

Memo

Date August 5, 2025

From Chris Osborne, RPP, MCIP, Manager of Planning

Subject Zoned Capacity Analysis: Housing Units

Purpose

To provide an estimate of the quantity of housing units currently permitted by zoning in North Cowichan, not including existing units.

Bill 44 (Small Scale Multi Unit Housing)

Bill 44 required the Municipality to zone for 4UaOR (4 units as-of-right) (for all lots greater than 280m²) within the Urban Containment Boundary (UCB) and 2UAoR for all lots outside the UCB that currently permit single family use.

To find the number of lots subject to this zoning, it is necessary to identify all the zones subject to Bill 44 zoning, then count the number of lots within each zone. More challenging is then to establish how many units physically exist on these lots.

Some of this work has been done in the context of establishing buildout projections for the purposes of infrastructure modeling.

The OCP's "Neighbourhood" designation is a sufficiently good proxy for where Bill 44 zoning applies. While it may also apply currently within "Village Residential" or "Village Core" areas, the intent in these areas is to achieve much higher unit counts through individual rezoning decisions that allow for multifamily development. These are therefore excluded.

As of 2024, the *Neighbourhood* designation contained parcel numbers for the formerly "restricted" zones as follows:

- R1: 370 lots
- R2: 1,090 lots
- R3: 4,566 lots

This yields a total of 6,026 lots within the UCB subject to Bill 44 provisions. At 4 units/lot this represents a total zoned capacity of **24,104** units.

Outside UCB

As of 2024, the *Rural Residential* and *Agriculture, Forestry & Conservation* designations contained parcel numbers for the formerly “restricted” zones as follows:

Zone	Rural Residential	AFC
A1	7	425
A2	419	829
A3	413	125
R1	1,823	99
R2	16	1
R3	40	38
TOTAL	2,718	1,517

There are a total of 4,235 lots outside the UCB that were zoned for a single family dwelling (not including zones where an accessory dwelling is a permitted use). Given that a minimum 2 units per lot must be permitted, there is a total zoned capacity of **8,470** units outside the UCB within these six zones.

The total zoned capacity of these six zones, both inside and outside the UCB is **32,574** units. From the total zoned capacity associated with this pool of lots must be subtracted the existing units, leaving the residual zoned capacity.

Use Class codes provide vital information about the type of residential development on a parcel. Non-residential use classes were not counted; therefore, only use codes lying between 000 and 070 were counted. For example, where a parcel address has a “triplex” use class, a multiplier of 3 was applied to reflect the number of units associated with the single parcel address (in the case of a building strata). Bareland strata units remain individually countable.

According to Use Class codes, an estimated **12,048** units (both fee-simple and strata) exist within the following types:

- Single Family Dwelling
- Secondary Suite
- Detached ADU
- Duplex
- Townhouse

The assumption is that all of these units lie within the six zones and three OCP LUDs identified above, but in reality there will be a number within the Future Growth, Village Residential and Village Core LUDs. This means the estimated total of 12,048 is likely an overestimate; and therefore, when subtracted from total zoned capacity, the residual zoned capacity is likely an underestimate. This adds some conservatism to the analysis.

The residual zoned capacity of lots both inside the UCB affected by Bill 44 zoning (4UAoR) and outside the UCB affected by Bill 44 zoning (2UAoR) is:

$$32,574 - 12,048 = 20,526 \text{ units}$$

For infrastructure modelling purposes, a 100% Bill 44 uptake in established residential areas within anything less than a 90+ year timescale is wholly unrealistic. Instead, it has been assumed that suites will eventually be present in most single family dwellings and that over a 20+ year time period a 50% realization of Bill 44 development rights (which includes all existing units) may be approached.

Under this assumption, the residential 20 year build out would be half of the zoned capacity, which is 16,287 units. Subtracting the existing units yields an additional **4,239** units.

