

## **PUBLIC HEARING INFORMATION PACKAGE**

### **Zoning Amendment Bylaw No. 3918, 2023 3208 Cook Street**

#### **Public Hearing Notice and Bylaw No. 3918**

1. Notice of Public Hearing for **August 16, 2023** at **7:00 p.m.**
2. First Notification of Public Hearing - Twitter and Facebook – published July 31, 2023
3. Second Notification of Public Hearing - Cowichan Valley Citizen – published August 10, 2023
4. Bylaw No. 3918
5. Map of Subject Property

#### **Planning Staff Report**

1. Report to July 19, 2023 Regular Council – First and Second Readings of Bylaw No. 3918

#### **Council Minutes**

1. Excerpt from July 19, 2023 Regular Council Minutes – First and Second Readings of Bylaw No. 3918, Schedule Public Hearing

#### **Public Comments**

1. No Comments Received To-Date
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# NOTICE OF PUBLIC HEARING

The Director of Planning and Building gives notice that a Public Hearing will be held at **7:00 p.m.** on **Wednesday, August 16, 2023** to allow Council to receive public input on Bylaw No. 3918 which proposes to amend Zoning Bylaw 1997, No. 2950. As authorized by the *Local Government Act*, this hearing will be conducted by electronic means and members of the public will be provided an opportunity to be heard verbally or by submitting their comments in writing in advance of the hearing. This hearing will be conducted by video conference using the Cisco Webex platform, and though electronic, is open to the public and anyone wishing to participate may do so in person by attending Council Chambers, or by joining the meeting using a computer, smartphone, or tablet. If you wish to participate electronically, please visit [www.northcowichan.ca/virtualmeeting](http://www.northcowichan.ca/virtualmeeting) for instructions on how you can join this hearing and find the link to join. You may also view the hearing as it is streamed live by going to [www.northcowichan.ca/Agendas](http://www.northcowichan.ca/Agendas) and click on the 'View Live Stream' link. A copy of the recording will be made available after the hearing on North Cowichan's website for on-demand viewing.

**Zoning Amendment Bylaw No. 3918 (3208 Cook Street), 2023** proposes to amend Zoning Bylaw 1997, No. 2950 by reclassifying 3208 Cook Street (PID: 005-983-681) from Residential One and Two-Family Zone (R3) to Residential Small Lot Single-Family Zone (R3-S).

The purpose of the Zoning Bylaw Amendment is to facilitate a 2-lot subdivision to allow for small lot residential development on the subject property (PID: 005-983-681) as shown outlined in bold on the map.

## PUBLIC INPUT

If you believe your interests in land will be affected by the proposed bylaw, you are encouraged to submit your comments in writing to Mayor and Council by **1:00 p.m.** on **Monday, August 14, 2023**, using any of the writing methods identified below. Comments may also be shared verbally during the Public Hearing, by following the instructions provided below.

### 1. In Writing in Advance of the Public Hearing:

Written submissions will be accepted by:

- Email to [publicmeetings@northcowichan.ca](mailto:publicmeetings@northcowichan.ca)
- Mail to Mayor and Council, Municipality of North Cowichan, 7030 Trans-Canada Highway, Duncan BC, V9L 6A1
- Fax to 250-746-3133
- In-Person deposited through the mail slot at the Municipal Hall, Main Entrance

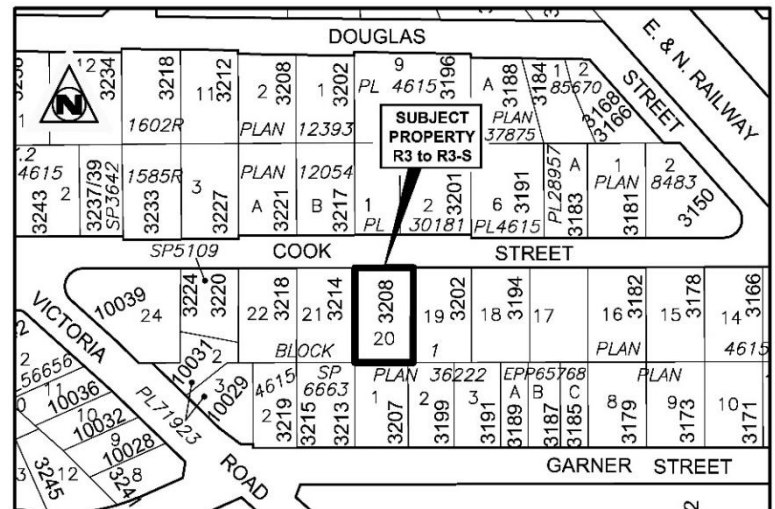
### 2. Verbally or in Writing at the Public Hearing:

- In Person by attending Council Chambers at Municipal Hall, 7030 Trans-Canada Highway, Duncan BC.
- Virtually by logging in electronically, details and instructions will be available at least one week prior to the Hearing at [www.northcowichan.ca/PublicHearings](http://www.northcowichan.ca/PublicHearings).
- Written submissions may be submitted during the Public Hearing by presentation to the Corporate Officer or her designate.

**PLEASE NOTE:** Submissions should reference the bylaw number and include your name and the civic address or legal description of the land affected by the proposal. Please be advised that all submissions, including the individual's name and address will form part of the public record and will be published on North Cowichan's website. Do not include any personal information in your submission that you do not wish to be disclosed, as submissions received are public documents and will not be redacted (with the exception of email addresses on electronic submissions, phone numbers and signatures). Written submissions will not be accepted after the conclusion of the Public Hearing.

Copies of the bylaw and related documents, including public comments received in writing, will be available to inspect online at [www.northcowichan.ca/PublicHearings](http://www.northcowichan.ca/PublicHearings) until the close of the Public Hearing. The documents may also be inspected in the Planning Department at the Municipal Hall, Monday to Friday (excluding statutory holidays) between **8:00 a.m.** and **4:00 p.m.** from **July 31, 2023** until close of business on **August 16, 2023**.

Rob Conway  
Director, Planning and Building



Personal information is collected by North Cowichan under the authority of s. 26 (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the Public Hearing. Please direct any questions about personal information to North Cowichan's Privacy Officer by Phone: 250-746-3116, Email: [privacy@northcowichan.ca](mailto:privacy@northcowichan.ca) or Regular Mail: 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1

7030 Trans-Canada Highway, Duncan BC V9L 6A1  
T: 250-746-3100 F: 250-746-3133 [www.northcowichan.ca](http://www.northcowichan.ca)

MUNICIPALITY OF  
**NORTH**  
Cowichan



**North Cowichan** @NorthCowichan • 1h

A public hearing for Zoning Amendment Bylaw No. 3918, is scheduled for 7:00pm on August 16, 2023. Copies of the public notice and bylaw are available on North Cowichan's website <https://loom.ly/1Nn6qsk>

# Notice of Public Hearing

Zoning Amendment Bylaw No. 3918  
3208 Cook Street  
August 16, 2023 at 7pm



Jul 31, 2023 - 4:00 PM PDT



**Municipality of North Cowichan**

July 31 at 4:00 PM

Council will be conducting a Public Hearing in Council Chambers and by video conference using the Cisco Webex platform at 7:00 p.m. on August 16, 2023 to provide all persons who believe that they are affected by Zoning Amendment Bylaw No. 3918, an opportunity to be heard or to present written submissions to Council.

Those wishing to comment on the bylaw may share their thoughts during the Public Hearing or submit their feedback in writing by email, mail, or by dropping them off at the Municipal Hall before 1:00 p.m. on Monday, August 14, 2023.

