

**Municipality of North Cowichan
Special Council
AGENDA**

Monday, May 15, 2017, 6:00 p.m.
Municipal Hall - Council Chambers

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA

Recommendation:

That Council approve the agenda as circulated [or as amended].

3. PUBLIC HEARING

3.1 Bylaw 3614 - "Zoning Amendment Bylaw (No. 2 - Donnay Drive), 2016"

2 - 6

Purpose: To hear from the public and afterwards vote on Bylaw 3614, regarding the proposed rezoning of 3 lots on Donnay Drive from Residential Rural (R1) zone to a new comprehensive development zone, to facilitate a 29-lot subdivision.

4. ADJOURNMENT



The Corporation of the District of North Cowichan
Zoning Amendment Bylaw (No. 2 - Donnay Drive), 2016
Bylaw 3614

The Council of The Corporation of the District of North Cowichan enacts as follows:

1 "Zoning Bylaw 1997", No. 2950, is amended

(a) in section 43 by adding "Residential Two-Family Comprehensive Development Zone (CD12)", and

(b) by adding the following section after 80.11:

Residential Two-Family Comprehensive Development Zone (CD12)

Permitted Uses

80.12 (1) The permitted uses for the CD12 zone are as follows:

Accessory Dwelling Unit, Coach House
Accessory Dwelling Unit, Garden Suite
Assisted Living
Community Care Facility
Limited Home-Based Business
Secondary Suite
Single-Family Dwelling
Supportive Housing
Two-Family Dwelling

Minimum Lot Size

- (2) The minimum permitted lot size for a two-family dwelling or a single-family dwelling with an accessory dwelling unit in the CD12 zone is 600 m² (6,458 sq. ft.)
- (3) The minimum permitted lot size for a single-family dwelling or a single-family dwelling with a secondary suite in the CD12 zone is 450 m² (4,844 sq. ft.)

Minimum Frontage

- (4) The minimum permitted frontage in the CD12 zone is as follows:
- (a) with public lane access, 13.5 m (44.29');

- (b) without public lane access, 15.0 m (49.21')

Density

- (5) The permitted density for the CD12 zone is as follows:
 - (a) The total maximum combined number of dwelling units for Lots 2 to 4, Plan VIP89429 is 39.
 - (b) The number of dwelling units per lot must not exceed two;
 - (c) The maximum permitted floor space ratio is
 - (i) 0.5:1 for one residential building; or
 - (ii) 0.65:1 for two residential buildings;
 - (d) The size of an accessory dwelling unit must not exceed 90 m² (968.75 sq. ft.)

Maximum Lot Coverage

- (6) The maximum permitted lot coverage for the CD12 zone is as follows:
 - (a) 35% for principal buildings,
 - (b) 40% for all buildings and structures combined, except where an accessory building contains a dwelling unit, the maximum permitted lot coverage may be increased to 45%.

Minimum Useable Exterior Amenity Space

- (7) The useable exterior at-grade amenity space for the accessory dwelling unit must not be less than 40 m² (430.56 sq. ft.) and must be immediately adjacent to and accessible from the entry of the dwelling unit.

Minimum Setbacks

- (8) The minimum permitted setbacks for the CD12 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 highway, 3.0 m (9.84')
 - Yard, Rear, 7.5 m (24.61')
 - (b) Accessory Buildings and Structures, excluding fences:
 - Yard, Front, 5.0 m (16.40')
 - Yard, Side, 1.5 m (4.92')
 - Yard, Rear, 1.5 m (4.92')

- (9) Despite section 80.12 (8), the minimum permitted setback for principal and accessory buildings and structures from any lot line shared with Strata Lot 2, Strata Plan VIS1791 is 10 m (32.8’).
- (10) The minimum permitted setback for any garage door or carport for a principal or accessory building facing a public road other than a lane is 5.8 m (19.03’).

Maximum Building Height

- (11) The maximum permitted building heights for the CD12 zone are as follows:
 - (a) Principal Building, 9.0 m (29.53’);
 - (b) Accessory Building with Coach House over parking garage, 7.5 m (24.61’);
 - (c) Accessory Dwelling Unit, Garden Suite, 5.0 m (16.40’);
 - (d) Accessory Building with no Coach House, 5.0 m (16.40’).

Maximum Eaveline Height

- (12) The maximum permitted eaveline height for a building containing an accessory dwelling unit, coach house is 5.5 m (18.04’).

Conditions of Use

- (13) The conditions of use for the CD12 zone are as follows:
 - (a) Accessory Dwelling Unit, Coach House or Garden Suite, Secondary Suite, and Two-Family Dwelling are not permitted on any parcel within 25 m (82’) of Strata Lot 2, Strata Plan VIS1791;
 - (b) 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 the principal building only;
 - (c) No fences are permitted over:
 - (i) 1.2 m (3.94’) in height in the required yard, front;
 - (ii) 1.8 m (5.91’) in height in the required yard, side or yard, rear;
 - (d) Driveway access must be shared by both the principal building and accessory building;
 - (e) If a lane exists, all site parking must be accessed from the lane and not from the street.

- (f) If a lane exists, all lanes must consist of a 6.0 m (19.68') wide, centre-crown, paved surface, with concrete curb and gutter on both sides of the lane, despite Schedule "B" of Bylaw 1851 [*Subdivision and Control Bylaw, 1979*].

2 Schedule "C" of "Zoning Bylaw 1997", No. 2950, is amended by reclassifying from Residential Rural Zone (R1) to Residential Two-Family Comprehensive Development Zone (CD12), Lots 2, 3 and 4, Section 3, Range 3, Comiaken District, Plan VIP89429 (PID: 028-868-625, 028-868-633, 028-868-641), shown as "Subject Properties" and outlined in bold on the Schedule attached to and forming part of this bylaw.

READ a first time on May 18, 2016
READ a second time on May 18, 2016
CONSIDERED at a Public Hearing on June 15, 2016
READ a second time as amended on October 5, 2016
CONSIDERED at a second Public Hearing on October 13, 2016
READ a third time on October 28, 2016
RESCINDED third reading on November 16, 2016
CONSIDERED at a third Public Hearing on
READ a third time on
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule

