



## **TOWN OF LAKE COWICHAN**

ZONING BYLAW NO. 1055-2021

**Consolidated as of June 25<sup>th</sup>, 2024**

**Changes include Bylaw Nos. 1079 and 1080, Schedule "A"**

### **A Bylaw to Establish Zones**

#### **And to Regulate the Use of Land, Buildings and Structures within the Zones**

**WHEREAS** the Local Government Act of Province of British Columbia authorizes a local government to enact bylaws, which would designate different zones pertaining to land use and development of the Town of Lake Cowichan;

**AND WHEREAS** the Council wishes to adopt regulations that would guide the growth of the municipality in a systematic and orderly way for the benefit of the community by ensuring that the various uses of land and improvements are developed for the public good;

**AND WHEREAS** the passage of this bylaw has met all the requirements pursuant to the Local Government Act;

**NOW THEREFORE** the Council of the Town of Lake Cowichan in open meeting assembled, enacts the following:



**TABLE OF CONTENTS**

PART I. GENERAL PROVISIONS ..... 3

    1.1 TITLE ..... 3

    1.2 PURPOSE ..... 3

    1.3 AUTHORITY ..... 3

    1.4 APPLICATION ..... 3

    1.5 CONFORMITY ..... 3

    1.6 SEVERABILITY ..... 3

    1.7 INCORPORATION ..... 3

PART II. ADMINISTRATION ..... 4

    2.1 INSPECTION ..... 4

    2.2 VIOLATIONS ..... 4

    2.3 OFFENCE ..... 4

    2.4 PENALTY ..... 4

    2.5 TEMPORARY USES ..... 4

PART III. INTERPRETATION ..... 5

    3.1 NUMBERING ..... 5

    3.2 DEFINITONS ..... 5

PART IV. LAND USE CATEGORIES AND REGULATIONS ..... 13

    4.1 ZONING CATEGORIES ..... 13

    4.2 LOCATION AND EXTENT OF LAND USES ..... 14

    4.3 GENERAL REGULATIONS, REQUIREMENTS AND PROVISIONS ..... 14

    4.4 COMMUNITY CARE FACILITY ..... 19

    4.5 GENERAL PROVISIONS FOR BACKYARD HENS ..... 19

PART V. REGULATIONS FOR EACH ZONE ..... 21

    5.1 LOW AND MEDIUM DENSITY RESIDENTIAL ZONE DISTRICTS ..... 21

    5.2 MULTI-UNIT RESIDENTIAL ZONE DISTRICT—R-7 ..... 28

    5.3 COMMERCIAL ZONES ..... 31

    5.4 INDUSTRIAL ZONES ..... 34

    5.5 P-1 PUBLIC USE ZONE ..... 36

    5.6 W-1 WATER RECREATION ZONE ..... 37

    5.7 CD-1 – COMPREHENSIVE DEVELOPMENT ZONE ..... 39

    5.8 CD-2 TINY HOUSE RESIDENTIAL (THR) COMPREHENSIVE DEVELOPMENT ZONE ..... 40

PART VI. CONDITIONS FOR SHORT TERM VACATION RENTALS ..... 42

PART VII. TRANSITION ..... 43

SCHEDULE 'A' ZONING MAP ..... 44

SCHEDULE 'B' PARKING SPACES ..... 45

SCHEDULE 'C' DENSITY BONUS CALCULATIONS AND AMENITY CONTRIBUTIONS ..... 57



**PART I. GENERAL PROVISIONS**

**1.1 TITLE**

This bylaw may be cited for all purposes as the Town of Lake Cowichan Zoning Bylaw Number 1055-2021.

**1.2 PURPOSE**

The purpose of the Zoning Bylaw is to regulate the use of land and structures, to guide sustainable and resilient development and to preserve the amenities of Lake Cowichan for the benefit of the community.

**1.3 AUTHORITY**

All sections, except explicitly indicated, are enacted pursuant to the Local Government Act

**1.4 APPLICATION**

This bylaw applies to all the land, surface of water, buildings, structure, air space and natural vegetation within the municipal boundaries of the Town of Lake Cowichan.

**1.5 CONFORMITY**

1.5.1 Land, air space or the surface of water shall not be altered, used, or occupied and buildings and structures shall not be altered, constructed, located, or used except as specifically permitted in this bylaw or in the Local Government Act.

1.5.2 Subject to the preceding section, unless a particular use is permitted, any other use is expressly prohibited.

**1.6 SEVERABILITY**

If any schedule, section, subsection, sentence, clause, or phrase contained within this bylaw is for any reason held to be invalid by the decision of any court or competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

**1.7 INCORPORATION**

Schedules A, B, and C attached hereto are made part of this bylaw.



## **PART II. ADMINISTRATION**

### **2.1 INSPECTION**

The Corporate Officer and the Building Inspector are authorized to act between 0830 hours and 1630 hours on any day to enter any premises or property that is subject to regulations under this bylaw to ascertain whether the regulations or directions under this bylaw are being observed.

### **2.2 VIOLATIONS**

Every person who:

- 2.2.1 violates any of the provisions of this bylaw;
- 2.2.2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;
- 2.2.3 neglects or omits to do anything required under this bylaw;
- 2.2.4 carries out, causes, or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
- 2.2.5 fails to comply with an order, direction or notice given under this bylaw; or
- 2.2.6 prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Corporate Officer or Building Inspector on property under Part II, ADMINISTRATION shall be deemed to be guilty upon summary conviction of an offence under this bylaw.

### **2.3 OFFENCE**

Every day's continuance of an offence under Section 2.2 constitutes a new and distinct offence.

### **2.4 PENALTY**

Every person who commits an offence under any part or schedule of this bylaw is liable on summary conviction to a fine as provided for by the Offence Act.

### **2.5 TEMPORARY USES**

The Town of Lake Cowichan Council may designate areas within the Town for the issuance of temporary use permits and may issue such permits in all commercial, industrial and water recreation zones. Applications for temporary use permits must follow the process outlined in the Local Government Act. Cannabis retail sales shall also be considered in accordance with the Cannabis Retail Sales Policy of Council.



## **PART III. INTERPRETATION**

### **3.1 NUMBERING**

In the numbering system used in this Bylaw, the first number indicates parts of the Bylaw, the second number indicates sections, the third indicates subsections, the bracketed letter indicates articles, and the bracketed lower-case Roman numeral indicates clauses, as follows:

- 8 Part
- 8.1 Section
- 8.1.2 Subsection
- 8.1.2 a. Article
- 8.1.2 a. i. Clause
- 8.1.2 a. i. (a) Subclause
- 8.1.2 a. i. (a) (i) Sub-subclause

### **3.2 DEFINITIONS**

In this bylaw, unless the context otherwise requires:

**ACCESSORY BUILDING** or structure means a building or structure located on the same lot as the principal building and used for a purpose ancillary or subordinate to the principal use;

**ACCESSORY USE** means those uses in the list of accessory uses in the zoning category descriptions of this Bylaw that are subordinate to and must be in conjunction with a permitted principal use;

**9** **ACCESSORY DWELLING – COACH HOUSE** means a self-contained dwelling unit, forming the second story of a detached accessory building;

**ACCESSORY DWELLING – GARDEN SUITE** means a single unit, independent suite in a free-standing, single-story accessory building located in the rear yard of a principal single detached dwelling;

**10** **ACCESSORY DWELLING – SECONDARY SUITE** means a self-contained living quarters, including cooking equipment and a bathroom, located within the structure of a single-unit dwelling, and with its own separate entrance;

**8** **ACCESSORY DWELLING UNIT** means a dwelling unit which is subordinate to and associated with the principal use;

**ALTERATION** means a structural change to a building and includes:

- a. an addition to gross floor area or height;
- b. the removal of a portion of the building;
- c. construction of, cutting into, or removal of any wall, partition, column, beam, joist, floor, or chimney; and
- d. any change to or closing of any required means of access;

**APARTMENT BUILDING** means a building other than a townhouse containing three or more dwellings which has its principal access from an entrance common to the dwelling;

**BED AND BREAKFAST** means an owner-occupied single detached dwelling containing a maximum of two (2) rooms without cooking facilities intended primarily for the temporary overnight accommodation for the travelling public, with breakfast meals prepared and served to guests by means of a common kitchen and dining facilities used by the owner-occupier;

**BUILDING** means any structure that is greater than ten (10) square metres used or intended for supporting or sheltering any use or occupancy;

**BUSINESS AND PROFESSIONAL SERVICES** means the carrying on of a personal service the condition of which requires a Licence or other statutory authorization and includes, but is

not limited to accountants, architects, barristers and lawyers, dentists, dental technicians, engineers, financial planners, foresters, naturopathic physicians, nurses, physicians and surgeons, planners, psychiatrists, podiatrists, psychologists, physiotherapists, surveyors, and veterinarians;

**CANNABIS** means cannabis as defined in the Controlled Drugs and Substances Act or any subsequent legislation or regulations which may be enacted in substitution and includes any products containing cannabis derivatives or marijuana intended for human consumption;

**CANNABIS RETAIL STORE** means the use of buildings for the sale of cannabis products, which includes marijuana products, for either recreational or medical purposes;

**CAMPGROUND** means a parcel providing for the temporary accommodation of travellers using tents or recreational vehicles, but specifically excludes a mobile home park or hotel;

**CHILD CARE FACILITY** has the same meaning as defined by the Child Care Act as may be amended from time to time;

**CIVIC USE** means the use of land, buildings, or structures for the following public functions which are under the auspices of a public body: schools, libraries, fire halls, parks and recreation facilities owned by a public body, storage buildings, storage container, public washrooms, garages, sewage pumping stations, water pumping stations, and reservoirs owned by the Town or by the Cowichan Valley Regional District, but does not include government office buildings;

**CLASS 1 BICYCLE PARKING** means a secure, weather protected bicycle parking facility used to accommodate long-term parking such as for residents or employees, usually within a room or covered fenced area;

**CLASS 2 BICYCLE PARKING** means a short-term visitor bicycle parking facility that may offer some security, and may be partially protected from the weather such as a bike rack at building's entrance;

**COLUMBARIUM** means a structure designed for the purpose of storing the ashes of human remains that have been cremated and which contains niches for cinerary remains;

**COMMERCE** means the selling, servicing, and repair of goods, the provision of services and commercial office functions;

**COMMERCIAL, LOW INTENSITY** means a category of land uses with a low ratio of users to land use area such as automobile sales, garden nursery, marina equipment sales, boat, and marine storage, building supplies, lumber yard, art studio and gallery, kennel, and similar uses;

**COMMUNITY CARE FACILITY** means the same as defined in the Community Care and Assisted Living Act and includes a facility serving any age group, including a senior's assisted living facility;

**DERELICT VEHICLE** means any vehicle or part thereof propelled otherwise than by muscle power which is not capable of operating under its own power, and does not have attached number plates for the current year pursuant to the regulations of the Motor Vehicle Act of the Province of British Columbia but shall not include a vehicle deemed to be a collector item outlined in the list of cars recognized by the Vintage Car Club of Canada;