Comprehensive Development Zones (CDZs)

The zoning bylaw contains a number of CDZs, some of which are longstanding, others of which are new. Each zone was examined to ascertain the extent to which it has been built out and to estimate how many potential unbuilt units remain permitted by the zoning. This exercise is imprecise for the following reasons:

- Some CDZs do not prescribe a well-defined density maximum (e.g. CD6 Artisan Village)
- Where a numerical maximum is defined, it may be practically unachievable due to land used for internal roadways, park dedication, etc. (e.g. CD13)
- Some CDZs are under active development, whereby new units are essentially “fixed” and vacant lots have a greater potential to see Bill 44 densities (e.g. CD18 Kingsview)
- The CDZ may be predicated on a yet-unknown subdivision scheme (e.g. CD20 The Commons, CD13)
- Bill 44 applies to some CDZs.

The results of this review are contained below. These estimates are produced on a “without prejudice” basis and do not indicate Municipal approval of any application or scheme in particular. Where Bill 44 would apply, either a 100% or 50% uptake has been assumed. 100% uptake of Bill 44 is an appropriate assumption where the land is not yet built on (i.e. single family dwellings have not been established) and therefore the ability to realize 4UAoR has not been compromised by existing built form. Where subdivision is still required, a 50% discount has been applied to reflect land requirements for roads, parks and infrastructure, which is undevelopable for residential purposes.

Together, the CDZs are estimated to contain a potential further **3,267** units of housing.

CDZ	Name	Comments	Remaining Zoned Capacity Estimate
CD1	The Cliffs	1.8 ha parcel, density 1 dw/275m2, assumes 50% Bill 44 uptake.	88
CD2	Chemainus Quay	Foreshore lot. Floating concept, does not include Bill 44.	47
CD4	Mixed Family Zone	Final phase currently being built out, assumes 50% Bill 44 uptake.	116
CD6	Chemainus Artisan Village	Developer intent for ~500 units (apartments, townhomes, duplexes)	500
CD8	Maple Bay School Site	0.67 ha site, mix of ICI uses + accessory dwelling. See ZB s 80.8	1
CD9	Multifamily Comprehensive	Phillip St. 0.75 FAR, 984m2 lot	8
CD10	Urban Med. Density	Fully built out (Apartments and Townhomes), no residual capacity left	0
CD11	Healthcare Services	New hospital under construction at 6775 Bell McKinnon	0
CD12	Residential Two-Family	Fully built out, assumes 50% B44 uptake.	52
CD13	Ground-oriented Urban Resi	1.3ha, Elm Rd, Chemainus	69
CD14	University Village Mid Rise	1,670m2 lot, 3:1 FSR Apartments	53
CD15	Mixed Use Residential	Sherman Rd AH project 34 family-oriented townhomes, 58 apts	92
CD16	Mixed Use Core Commercial	9800 Willow St 665m2, 2.5FSR Full residential buildout precludes ICI uses	21
CD17	Congregate Housing	4004 Crossland Pl, apartments built out	0
CD18	Kingsview	Kingsview, mixture of B44 types, townhomes	759
CD19	University Village Mixed	Full residential buildout, multifamily	600
CD20	The Commons	Assumes subdivision with partial uptake of Bill 44	800
CD21	Motorsport		0
CD22	Paddle Rd N	Rezoned for 126 apartment units	0
CD23	Ford Rd S	Rezoned for 143 apartment units	0
CD24	Village Residential Infill	PID proxy for point load	6
CD25	Gilana Pl	Already built out	0
CD26	Drinkwater Multifamily	Rezoned for 55 apartment units	55
		TOTAL	3267

Summary

Under reasonable assumptions, the 20-year buildout within lots under six zones affected by Bill 44 zoning is an additional 4,239 units; however, the total zoned capacity is over 25,000 units. In addition, the Comprehensive Development Zones are a form of “pre-zoning” which are estimated to contain a residual potential 3,267 units.

Even assuming Bill 44 rights will not exceed 50% uptake (including existing), **the Municipality’s zoned capacity is therefore estimated to be at least 7,506 units and up to at least 20,000 units.** Either metric exceeds the 7,023 units required under the *Local Government Act*.

These estimates also do not include any zoning decisions Council may make subsequent to these analysis, such as rezoning low-density parcels for multifamily development, particularly within the Village Core and Village Residential LUDs.

The conclusion is that the zoning bylaw already provides for a quantity of housing units significantly in excess of the 20-year supply identified within the IHNR and therefore does not need further amendment to accommodate this LGA requirement.

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5 August 2025