The purpose of this amendment is to facilitate a 2-lot subdivision to allow for small lot residential development on the subject property located at 3208 Cook Street. You can view the bylaw and public notice at <https://loom.ly/1Nn6qsk>

# Notice of Public Hearing

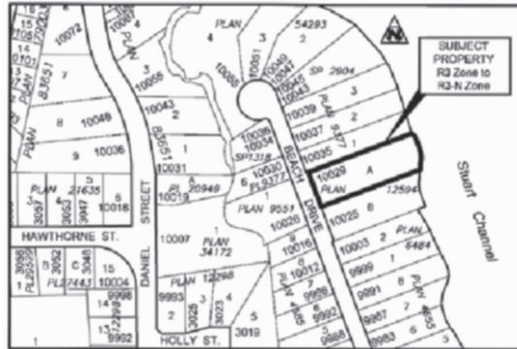
Zoning Amendment Bylaw No. 3918  
3208 Cook Street  
August 16, 2023 at 7pm

# NOTICE OF PUBLIC HEARING

The Director of Planning and Building gives notice that a Public Hearing will be held at **7:00 p.m. on Wednesday, August 16, 2023**, to allow Council to receive public input on Bylaws No. 3916 and 3918. As authorized by the *Local Government Act*, these hearings will be conducted by electronic means and members of the public will be provided an opportunity to be heard verbally or by submitting their comments in writing in advance of the hearing. This hearing will be conducted by video conference using the Cisco Webex platform, and though electronic, is open to the public and anyone wishing to participate may do so in person by attending Council Chambers, or by joining the meeting using a computer, smartphone, or tablet. If you wish to participate electronically, please visit [www.northcowichan.ca/virtualmeeting](http://www.northcowichan.ca/virtualmeeting) for instructions on how you can join this hearing and find the link to join. You may also view the hearing as it is streamed live by going to [www.northcowichan.ca/Agendas](http://www.northcowichan.ca/Agendas) and click on the 'View Live Stream' link. A copy of the recording will be made available after the hearing on North Cowichan's website for on-demand viewing.

**Zoning Amendment Bylaw No. 3916 (10029 Beach Drive), 2023** proposes to amend Zoning Bylaw 1997, No. 2950 by reclassifying 10029 Beach Drive (PID: 004-788-036) from Residential One and Two-Family Zone (R3) to Infill Residential Neighbourhood Zone (R3-N).

The purpose of the Zoning Bylaw Amendment is to allow for a detached accessory dwelling unit on the subject property (PID: 004-788-036) as shown outlined in bold on the map.



**Zoning Amendment Bylaw No. 3918 (3208 Cook Street), 2023** proposes to amend Zoning Bylaw 1997, No. 2950 by reclassifying 3208 Cook Street (PID: 005-983-681) from Residential One and Two-Family Zone (R3) to Residential Small Lot Single-Family Zone (R3-S).

The purpose of the Zoning Bylaw Amendment is to facilitate a 2-lot subdivision to allow for small lot residential development on the subject property (PID: 005-983-681) as shown outlined in bold on the map.



## PUBLIC INPUT

If you believe your interests in land will be affected by either of the proposed bylaws, you are encouraged to submit your comments in writing to Mayor and Council by **1:00 p.m. on Monday, August 14, 2023**, using any of the writing methods identified below. Comments may also be shared verbally during the Public Hearing, by following the instructions provided below.

### 1. In Writing in Advance of the Public Hearing:

Written submissions will be accepted by:

- Email to [publicmeetings@northcowichan.ca](mailto:publicmeetings@northcowichan.ca)
- Mail to Mayor and Council, Municipality of North Cowichan, 7030 Trans-Canada Highway, Duncan BC, V9L 6A1
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- Written submissions may be submitted during the Public Hearing by presentation to the Corporate Officer or her designate.

**PLEASE NOTE:** Submissions should reference the bylaw number and include your name and the civic address or legal description of the land affected by the proposal. Please be advised that all submissions, including the individual's name and address will form part of the public record and will be published on North Cowichan's website. Do not include any personal information in your submission that you do not wish to be disclosed, as submissions received are public documents and will not be redacted (with the exception of email addresses on electronic submissions, phone numbers and signatures). Written submissions will not be accepted after the conclusion of the Public Hearing.

Copies of the bylaw and related documents, including public comments received in writing, will be available to inspect online at [www.northcowichan.ca/PublicHearings](http://www.northcowichan.ca/PublicHearings) until the close of the Public Hearing. The documents may also be inspected in the Planning Department at the Municipal Hall, Monday to Friday (excluding statutory holidays) between **8:00 a.m. and 4:00 p.m. from July 31, 2023**, until close of business on **August 16, 2023**.

Rob Conway, Director of Planning and Building

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7030 Trans-Canada Highway | Duncan, BC V9L 6A1  
T 250.746.3100 F 250.746.3133 [www.northcowichan.ca](http://www.northcowichan.ca)

**NORTH**  
Cowichan



The Corporation of the District of North Cowichan

**Zoning Amendment Bylaw**

BYLAW NO. 3918

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*A bylaw to amend Zoning Bylaw 1997, No. 2950, to reclassify  
3208 Cook Street from R3 to R3-S.*

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

**Citation**

1 This Bylaw may be cited as *"Zoning Amendment Bylaw No. 3918, 2023"*.

**Amendment**

2 Zoning Bylaw 1997, No. 2950, Schedule "C" is amended by reclassifying 3208 Cook Street (PID: 005-983-681) from Residential One and Two-Family Zone (R3) to Residential Small Lot Single Family Zone (R3-S), as shown outlined in black in Schedule 1 attached to and forming part of this Bylaw.

\_\_\_\_\_  
READ a first time on July 19, 2023

READ a second time on July 19, 2023

This bylaw was advertised on the municipality's social media sites on \_\_\_\_\_, in the Cowichan Valley Citizen and the Chemainus Valley Courier on \_\_\_\_\_ and was posted to the municipality's public notice places on \_\_\_\_\_.

CONSIDERED at a Public Hearing on \_\_\_\_\_.

READ a third time on \_\_\_\_\_.

ADOPTED on \_\_\_\_\_.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
PRESIDING MEMBER

Schedule "1" to accompany "Zoning  
Amendment Bylaw No. 3918, 2023".