**DESIGNATED FLOOD** means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval based on a frequency analysis of unregulated historic flood records;

**DESIGNATED FLOOD LEVEL** means the observed or calculated elevation for the designated flood;

**DWELLING** means a self-contained set of habitable rooms located in a principal building containing a set of cooking facilities and which may contain sleeping, sanitary and recreation facilities;



5

**E-CIGARETTE** means the following:

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air;
- (b) a prescribed product or device similar in nature or use to a product or device described in paragraph (a);

**FAMILY** means two or more persons related by blood, marriage, adoption, or foster parenthood sharing one dwelling;

**FENCE** includes arbour, archway, gate, screen, trellis, and wall;

**FILL SLOPE** means the angle of material deposited for landfill;

**FLOOD CONSTRUCTION LEVEL** means the designated flood level plus the allowance for freeboard (normally 0.6 metres) and is used to establish the elevation of the underside of a wooden floor system or top of concrete slab for habitable buildings, or the ground surface elevation or top of concrete or asphalt pad upon which a mobile home or unit rests;

**FLOOR AREA RATIO** means the figure obtained when the gross floor area of all buildings on a lot is divided by the area of the lot;

**FOURPLEX** means a residential building containing four separate units;

**FREEBOARD** means a vertical distance added to the designated flood level to allow for a factor of safety;

**GRADE** means the lowest of the average levels of ground adjoining each face of a structure;

**GROSS FLOOR AREA (GFA)** means the total floor area, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, veranda or sunroom unless such sunroom is habitable during all seasons of the year;

**HEIGHT** means the vertical distance from the average grade to the highest point of the structure;

**HIGHWAY** includes a street, road, lane, and any other way open to public use, but does not include a private right-of-way on private property;

**HIGH WATER MARK** means the visible high-water mark of a stream where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from its bank, in vegetation, as well as the nature of the soil itself, and includes the active floodplain;

**HOME BASED BUSINESS** means an occupation or profession conducted by the owner or occupant that is incidental to the use of a dwelling unit for residential purposes or to the residential use of a lot occupied by a dwelling and includes:

- a. the office or a studio of a person engaged in business, art, health, crafts, or instruction;
- b. the operation of a childcare centre;

**HOTEL** means a building which contains sleeping units and may contain accessory assembly, commerce, entertainment, indoor recreation, or restaurant uses, and premises licensed to serve alcoholic beverages, and includes motel, resort, or lodge;

**HORTICULTURE** means the practice of growing fruits, vegetables, flowers or ornamental plants and shrubs, but excludes their sale, either through wholesale or retail, except as expressly as may be provided for in this bylaw;

**HOUSEHOLD** means a family or up to five unrelated people who live in the same dwelling and share meals;



**INDUSTRY** means processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing or salvaging goods, materials, or things;

**INSTITUTION** includes public recreation facilities, colleges, community halls, cemetery, court of law, municipal offices, community services, provincial or federal offices including a post office, school district offices, fire and ambulance stations, hospitals, library, childcare centre, police station, parks, playgrounds, public art gallery, public museum, school;

**KENNEL** means the keeping of three (3) or more dogs on a parcel or in a dwelling, building or range of buildings;

**LANE** means a highway which provides a second access to a parcel and is less than 11 metres wide;

**LIGHT MANUFACTURING** means a use which is wholly enclosed within the building except for parking and loading facilities, and outside storage accessory to the permitted uses and which in its operation does not ordinarily result in emission from the building of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference and includes such uses as cabinet and furniture manufacturing, door & window manufacturing, metal fabrication, boat building and repair and modular or prefabricated home manufacturing;

**LOCAL GROCERY STORE** means a local convenience store or small store that is intended to sell food to serve the needs of the surrounding residential neighbourhood only;

**LODGING AND BOARDING HOUSE** means a building where sleeping or lodging accommodation is provided with or without meals for remuneration through private and public funds;

**MARINA** means moorage and launching facilities including the rental, maintenance of boats and marine engines and the provision of marine fuel;

**MARINA SALES** mean the use of land, buildings and structures for the sale and rental of boats, and accessory marine equipment, but specifically excluding boat building and repair;

**MOBILE HOME** means a manufactured structure, CSA approved with a Z240 rating, or other Provincial or Federal designation, which was constructed in 1980 or newer, and assembled as a unit which is intended to be capable of movement from place to place and which contains one dwelling unit with bathroom facilities, and specifically excludes travel trailers, campers or other vehicles exempt from the provisions of the Manufactured Home Act;

**MOBILE HOME PARK** includes a single unit dwelling for the operator of the mobile home park and accessory uses including laundry, storage, and playground facilities;

**MULTI-UNIT RESIDENCE** means occupancy or use of a building as three or more dwellings and includes townhouses and apartments;

**MOBILITY SCOOTER** means an electrically powered scooter with three or four wheels designed for people with restricted mobility, typically those who are elderly or disabled;

**NATURAL BOUNDARY** means the set distance from visible high watermark of any lake, river, stream or other body of water where the presence and action of the water at the time of measurement are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself and shall include the edge of dormant or old side channels or marsh areas;

**PARCEL** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

**PARCEL COVERAGE** means the gross floor area of the building footprints on a parcel expressed as a percentage of the total parcel area;

**PARCEL LINE, EXTERIOR SIDE** means a parcel boundary, other than a front parcel line, located between a parcel and a highway;





**PARCEL LINE, FRONT** means a parcel boundary contiguous to a highway other than a lane, provided that in respect of a corner parcel, the front parcel line shall be the shortest parcel boundary contiguous to a highway other than a lane;

