

# Report

Date August 20, 2025

File: ZB000268

Subject Zoning Amendment Bylaw No. 4027 for first and second reading

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## PURPOSE

To introduce Zoning Amendment Bylaw No. 4027, 2025, which proposes amending the Zoning Bylaw to facilitate a maximum of 25 shipping containers for accessory storage use at 3900 Drinkwater Road (Cowichan Valley Regional District Bings Creek Recycling & Waste Management Centre).

## BACKGROUND

The subject property (PID: 023-492-724) is located at Drinkwater Road and Cowichan Valley Highway (Highway 18). The 21.3-hectare (52.67-acre) property is designated "Industrial and Employment" and is located outside the Urban Containment Boundary (UCB) of the Official Community Plan (OCP). The subject property is zoned Industrial Heavy (I2) (Attachments 1, 2 and 3).

Lands surrounding the subject property are largely industrial with forested and riverine areas to the north and south.

## PROPOSAL

A maximum of 10 shipping containers are permitted on the subject property under section 40.1 of the Zoning Bylaw's *General Provisions*, which regulates their use and density. However, 19 shipping containers are currently placed on the property.

The property owner is requesting a site-specific amendment to the Zoning Bylaw to regularize nine shipping containers that currently exist on the subject property in excess of the maximum permitted number set out in the Zoning Bylaw, and, further, to allow for the placement of six additional shipping containers.

The shipping containers will be used to secure equipment related to the Cowichan Valley Regional District (CVRD) waste management centre and its affiliates (e.g., Cowichan Search and Rescue Society).

The applicant's proposal is provided in Attachment 4 (Rationale) and Attachment 5 (Site Plan). The exact locations of several proposed shipping containers are yet to be determined.

## DISCUSSION

The CVRD Bings Creek Recycling & Waste Management Centre at 3900 Drinkwater Road is located within North Cowichan and is therefore subject to its land use bylaws (e.g., Zoning Bylaw).

Municipal bylaws, other approvals, future permits, and land impacts are outlined in this section.

### 1. Official Community Plan (OCP) Policy Conformance

The zoning amendment proposal is consistent with the intent of the OCP since the *Industry & Employment* land use policies strive to, for example:

*"3.2.21 (a) Preserve existing heavy industry and confine it to appropriate sites.*

*3.2.21 (b) Offer flexibility in appropriate locations to co-locate complementary businesses forming part of an "industrial ecosystem" (OCP, p. 52).*

### 2. Zoning Bylaw Amendment

The Zoning Bylaw's *General Provisions*, state:

*40.1 [Shipping Containers] may be placed on land provided they meet the following requirements;*

...

*(b) within the Industrial Heavy Zone (I2) a maximum of one shipping container per every 0.4 hectares (1 acre) of land, up **to a maximum of 10 shipping containers**, is permitted **where used for accessory storage**; (p. 40) .... [author's bold].*

Since the size of the subject property permits a maximum of 10 shipping containers, and the applicant proposes to place up to 25 shipping containers on-site, the applicant will require Council's approval to increase the maximum number of allowable shipping containers accordingly.

The intended use of the shipping containers conforms with the permitted use of "accessory storage" as stated in the applicant's letter of intent (Attachment 4).

All existing shipping containers conform to the setback provisions of the I2 Zone.

### 3. Ministry of Transportation

The proposed Zoning Amendment Bylaw requires approval from the Ministry of Transportation and Transit (MOTT). A courtesy referral was sent to MOTT in advance of the Council process. MOTT did not express concerns with the zoning amendment proposal.

Should Council read Bylaw 4027 a 3<sup>rd</sup> time, Ministerial approval will be required prior to bylaw adoption.

### 4. Infrastructure Servicing & Future Permits

The Engineering and Utilities departments do not have concerns with the proposal since municipal water service is not anticipated for the accessory storage use requested (in 15 additional shipping containers). The Building department has no concerns with the proposal; building permits are not required.

Should proposed shipping containers involve grading, asphalt paving (DPA-2; Industrial & DPA-3 Aquifer Vulnerability) or siting within any other development permit area (e.g., DPA-4 Steep Slopes), a development permit will be required.

Overall, the land use impact on North Cowichan and neighbouring properties from this request to increase the maximum permitted shipping containers from 10 to 25 on this 21.3-ha (52.7-acre) property is deemed to be insignificant because:

- The size of the property is large relative to the number of shipping containers proposed;
- Surrounding lands are located in the same zone, i.e., the Heavy Industrial Zone (I2), where general industrial land use impacts may be considered similar; and,
- Existing and proposed shipping containers must conform to the minimum permitted setbacks of the I2 Zone, i.e., 18 metres from the Cowichan Valley Highway (Highway 18), which is identified in Map 7 of the OCP as a Class 3 Scenic Road whereby the character of longer-range viewsapes is anticipated to remain protected (OCP, p. 61).

In summary, the proposal is consistent with the Zoning Bylaw and OCP land use policy for an appropriate location for increased temporary accessory storage using shipping containers. Existing and proposed shipping containers are intended to maintain setbacks required under the I2 zone, which is consistent with the policy advice of the OCP to maintain the long-range viewscape of the Cowichan Valley Highway (Highway 18), as a Class 3 Scenic Road.

Staff recommend approval of this zoning amendment proposal.

Zoning Amendment Bylaw No. 4027 is provided in Attachment 6.

## OPTIONS

### 1. **(Recommended Option)** THAT Council

- (1) Gives first and second reading to Zoning Amendment Bylaw No. 4027, 2025, to permit a maximum of 25 shipping containers at 3900 Drinkwater Road, and,
- (2) Directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 4027, 2025.

### 2. (Alternative Option)

- (1) THAT Council denies application ZB000268 to permit a maximum of 25 shipping containers at 3900 Drinkwater Road.

## IMPLICATIONS

Should Council approve the text amendment to the Zoning Bylaw to increase the maximum number of permitted shipping containers at 3900 Drinkwater Road, all existing and proposed shipping containers (to a maximum of 25) would conform with the *General Provisions* (i.e., sec 40.1) and the I2 Zone of the Zoning Bylaw. The proposal would proceed under municipal permit approvals if required.

Should Council deny the application, all existing shipping containers in excess of the Zoning Bylaw *General Provisions* (sec. 40.1) would need to be removed (i.e., nine shipping containers).

If Council gives first and second reading to Zoning Amendment Bylaw No. 4027, 2025, staff will schedule a Public Hearing.

**RECOMMENDATION**

THAT Council:

- (1) Gives first and second reading to Zoning Amendment Bylaw No. 4027, 2025, to permit a maximum of 25 shipping containers at 3900 Drinkwater Road, and,
- (2) Directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 4027, 2025.

Report prepared by:

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**Approved to be forwarded to Council:**



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Ted Swabey  
Chief Administrative Officer

Attachments:

- (1) Location Map
- (2) Orthophoto
- (3) Zoning
- (4) Letter of Intent (Rationale)
- (5) Site Plan of Proposal
- (6) Zoning Amendment Bylaw No. 4027, 2025