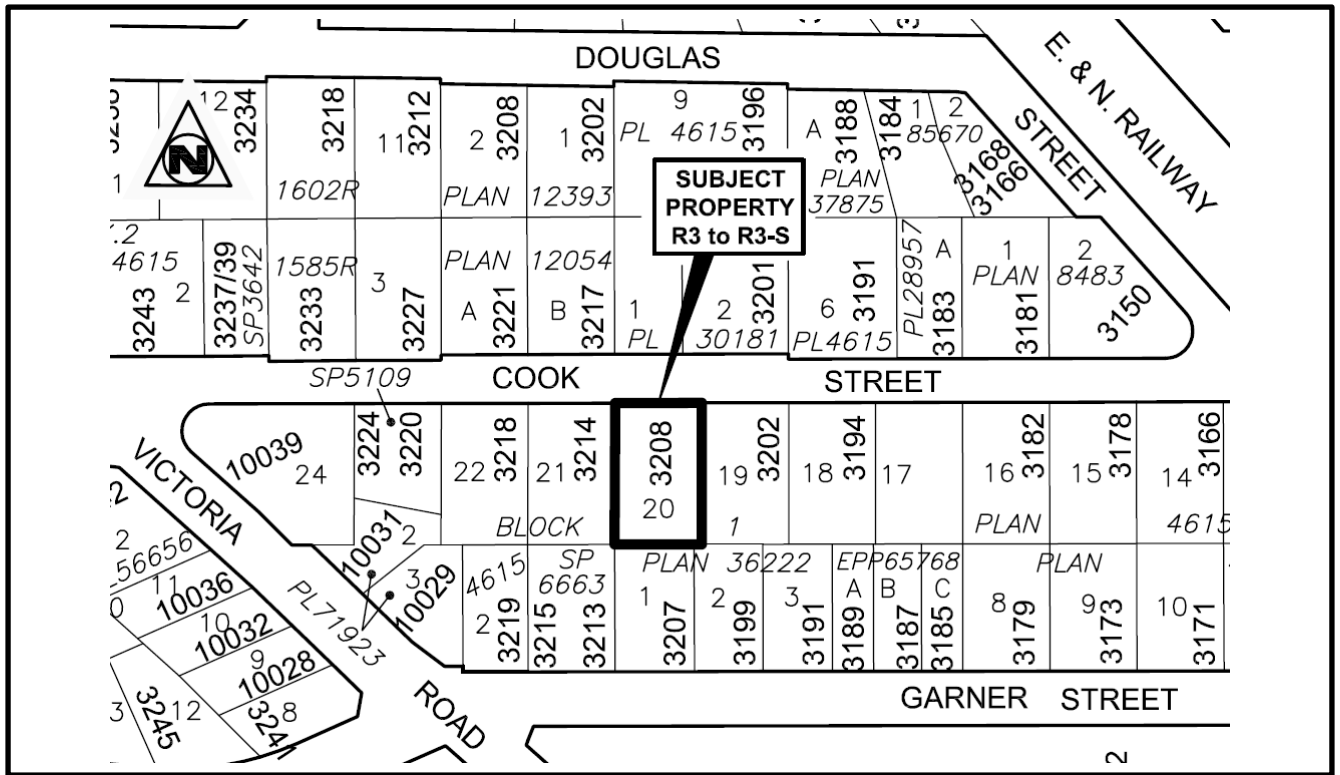
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Presiding Member

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Corporate Officer

**SCHEDULE "1"**





# **PLANNING REPORT**

# Report

Date July 19, 2023

File: 3360-20 21.05

Subject **Zoning Amendment Bylaw No. 3918, 2023 for first and second readings**

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## PURPOSE

To introduce Zoning Amendment Bylaw No. 3918, which proposes to amend Zoning Bylaw No. 2950 to reclassify 3208 Cook Street from a Residential One and Two-Family Zone (R3) to Residential Small Lot Single-Family Zone (R3-S) to permit a proposed 2-lot subdivision for future small lot residential development.

## BACKGROUND

The 966 m<sup>2</sup> (0.24 acres) subject property (PID: 005-983-681) is located at 3208 Cook Street in the community of Chemainus. The property is zoned Residential One and Two-Family (R3) Zone (Attachments 1 & 2) and is situated within the Residential Neighbourhood land use designation within the Urban Containment Boundary (UCB) of the Official Community Plan (Attachment 3).

Land uses surrounding the subject property are primarily one and two-family dwellings with access to a park (Wul'aam Park), trails (Cowichan Valley Trail), and a school within 500 metres of the site.

## Proposal

The owner proposes to rezone the subject property from R3 to R3-S (Residential Small Lot Single Family Zone) in order to achieve a two small-lot subdivision for future small-lot housing development.

The proposed R3-S small lot zone would permit the property owner to:

- retain their existing single-family dwelling on a small lot without requiring any variances, but a portion of the residence is proposed to be removed in order to comply with the proposed zone (Proposed Lot A);and,
- subdivide the property for future residential development of a single-family dwelling on a vacant small lot (Proposed Lot B), which could not otherwise be achieved under the provisions of the current R3 zone.

The current R3 Zone (Residential One and Two-Family) is provided in Attachment 4. The proposed R3-S Zone (Residential Small Lot Single-Family) is provided in Attachment 5. The applicant's Letter of Rationale is provided in Attachment 6. The Site Plan is provided in Attachment 7. Site Photos are provided in Attachment 8.

## DISCUSSION

### Official Community Plan

The key *Growth Management & Housing* policies relevant to this proposal are:

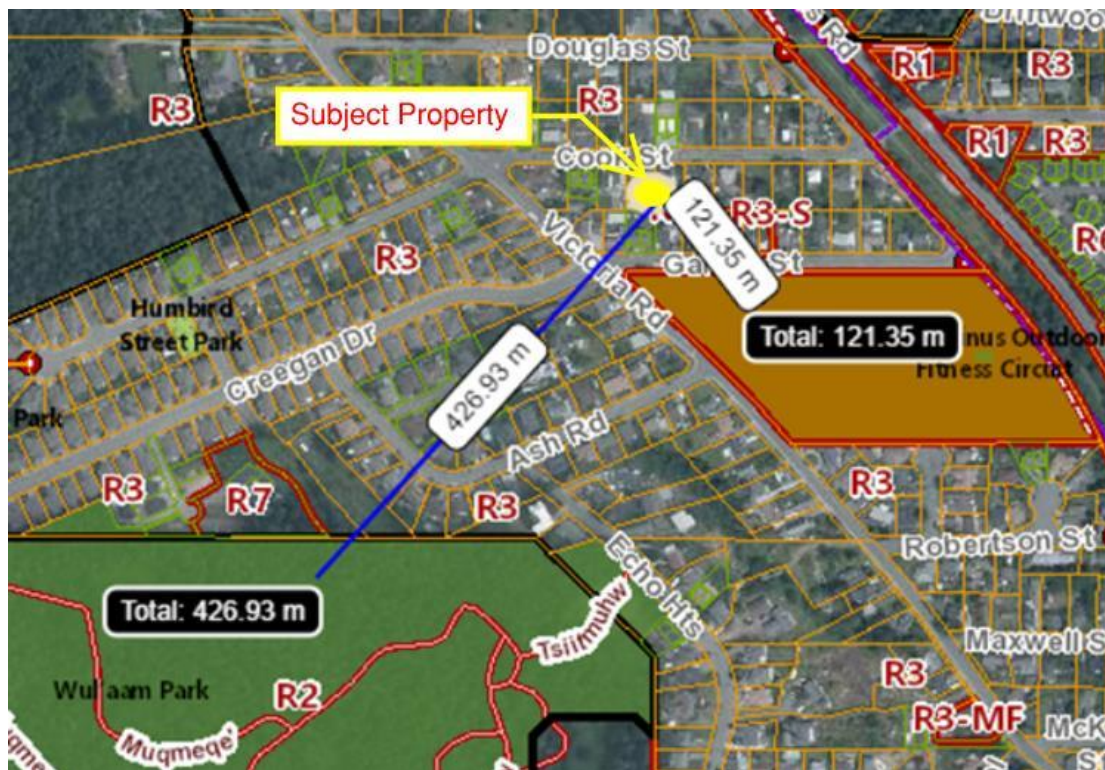
*The Municipality will strive to:*

- ❖ *Encourage development that creates compact communities and provides active climate-friendly ways to move around, social interactions, and a sense of community (sec. 3.1.4 e.; Assignment of Growth, p. 42).*
- ❖ *Encourage a range of ground-oriented housing opportunities in neighbourhood areas. **Residential development in these areas may include small lot single-detached houses** [author's bold], semi-detached houses, duplexes, cluster housing, townhouses, fee-simple row housing, multi-unit development in a single-detached form and garden suites/ cottages (sec. 5.1.2 g.; Diverse Housing Mix).*

*The Objective of the Residential Neighbourhood Designation includes to:*

- ❖ *Provide an opportunity for "gentle densification" where the impacts would not be significant in terms of ... character ... (sec. 3.2.6, p. 45).*

**Figure 1.** Proximity of the subject property to parks, schools, and community services



A zoning amendment proposal to facilitate single-family housing on small lots, such as requested for the subject property, aligns with the Official Community Plan's goals to focus on growth and development in this Residential Neighbourhood land use designation for "gentle densification" with low impact on the character of the neighbourhood, and to encourage a diverse mix of housing types (p. 22; p. 45) by:

- Maintaining the density potential of the subject property by permitting subdivision potential for a total of 2 single family dwellings on two R3-S zoned lots (versus the potential of a duplex on the subject property under the current R3 zoning) in close proximity to a school and community services.
- Retaining the character of this neighbourhood with future single-family housing on smaller lots as previously adopted on Garner Street southeast of the subject property.
- Diversifying the prevailing single and duplex housing in this neighbourhood of Chemainus with a smaller lot housing option.