**PARCEL LINE, INTERIOR SIDE** means a parcel boundary between two parcels other than a front, rear or exterior side parcel line;

**PARCEL LINE, REAR** means the parcel boundary which lies the most opposite to and is not connected to the front parcel line;

**PARKING SPACE** means an area identified for the parking of one motor vehicle within a building or parking area, excluding driveways, aisles and loading areas;

**PAWNSHOP** means a business engaged in the loan of money in exchange for a pledge or security;

**PERSONAL SERVICES ESTABLISHMENT** means a business where professional or personal services are provided for gain and where the sale at retail of goods, wares, merchandise, articles or things is only accessory to the provisions of such services, including but without limiting the generality of the foregoing, the following: barber shops, beauty shops, tailor shops, laundry or dry-cleaning shops, shoe repair shops, hair, nails, tax, bank, laundromat, dry cleaning, etc.;

**PREMISES** means land and improvements as defined in the Assessment Act;

**PRINCIPAL** means the primary purpose for which land, buildings or structures are ordinarily used;

**PUBLIC ASSEMBLY USE** means a facility where people congregate in seats to attend events such as sporting events, meetings, theatre, and live performance venues, but excludes worship centres;

**PUBLIC USE** means land, buildings or facilities provided by a government or agency of government for public parks and recreation facilities, education, health, welfare, administration, safety, communications, or public works;

**PUBLIC UTILITY USE** means a use providing for public utility facilities for water, sewer, electrical, telephone, cable, and similar services where such use is approved by the Town;

**RAVINE** means a steep, narrow-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1;

**RESIDENCE** means-

- a. occupancy or use of a building or part thereof as a dwelling; and
- b. the dwelling occupied or used as such;

**RETAIL** means the sale of goods, wares, or merchandise to the ultimate consumer for their personal consumption; and these may include operations such as bakeries, grocery, and clothing stores, but does not include the use of the sale of motor vehicle fuels, heavy agricultural and industrial equipment, or adult entertainment;

**RESTAURANT** means an establishment for the sale of prepared food to the public, and may have a Food-Primary License under the BC Liquor Control and Licensing Act;

**RIPARIAN ASSESSMENT AREA** means

- a. for a stream, the 30-metre strip on both sides of the stream, measured from the high-water mark (see Figure 1-Assessment Area);
- b. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high-water mark to a point that is 30 metres beyond the top of the ravine bank (see Figure 2-Assessment Area for Ravines); and



- c. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high-water mark to a point that is 10 metres beyond the top of the ravine bank (see Figure 2–Assessment Area for Ravines).

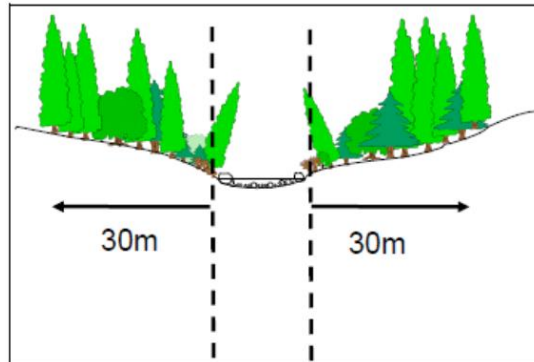


Figure 1 Assessment area

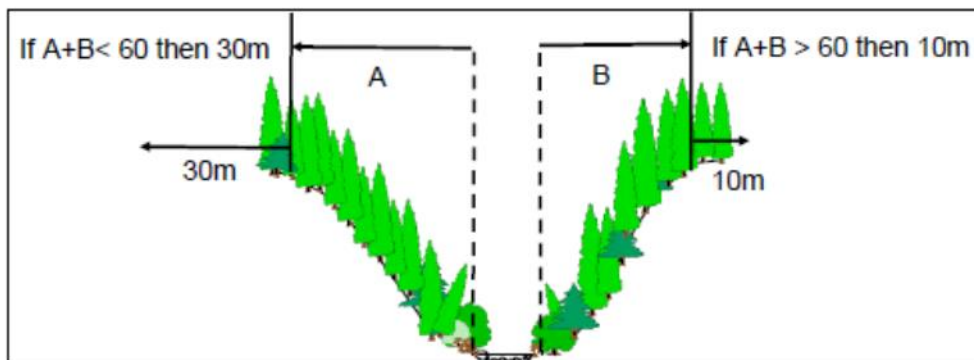


Figure 2 Assessment area for ravines

**SCREENING** means a continuous fence, wall, compact evergreen hedge or combination thereof;

10

~~**SECONDARY SUITE** means a self-contained living quarters, including cooking equipment and a bathroom, located within the structure of a single-unit dwelling, and with its own separate entrance;~~

**SENIORS' CARE FACILITY** means a facility licensed under the Community Care and Assisted Living Act, providing sleeping units as well as medical, food and personal services for elderly persons but does not include privately owned dwelling units;

**SENIOR CITIZEN HOUSING** means affordable rental accommodation for persons over 55 years of age and constructed under provincial or federal cost sharing or funding programs and operated by provincial, federal, or municipal governments, or non-profit societies;

**SERVICE STATION** means premises used principally for the retail sale of motor fuels, lubricating oils and motor vehicle accessories and/or the servicing of motor vehicles;

**SETBACK** means the minimum permitted distance required under this bylaw between a building and a specified parcel of land or watercourse;

**SHOPPING CENTRE** means a commercial development, containing at least three individual business establishments conceived and designed as a single, comprehensively planned development project with appropriate relationships between the shopping centres buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas and adjoining streets, and held in single ownership or by participants in a condominium corporation or commercial cooperative;



