and changing needs of individuals and families of varying income levels, age groups, lifestyles, and abilities.
- To respect the character of existing neighbourhoods.
- To achieve innovative and high quality design and landscaping.
- To encourage innovative smart growth site planning.
- To ensure the provision of new infrastructure and the use of existing infrastructure as efficiently as possible.

5.2.1 General Housing Policies

- 5.2.1.1 Encourage infill and redevelopment to provide a mix of housing types, provided they are sensitive to the site, scale, density, form and character of the existing neighbourhood.
- 5.2.1.2 Ensure the most effective use of Duncan's limited land base by supporting higher densities in appropriate locations, e.g. ability of the local street system to handle additional traffic adequately, convenience to schools, transit services and commercial facilities, and adequacy of water, storm and sanitary services.
- 5.2.1.3 Review existing regulations to increase flexibility to allow a wider range of housing types, and encourage residential development that is sustainable, innovative, of high-quality design, construction, and landscaping.

- 5.2.1.4 Inform and involve residents regarding changes to City regulations and proposed residential development (see Section 8.1).
- 5.2.1.5 Maintain an open, innovative and collaborative relationship with the local development industry.

Low Density Housing Policies

- 5.2.2.1 Encourage redevelopment and infilling in a manner that contributes to the sense of neighbourhood and is compatible with the form and character of surrounding housing. Infill housing should:
 - be complementary in scale, size, exterior finishes, rooflines, and colours to the predominant styles of housing in the neighbourhood;
 - carefully consider existing neighbourhood setbacks at street edge, side and rear yards prior to locating new buildings;
 - be oriented to minimize overlooks into adjacent residential properties;
 - have only a minimal impact on adjacent homes and be separated from neighbouring residences by vegetation, screening, natural elevation differences, or a combination of these features;
 - consider and incorporate site features wherever possible, e.g. the topography, trees and natural habitat;
 - minimize the effect on the local environment;
 - provide safe vehicular and pedestrian access and minimize the impact of vehicles.

If the design merits, consideration may be given to approving variances to reduce maximum building size and lot coverage or relaxation of street setbacks and reduced on-site parking.
- 5.2.2.2 Maximize the use of municipal infrastructure.
- 5.2.2.3 Permit secondary suites/ accessory dwelling units within single detached dwelling zones (but not in duplexes). Consult with residents on appropriate regulations.
- 5.2.2.4 Permit home-based businesses in residential buildings provided they are completely indoors, do not vary the residential character and appearance of the area, and do not adversely affect the privacy, enjoyment and amenities of the area.

Multi-Family Housing Policies

- 5.2.3.1 Designate all multi-family residential development as a Development Permit Area, pursuant to provisions in the *Local Government Act*, to establish building design and landscaping guidelines appropriate for this form of development. Exceptions to the designation are listed in Policy 12.1.2.
- 5.2.3.2 Review new multi-family housing on a case by case basis.

Appropriate locations, throughout the City, will be reviewed using such standards as:

 - 5 minute walk to a public transit stop;
 - 5 minute walk to shopping and commercial services;
 - safe vehicle access to and from major roads;
 - proximity to public parks and/or a community recreation/ service centre;
 - safe public sidewalks, including well-designed road crossings and street lighting;
 - and,
 - appropriate adjacent land uses (usually other residential uses).

The community impact of each application will be assessed with regard to the following:

- Project scale and design in relation to the character and privacy of existing development.
 - Increased traffic and parking congestion.
 - The adequacy of existing services including open space, parks, recreation, water, storm and sanitary sewers.
 - The extent to which additional capital costs would be imposed on the City.
- 5.2.3.3 Encourage housing designs that include sloped roof lines, staggered setbacks, minimization of windowless walls, and screened parking areas to avoid features commonly characteristic of apartment 'blocks'.
- 5.2.3.4 Require proponents of projects that have potentially significant impacts, to provide supportive, professionally prepared reports such as (but not limited to) the following:
- an Environmental Impact Study;
 - a Geotechnical Study;
 - a Traffic Impact Study;
 - a Storm Water Management Plan.
- These studies may be necessary to provide information for establishing mitigation/management measures.
- 5.2.3.5 Maintain off-site peak stormwater flows at pre-development levels (see also Policy 10.3.3).
- 5.2.3.6 Review parking regulations for multi-family development and mixed-use commercial and residential development, particularly in the Downtown.
- 5.2.3.7 Consider incentives to encourage well-designed projects, including:
- variances to zoning or parking regulations; and
 - density bonusing of floorspace where new affordable or special needs housing units or amenities are provided that benefit the community as a whole.
- Density bonusing amenities may include, but not be limited to:
- Privately owned, publicly accessible open space;
 - Public art;
 - Contributions towards the enhancement of public recreation facilities;
 - Contributions towards street and boulevard enhancements, including street furniture and decorative lighting;
 - Daycare facilities; and
 - Preservation of heritage structures or features;
 - Transit-oriented development;
 - Green development;
 - Underground or concealed parking and amenities;
 - Bicycle facilities.

Affordable and Special Needs Housing Policies

- 5.2.4.1 Support initiatives which help provide affordable and special needs housing in the community, including:
- provision for housing mixed with commercial development to create lower-cost apartments;
 - recognition of secondary suites/ accessory dwelling units;
 - consideration of future small-house/ small-lot developments through amendments to the Zoning Bylaw;
 - provision of new multi-family housing;

- support for innovative/ alternative housing types (e.g. life-lease, sweat equity, shell housing, co-housing, cooperative housing, limited equity, rent-to-own, and mixed market and non-market projects);
 - density bonusing for multi-family developments to create social and affordable housing and amenities through amendments to the Zoning Bylaw;
 - relaxation of parking requirements or other development variances; and,
 - reduction or waiving of DCCs for more affordable housing projects.
- 5.2.4.2 Remove development barriers and provide flexibility and incentives to encourage the creation of affordable and special needs housing (e.g. streamlining and fast-tracking the development approval process, alternative development standards, waiving or reducing development and building permit fees).
- 5.2.4.3 Consider adopting adaptable housing standards and encourage access to programs for upgrading accessible and adaptable housing, e.g. the Residential and Rehabilitation Housing Program and to ensure long-term flexibility in Duncan's housing stock.
- 5.2.4.4 Support the provision of emergency shelters and support services for the homeless in the region.
- 5.2.4.5 Ensure that affordable housing units or complexes are integrated into the community and not segregated or concentrated in specific areas.
- 5.2.4.6 Work with community groups and developers to develop community responses to housing affordability and homelessness (e.g. task forces, forums, workshops).
- 5.2.4.7 Work with not-for-profit and development sectors to promote the re-development of older, inefficient non-profit housing projects and/or underutilized institutional and other lands.

2- A Thriving Economy and Business Community

Economic Development Objectives

- To maintain and enhance Duncan's role as the business hub of the Cowichan Valley.
- To cultivate a business-friendly atmosphere to support existing, new, re-located, and start-up businesses.
- To link and align economic activities with environmental, social and cultural policies.
- To promote tourism.
- To provide employment and create diversified employment opportunities.
- To encourage growth in the tax base.

Economic Development Policies

- 6.1.1. Work collaboratively with the CVRD, Economic Development Commission, business, arts, culture, natural environment, outdoor recreation interests, social services, education, and First Nations to encourage innovation, investment, and sustainable business practices.
- 6.1.2. Support multi-family housing and mixed-use developments in close proximity to commercial areas as a means of increasing the residential population to encourage economic growth.
- 6.1.3. Continue revitalization of Downtown through improvements to its housing mix, streetscapes, public art, landscaping, pedestrian realm and other urban design measures.
- 6.1.4. Continue to enhance the pedestrian character and aesthetic appearance of the Highway Corridor through improved signage, building design, siting, landscaping features and other urban design measures.
- 6.1.5. Continue to implement the City's 'buy local' purchasing policy to support local businesses and encourage other public agencies, the business sector and residents to do the same.
- 6.1.6. Work with the DBIA to maintain and encourage the creation of cultural, arts, social and recreational events and celebrations in Downtown.
- 6.1.7. Encourage the provision of a variety of good quality accommodation and attractions to facilitate tourism.
- 6.1.8. Explore the feasibility of making Duncan a 'wireless' city.
- 6.1.9. Identify opportunities for eco-tourism, e.g. such as the Freshwater Eco Centre and proposed *Nature and Bird Watching Loop* (See Map 8)
- 6.1.10. Encourage home-based businesses to support job creation and small business.