### Future Subdivision & Permits

Should the rezoning be successful, the proposed future subdivision of the subject property may not meet the frontage requirements of the R3-S zone on Proposed Lot B. However, frontage requirements can be varied by the municipal Approving Officer at the time of subdivision (Delegation of Authority Bylaw 3814). It is anticipated that civil servicing of and access to future lots can be achieved and that a road dedication would be required at the time of subdivision, as shown on the applicant's site plan. Gaining a zoning amendment is necessary for the proposed subdivision but does not oblige or compel subdivision approval or fetter the Approving Officer's discretion.

### Conclusion

While this rezoning proposal for small lot housing would not strictly increase the overall residential density potential in this neighbourhood, this rezoning proposal would, however, provide housing diversity with a low impact on the character of this residential neighbourhood. The potential small lot housing would be located in close proximity to community services.

Staff support this rezoning proposal on the balance as it is consistent with the OCP Residential Neighbourhood's designation land use policy for gentle infill that is sensitive to the neighbourhood's character and provides housing type diversity to this neighbourhood of Chemainus.

Finally, should the *Housing Supply Act* or any other community zoning initiative be undertaken by public process and Council approval to permit secondary suites within zones exclusive to single-family dwelling uses, such as in the R3-S zone, it is recommended that a comprehensive approach be taken to apply to all such properties equally moving forward.

The Draft Zoning Amendment Bylaw No. 3918 is provided in Attachment 9.

**OPTIONS**

**1. (Recommended Option)**

THAT Council:

- (1) Give first and second readings to Zoning Amendment Bylaw No. 3918, 2023; and,
- (2) Schedule a Public Hearing for Zoning Amendment Bylaw No. 3918, 2023.

2. THAT Council deny application ZB000156 to amend Zoning Bylaw No. 2950, 1997, to permit the reclassification from R3 to R3-S zone at 3208 Cook Street.

**IMPLICATIONS**

Should Council adopt Bylaw No. 3918, the owner could proceed with an application for a two-lot subdivision of the subject property for future single-family dwelling small lot development after obtaining the subdivision approval and required building permits. Future development of the proposed lots would be required to comply with the R3-S zone unless further variances are applied for and granted by Council.

Should the zoning amendment application be denied, the applicant could not pursue a two-lot subdivision of the existing property within the existing R3 zone. Residential development would be restricted to the provisions of the R3 zone, and small lot housing diversity would not be achieved.

**RECOMMENDATION**

THAT Council:

- (1) Give first and second readings to Zoning Amendment Bylaw No. 3918, 2023; and,
- (2) Schedule a Public Hearing for Zoning Amendment Bylaw No. 3918, 2023.

Report prepared by:

Report reviewed by:

*Caroline von Schilling*



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Caroline von Schilling, MCIP, RPP  
Development Planner

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Chris Osborne, MCIP, RPP  
Acting Director, Planning and Building

**Approved to be forwarded to Council:**

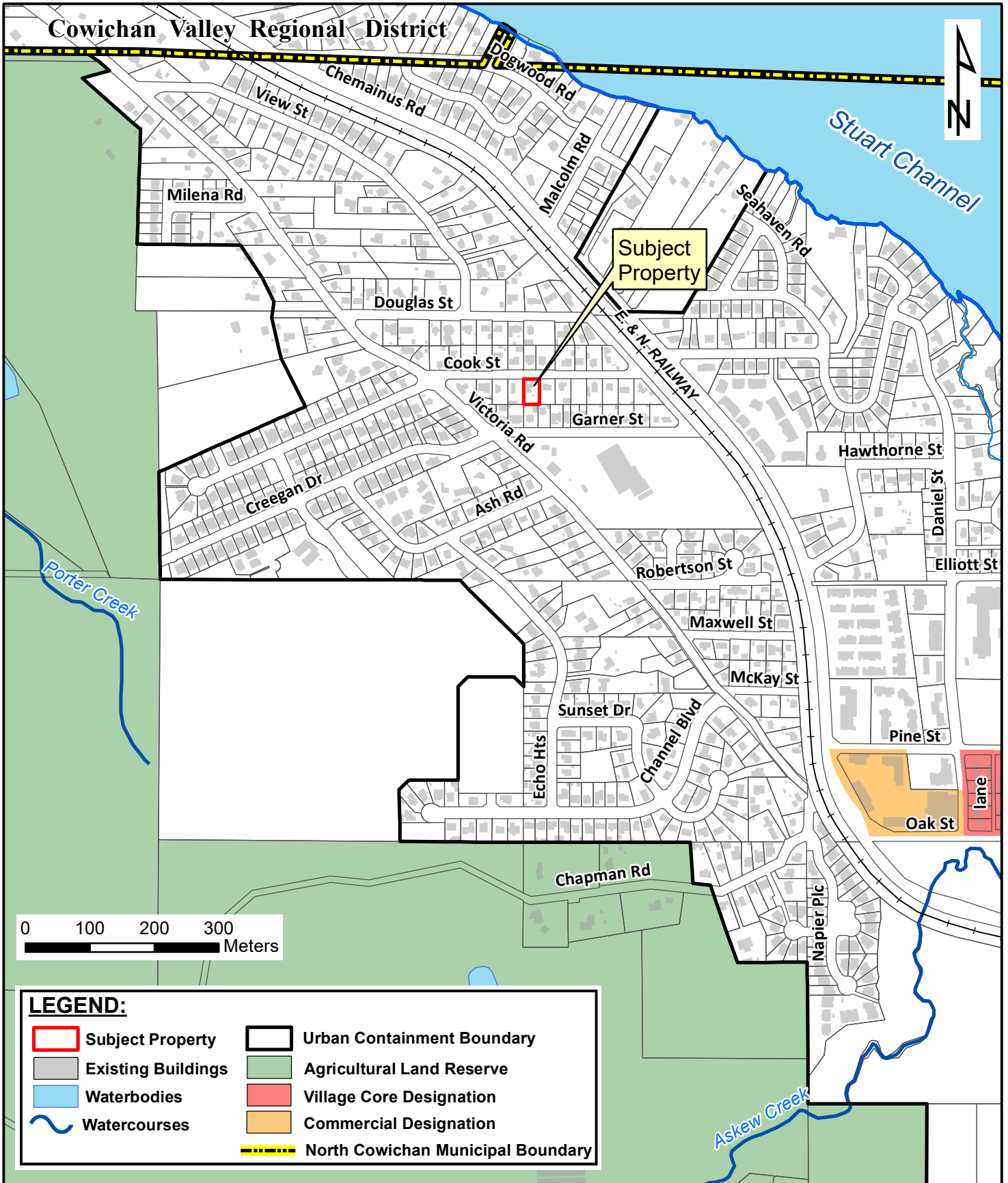


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Ted Swabey  
Chief Administrative Officer

