



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, Section 12 [Definitions] is amended by inserting the following definition:
"residential rental tenure" means, in relation to a dwelling unit, a tenancy governed by a tenancy agreement that complies with the *Residential Tenancy Act*."
- 3 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)".
- 4 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	26 m (85.3')
		2	26 m (85.3')
		3	26 m (85.3')
		4	12 m (39.4')
		5	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.

Conditions of Use

- (9) 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) In Area 1 and/or Area 5, a minimum of 20% of all dwelling units (or 37 dwelling units, whichever is greater) shall have a form of tenure that is "residential rental tenancy".

Area Boundaries

- (10) The Areas and Area boundaries for the CD22 zone shall be as set out in Schedule I-3.
- (11) 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."

- 5 Zoning Bylaw No. 2950 is amended by inserting Schedule I-3 as shown on Schedule 1 attached to and forming part of this bylaw.
- 6 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.

CONSIDERED at a Public Hearing on

READ a third time on

APPROVED by Ministry of Transportation and Infrastructure on

COVENANT registered on

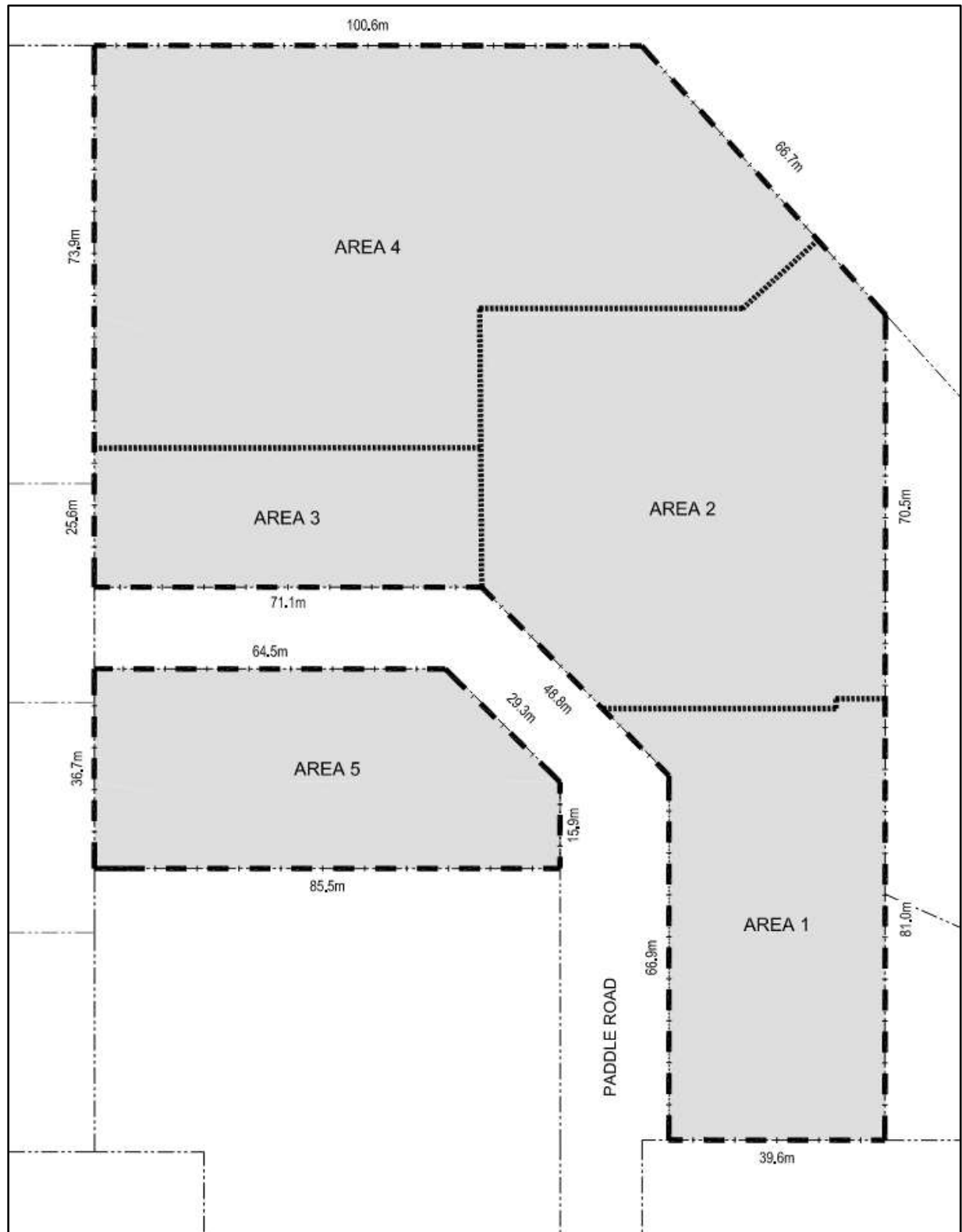
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule 1

Schedule "I-3"



Schedule 2