Downtown Objectives

- To create a visually attractive, walkable, economically sustainable, more densely developed area containing a compatible blend of business, tourism, civic/ institutional, residential, and recreational uses.
- To continue revitalizing Downtown to create an attractive, user-friendly town centre, with a clear sense of place.
- To achieve quality design and development, sensitively incorporating a blend of old and new, making efficient use of the land base and infrastructure.
- To promote economic and business activities and encourage new businesses to move into Downtown.
- To incorporate open space, walkability, and accessibility into and around Downtown.
- To support Downtown as a destination for both local residents and visitors.

Downtown Policies

- 6.2.1 Designate Downtown as a Development Permit Area pursuant to provisions in the *Local Government Act*. The objective of this designation is to: (a) provide for enhanced and coordinated design of the Downtown for buildings, landscaping, street furniture, signage, and public works as a means of improving the urban environment and (b) to allow Council to review the bulk, massing, landscaping, and signage associated with new development. Exceptions to the designation are listed in Policy 12.1.2.
- 6.2.2 Recognize Downtown as the principal commercial area within the City of Duncan where the following uses are encouraged:
- a wide range of general and specialized retail activities designed to serve Downtown, Duncan residents and the region;
 - municipal, provincial, and federal government, cultural, and social facilities;
 - business and professional offices;
 - multi-family housing;
 - mixed uses, combining commercial and residential in one building; and,
 - public open space and associated pedestrian and bicycle linkages.
- 6.2.3 Continue to develop and implement Downtown revitalization plans.
- 6.2.4 Encourage new development in Downtown, mindful of the need to protect the character and ambiance of the Downtown core (especially on Craig, Kenneth, Jubilee, and Station Streets). Review proposals for their consistency and relationship with the defined streetscape, scale, building heights, significant buildings, and use of natural exterior building materials.
- 6.2.5 Continue to develop 'Gateways to Duncan' that clearly identify the route to the Downtown area.
- 6.2.6 Provide distinct signage at the entrances and other appropriate locations within the City to attract visitors to Downtown.
- 6.2.7 Encourage private business owners to improve their premises, including the provision of landscaping and open space.
- 6.2.8 Review the Zoning Bylaw with respect to permitted residential unit sizes and Floor Area Ratio (FAR) to encourage a range of options.
- 6.2.9 Encourage the consolidation of lots where this would lead to commercial and residential development of benefit to the community.
- 6.2.10 Encourage designs that incorporate a pedestrian orientation and include such features as

sidewalk cafes, attractive landscaping, public art and other amenities.

- 6.2.11 Include places for youth and seniors' activities and programs.
- 6.2.12 Periodically review parking conditions in the Downtown, and work with the City's Parking Task Force to develop appropriate solutions to issues as they emerge.
- 6.2.13 Use density bonusing to provide affordable or special needs housing units and/ or amenities that benefit the community as a whole (See Policy 5.2.3.7.)
- 6.2.14 Continue to work with the DBIA and other community organizations to facilitate improvements to Downtown, including locating a farmers' market in the Downtown.
- 6.2.15 Continue to work with the CVRD, District of North Cowichan, and Cowichan Tribes, on issues that have potential for impacting the future of Downtown Duncan.

Other Commercial Areas Objectives

- To strengthen neighbourhoods through the development of neighbourhood nodes, providing convenient services within easy walking distance.
- To create a diversified commercial and employment sector that provides a wide range of goods and services to residents of Duncan and other areas of the Cowichan Valley.
- To encourage a mix of ground-level commercial and upper-level(s) residential.
- To encourage growth in the tax base through revitalization and redevelopment of commercial areas.
- To improve the appearance and design of commercial areas, particularly the negative effects of excessive signage, billboards, and automobile dominance.

Other Commercial Areas Policies

- 6.3.1 Designate the Trans Canada Highway Corridor and Other Commercial Areas outside the Downtown as Development Permit Areas pursuant to provisions in the *Local Government Act*. The objective of these designations is to: (a) provide for enhanced and coordinated design for buildings, landscaping, street furniture, signage, and public works as a means of improving the urban environment and (b) to allow Council to review the bulk, massing, landscaping, and signage associated with new development. Exceptions to the designation are listed in Policy 12.1.2.
- 6.3.2 Require public and private sector initiatives to improve streetscapes and accessibility for pedestrians and cyclists in all commercial areas.
- 6.3.3 Require the provision of amenities such as mini-parks, plazas, street furniture, seating, generous sidewalks, public art, and decorative lighting on private lands in all commercial areas. Consider the use of density bonusing as an incentive.
- 6.3.4 Permit live-work and mixed-use commercial/ residential development.
- 6.3.5 Develop distinctive signage for each major commercial area to create an identity and provide interest.
- 6.3.6 Encourage the development of neighbourhood nodes, including, where feasible, existing/ new commercial developments that provide basic convenience services and/or offices as the focal point. (See also Policy 8.1.2.)
- 6.3.7 Incorporate restrictions on light, noise, and/or hours of operation on commercial activity into the Zoning and other City Bylaws, as appropriate, to minimize impact on neighbourhood residents.
- 6.3.8 Encourage commercial tourism uses e.g. various kinds of accommodation, activities and attractions.

Temporary Commercial Use Permits Policies

- 6.4.1 Issue temporary commercial use permits within commercial areas if Council is satisfied that:
- the temporary use is on a trial/ interim basis or a seasonal or occasional use, and where the use does not qualify as a home based business;
 - the temporary use does not adversely affect adjacent or surrounding properties in terms of pollution, odour, noise, light, traffic generation, parking or loading; and,
 - issuance of the permit will not establish a competitive advantage to the detriment of businesses operating in locations where the use is permitted.
- 6.4.2 Discontinue the temporary use permit upon expiry of the time period authorized. The use of land, buildings or structures permitted by the permit shall cease to exist and shall not be considered as a non-conforming use.

3 – Responsible Stewardship Of the Environment

Natural Environment Objectives

- To plan for the long-term consequences of growth and environmental sustainability, balancing the need for development with the need to protect and maintain a healthy environment.
- To live, work, travel and recreate in ways that respect natural ecosystems.
- To ensure that the relevant environmental issues are appropriately considered during the development review process.
- To identify, inventory, protect and, where possible, remediate and enhance natural/ native habitat, vegetation, water courses, and landforms (both intact and compromised) for long-term benefit.
- To conserve land, water, and energy resources.
- To maintain/ improve water and air quality.
- To maintain public access to natural areas and viewscales.
- To develop guidelines for the stewardship of private and public lands.
- To minimize the risk of damage to property and life resulting from hazardous natural conditions.
- To partner with the community and support community involvement and awareness in environmental conservation and sustainability.

Natural Environment Policies

- 7.1.1 Designate Development Permit Areas (DPA's) pursuant to provisions in the *Local Government Act* to protect the natural environment – its ecosystems and biological diversity and to protect development from hazardous conditions. DPAs 5 and 6 include the following: protection of indigenous species, raptor habitat, aquifer protection, riparian areas, steep slopes and flood plains. Exceptions to the designation are listed in Policy 12.1.2.
- 7.1.2 Adopt the principle of minimal impact and require developers to follow best practices in sustainable development (see BC Ministry of Environment publication *Develop With Care* - www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html).
- 7.1.3 Encourage and strongly support smart growth policies, including the development of the *Incentives for Green Building Policy* (see Policy 5.1.6 and Appendix 7).
- 7.1.4 Encourage developers to use grey water systems to conserve water.
- 7.1.5 Encourage the use of energy-efficient systems in new developments.
- 7.1.6 Require developers to identify and assess potential contaminants, withholding approval of any developments that can potentially contaminate development site soils.
- 7.1.7 Consider banning land-clearing prior to site development and develop policies for handling construction debris.
- 7.1.8 Consider the formal protection of significant trees, wildlife trees and treed areas through

the creation of a Tree Protection Bylaw. Alternatively, establish an incentive-based tree protection and planting initiative, by offering density bonusing or modified development standards as part of the rezoning, subdivision and development approvals process. (See Map 5)