Attachments:

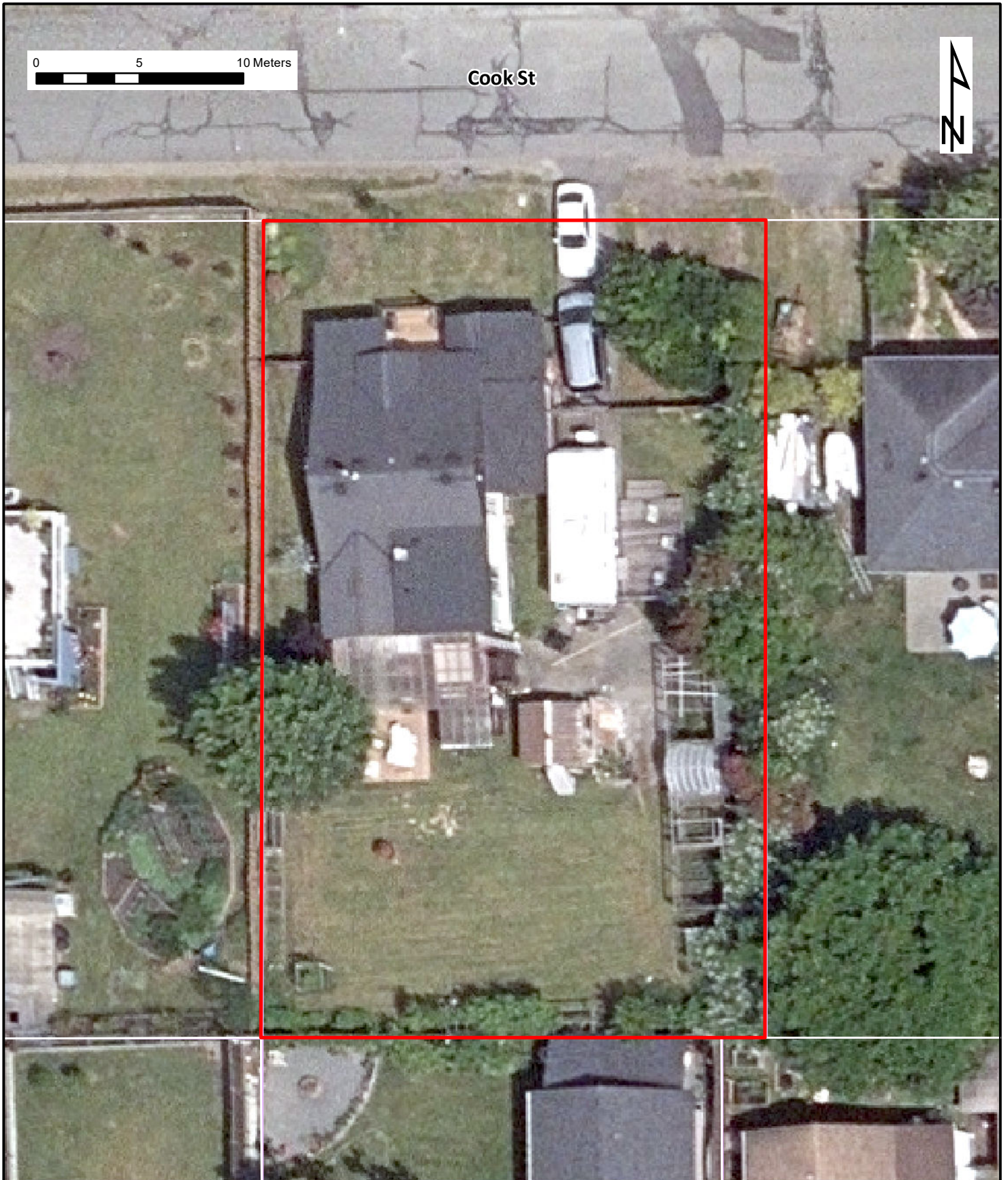
- (1) Location Map
- (2) Orthophoto
- (3) Zoning
- (4) R3 zone
- (5) R3-S zone
- (6) Rationale
- (7) Site Plan
- (8) Site Photos
- (9) Draft Bylaw 3918



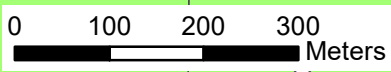
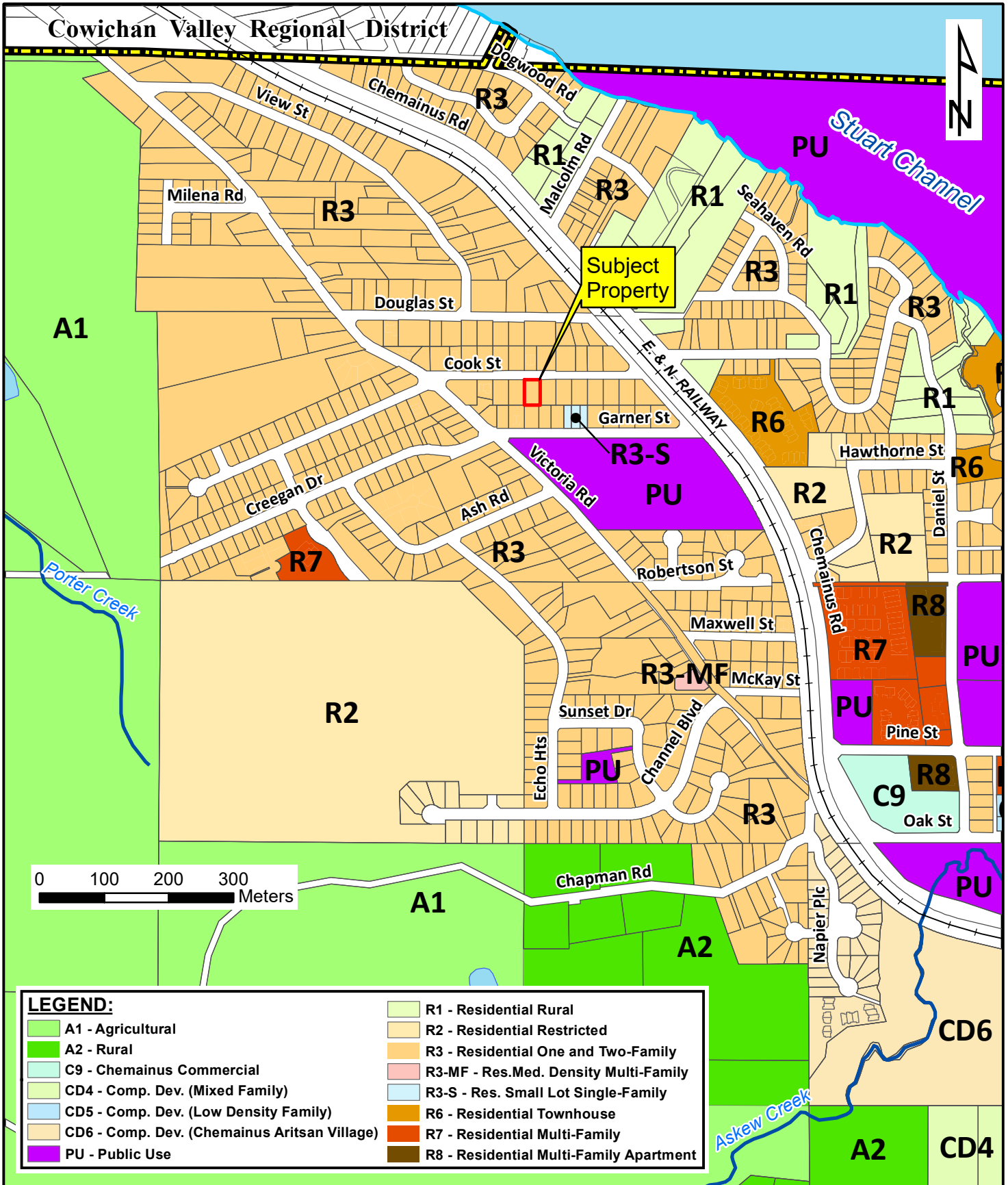
**LOCATION MAP**

3208 Cook Street

DATE:	June 21, 2023
TYPE:	Rezoning
FILE#:	ZB000156



	<b>ORTHOPHOTO MAP</b>	<b>DATE:</b>	June 21, 2023
	( Orthophoto is from 2022 aerial photography)	<b>TYPE:</b>	Rezoning
	3208 Cook Street	<b>FILE#:</b>	ZB000156



LEGEND:	
<span style="display:inline-block; width:15px; height:15px; background-color:#90EE90; border:1px solid black;"></span> A1 - Agricultural	<span style="display:inline-block; width:15px; height:15px; background-color:#E6B89C; border:1px solid black;"></span> R1 - Residential Rural
<span style="display:inline-block; width:15px; height:15px; background-color:#32CD32; border:1px solid black;"></span> A2 - Rural	<span style="display:inline-block; width:15px; height:15px; background-color:#FFDAB9; border:1px solid black;"></span> R2 - Residential Restricted
<span style="display:inline-block; width:15px; height:15px; background-color:#ADD8E6; border:1px solid black;"></span> C9 - Chemainus Commercial	<span style="display:inline-block; width:15px; height:15px; background-color:#FFA07A; border:1px solid black;"></span> R3 - Residential One and Two-Family
<span style="display:inline-block; width:15px; height:15px; background-color:#90EE90; border:1px solid black;"></span> CD4 - Comp. Dev. (Mixed Family)	<span style="display:inline-block; width:15px; height:15px; background-color:#F08080; border:1px solid black;"></span> R3-MF - Res. Med. Density Multi-Family
<span style="display:inline-block; width:15px; height:15px; background-color:#ADD8E6; border:1px solid black;"></span> CD5 - Comp. Dev. (Low Density Family)	<span style="display:inline-block; width:15px; height:15px; background-color:#87CEEB; border:1px solid black;"></span> R3-S - Res. Small Lot Single-Family
<span style="display:inline-block; width:15px; height:15px; background-color:#FFDAB9; border:1px solid black;"></span> CD6 - Comp. Dev. (Chemainus Aritsan Village)	<span style="display:inline-block; width:15px; height:15px; background-color:#FF8C00; border:1px solid black;"></span> R6 - Residential Townhouse
<span style="display:inline-block; width:15px; height:15px; background-color:#FF00FF; border:1px solid black;"></span> PU - Public Use	<span style="display:inline-block; width:15px; height:15px; background-color:#FF4500; border:1px solid black;"></span> R7 - Residential Multi-Family
	<span style="display:inline-block; width:15px; height:15px; background-color:#8B4513; border:1px solid black;"></span> R8 - Residential Multi-Family Apartment

	<b>LOCATION MAP</b>	DATE:	June 21, 2023
	3208 Cook Street	TYPE:	Rezoning
		FILE#:	ZB000156

## Residential One and Two-Family Zone (R3)

### Permitted Uses

- 58 (1) The permitted uses for the R3 zone are as follows:
- Agriculture
  - Assisted Living
  - Bed and Breakfast
  - Community Care Facility
  - Home-based Business
  - Secondary Suite
  - Single-Family Dwelling
  - Supportive Housing
  - Two-Family Dwelling [BL3302]

### Minimum Lot Size

- (2) A lot in the R3 zone must meet the minimum area requirements for the purposes of subdivision and use of the lot for permitted uses as follows:
- (a) Single-family dwelling, 450 m<sup>2</sup> (4,844 sq. ft.)
  - (b) Single-family dwelling with a secondary suite, 450 m<sup>2</sup> (4,844 sq. ft.)
  - (c) Two-family dwelling, 700 m<sup>2</sup> (7,535 sq. ft.) [BL3647, BL3674]
- (2.1) Despite section 58 (2) (b), a single-family dwelling with a secondary suite is permitted on 3133 Cook Street (Parcel Identifier: 027-873-200) with a lot area of 510 m<sup>2</sup> (5,490 sq. ft.). [BL3663]
- (2.2) Despite section 58 (2) (c), a two-family dwelling is permitted on Lot 15 of Plan 5756, on Sayward Road (PID: 001-503-120) with a lot area of 669 m<sup>2</sup> (7,201 sq. ft.). [BL3684]

### Minimum Frontage

- (3) The minimum permitted frontage in the R3 zone is as follows:
- (a) Single-family dwelling, 15 m (49.21'),
  - (b) Single-family dwelling with a secondary suite, 15 m (49.21'),
  - (c) Two-family dwelling, 23.0 m (75.46'). [BL3083, BL3674]

### Density

- (4) The maximum permitted density for the R3 zone is as follows:
- (a) The number of residential buildings shall not exceed one.
  - (b) The maximum permitted floor space ratio is 0.5:1.
  - (c) The number of residential units per building shall not exceed two. For strata buildings/lots, each strata unit constitutes one residential unit.
  - (d) [Repealed, BL3754]
  - (e) Despite the foregoing, a maximum of 2 residential buildings, with a total combined maximum of 2 residential dwelling units, is permitted on 3340 Cowichan Lake Road (PID: 001-375-482). [BL3668]

### Maximum Lot Coverage

- (5) The maximum permitted lot coverage for the R3 zone is as follows:
- (a) 30% of the lot area for lots of 650 m<sup>2</sup> (7,000 sq. ft.) or larger; and
  - (b) 35% of the lot area for lots less than 650 m<sup>2</sup> (7,000 sq. ft.).

### Minimum Setbacks

- (6) The minimum permitted setbacks for the R3 zone are as follows:
  - (a) Principal Buildings
    - Yard, Front, 5.0 m (16.40')
    - Yard, Side, 2.0 m (6.56')
    - Yard, Side when adjacent to a lane or street, 3.0 (9.8')
    - Yard, Rear, 7.5 m (24.6') [BL3323]
  - (b) Accessory Buildings and Structures (Excluding Fences)
    - Yard, Front, 5.0 m (16.40')
    - Yard, Side, 1.0 m (3.28')
    - Yard, Rear, 1.5 m (4.92') [BL3323]
  
- (6.1) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a public road other than a lane is 5.8 m (19.03'). [BL3150]

### Maximum Building Height

- (7) The maximum permitted building heights for the R3 zone are as follows:
  - (a) Principal Building, 9.0 m (29.53')
  - (b) Accessory Building, 5.0 m (16.40')

### Conditions of Use

- (8) The conditions of use for the R3 zone are as follows:
  - (a) [Repealed. BL3891]
  - (b) [Repealed. BL3891]
  - (c) [Repealed. BL3891]
  - (d) Bed and breakfast uses may have no more than three sleeping units.
  - (e) Bed and breakfast uses in a single-family dwelling must be an accessory use and shall not be the principal use.
  - (f) [Repealed, BL3758]
  - (g) [Repealed, BL3674]
  - (h) For a lot created prior to March 31, 2000, a single-family dwelling, two-family dwelling, or secondary suite is permitted on any lot. [BL3323, BL3418]
  - (i) Limited farm sale of agricultural products may be sold directly to the public provided that:
    - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
    - (ii) the covered retail sales area does not exceed 100 m<sup>2</sup> (1076.4 sq. ft.); and
    - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
  - (j) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that
    - (i) the number of residents does not exceed three, and
    - (ii) the use is within a single-family dwelling unit only, which for clarity does not include a two-family dwelling. [BL3083; BL3302; BL3323; BL3418]

### Driveway Width

- (9) Individual driveway widths shall not exceed 6.0 m (19.68') of the lot frontage for each dwelling.

**Residential Small Lot Single-Family Zone (R3-S)** [BL3196]**Permitted Uses**

- 58.1 (1) The permitted uses for the R3-S zone are as follows:  
 Single-Family Dwelling  
 Home-based Business

**Minimum Lot Size**

- (2) The minimum permitted lot size for the R3-S zone is 325 m<sup>2</sup> (3,498 sq. ft.).  
 (3) Despite subsection (2) the minimum lot size for a panhandle lot, excluding the panhandle, is 450 m<sup>2</sup> (4,844 sq. ft.).  
 (4) A Streamside Protection Area, under the *Fish Protection Act*, shall not be included in the calculation of minimum lot area.

**Minimum Frontage**

- (5) Excepting panhandle lots, the minimum permitted frontage for the R3-S zone is as follows:  
 (a) 11.5 m (37.73') where the lot frontage is on a highway;  
 (b) 8.0 m (26.25') where the lot frontage is on a cul-de-sac.

**Density**

- (6) The maximum permitted density for the R3-S zone is as follows:  
 (a) The number of residential buildings shall not exceed one;  
 (b) The maximum permitted floor space ratio is 0.5:1.

**Maximum Lot Coverage**

- (7) The maximum permitted lot coverage of the R3-S zone is 40% of the lot area.

**Minimum Setbacks**

- (8) The minimum permitted setbacks for the R3-S zone are as follows:  
 (a) Principal Buildings  
 Yard, Front, 4.5 m (14.76')  
 Yard, Side, 1.5 m (4.92')  
 Yard, Side when adjacent to a highway, 3.0 m (9.84')  
 Yard, Rear, 6.0 m (19.68')  
 (b) Accessory Buildings and Structures (Excluding Fences)  
 Yard, Front, 5.0 m (16.4')  
 Yard, Side, 1.0 m (3.28')  
 Yard, Rear, 1.0 m (3.28')  
 (c) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 m (19.03').

**Maximum Building Height**

- (9) The maximum permitted building heights for the R3-S zone are as follows:  
 (a) Principal Building, 9.0 m (29.53')  
 (b) Accessory Building, 5.0 m (16.4')

**Conditions of Use**

- (10) The conditions of use for the R3-S zone are as follows:  
 (a) [Repealed. BL3891]  
 (b) [Repealed. BL3891]  
 (c) [Repealed. BL3891]  
 (d) Where a rear lane is available, vehicular access to the lot is only permitted from the lane;  
 (e) Only one garage or carport shall be allowed per lot.

Sang kyun Kim/ Jong hyun lee

FIPPA s. 22(1)

Dear North Cowichan Mayor and Council.

I write a letter of intent with the goal of rezoning and subdivision of my property. I believe this will benefit the neighborhood by adding another housing/ property which gives an opportunity for another family to move in. The property is also close to the elementary school so it's perfect for a family with young children as well. There has already been a similar subdivision on Garner Street. We will remove any building needed to go through with this plan. Thank you.

PROPOSED SUBDIVISION OF LOT 20,

BLOCK 1, SECTION 19, RANGE 4, CHEMAINUS DISTRICT, PLAN 4615

Civic Address 3208 Cook Street, Chemainus B.C.

PID 005-983-681

Scale = 1 : 500

**LEGEND**

All distances are in metres.

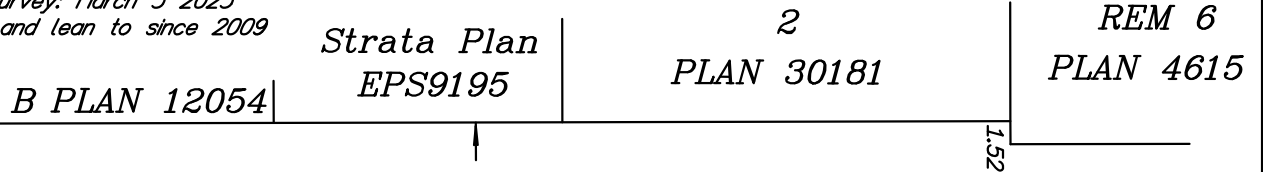
Lot dimensions derived from Plan 4615

Offsets shown to outside finished surface of walls

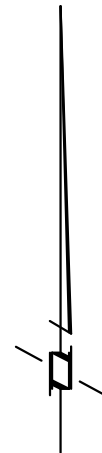
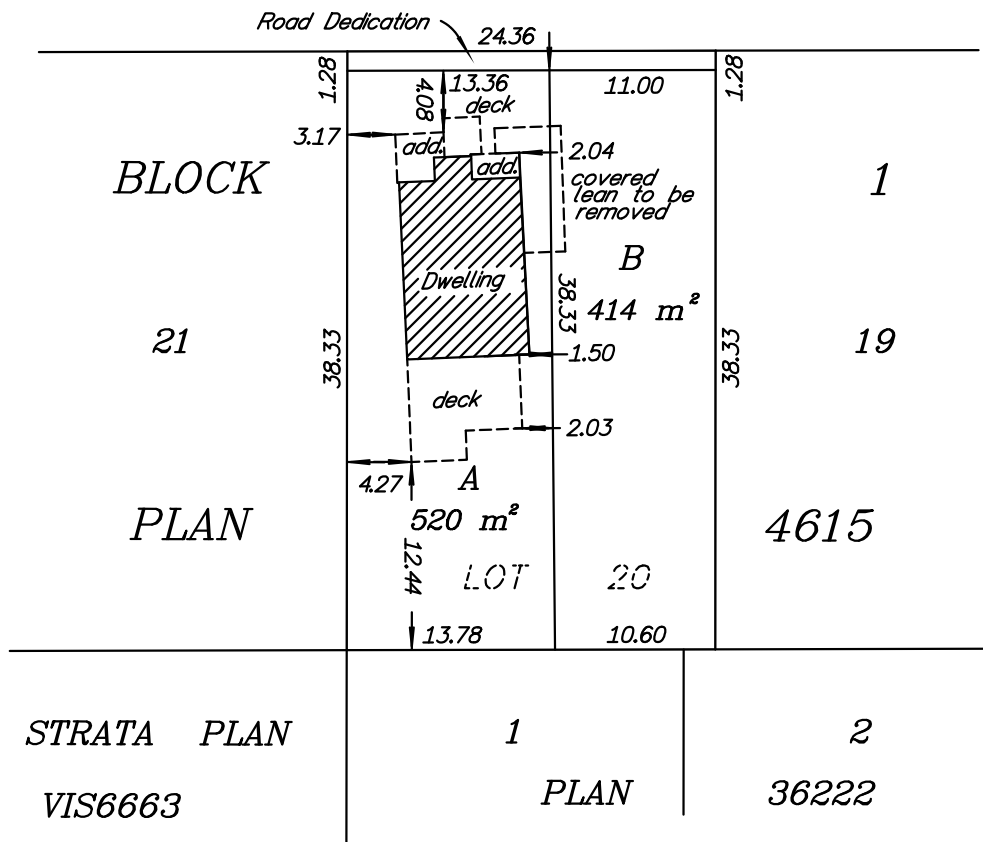
Date of Field Survey: September 10, 2009

Date of Field Survey: March 3 2023

Additions, decks and lean to since 2009



COOK STREET



PROJECT: Proposed Subdivision

CLIENT: Tiger Kim & Jong Hyun Lee

**G.W. LINDBERG LAND SURVEYING INC.**

Professional Land Surveyor  
Surveying & Geomatics Services

9261 Chemainus Road Tel. (250) 246-9393  
Chemainus, B.C. V0R 1K5 Fax (250) 246-9393  
Email gwlinberg@shaw.ca

Calcs., GWL  
Drawn by: GWL Date: 05-05-2023 DWG # updated  
GWL021-1172 -PROPOSAL







The Corporation of the District of North Cowichan

**Zoning Amendment Bylaw**

BYLAW NO. 3918

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*A bylaw to amend Zoning Bylaw 1997, No. 2950, to reclassify  
3208 Cook Street from R3 to R3-S.*

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

**Citation**

1 This Bylaw may be cited as *"Zoning Amendment Bylaw No. 3918, 2023"*.

**Amendment**

2 Zoning Bylaw 1997, No. 2950, Schedule "C" is amended by reclassifying 3208 Cook Street (PID: 005-983-681) from Residential One and Two-Family Zone (R3) to Residential Small Lot Single Family Zone (R3-S), as shown outlined in black in Schedule 1 attached to and forming part of this Bylaw.

\_\_\_\_\_  
READ a first time on \_\_\_\_\_.

READ a second time on \_\_\_\_\_.

This bylaw was advertised on the municipality's social media sites on \_\_\_\_\_, in the Cowichan Valley Citizen and the Chemainus Valley Courier on \_\_\_\_\_ and was posted to the municipality's public notice places on \_\_\_\_\_.

CONSIDERED at a Public Hearing on \_\_\_\_\_.

READ a third time on \_\_\_\_\_.

ADOPTED on \_\_\_\_\_.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
PRESIDING MEMBER

Schedule "1" to accompany "Zoning  
Amendment Bylaw No. 3918, 2023".

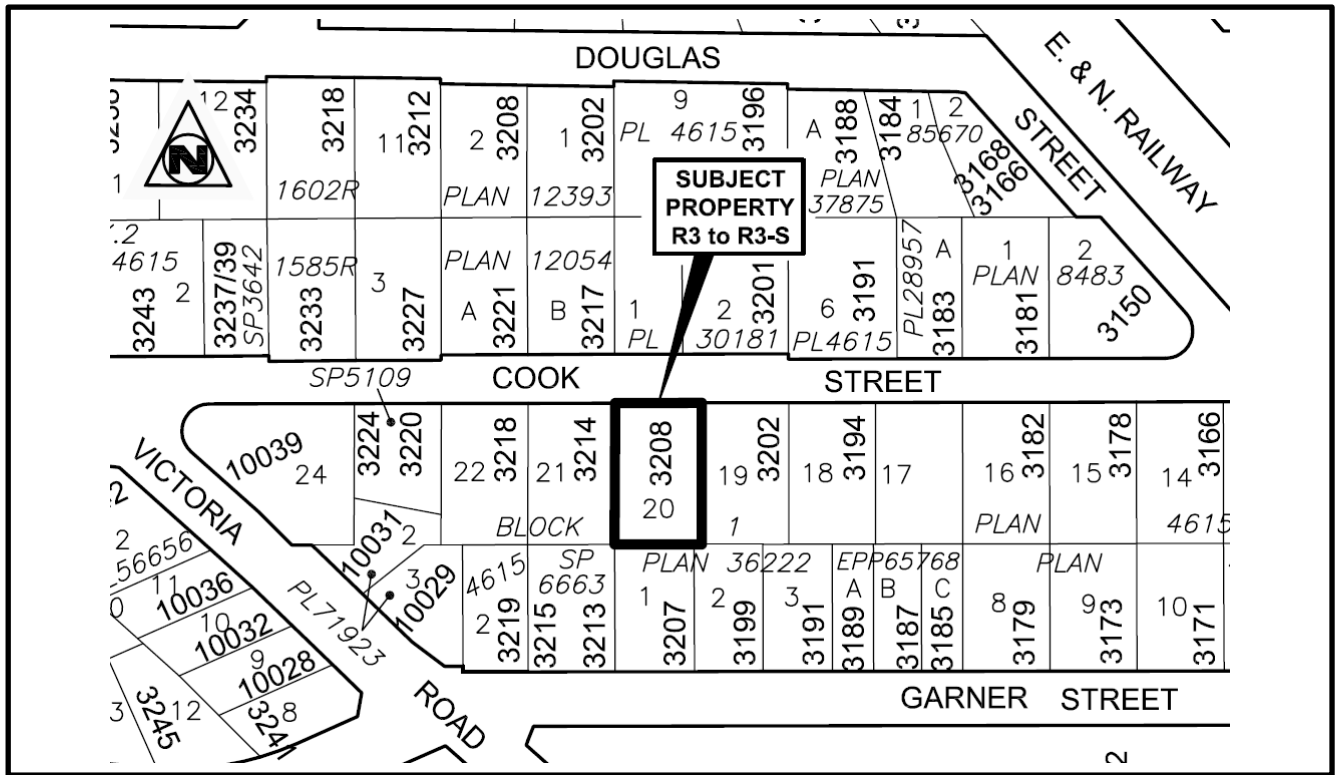
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Presiding Member

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Corporate Officer

# SCHEDULE "1"



# **COUNCIL MINUTES**

- (4) consult under Section 476 of the *Local Government Act* with School District 79 in relation to Official Community Plan Amendment Bylaw No. 3914, 2023;
- (5) consider Official Community Plan Amendment Bylaw No. 3914, 2023, in conjunction with the North Cowichan 2022 Five-Year Financial Plan; and,
- (6) considers Official Community Plan Amendment Bylaw No. 3914, 2023, in conjunction with the Cowichan Valley Regional District Solid Waste Management Plan (as amended) and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council defer the following motions, moved, seconded, and severed to the August 16, 2023, Regular Council meeting:

- (1) *THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 3914, 2023.*
- (2) *THAT Council give first and second reading to Zoning Amendment Bylaw No. 3915, 2023.*
- (3) *THAT Council direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023, and Zoning Amendment Bylaw No. 3915, 2023.*

CARRIED

#### **7.4 Zoning Amendment Bylaw No. 3916, 2023 for first and second readings**

IT WAS MOVED AND SECONDED:

THAT Council:

- 1. Give first and second readings to Zoning Amendment Bylaw No. 3916, 2023; and,
- 2. Authorize a Public Hearing for Zoning Amendment Bylaw No. 3916, 2023.

CARRIED

#### **7.5 Zoning Amendment Bylaw No. 3918, 2023 for first and second readings**

IT WAS MOVED AND SECONDED:

THAT Council:

- 1. Give first and second readings to Zoning Amendment Bylaw No. 3918, 2023; and,
- 2. Schedule a Public Hearing for Zoning Amendment Bylaw No. 3918, 2023.

CARRIED

#### **7.6 Miscellaneous Offences and Fines Amendment Bylaw No. 3922 for first three readings**

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to Miscellaneous Offences and Fines Amendment Bylaw No. 3922, 2023 CARRIED

### **8. REPORTS**

# **PUBLIC COMMENTS**

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**(NO COMMENTS RECEIVED TO DATE)**