



The Corporation of the District of North Cowichan

Zoning Amendment Bylaw (6478, 6494, 6493, 6489 Paddle Road from R1 & 6495 Paddle Road from CD10, to CD22)

Bylaw No. 3867

The Council of The Corporation of The District of North Cowichan enacts in open meeting assembled as follows:

Title

- 1 This Bylaw may be cited as "Zoning Bylaw Amendment Bylaw No. 3867 (6478, 6494, 6493, 6489 from R1 & 6495 Paddle Road from CD10 to CD22), 2022".

Amendment

- 2 Zoning Bylaw No. 2950, Part 5 – Zones, Division (1) Establishment of Zones, Section 43 is amended by inserting "Paddle Road North Comprehensive Development Zone (CD22)" after "Motorsport Circuit Comprehensive Development Zone (CD21)".
- 3 Zoning Bylaw No. 2950, is amended by inserting the following new zone after Section 80.21:
"Paddle Road North Comprehensive Development Zone (CD22)

Permitted Uses

80.22 (1) The permitted uses for Areas 1 to 5 of the CD22 zone, as shown on Schedule I-3, attached to and forming part of this bylaw, are as follows:

- a) In Area 1
 - i. Apartment
 - ii. Limited home-based business
- b) In Area 2
 - i. Apartment
 - ii. Limited home-based business
 - iii. Recreational facility small scale
 - iv. Fitness Centre / Gymnasium
- c) In Area 3
 - i. Apartment
 - ii. Limited home-based business
 - iii. Community care facility
 - iv. Live work studio
 - v. Brew Pub

- vi. Commercial school
- vii. Daycare
- viii. Dry cleaner
- ix. Entertainment use
- x. Fitness Centre / Gymnasium
- xi. Gallery
- xii. Health service
- xiii. Laundromat
- xiv. Medical laboratory
- xv. Office
- xvi. Personal service
- xvii. Restaurant
- xviii. Retail store

d) In Area 4

- i. Limited home-based business
- ii. Two family dwelling
- iii. Townhouse

e) In Area 5

- i. Uses in Area 5 are the same as Area 3.

Regulatory Conditions

(2) The regulatory conditions in the following table apply to the CD22 zone:

Item	Column 1 Description	Column 2 Area	Column 3 Value
1	Maximum density	1 2 3 4 5	2.0 Floor Area Ratio 1.5 Floor Area Ratio 3.5 Floor Area Ratio 0.5 Floor Area Ratio (24 units/ha) 2.0 Floor Area Ratio
2	Maximum Area coverage	1 2 3 4 5	65% 55% 55% 30% 65%
3	Maximum storeys	1 2 3 4 5	6-storeys 6-storeys 6-storeys 3-storeys 5-storeys
4	Maximum building height	1 2 3 4 5	26 m (85.3') 26 m (85.3') 26 m (85.3') 12 m (39.4') 21.5 m (71')

Minimum Lot Size

- (3) The minimum permitted lot size for the CD22 zone is 650 m² (6,996.54 ft²).

Minimum Frontage

- (4) The minimum permitted frontage required for the CD22 zone is 16 m (52.5').

Minimum Setbacks

- (5) The minimum permitted setbacks for all buildings and structures for all Areas of the CD22 zone is 3.0 m (9.8').

Accessory Building

- (6) The maximum permitted accessory building height for all Areas of the CD22 Zone is 7 m (23.0').

Open Space

- (7) All open areas not covered by buildings, driveways, or parking must be maintained as landscaped open space.
- (8) The minimum required amenity space for all Areas of the CD22 Zone, and of which half must be comprised of landscaped open space, is 30% of the Area and may be located on the roof and/or on decks above grade.

Off-Street Parking

- (9) A minimum of 90% of off-street parking required in accordance with Section 21 shall be provided underground.

Conditions of Use

- (10) The conditions of use for the CD22 Zone are as follows:
- a) A fence must not exceed 1.2m (3.94') in height in any required front yard.
 - b) A fence must not exceed 2.0m (6.56') in height in any required side or rear yards.
 - c) Despite 80.22 (1) permitted uses, "live work studio" is restricted to the ground floor, whereby each live work studio entrance must face a public roadway.
 - d) In Area 3 permitted uses v. to xviii are restricted to the ground floor and whereby a minimum of 15% of the ground floor area shall be for permitted uses v. to xviii.
 - e) In Area 5 permitted uses v. to xviii are restricted to the ground floor, whereby a minimum of 30% of the ground floor area shall be for permitted uses v. to xviii.
 - f) No residential dwelling unit shall have a floor area less than 350 ft² (32.5 m²).

Area Boundaries

- (11) The Areas and Area boundaries for the CD22 zone shall be as set out in Schedule I-3.
- (12) Despite the definition of "lot" under section 12, all regulations within the CD22 zone, except provisions (3) and (4), shall be interpreted as if the Area boundaries were lot boundaries."

- 4 Zoning Bylaw No. 2950 is amended by inserting Schedule I-3 as shown on Schedule 1 attached to and forming part of this bylaw.
- 5 Zoning Bylaw No. 2950, Schedule "C" is amended by reclassifying 6478 Paddle Road (002-363-313), 6494 Paddle Road (005-351-464), 6493 Paddle Road (005-351-472), and 6489 Paddle Road (005-039-029) from Residential Rural Zone (R1), and 6495 Paddle Road (005-351-499) from Urban Medium Density Comprehensive Development Zone (CD10), to Paddle Road North Comprehensive Development Zone (CD22), as shown on Schedule 2 attached to and forming part of this bylaw.