- 7.1.9 Act on the Green Streets report recommendations.
- 7.1.10 Integrate greenspace into the streetscape right of way, dovetailing buffer zones, boulevards, as well as landscaping on private land that benefits the public realm.
- 7.1.11 Develop an invasive species strategy, in partnership with neighbouring jurisdictions.¹
- 7.1.12 Support incentives for waste stream diversions and 'cradle-to-grave' responsibilities.
- 7.1.13 Continue to work with the CVRD, District of North Cowichan and Cowichan Tribes, specifically with respect to the recommendations of the *Cowichan Basin Water Management Plan* and develop a water protection policy to ensure future land development does not adversely affect water quantity or quality (see also Policy 10.2.1).
- 7.1.14 Develop and adopt criteria for establishing appropriate setbacks for each riparian area (e.g. the Cowichan River, Fish Gut Alley, pond behind Centennial Park, the Trans Canada Creek, and the ditch along the railway, etc.). Once developed, replace DPA 5 Riparian Areas with the new regulations. (See Map 4 for location of watercourses within the City)
- 7.1.15 Support urban farming through the establishment of a compost education centre, community gardens, and the relaxation of barriers to urban farming.
- 7.1.16 Explore ways to reduce the harmful build-up of chemicals discharged into the environment, including consideration of a ban on the cosmetic use of pesticides and an education and awareness program to support non-toxic alternatives to pesticide and other harmful materials use.
- 7.1.17 Discourage new residential development within designated flood plain areas. Work with other levels of government to collaborate and effectively manage floodplain and drainage issues
- 7.1.18 Develop measures to encourage the protection of natural areas, e.g. dedication for conservation purposes, use of conservation covenants, stewardship projects for conservation of privately owned land, density bonusing, and other preservation initiatives involving public/ private partnerships, conservation organizations, tax benefits for legacies or dedications.
- 7.1.19 Continue to develop a shared stewardship responsibility between other levels of government, neighbouring jurisdictions, developers, and the community, e.g. inter-agency collaborations; conserving greenspace and viable farmland; diversifying transportation options; conserving wetlands and natural water bodies from contamination, riparian destruction and uncontrolled drainage; community-based volunteer initiatives (recycling of unwanted items, xeriscaping, community gardens, reduced gas emissions, water conservation, reductions in the use of toxic contaminants, reduced use of products or practices harmful to the atmospheric ozone layer, etc.).

¹ Information on invasive species can be found at the Invasive Plant Council of B.C. website. <http://www.invasiveplantcouncilbc.ca/>

4 – Strong Community Connections

Neighbourhood Objectives

- To build strong neighbourhoods.
- To link neighbourhoods.
- To create neighbourhood nodes.
- To provide convenient and accessible services, amenities, and activities for a range of ages and incomes.
- To provide more diverse housing opportunities for a range of ages and incomes.
- To 'green' neighbourhoods.
- To achieve a pedestrian and cycling friendly environment and calm traffic.
- To achieve greater neighbourliness, more social and cultural interaction, and community involvement.

Neighbourhood Policies

- 8.1.1 Encourage and support the creation of neighbourhood nodes (see Figure 4), incorporating some or all of the following elements, where possible:
- basic convenience services (such as a local grocery store, video store, daycare, and medical offices);
 - mixed office/ residential or other live/ work buildings, in or nearby;
 - multi-family developments, in or nearby;
 - special needs and extended health-care facilities, in or nearby;
 - institutional uses, in or nearby;
 - easy access to transit;
 - community amenities such as open space (e.g. parks, plazas, playgrounds, etc.) landmarks, public art installations, distinctive signage, seating areas, etc.
- Ensure that traffic issues are identified and addressed.
- 8.1.2 Encourage and support residential infill and multi-family developments that improve the range of housing choices within each neighbourhood.
- 8.1.3 Utilize mechanisms such as density bonusing and variances to deliver amenities, such as open space, playgrounds, landmarks, focal points, activity centres or cultural features.
- 8.1.4 Install amenities that support social interaction such as notice board kiosks, benches, etc.
- 8.1.5 Foster and support the creation of Neighbourhood Associations, representing the diversity of each neighbourhood, to help forge community connections, build neighbourhood identity, and liaise with the City on neighbourhood issues and planning.
- 8.1.6 Support the development of neighbourhood plans, in consultation with local residents.
- 8.1.7 Explore the feasibility and foster interest in developing one or more community gardens in each neighbourhood.

- 8.1.8 Develop acceptable urban farming policies that support small-scale agricultural initiatives while balancing the need for quiet enjoyment for neighbouring residents.
- 8.1.9 Support the 're-greening' of Duncan by promoting the planting of trees on public and private lands, utilizing provincial and federal funding programs and community sponsorship.
- 8.1.10 Review speeding and cut-through conditions on residential streets using the proposed *Traffic Calming Policy* (see policy 8.4.21) and implement measures that address identified problems.
- 8.1.11 Work with neighbouring jurisdictions to address 'dead-ending' streets and provide better links between Duncan neighbourhoods and adjacent areas.
- 8.1.12 Develop pedestrian and cycling pathways that provide connections between and within neighbourhoods through the proposed *Parks, Open Space and Greenway Master Plan* (See policy 9.6.1)
- 8.1.13 Provide an access point (or points) linking the Downtown and other neighbourhoods to the Cowichan River through the proposed *Parks, Open Space and Greenway Master Plan*.
- 8.1.14 Consider altering streetlight design as new lights are installed to more pedestrian oriented lighting (lower with lighting directed downwards).
- 8.1.15 Conduct community safety audits and review developments using CEPTED principles.

Heritage Objectives

- To enhance the distinct identity of the City by protecting its heritage resources, in both the built and natural environment.
- To support and strengthen the City's relationship with Cowichan Tribes.
- To promote the preservation and protection of identified archaeological and architectural heritage sites.
- To encourage and develop voluntary community support and awareness for heritage preservation and the importance of archaeological sites and material.

Heritage Policies

Heritage Resources

- 8.2.1 Maintain the Heritage Advisory Committee to obtain community expertise and advice relevant to conserving heritage.
- 8.2.2 Designate suitable structures or land as municipal heritage sites or heritage conservation areas when requests are voluntarily received from private landowners. (Section 970.1 of the *Local Government Act* provides authority for designation of heritage conservation areas).
- 8.2.3 Obtain comments from the BC Heritage Conservation Branch before approving any development on any lot containing a listed heritage site.
- 8.2.4 Work with the development community and owners of heritage structures to find innovative solutions that permit change, but in a manner that is respectful of the character and significance of the building or site.
- 8.2.5 Encourage and support public education in heritage matters through publications, web

sites, events, the judicious use of historic plaques and signs, and similar tools.

8.2.6 Undertake the development of a heritage plan that provides guidance respecting heritage conservation and integrates heritage planning and resources into community planning and development approval processes:

- Work with the Heritage Advisory Committee, community and First Nations to identify sites of heritage and cultural significance and create a community heritage register of buildings, structures, properties, trees, and archaeological sites that have heritage value or character.
- Consider adopting an official Heritage Registry, as defined in the *Heritage Conservation Act*. (Inclusion in a community heritage registry does not constitute heritage designation or any other permanent form of heritage protection; however, it is useful in employing other heritage tools, such as temporary protection in the case of imminent demolition.)
- Consider the use of density bonus zoning, bylaw variances and tax credits to encourage the retention of heritage amenities.
- Explore opportunities to protect the City's heritage through: Heritage Revitalization Agreements, heritage designation, conservation covenants, maintenance standards, heritage impact assessments and temporary heritage protection, future park land acquisition, financial and other incentives, and the designation of 'Heritage Conservation Areas'.

8.2.7 Enhance the tourism and business potential of heritage sites and activities through joint promotion and marketing with tourism and business groups.

Archaeological Sites and Resources

8.2.8 Support the management of archeological resources in accordance with the *Heritage Conservation Act* and the Provincial permit system.

8.2.9 Continue to inform the Archaeological Branch of development proposals which affect areas identified by the province as being of archaeological significance.

8.2.10 Seek input from the Heritage Advisory Committee prior to the approval of any development on land in which there is an archaeological site.

8.2.11 Conserve archaeological resources located on lands owned by the City, wherever feasible, by avoiding or mitigating potential impacts on archeological resources on an archeological site.