**SHORT-TERM VACATION RENTAL** means a building that contains a room, or a set of rooms, which may have a kitchen; and that is offered for rent to the travelling public on a temporary basis of 31 days or less and is subject to all the conditions listed under Part VI Conditions for Short Term Vacation Rentals;

**SILVICULTURE** means all resource use activities related to the development and care of forests for commercial purposes, including seedling and tree nursery and harvesting, but specifically excluding the processing of wood or wood products;

**SINGLE DETACHED DWELLING** means a detached building containing one dwelling occupied or intended to be occupied as a single residence by a household, except where the zoning permits an accessory use where another dwelling can be contained within or above the other;

**SMALL HOUSE** means a small single unit residential dwelling of at least 29 square metres and no more than 90 square metres which is designed to fit on a small lot and within a neighbourhood of similarly proportioned dwellings;

**SOCIAL ORGANIZATION** means a fraternal lodge, social hall, or activity centre;

**SPECIAL NEEDS HOUSING** means housing specially designed or adapted for those with physical or social needs, such as those of the elderly or disabled, or with specialist staffing support such as those with a mental health problem; this definition specifically excludes any type of housing, including housing for senior citizens or the elderly, that does not incorporate on-site support services to address physical, mental, or social needs

**STORAGE CONTAINER** means a large portable metal cargo container, new or previously used for the transport of goods and is intended for the use of providing temporary or permanent storage for goods, and is like that illustrated in Figure 3:



Figure 3 Storage container

**STRUCTURE** means any construction fixed to, supported by, or sunk into land or water but not concrete, asphalt or similar surfacing of a parcel;

10

**TANDEM PARKING** means two parking spaces, one behind the other, with a common or shared point of access (See Figure 1)

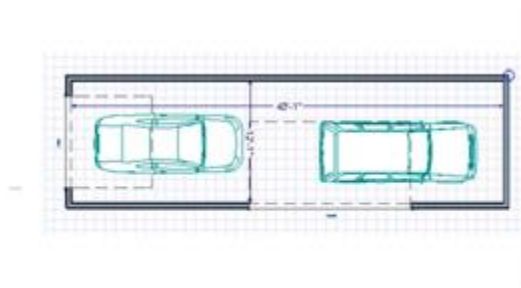


Figure 1 Tandem parking

**TOP OF RAVINE BANK** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

**TOWN** means the Town of Lake Cowichan;



**TOWNHOUSE** means a building, other than an apartment, containing three or more dwellings with each dwelling having a separate entrance;

**TRIPLEX** means a residential building containing three separate units;

**TWO UNIT RESIDENCE** means a building consisting of two dwellings placed one above the other or within the principal residence (secondary suite) or side by side in a principal building or a single parcel;

**UNBUNDLED PARKING** means separate housing and parking costs in a residential apartment building;

**USE** means the purpose or function to which land, the surface water, buildings, or structures are designed, placed, or intended to be placed;

6

**VAPOUR PRODUCT** means the following:

- (a) an e-cigarette;
- (b) an e-substance;
- (c) a cartridge for or a component of an e-cigarette.

**WAREHOUSE** means a building used primarily for the storage of goods and materials and includes feed, seed and fertilizer storage, cold storage, and a frozen food locker;

**WATERCOURSE** means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two (2) square kilometres or more upstream of the point of consideration;

**WORSHIP CENTRE** means any assembly building used for public worship of any faith; and

**ZERO-LOT LINE SETBACK** means a setback of zero metres which permits a building or structure to be set on one of its interior side lot lines.



## **PART IV. LAND USE CATEGORIES AND REGULATIONS**

### **4.1 ZONING CATEGORIES**

The Town of Lake Cowichan is divided into the land use categories or zones briefly described in Column I of Table 1. Column II denotes the letter reference that appears on Schedule A, the Zoning Map, which forms a part of this bylaw. The descriptions in Table 1 are for convenience only.

<b>TABLE 1 ZONE CATEGORY</b>	
<b>NAME OF ZONE</b>	<b>MAP SYMBOL</b>
<b><u>RESIDENTIAL ZONES</u></b>	
Suburban	R-1
Urban	R-2
Urban Core	R-3
Medium Density	R-4
Single Detached and Duplex	R-5
Small House	R-6
Multi-unit	R-7
<b><u>COMMERCIAL ZONES</u></b>	
General Commercial	C-1
Mixed Use Commercial	C-1-A
Limited Commercial and Residential	C-1-B
Local Commercial	C-2
Lakefront and Riverfront Commercial	C-3
Business Commercial	C-4
<b><u>INDUSTRIAL ZONES</u></b>	
Light Industrial	I-1
Heavy Industrial	I-2
<b><u>PUBLIC USE</u></b>	
Public Use (Parks and Institution)	P-1
<b><u>WATER ZONE</u></b>	
Water Recreation	W-1
<b><u>COMPREHENSIVE DEVELOPMENT ZONE</u></b>	
Comprehensive Development	CD-1
Tiny House Comprehensive Development Zone	CD-2

For convenience Table II identifies the change in names and symbols for residential zone districts



from the 2013 Bylaw.

<b>Table II Residential District Names and Symbol Changes</b>							
<b>Former 2013 Bylaw District Name</b>	Suburban	Single Family Residential	Urban	Modular Home	Single Family and Duplex	Tiny House	Multi-family
<b>Former 2013 Bylaw District Symbol</b>	R-2	R-1-A	R-1	R-4-A	R-1-b, c	THR	R-3
<b>New District Name</b>	Suburban	Urban	Urban Core	Medium density	Single Detached and Duplex	Small House	Multi-unit
<b>New District Symbol</b>	R-1	R-2	R-3	R-4	R-5	R-6	R-7

## 4.2 LOCATION AND EXTENT OF LAND USES

The location and extent of land subject to each of the zoning Categories established in Section 4.1 of this bylaw are outlined on Schedule A, Zoning Map, of this bylaw.