READ a first time on May 18, 2022.

Resolution to amend the maximum density (from 1.6 to 2.0 floor area ratio), maximum storeys (from 4 to 5), and the maximum height (from 17m to 21.5m) under subsection 80.22 (2), and increase the number of dwelling units from 35 to 37 that would have a form of tenure under subsection 80.22 (9) (f) was adopted on July 20, 2022.

READ a second time on July 20, 2022 as amended.

RESCINDED second reading on August 17, 2022.

Resolution to (1) remove the definition for '*residential rental tenure*', and (2) remove subsection 80.22 (9) (f) '*In Area 1 and/or Area 5, a minimum of 20% of all dwelling units (or 35 37 dwelling units, whichever is greater) shall have a form of tenure that is "residential rental tenancy"*' and insert in its place '*No residential dwelling unit shall have a floor area less than 32.5 m²*' was adopted on August 17, 2022.

RE-READ a second time on August 17, 2022 as amended.

This bylaw as advertised in the Cowichan Valley Citizen on August 25, 2022 and the September 1, 2022 and the municipality's website and notice board on August 23, 2022

CONSIDERED at a Public Hearing on September 7, 2022.

Resolution to insert 'Off-Street Parking' regulations, '*A minimum of 90% of off-street parking required in accordance with Section 21 shall be provided underground*', after 'Open Space' was adopted on September 7, 2022. Notice of this amendment was included in the public hearing agenda and shared with the public when the public hearing was called to order.

READ a third time on September 7, 2022 as amended.

APPROVED by Ministry of Transportation and Infrastructure on September 27, 2022

COVENANT registered on November 29, 2022

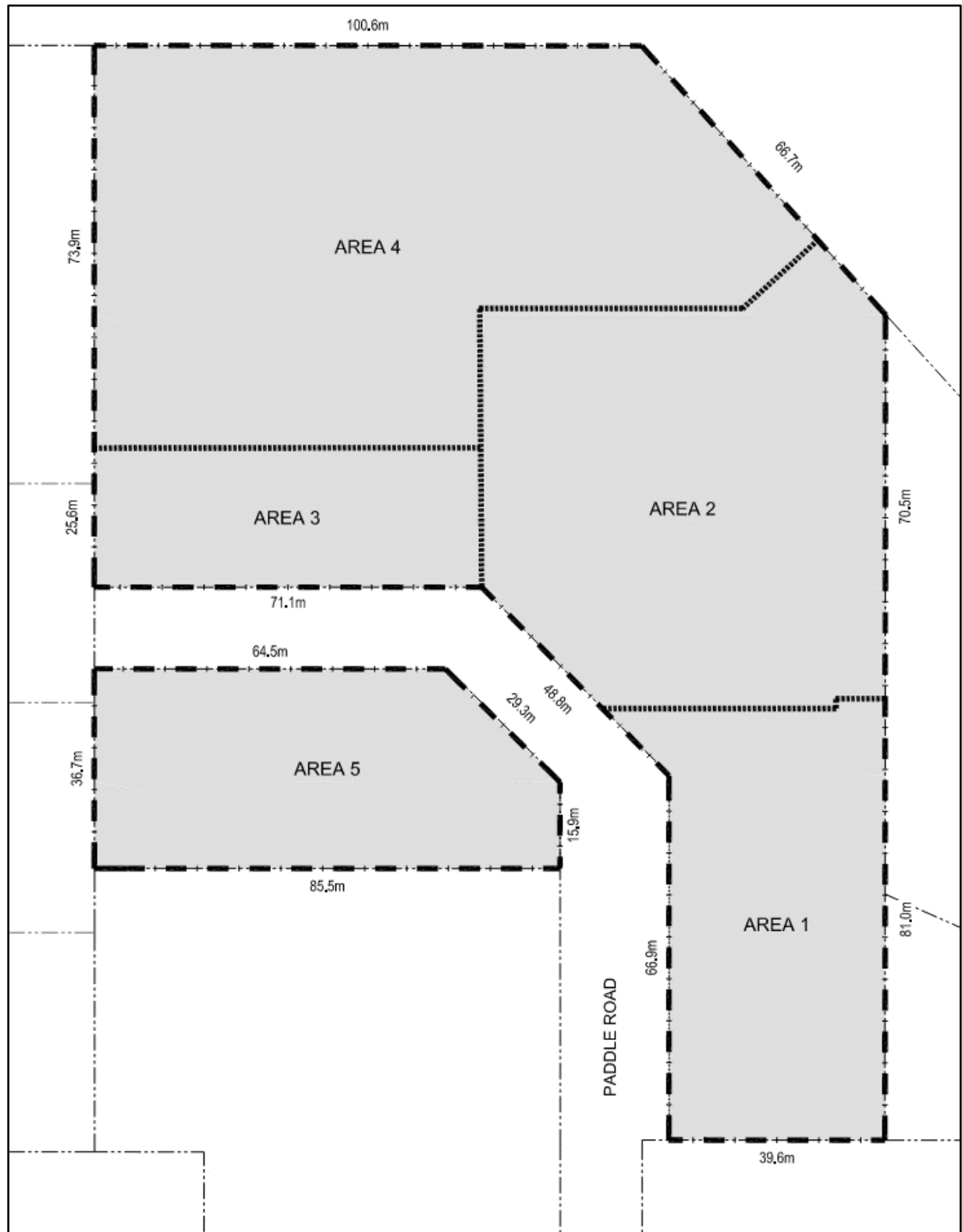
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule 1

Schedule "I-3"



Schedule 2