Arts and Culture Objectives

- To ensure that arts and culture have the opportunity to flourish.
- To integrate arts and culture into community planning, recreation programming, and economic development.
- To foster community partnerships in support of arts and culture.
- To expand and strengthen arts and cultural development, building on the existing base.
- To strengthen the City's relationship with Cowichan Tribes, building bridges of diversity and cultural understanding.
- To encourage live-work studios, and home-based work arrangements for artists and artisans.
- To build and promote Duncan as a cultural tourism destination.

8.3.1 Arts and Culture Policies

- 8.3.1 Expand the public art program to include all public areas, new commercial, institutional, and multi-family developments throughout the City to support the work of local artists, enhance public buildings, streetscapes and other public spaces. The components of this program include:
- 1% of the value of capital budgets for above ground projects allocated towards the purchase/ commission and maintenance of public art to be displayed in public areas.
 - 1% of budget for municipal building construction/ renovation projects, or park redevelopment allocated to the purchase/ commission and maintenance of public art for that building, structure, or park;
 - A jury (composed of trained artists, municipal staff, professional Planner or Architect, business representatives and residents) process applied to all public art projects on publicly owned land, and as an incentive, made available at no cost to developers for public art projects on private land.
- 8.3.2 Work with local business, tourism, economic development and cultural organizations to identify ways to facilitate partnerships in furthering cultural development in Duncan, including the expansion of existing events, development of new events, and the integration of cultural activities with business and tourism.
- 8.3.3 Consider providing financial support for local arts and cultural activities within the community.
- 8.3.4 Continue to provide financial support for the placement and maintenance of the totem poles inventory.
- 8.3.5 Continue to provide the use of public open spaces for community events and ceremonies.
- 8.3.6 Support the efforts of the Cowichan Region Economic Development Commission to develop a cultural development plan.
- 8.3.7 Retain existing home-based business policies that enable artists and artisans to work from their homes.
- 8.3.8 Identify opportunities to support the arts when making planning, service, and program decisions.

Transportation Objectives

- To create a balanced, accessible, efficient transportation network that includes opportunities for cycling, walking transit and rail as alternatives to automobile use.
- To ensure a safe and efficient road network, with enhanced connections, for the overall integration of land uses.
- To improve mobility and access for local travel, areas adjacent to the City, and inter-city connections.
- To minimize the intrusion of major traffic flows into neighbourhoods.
- To improve infrastructure for safe cycling and walking.
- To mitigate the negative impacts of parking on aesthetics and livability.

Transportation Policies

Transit and Rail - Transit and rail provide key benefits to the City: reduced infrastructure and congestion costs; reduced environmental costs; support for community development; and improved mobility for all residents.

- 8.4.1 Support the efforts of the Island Corridor Foundation to establish a commuter rail service on the Island by:
- promoting land use policies which support densification and the development of Duncan as a complete and compact community;
 - ensure Duncan's downtown train station is seamlessly linked to supporting modes of transportation such as transit, pedestrian and bikeways and park and ride facilities.
- 8.4.2 Support the recommendations of the Cowichan Valley Transit Business Plan including:
- trip reduction strategies;
 - upgrading of transit supportive facilities such as shelters, crosswalks and bike lanes;
 - promotion, marketing and public information.
- 8.4.3 Integrate transit with other modes by ensuring safe accessible pedestrian routes between transit stops and major City destinations, focusing particularly on sidewalks, corners and intersections, pick-up/drop-off points (for handyDART and the conventional system), pathways and entranceways to buildings.
- 8.4.4 Install transit facility upgrades using the Federal gas-tax infrastructure program (including cover, lighting, and signage).

Pedestrian - On any trip, a person is a pedestrian at some point, regardless of their mode of transportation. Improving the pedestrian environment in Duncan is, therefore, a priority. Associated benefits include: livability, healthy lifestyle, environmentally friendly, crime reduction, attractive streetscape, and reduction in traffic.

- 8.4.5 Consider developing a new standard for pedestrian facilities, including wider sidewalks (sufficient for scooters, parents and strollers); a landscaped buffer strip between pedestrians and moving traffic; consistent, standardized crosswalk installations with upgraded, state of the art crossing mechanisms and supportive infrastructure such as the installation of rest areas. (See Appendix 6 for a sample set of standards.)
- 8.4.6 Establish a City of Duncan Footpath Network (as part of the *Parks, Open Space and Greenway Master Plan*) that inventories existing heritage trails, other pathways and short-cuts, and ensures, through development, that these walking routes will be preserved and possibly enhanced through better connectivity, over time. (See Figure 8 for the preliminary concept plan.)
- 8.4.7 Establish a route for the "One Square Mile Walk", e.g. a closed loop trail which encompasses the boundaries of the community. This plan should also be linked to the *Somenos Loop Trail* initiative, the *CVRD Regional Parks and Trails Plan*, and the proposed *City Parks, Open Spaces and Greenway Master Plan*. (Map 8 outlines the preliminary concept plan.)
- 8.4.8 Work with BC Hydro to establish a policy for the systematic replacement and relocation of hydro poles which currently obstruct the pedestrian realm.

Cycling - Safe and convenient cycling networks reduce dependence on the car and support the aims of safe, sustainable transportation by: increasing the viability of long non-car trips, safely integrated with transit; helping to reduce congestion and harmful gas emissions and improving user health. Cycling as a means of commuting to work and/or shopping or riding for pleasure is increasingly popular, despite the often considerable challenges posed by the existing, and often unfriendly, streetscape environment.

- 8.4.9 Develop a *Bicycle Master Plan*, integrated with the *Parks, Open Spaces and Greenway Master Plan*, which designates safe cycling routes (e.g. on major routes to schools or linking commonly used origin-destination pairs) and establishes standards for bike lanes and supportive facilities such as signage, short and long term parking standards (for public and private buildings) and roadway maintenance. The Plan should support connections to established or planned bike routes in neighbouring jurisdictions, ensuring Duncan is included 'on the map' for the burgeoning bike tour industry.
- 8.4.10 Support community initiatives which seek to establish a community bike system.
- 8.4.11 Work with the CVRD Transit Commission to encourage the integration of cycling and transit.
- 8.4.12 Consider Zoning Bylaw regulations requiring commercial, institutional, mixed use, and multi-family residential developments to provide covered cycle parking and other facilities (e.g., showers, change rooms) in exchange for a reduction in parking requirements or density bonusing.

Roadways - Duncan's road system draws users from all over the valley, and as a result, must accommodate a wide variety of purposes (inter-community travel, local trips, movement of goods and services, including significant heavy vehicle use) and modes (commercial vehicles, trucks, autos, transit, cycles, and pedestrians). It is essential that roads be compatible in terms of function (how the road is intended to be used), form (the road's operational characteristics), and use (how the road is actually used).

With the exception of the Trans Canada Highway, which is an arterial highway, roads in Duncan fall within one of three categories, each carrying different types of traffic: (See Map 7)

- **Major roads** serve travel with trip lengths and traffic volumes indicating sub-regional importance. They collect traffic from local roads and neighbourhoods and integrate with the highway system. Trucks, buses, bicyclists and pedestrians are expected and should be accommodated on collector roads. The following characteristics are typical of a collector road: less than 5000 vehicles per day and a speed limit of 40 or 50 kilometres per hour.
 - **Local roads** provide direct access to adjacent land uses and serve traffic of local importance. Local roads should integrate well with major roads. Trucks and buses are not expected on local roads, but cyclists and pedestrians should be integrated into the design. The following characteristics are typical of a local road: traffic volumes of less than 700 vehicles per day and speed limits of 30 or 40 kilometres per hour.
 - **Downtown Streets** provide access to the commercial area, and must be designed to safely accommodate heavy vehicles (delivery trucks), regional traffic, pedestrians, cyclists and transit. Design priority includes on-street parking, wide sidewalks and ample crossing opportunities.
- 8.4.13 Work to improve circulation in the Downtown core through the installation of a 1-way couplet design for Duncan and Canada Avenues, install lights at Cowichan Way, and a roundabout at the intersection of Underwood, Trunk, and Craig.
 - 8.4.14 Work with the BC Ministry of Transportation to improve operations and safety, as well as the visual appeal of the Trans Canada Highway Corridor and implement the recommendations

set forth in the *Trans Canada Highway Corridor Management Plan - Drinkwater Road to Cowichan Bay Road*.

- 8.4.15 Work with developers to improve access management along the Highway Corridor, and improve the visual appeal by way of the design guidelines set forth in the DPA 3 - Highway Corridor Design Guidelines.
- 8.4.16 Require developers to consider alternative design standards for new local roads, to support the creation of "green streets" such as narrower lanes, permeable surfaces and landscaping for storm water management techniques. (See Figure 7.)
- 8.4.17 Where feasible, work to bury transmission lines along the Highway and major corridors to improve the visual appeal of the streetscape.
- 8.4.18 Develop well-landscaped 'gateways' at key intersections along the Highway to draw travelers into Downtown, e.g. providing open-space nodes as components of the proposed *Parks and Open Space Greenway Master Plan*.
- 8.4.19 Support more efficient use of private automobile transportation by providing free parking for a community-owned car (carshare co-op), reserving convenient public stalls for 'carpool only' parking for Downtown workers.
- 8.4.20 Consider support for car and vanpooling for Duncan residents who commute to other jurisdictions, by linking an established ridematching system to the City's web site.
- 8.4.21 Develop a *Traffic Calming Policy* to address speeding, safety concerns and short-cutting through neighbourhoods.

Parking

- 8.4.22 Aim to reduce the visual impact of the automobile by encouraging commercial, institutional, and multi-family residential developments to 'hide' surface parking, behind or beside the building, with landscaped or fenced screening.
- 8.4.23 Mitigate the environmental impact of surface parking by encouraging permeable surfaces and appropriate catch basins for contaminants (See Policy 10.3.3).
- 8.4.24 Review and amend off-street parking regulations to encourage shared parking, mandate bike parking facilities and ensure that current standards are appropriate.
- 8.4.25 Continue to monitor parking conditions in Downtown and other areas as issues arise, and work with the City's Parking Task Force to develop appropriate solutions.

Inter-City Connections - Duncan is a key link along the south Island economic corridor between Victoria and Nanaimo. With a focus on making seamless and convenient inter-city transportation links, Duncan will extend and strengthen its commercial catchment area.

- 8.4.26 Support the Island Corridor Foundation in its work to establish a commuter train to Victoria and an expanded tourist program to Port Alberni and Courtenay.
- 8.4.27 Work actively with BC Transit and the CVRD to establish an inter-community bus line, aimed at commuter trips to Victoria.
- 8.4.28 Work with the CVRD and the Town of Ladysmith to establish a transit link between Duncan and Ladysmith.

5 – A Safe and Healthy Community

Community Safety Objectives

- To create a safe and supportive community.
- To foster a collaborative approach to problem solving community identified issues.
- To support long-term crime prevention by working to address the root causes of crime and violence.

Community Safety Policies

- 9.1.1 Develop and incorporate community safety principles, policies, and practices (e.g. safety audits) into long term planning and development processes through: community-based research and action; development of tools and resources; education and training, policy guidelines and integrated planning, design and management of public spaces with a safety lens and building on and supporting the work of the CVRD Community Safety Advisory Committee (CSAC) and Safer Futures. (See Appendix 9.)
- 9.1.2 Work with neighbourhoods to address concerns and solutions (e.g. children's playground areas, youth outreach, community programming, traffic calming, crime reduction and safety).
- 9.1.3 Continue to work with private and public agencies to develop new and enhanced existing community services and programming to address community, social and economic planning and development.
- 9.1.4 Continue to work with Cowichan Tribes and multicultural communities to promote harmonious intercultural relations and ensure equal and universal access to community services.
- 9.1.5 Continue to liaise with private and public agencies to address the needs of people with disabilities. Buildings that provide a public service should be made fully accessible for people that have a physical or mental disability.

Policing Objective

- To ensure safe homes, safe streets, and a safe community.

Policing Policies

- 9.2.1 Work with the CVRD, the RCMP, and the Province to identify the appropriate configuration of police services for the City and Region.
- 9.2.2 Continue to support policing initiatives (enforcement, investigation, and prevention) that address safety and fear of crime or violence, e.g. increased police visibility, community policing programs, and self-reliance programs.
- 9.2.3 Support the efforts of Cowichan Tribes and the RCMP to deal with youth issues.
- 9.2.4 Support the development of a Domestic Violence Unit.
- 9.2.5 Work with the RCMP to deal with traffic issues (e.g. appropriate signage, access, lane marking, representation on the Traffic Safety Advisory Committee).
- 9.2.6 Work with the RCMP to support efforts dealing with drugs and organized crime (e.g. graffiti,

derelict houses, Crime-Free Multi-Housing Program, CEPTED review of development proposals).

- 9.2.7 Work with the RCMP to improve community participation in crime prevention by encouraging residents, neighbourhoods, and developers to engage in programs such as Block Parents, Neighbourhood Watch, Citizens on Patrol, and/ or Crime Stoppers.

Fire Protection Objective

- To ensure adequate fire protection is provided to protect life and property.

Fire Protection Policies

- 9.3.1 Continue to monitor staff resources and the ability to meet calls for service and, if necessary, move to less reliance on volunteers to ensure adequate protection.
- 9.3.2 Continue to provide public information and education on best practices for fire prevention.
- 9.3.3 Continue to encourage property owners and builders to use fire prevention devices (e.g. sprinkler systems, alarms, non-combustible materials).

Emergency Planning Objectives

- To ensure the City is prepared and able to respond, recover from and be aware of the effects of a major disaster or emergency.
- To improve public awareness of the effects of a disaster and to assist them in planning to minimize effects.

Emergency Planning Policies

- 9.4.1 Work with the CVRD to continue refining and exercising the emergency plan in accordance with the *Emergency Program Act* and *Local Government Act*.
- 9.4.2 Cooperate with neighbouring local governments and the Provincial Emergency Program to identify and coordinate available and needed resources.
- 9.4.3 Encourage public preparedness for disasters through public awareness and education, including encouraging residents to be personally prepared in the event of a major disaster (e.g. through the emergency storage of potable water, non-perishable food, warm clothing and blankets, and sources of energy, fuel, and light).
- 9.4.4 Support local neighbourhood efforts to establish Neighbourhood Emergency Preparedness Programs and become self-reliant following a disaster or emergency.
- 9.4.5 Require developers to comply with the provisions included for Development Permit Areas, specifically for hazard lands and the storage and transport of hazardous materials.
- 9.4.6 Participate in a regional strategy to manage dykes and flooding issues (See Section 10.5.)

Institutional – Public and Community Services Objectives

- To provide a wide range of public, not-for-profit, and private institutional facilities and services to enhance quality of life.
- To support Downtown as the primary location of major city and regional institutional uses.
- To provide opportunities for youth to contribute and participate in community life.
- To foster family well-being and the raising of children in a nurturing environment.
- To support the well being of seniors as they age.
- To maximize accessibility opportunities for persons with disabilities.
- To encourage equal opportunities for residents from all ethnic and cultural backgrounds, income levels, abilities, and genders to participate in community life.
- To support initiatives and programs that alleviate poverty.
- To offer high-quality, sustainable, and accessible library services.

Institutional – Public and Community Services Policies

- 9.5.1 Incorporate institutional uses into Downtown in support of the land use needs of community services.
- 9.5.2 Refer to the guidelines contained in the DPAs, when reviewing applications for institutional developments.
- 9.5.3 Consider the feasibility of providing a new senior's centre within Downtown.
- 9.5.4 Encourage seniors' housing and care facilities in suitable locations, with appropriate amenities.
- 9.5.5 Encourage and support youth participation and opportunities for developing youth leadership skills in municipal and community organizations, programs and events.
- 9.5.6 Consider the feasibility of providing a youth centre within Downtown.
- 9.5.7 Consult with youth in the design of facilities and programs that serve youth.
- 9.5.8 Encourage the provision of quality daycare and after school care, which is affordable, accessible, and located in residential neighbourhoods.
- 9.5.9 Conduct an audit of facilities and infrastructure to determine if they are fully accessible for persons with disabilities, (e.g. adequate parking, drop curb cuts, audible street crossings, entranceway ramps, etc.).
- 9.5.10 Review projects during the development application process to ensure that accessibility needs have been addressed.
- 9.5.11 Encourage universal or adaptable design standards in housing so that people can remain in their homes as they age or if they become mobility impaired.
- 9.5.12 Encourage community information sharing and knowledge about ethnic and cultural diversity to foster inclusiveness.
- 9.5.13 Develop a citizen directory of municipal functions and services to enhance access to decision-making processes.
- 9.5.14 Work with the VIRL to develop sustainable budgets, provide high quality library services, and continued investment in modern technology relevant to Duncan residents.
- 9.5.15 Work with the School District, VIHA, and community organizations to identify programs and services to develop a comprehensive, collaborative approach to community engagement that will encourage more positive social behaviour.