## 4.3 GENERAL REGULATIONS, REQUIREMENTS AND PROVISIONS

### 4.3.1 Siting

- a. The siting regulations of this bylaw apply to parcels and, notwithstanding the generality of the foregoing, to bare land strata lots.
- b. The interior side parcel line requirements of this bylaw shall not apply to strata lots under a registered plan pursuant to the Condominium Act where there is a common wall shared by two or more dwellings within a building.

### 4.3.2 Setbacks

- a. Except as otherwise provided zones, the setback requirements of this bylaw do not apply with respect to:
  - i. gutters, cornices, sills, belt courses, bay windows, chimneys, exterior finish, heating, or ventilation equipment if the projections do not exceed one metre, measured horizontally; and
  - ii. eaves, porches, unenclosed stairwells, or balconies, canopies, and sunlight control projections if the projections, measured horizontally, do not exceed:
    - (a) 1.0 metres in the case of a side yard, or
    - (b) 2.0 metres in the case of a front and rear yard.
- b. The following features may project over a public right-of-way of width thirty-three feet or greater, provided always that measurements to nearest finished grade shall be made with reference to the nearest constructed or proposed street, sidewalk, right-of-way, or lot surface:



- i. cornices, eaves, and gutters projecting not more than 0.6 metres from the building wall, is less than 3.6 metres from the nearest finished grade.
  - ii. marquees, canopies, and signs projecting not more than 1.8 metres from the building wall, provided that the underside of the marquee, canopy or sign is not less than 2.8 metres nor more than 3.6 metres from the nearest finished grade.
- c. A fence or wall may be located in a required setback area.

#### 4.3.3 **Attached Garages, Carports**

A garage or a carport attached to a principal building is deemed to be a portion of the principal building.

#### 4.3.4 **Utilities, Civic Uses and Parks and Playgrounds**

The following are permitted in all zones:

- a. Civic use,
- b. Public utility use, and
- c. Parks and playgrounds.

#### 4.3.5 **Number of Buildings and Structures per Parcel**

- a. Not more than one principal building shall be located on any one parcel except as specifically permitted by this bylaw.

#### 4.3.6 **Accessory Buildings and Structures**

- a. Buildings and structures accessory to principal uses, buildings and structures are permitted in any zone.
- b. No accessory building or structure shall be situated on a parcel unless the principal building, to which the accessory building is incidental, has been erected or will be erected simultaneously with the accessory building on the same parcel except as provided in Article 4.3.6 d.
- c. An accessory building shall not be used as a dwelling except as otherwise provided in this bylaw.
- d. Article 4.3.6 b. does not apply to any publicly owned and operated land use, building, or structure in any zone district; and any building, structure or use that may otherwise be considered as an accessory use, such as a garage, storage container, storage building, or washroom, is considered a principal use.
- e. A storage container, where expressly permitted, shall be entirely enclosed, or wholly screened.

#### 4.3.7 **Height**

Notwithstanding height restrictions in this bylaw,

- a. an industrial crane, tower tank and bunker, antenna, church spire, belfry and dome, monument, stadium bleachers, lighting pole, flagpole, fire tower, transmission tower, elevator shaft, stair tower, scenery loft or other necessary mechanical apparatus, usually carried above the roof level may exceed the height limitations of this bylaw provided,
  - i. such features shall be erected only to such a height as is necessary to accomplish the purpose they serve, and.
  - ii. in the case of a roof mounted feature that does not have a cross-sectional area in excess of twenty percent of the ground floor area in the building, and



- b. on a corner contiguous to a highway intersection, no structure shall be allowed at a height greater than 1.0 metre above the established elevation of the centre point of intersecting highway, and within an area extending out from the corner of the parcel and bound by a line joining a point on each parcel line, a distance of 6.0 metres from the corner parcel. For greater certainty, a diagram shown as part of this section and labelled 'Figure 4' depicts the area described in this section.

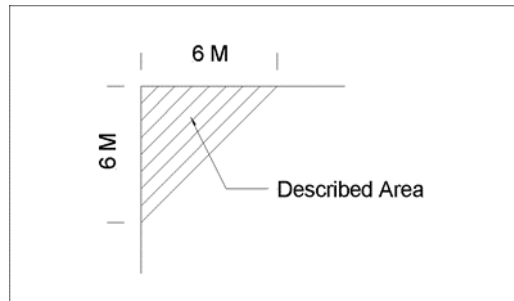


Figure 4 Described area of sight triangle

#### 4.3.8 Fences and Retaining Walls

- a. Except as otherwise specifically stated in this bylaw and subject to traffic sight lines, the maximum height of a fence or retaining wall shall be 2.0 metres, except as may otherwise be provided in this Bylaw.
- b. The height of a fence or wall following the slope of the property shall be measured from the finished grade to the top of the fence; or in the case of a stepped down fence, the height shall be measured at the mid-point between the posts of fence panels, as shown:

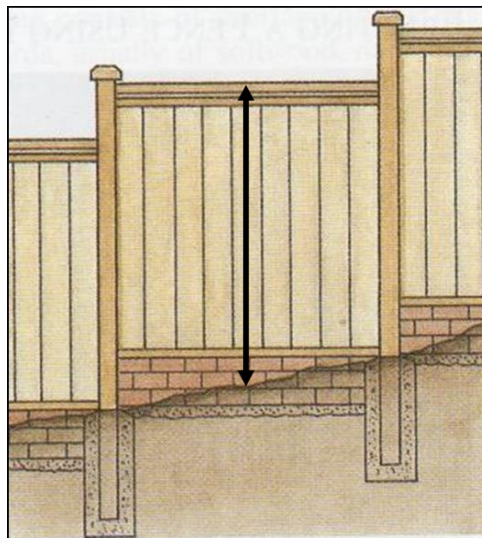


Figure 5 Height measurement for stepped down fencing

- c. In zones where commercial uses are permitted, a fence or wall erected or placed along a boundary line on any parcel shall not exceed 2.0 metres in height;
- d. In zones where industrial zones are permitted, a fence erected shall be an opaque 2.4 metres in height;
- e. In zones where residential uses are permitted, a fence at the front of the lot shall not exceed 1.2 metres and at the sides and rear shall not exceed 2.0 metres; and
- f. In the case of a retaining wall constructed in accordance with Subsection 4.3.9, the combined height of a fence on top of a retaining wall shall not exceed the heights permitted for the zone and measured from average grade at the property line.





#### 4.3.9 Screening

- a. Screening may be required by of the owner of a parcel at the time of the development of the parcel and shall be constructed, erected, installed, or planted prior to the occupancy of the building or structure constructed, erected, or located on the parcel;
- b. Screening having a height of not less than 2.0 metres shall be provided by the owner of a parcel designated as I-1 Light Industrial and Heavy Industrial I-2 along all parcel boundaries which abuts parcels designated Residential and P-1 Public Use.

#### 4.3.10 Parking and Loading

- a. Paved space for the off-street parking and loading shall be provided and maintained in accordance with the regulations set out in Schedule B of this bylaw.
- b. The regulations contained in this section do not apply to buildings, structures, and uses existing as of the date of adoption of this bylaw except that:
  - i. off-street parking and loading shall be provided and maintained in accordance with this bylaw for any addition to and existing building or structure or change or addition to the existing use; and
  - ii. the number of off-street parking or loading spaces provided prior to the date of adoption of this bylaw shall not be reduced below the applicable off-street parking or loading space requirements as set out in Schedule B, Parking Spaces.
- c. The property owner may, in lieu of providing parking as specified in Schedule B, Parking Spaces, pay the municipality funds to construct, expand or maintain municipally operated parking facilities located within 50 metres of the property. A fee calculated on a square metre or spaces required basis as specified in the Development Procedures Manual shall be paid to the Town at the time of development. This does not apply to loading requirements.

#### 4.3.11 Home Based Business

In the zones permitted, a home-based business use shall require:

- a. that all activity be conducted within the interior of the principal dwelling, except for the production of fruits, vegetables, or plants;
- b. that the activity be clearly subservient and incidental to the use of the dwelling for residential purposes, and to the residential use of the lot on which the dwelling is located, and for certainty a home occupation is only permitted where it is ancillary to a permitted residential use;
- c. no alteration be made to the external appearance of the property which indicates that a home occupation is being conducted on the premises;
- d. that there be no noise, vibration, dust, smoke, odour, heat, or traffic generation other than that normally associated with a dwelling;
- e. that there be no external storage or outdoor display of materials, equipment, or finished products;
- f. that there be no retail sales or commodities offered for sale at the dwelling;
- g. that there be no use of materials or products that produce flammable or explosive vapours or gases, or liable to explode under ordinary temperatures;
- h. that not more than 40% of the gross floor area of the residential dwelling up to a total maximum area of 80 square metres be used for the home occupation use; and
- i. the provision of two off-street parking spaces is met.



#### 4.3.12 Tree Cutting

A tree cutting permit will be required prior to the removal of any trees or portions of trees within the designated Development Permit Areas as specified in the Official Community Plan.

#### 4.3.13 Floodplain Provisions

Notwithstanding any other provisions of this bylaw, no building or any part thereof shall be constructed, reconstructed, moved, or extended nor shall any mobile home or unit, modular home or structure be located:

- a. within 30 metres of the natural boundary of the Cowichan River and Lake Cowichan;
- b. within 30 metres of the natural boundary of any other watercourse, or less as may be determined by a Streamside Protection and Enhancement Area (SPEA) as recommended by a Qualified Environmental Professional (QEP);
- c. with the underside of a wooden floor system or top of concrete slab of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home or unit the ground level or top of concrete or asphalt pad on which it is located shall not be lower than elevation 167.33 metres Geodetic Survey of Canada datum for locations adjacent to Cowichan Lake. Furthermore, elevations shall be no lower than the flood construction level for the Cowichan River where it has been determined to the satisfaction of the Town of Lake Cowichan or lower than 1.5 metres above the natural boundary of any other watercourse, lake, swamp, or pond;
- d. required elevation may be achieved by structural elevation of the said habitable, business, or storage area by adequately compacted landfill on which any building is to be constructed or mobile home or unit located, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater; and
- e. where landfill is used to achieve the required elevation stated in Article 4.3.13 c above, no portion of the landfill slope shall be closer than the distance in Articles 4.3.13 a and b from the natural boundary.

#### 4.3.14 Riparian Area Regulations

The following conditions must be met prior to allowing development to occur in the "riparian assessment area" (as defined):

- a. A qualified professional:
  - i. certifies that they are qualified to conduct the assessment;
  - ii. certifies that the assessment methods have been followed;
  - iii. provides their professional opinion that there will be no harmful alteration, destruction, or disruption of natural features, functions, and conditions (as defined) that support fish life processes in the riparian assessment area; and
  - iv. the local government is notified by the Ministry of Environment, that the Ministry of Environment and the Department of Fisheries and Oceans have been notified of the development proposal and provided with a copy of the assessment report prepared by a qualified environmental professional that meets the aforementioned conditions in Clause i, ii and iii.
- b. A Department of Fisheries and Oceans authorization for the development.