Parks, Open Spaces, and Recreation Objectives

- To provide a variety of parks, open spaces, and recreational facilities to meet existing and future and for active, healthy lifestyles.
- To provide diverse opportunities and access to a variety of recreational facilities, park lands and open spaces for all age and user groups and abilities.
- To provide parks, open space, and recreational facilities that are safe for all members of the community and balance standards of high quality and ongoing affordable maintenance costs.
- To provide public open space to minimize the impact of increased density.
- To provide linkages between parks and open spaces and create a linear corridor or greenway that can be used for walking and cycling.
- To work with neighbouring jurisdictions to create linkages to regional amenities.
- To support the protection of environmentally and culturally significant areas.
- To create partnerships with residents, developers and community organizations for acquiring lands, building facilities, and maintaining parks and publicly accessible open spaces.

Parks, Open Spaces, and Recreation Policies

- 9.6.1 Develop and implement a *Parks, Open Space and Greenway Master Plan* that identifies existing and proposed open spaces, including paths and trails, as part of an interconnected open space system that includes recreational spaces, natural areas, off-road trails, landmarks, gateways and cultural areas.
- 9.6.2 Work with the CVRD, neighbouring jurisdictions, and Cowichan Tribes to implement the joint *Trail Network and Bicycle Plan*.
- 9.6.3 Undertake Community Safety Audits and Crime Prevention Through Environmental Design (CPTED) scans for all parks, on a priority basis.
- 9.6.4 Manage park and open space areas in a way that minimizes their impact on the natural environment, (e.g. low maintenance, reducing the extent of manicured areas, developing facilities that are robust and vandal-proof, using native/ drought resistant plant materials, removing invasive species, limiting pesticide use, and coordinating park designs that support stormwater management objectives).
- 9.6.5 Survey amenities (e.g. tables, seating areas, tot lots, and playground equipment) in existing parks to ensure that they acknowledge a diversity of needs and abilities, and cultural aspects.
- 9.6.6 Recognize rights-of-way as part of the community open space network and work toward improving their recreational value and contribution to community livability and quality of life.
- 9.6.7 Encourage the dedication of parkland, or alternatively accept cash-in-lieu of 5% of land dedicated to parkland, for the implementation of the *Parks, Open Space and Greenway Master Plan*, as part of re-zonings for multi-family residential developments.
- 9.6.8 Encourage the donation or bequest of privately owned lands that support the objectives of the *Parks, Open Space and Greenway Master Plan* and assist prospective donors in determining eligibility for tax deductions.
- 9.6.9 Encourage developers to incorporate public open spaces into their developments (e.g. plazas, walkways or small park nodes) and recreational areas for their residents.
- 9.6.10 Use Development Cost Charges and density bonusing for the acquisition and development of parks and open space and/ or equipment.

- 9.6.11 Work with community organizations and partners (including multi-purpose recreation facilities) to identify gaps in services and develop traditional and non-traditional programs and services directed at age-specific groups, including youth and seniors that will develop social, physical and intellectual health.
- 9.6.12 Foster civic pride in the parks system and encourage community stewardship through volunteerism, engaging individuals and groups in stewardship roles to implement initiatives and programs.
- 9.6.13 Where parks and recreation facilities interface with residential neighbourhoods, consult with neighbours and the community to ensure design and operations consider neighbourhood issues and the greater community good (e.g. light, noise, traffic, privacy issues).

Education Objectives

- To provide the highest quality of education services as efficiently as possible.
- To promote a healthy and sustainable community through the development of programs focused on teaching appropriate social and life-long learning skills.

Education Policies

- 9.7.1 Work with the School District to provide for the effective, reciprocal and integrative use of municipal and school facilities, land, and programs that will maximize the community benefit of public resources, (e.g. the joint use of school facilities, upgrading outdoor school playing fields for community use, etc.).
- 9.7.2 Work with the School District to address safety and the prevention of violence in schools, as part of an overall strategy to improve community safety.
- 9.7.3 Continue to work towards expanded opportunities for post-secondary training and education, particularly with respect to Malaspina University-College.
- 9.7.4 Work with the School District to monitor and plan school facilities.

Health Objective

- To provide the highest quality and range of health services possible.

Health Policies

- 9.8.1 Work with the health sector, in particular with VIHA, to ensure an adequate level and type of care, and improved accessibility to services. This may include such initiatives as:
 - designating sufficient land to accommodate the needs of community health and social services facilities;
 - assisting senior governments and other organizations in the planning of health, social services and special needs facilities, and encouraging their sensitive integration into neighbourhoods;
 - working to encourage integrated service provision (e.g. having multi-family complexes offer space for a range of services and programming on site);
 - working with others in the region to deal with increasing health care service pressures; and,
 - assuring that services for seniors remain a priority.
- 9.8.2 Support long-term planning for prevention and awareness.

6 – A Well Serviced Community

General Servicing Objectives

- To ensure City services have sufficient capacity to meet existing and future demands.
- To coordinate land use planning with infrastructure capabilities, encouraging land use and development patterns that minimize water use and stormwater runoff.
- To ensure that the location and construction of infrastructure services is sensitive to environmental concerns.
- To maintain, construct, upgrade or replace infrastructure services to meet recognized engineering, environmental, health, and safety standards.
- To educate, engage and empower citizens in water, rainwater, liquid and solid waste management issues.

General Servicing Policies

- 10.1.1 Monitor existing infrastructure to ensure that adequate services are provided to meet the needs of existing development and accommodate new development, including redevelopment to higher intensity uses within the City.
- 10.1.2 Work with the CVRD, adjacent municipalities, First Nations, and utility agencies to ensure the effective provision of services.
- 10.1.3 Provide funding for new capital works projects through the use of development cost charges.
- 10.1.4 Provide for the replacement of infrastructure assets by the use of reserve funds set aside annually from operating revenues during the life-cycle of the asset.
- 10.1.5 Consider establishing servicing standards that incorporate alternative development standards for water consumption, sanitary sewage and stormwater collection and disposal and drainage.
- 10.1.6 Support public awareness and understanding of best management practices through education and regular reporting of conditions.

Water Supply and Distribution Policies

- 10.2.1 Continue to work with the CVRD, District of North Cowichan and Cowichan Tribes to ensure the water supply meets current and future needs, specifically with respect to the recommendations of the *Cowichan Basin Water Management Plan*.
- 10.2.2 Upgrade watermains on an on-going basis to improve water delivery and use, leak detection and repair.
- 10.2.3 Take measures that ensure the City's water supply and distribution system meets or exceeds the requirements of the *Drinking Water Protection Act*.
- 10.2.4 Implement a consistent water metering system to identify use and encourage reduction in water consumption.
- 10.2.5 Introduce a bylaw to prohibit the use of wells in the City.

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- 10.2.6 Support the introduction of a source control program on a regional basis.
 - 10.2.7 Require developers to connect to the City water supply system.
 - 10.2.8 Work continuously to reduce water consumption rates through education, water audits, 'greywater' reuse, rainwater harvesting, water restrictions, water conservation incentives (e.g. rebates, tax credits and pricing based on quantities used), practices (particularly in parks and recreational areas), metering, drought-tolerant landscaping, use of water efficient fixtures, etc.

Rainwater Management Policies

- 10.3.1 Continue to work with the CVRD, District of North Cowichan and Cowichan Tribes, specifically with respect to the recommendations of the *Cowichan Basin Water Management Plan* to reduce the impact of high water levels, respect the importance of winter floods to natural systems, and protect surface and groundwater resources from contamination that could affect water supply and quality.
- 10.3.2 Continue to monitor, upgrade, and replace storm sewers at adequate capacity and depth to ensure flood protection and serve the needs of existing and new development.
- 10.3.3 Require developers of commercial, institutional, and multi-family projects to provide a drainage plan of the area proposed for development that addresses the effective and environmentally sensitive handling of peak flows (e.g. by limiting impervious areas and/or providing rainfall capture facilities to manage a wide range of runoff events and capture the first 30 minutes of peak flow runoff through infiltration).
- 10.3.4 Prohibit connection of rainwater leaders to stormwater system; encourage alternatives options for rainwater management such as green roofs.
- 10.3.5 Require construction activity near natural watercourses to be carried out in periods of low flow whenever possible to minimize siltation effects.
- 10.3.6 Require developers to connect to the City's storm water management system.
- 10.3.7 Continue to work with the CVRD and Cowichan Tribes to resolve storage capacity issues.

Liquid Waste Management Policies

- 10.4.1 Continue to take measures to reduce rainwater inflow and infiltration to decrease the volume of water conveyed to the waste water treatment system and maintain the capacity and efficiency of the sewer system.
- 10.4.2 Continue to monitor, upgrade, and replace sewers at adequate capacity and depth to serve the needs of existing and new development.
- 10.4.3 Require developers to connect to the City's sanitary sewage collection and treatment system.
- 10.4.4 Negotiate a new lease for the lagoon lands.
- 10.4.5 Work with the Joint Utilities Board to deal with odour problems from the lagoons.
- 10.4.6 Participate as a partner in current and future liquid waste management planning in the Region to upgrade facilities and facilitate environmental protection.

Dyke Policies

- 10.5.1 Continue to monitor the river in high flow situations.
- 10.5.2 Continue to work with North Cowichan, the CVRD and Cowichan Tribes on a long-term proactive and strategic approach to the effective management of the dykes to protect public safety, infrastructure, and valuable fisheries.

Solid Waste Management Policies

- 10.6.1 Continue to work towards Zero Waste generation.
- 10.6.2 Continue to encourage residents and businesses to reduce their solid waste through reduction, recycling and re-use to meet the region's diversion goals.
- 10.6.3 Adapt existing City garbage cans to accommodate refundable drink canisters with the long term goal of installing separated garbage bins.
- 10.6.4 Re-institute the semi-annual White Elephant neighbourhood exchange.
- 10.6.5 Actively support CVRD initiatives to reduce solid waste disposal costs and develop long-term waste disposal solutions through the *Solid Waste Management Plan*.
- 10.6.6 Consider providing easy, year-round drop-off facilities to divert yard and garden waste and support financial incentives for making the service free of charge.
- 10.6.7 Support the initiation of a region-wide curbside food waste organics pick-up.
- 10.6.8 Support and encourage businesses and institutions to set-up and maintain a waste diversion program. Investigate the feasibility of expanding the City's recycling program to businesses.
- 10.6.9 Encourage the provision of central recycling areas for residents of multi-family housing developments.

Utility Policies

- 10.7.1 Work with utility providers to minimize the impacts of infrastructure through careful location (e.g. encourage the use of shared corridors, wherever possible), design and maintenance, while ensuring optimum services for residents and businesses.
- 10.7.2 Work with the utility providers to remove overhead wiring and relocate wiring underground:
 - for new development, this should be done at the time of subdivision or building permit;
 - for older areas of the community, or areas that are being redeveloped, a program should be implemented to systematically place utility wiring, where feasible, underground.
- 10.7.3 Work with BC Hydro to find alternate locations for existing poles that obstruct a pathway (clearance should be a minimum 1.5 metre (3 ft)).
- 10.7.4 Work with the utility providers to provide new and advanced technology (e.g. high speed cable, wireless service) in the City.

Implementation

There are a number of initiatives identified this plan that can be integrated into the broad framework of a parks and open spaces plan. They include: a greenway/ trail system; neighbourhood gardens and playgrounds; landscaped gateways at intersections along the Highway; shared uses; unused road allowances or rights-of-way as small neighbourhood parks or community gardens; and the existing parks network. By considering all these elements as inter-related and complimentary, a comprehensive network of parks and open spaces can be accomplished affordably and incrementally.

If the Plan is to have any effect, its objectives and policies must be implemented. Many different elements comprise an implementation process. Achieving the policies of the Plan will be determined by future decisions of Council regarding priorities, funding, and implementation, and by working in cooperation with senior governments, other local governments, First Nations, the private sector, and the community.

The various means by which the objectives and policies of this Plan may be achieved are outlined below. When reading this Plan, it is important to acknowledge the following:

- Under Section 884 (1) of the *Local Government Act*, this OCP does not commit or authorize the City to proceed with any project specified in the Plan.
- As a broad statement of direction, the OCP provides the statutory authority for the more detailed and site specific zoning bylaw, development permit system, and other policy instruments designed to ensure that development is appropriate and meets public expectations.
 - The **Zoning Bylaw** controls the use of land in Duncan. The existing Bylaw will be revised to implement the land use policies contained in this Plan. However, with some exceptions, Council has no intention of 'prezoning' land to match the Plan's future land use designations. Rather, to manage the pace of development, Council will consider zoning amendment applications on an individual basis, in accordance with the policies and designations of this Plan.
 - In addition to the Zoning Bylaw, several other bylaws influence the shape and development of Duncan and the implementation of the Plan. These bylaws (e.g. the Development Cost Charges Bylaw, Heritage Bylaw, etc.) will need to be reviewed to determine their consistency with the objectives and policies of this Plan.
 - **Development Permit Area** guidelines focus on development within specific areas of Duncan. Normal zoning regulations do not always provide reasonable control over development. Development Permit Areas are a method of providing greater flexibility and uniform enforcement. DPA guidelines reflect the policies of the Plan and assist City Council and staff in evaluating development proposals.
 - **Development Approval Information Area** guidelines specify circumstances and/ or designated areas where development may not proceed until information about potential impacts are provided and assessed by the local government. This additional information can be required where the activity involves a rezoning, development permit or temporary commercial use permit. The Local Government Act does not limit the information that can be requested, but does identify such matters as:
 - transportation patterns including traffic flow;
 - local infrastructure;
 - public facilities including schools and parks; community services;
 - the natural environment of the area affected.

To use this authority, a local government must, by bylaw, establish procedures and policies on the process for requiring development approval information and the substance of the information that may be required. When this bylaw is adopted, the local government may require an applicant to provide this information at their expense.

- In addition to regulations and bylaws, Council may, from time to time by resolution, adopt policies in various subject areas affecting the implementation of the Plan. Such policies may require amendments to the Plan.
- Throughout this Plan, a number of **follow-up studies and actions** have been proposed which would provide further information and assist with the clarification, detail, and amplification of existing and new objectives, guidelines and policies. A list of these is provided below. This list is an overview of the more significant implementation actions and is not intended as an exhaustive reference.

Follow-up Studies
<ul style="list-style-type: none"> • Revision of the Zoning Bylaw and other Bylaws and approval processes to ensure consistency with this Plan.
<ul style="list-style-type: none"> • Development of an <i>Incentives for Green Building Policy</i> (Policy 5.1.6).
<ul style="list-style-type: none"> • Development of a density bonus policy to provide incentives for achieving a desired standard and type of development (Policies 5.1.6, 5.2.3.7, 5.2.4.1, 6.2.13, 6.3.3, 7.1.8, 7.1.18, 8.1.3, 8.2.6, 8.4.12, and 9.6.10).
<ul style="list-style-type: none"> • Development of an invasive species strategy, in partnership with neighbouring jurisdictions (Policy 7.1.11).
<ul style="list-style-type: none"> • Development of criteria for establishing appropriate setbacks for each riparian area (Policy 7.1.14).
<ul style="list-style-type: none"> • Development of a heritage plan that provides guidance respecting heritage conservation and integrates heritage planning and resources into community planning and development approval processes (Policy 8.2.6).
<ul style="list-style-type: none"> • Expansion of the Public Art policy (Policy 8.3.1).
<ul style="list-style-type: none"> • Development of a <i>Parks, Open Space and Greenway Master Plan</i> that identifies existing and proposed open spaces, including paths and trails, as part of an interconnected open space system that includes recreational spaces, natural areas, off-road trails, landmarks, gateways and cultural areas (Policies 8.1.12, 8.1.13, 8.4.6, 8.4.7, 8.4.9, 8.4.18, 9.6.1, 9.6.7, and 9.6.8).
<ul style="list-style-type: none"> • Development of a <i>Bicycle Master Plan</i>, as part of the <i>Parks, Open Space and Greenway Master Plan</i> which designates safe cycling routes, establishes bike lanes and facilities, bike route signage, bike parking and storage standards and roadway maintenance (Policy 8.4.9).
<ul style="list-style-type: none"> • Development of a <i>Tree Protection Bylaw</i> (Policy 7.1.8).
<ul style="list-style-type: none"> • Development of criteria for establishing appropriate setbacks for each riparian area
<ul style="list-style-type: none"> • Development of neighbourhood nodes and plans (Policies 6.3.6, 8.1.1 and 8.1.6).
<ul style="list-style-type: none"> • Development of a <i>Traffic Calming Policy</i> (Policies 8.1.10 and 8.4.21).
<ul style="list-style-type: none"> • Development of community safety principles, policies and practices (Sections 9.1, 9.2)

<ul style="list-style-type: none"> • Development of a citizen directory of municipal functions and services (Policy 9.5.13).
<ul style="list-style-type: none"> • Development of alternate development standards for water consumption, sanitary sewage and stormwater collection and, disposal and drainage (Policy 10.1.5). • Development of a storm rainwater management plan to address storage capacity and reductions/ elimination of flows (Section 10.6).

Public Involvement Objectives

- To strengthen communication between Council and residents.
- To ensure residents have access to information.
- To encourage public participation in the planning and community development process.

Public Involvement Policies

- 11.1.1 Continue to update and explore new ways to involve residents in City activities; in particular, seek ways to ensure that citizens' opinions are sought through a variety of mechanisms (e.g. web site, workshops, surveys, open houses, advisory committees, and public meetings).
- 11.1.2 Continue to update and explore new ways of informing residents about City operations and decisions (e.g. through continued development of the City web site, newsletters, and the use of educational and informational materials for public distribution).
- 11.1.3 Require developers to hold public information meetings before plans are submitted for statutory review and public hearings, and to consult with residents and stakeholders in the area that would be directly affected by the development.

Plan Monitoring Objectives

- To maintain the intent and integrity of the OCP.
- To establish a process for monitoring the OCP.

Plan Monitoring Policies

- 11.2.1 Use the indicators provided in Appendix 5 to gauge the effectiveness and progress of the Plan, and over time, further develop appropriate measures.
- 11.2.2 Establish an annual monitoring function to review:
- The progress in achieving the goals, objectives and policies of the OCP, with particular attention paid to progress with respect to implementation and the results of the benchmark/ indicators analysis;
 - The consistency of Plan amendments with overall Plan goals, objectives and policies;
 - The emergence of new issues, concerns, or opportunities which may require new policies; and,
 - Changes in political or public priorities that affect the acceptability of the basic objectives or allocation of resources.
- 11.2.3 Report annually to the community on the results of the review.

Plan Review and Adjustments Objective

- To ensure that the Plan remains relevant and a viable and effective tool.

Development Permit Areas

1. Multi Family Residential Areas
2. Downtown
3. Highway 1 Corridor
4. Other Commercial Areas
5. Natural Environment
6. Hazard Lands
7. Development Approval Information Areas

Development Permit Area Policies

- 12.1.1 Where land is subject to more than one Development Permit Area designation, a single development permit is required. The application will be subject to the requirement of all applicable development permit areas and associated guidelines.
- 12.1.2. Development within designated development permit areas may be exempt from development permit requirements in the following circumstances:
- (a) Construction or additions to a single-family or two-family dwelling on a single lot.
 - (b) Building additions less than 50 m² (538.2 sq. ft.).
 - (c) Construction within a building that does not require exterior alterations.
 - (d) Construction of buildings or structures less than 10 m² in area.
 - (e) Minor alterations to the exterior of a building or structure that do not change the form or character of the development, e.g. minor changes to design, exterior finish, or landscaping.
 - (f) Minor additions to existing dwellings, emergency repairs to existing structures and public walkways where a potential safety hazard exists.
 - (g) Replacement of exterior finishes using the same or similar materials and colours.
 - (h) Any development or construction that does not require a building permit or sign permit.
 - (i) Addition of canopies or other decorative building features such as mullions and windows.
 - (j) Replacement of sign or canopy faces with no change in location, size, or type of signage.
 - (k) Any building excluded from the requirement of a development permit by Council.
 - (l) Public works and services such as the construction, repair and maintenance of City services by the City of Duncan, or its authorized agents and contractors, provided DPA Guidelines are met.
 - (m) Emergency procedures to prevent, control or reduce fires, flooding, erosion or other immediate threats to life and property provided said activities are reported to the City of Duncan immediately.
 - (n) The cutting of hazardous trees that the City considers present an immediate

danger to the safety of persons or are likely to damage public or private property.

- (o) Removal of invasive non-native vegetation using appropriate active control methods including hand clearing, pruning, mowing, excavation, and planting of appropriate native species.
- (p) Planting and maintenance of indigenous trees, shrubs or groundcover within a Protection Area, for the purpose of restoring or enhancing habitat values and/or soil stability, such planting is carried out in accordance with guidelines or directions provided by the City.
- (q) Planting of non-indigenous vegetation in a Protection Area that does not contravene the guidelines set out.
- (r) Habitat improvement activities undertaken by the City, Provincial or Federal agencies.
- (s) Trail projects approved by the City.
- (t) 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.

12.1.3 Information, relevant to the project being considered, to be submitted with Development Permit applications may include:

- (a) *Legal information*, including copies of the current certificate of title, copies of all statutory rights-of-way and covenants, including one set in legal size.
- (b) *Development information*, including: conceptual site plan; location of all buildings and structures; building elevations; grading of building heights; architectural style (detailing, exterior finish, materials, colour of buildings, treatment of entrances, roofs); landscape plan (extent and nature of landscaping, indoor/ outdoor space relationships, and recreational area design); siting and layout of parking areas, driveways, and loading areas; and. All plans and drawings (including a coloured isometric artistic rendering of buildings) are to be prepared by a professional architect or designer.
- (c) *Development data*, including site area, site coverage, floor space, parking requirements, and number of units.
- (d) *Servicing information*, including existing and proposed water, sanitary and storm sewer services, and access.
- (e) *Site Context Information*, including sketches or photographs of the proposed development in relation to the surrounding neighbourhood.

12.1.4 Additional information may be required to determine the impact of the proposed activity or development. As an example (but not limited to) the following professional reports may be required:

- (a) *Transportation Study*, including traffic patterns and flows.
- (b) *Infrastructure Analysis*, including evaluation of local infrastructure capacity.
- (c) *Public Facilities Evaluation*, including inventory of facilities such as schools and parks, and future demand estimates.
- (d) *Environmental Assessment*, including inventories of native vegetation, wildlife and habitat, and evaluation of potential impacts.

12.1.5 In accordance with Section 920(2)(a) of the *Local Government Act*, Council may issue development permits that vary the City of Duncan's Zoning Bylaw, or any bylaw established under Division 7 or 11 of the *Act*.

Council shall consider issuing development permits that vary applicable bylaws for one or more of the following:

- variances that are 'minor' in nature, or which do not reduce the bylaw requirement by more than 50%;
- variances that facilitate conformance with the applicable design guidelines;
- variances to achieve an objective or policy stated in the City's Official Community Plan.

A development variance permit shall be required where the proposed variance does not meet one or more of the above noted criteria.

12.1.6 Violations of Development Permit Area requirements include:

(a) Every person who:

1. violates any provision of a Development Permit Area;
2. causes or permits any act or thing to be done in contravention or violation of any provision of a Development Permit Area;
3. neglects to do or refrains from doing any act or thing required under a Development Permit Area;
4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to a Development Permit Area;
5. fails to comply with an order, direction or notice given under a 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;
7. commits an offence under this Bylaw.

(b) Each day's continuance of an offence constitutes a new and distinct offence.

12.1.7 A person who commits an offence against this Bylaw 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.

12.1.8 If any section, sentence, clause, phrase, word or schedule of the Development Permit Areas 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 the Development Permit Area.