#### 4.3.15 Major Highways

- a. For the purposes of this bylaw Highway 18 and the Youbou Road are hereby designated as major highways.



- b. No building, structure or use shall be located within 4.5 metres of the boundary of a right-of-way of a major highway designated in the aforementioned Article 4.3.15 a.

#### 4.3.16 Vehicle Restrictions

- a. No lot in any zone shall be used for the wrecking or storage of derelict vehicles or more than 1 unlicensed motor vehicle except where specifically permitted.
- b. No more than one (1) unlicensed motor vehicle shall be kept on any lot unless completely enclosed within a building, except where specifically permitted.
- c. No lot shall be used for the parking or storage of any trailer, recreational vehicle, camper, boat, or other vehicle unless a principal residential use has been established on the lot.
- d. No improved residential lot shall be used for the parking or storage of more than a total of four (4) motor vehicles, trailers, recreational vehicles, campers, boats, or other vehicles, unless completely enclosed within a building, or as specifically provided for in this bylaw.
- e. Human habitation, occupancy, or residency in any trailer, recreational vehicle, camper, or other vehicle is prohibited on all lots in every zone, except in zones where “campground” is either a specific permitted use, a legal non-conforming use or as specifically provided for in this bylaw.

#### 4.3.17 Restricted Uses

Unless specifically permitted by this bylaw, no parcel shall be used for:

- a. a kennel;
- b. outdoor storage yard;
- c. storage sheds within setback area;
- d. storage containers;
- e. pawnshops;
- f. cannabis retail store, except in accordance with the approval of a Temporary Use Permit and the Cannabis Retail Sales Policy of Council; any use not expressly permitted or authorized by this bylaw.

### 4.4 COMMUNITY CARE FACILITY

- 4.4.1 All single-unit residential buildings may be used as a community care facility, licensed under the Community Care and Assisted Living Act, as may be amended from time to time, for the purpose of providing:
  - a. a day care for no more than eight (8) persons;
  - b. a residence for no more 10 persons, not more than six (6) of whom are persons in care.

### 4.5 GENERAL PROVISIONS FOR BACKYARD HENS

- 4.5.1 A maximum of six (6) hens may be kept on a Single improved parcel within the Suburban (R-1), Urban (R-2) and Medium Density (R-4) Residential Zones where the lot is greater than 450 m<sup>2</sup>.
- 4.5.2 A backyard hen enclosure consisting of a coop and pen must be provided and maintained in accordance with the Animal Control Bylaw, and must be:
  - a. located not less than 1.0 m from the rear parcel line, exterior side parcel line and interior side parcel lines;



- b. located not less than 3.0 m from any door or window of a dwelling unit;
- c. located within the rear yard of the parcel; and
- d. not more than 3 m in height.

4.5.3 Slaughtering is prohibited.

4.5.4 No coop or pen for hens may be housed within:

- a. 30 metres of the natural boundary of the Cowichan River;
- b. 15 metres of the natural boundary of any other watercourse;
- c. 7.5 metres of the natural boundary of a lake, swamp, or pond; and
- d. enclosures securing the hens must not encroach the riparian setbacks heretofore established nor are hens permitted to roam at large.



**PART V. REGULATIONS FOR EACH ZONE**

**5.1 LOW AND MEDIUM DENSITY RESIDENTIAL ZONE DISTRICTS**

**5.1.1 Intent of Zone Districts**

a. Suburban Residential R-1

The intent of the Suburban Residential R-1 Zone is to provide for single detached residential dwellings in a low-density environment.

b. Urban Residential R-2

The intent of the Urban Residential R-2 Zone is to provide for primarily detached residential dwellings in a low-density urban setting.

c. Urban Core Residential R-3.

The intent of the Urban Core Residential R-3 Zone is to provide for a variety of residential dwelling types of medium density in an urban setting.

d. Medium Density Residential R-4

The intent of the Medium Density Residential R-4 Zone is to provide for single detached residential dwellings, including manufactured homes, on compact lots in a medium density environment.

e. Residential R-5

The intent of the Single Detached and Duplex Residential R-5 Zone is to provide for a single detached and duplex dwelling types on small lots in a medium density urban setting.

f. Small House Residential R-6

The intent of the Small House Residential R-6 Zone is to provide for small single detached dwellings on small lots in a medium density urban setting.

**5.1.2 Permitted Principal Uses**

Residential District Name and Symbol	Suburban R-1	Urban R-2	Urban Core R-3	Medium density R-4	Single Detached and Duplex R-5	Small House R-6
Principal Uses						
a. Single detached	✓	✓	✓	✓	✓	✓
b. Duplex			✓	✓	✓	
c. Lodge / boarding house			✓			
d. Triplex			On corner lots only	✓		
e. Four-plex				✓		
f. Townhouse				✓		



5.1.3 ~~Permitted Accessory Uses~~

12

- a. ~~For all zone districts and for any single detached principal residential use, only one of any of the permitted accessory uses listed in the Permitted Accessory Use Table shall be allowed.~~

13

**Permitted Accessory Use Table**

Permitted Accessory Uses						
Residential District Name and Symbol	Suburban R-1	Urban R-2	Urban Core R-3	Medium Density R-4	Single Detached and Duplex R-5	Small House R-6
Accessory Uses						
a. Secondary suite in single detached	✓	✓	✓	✓	✓	✓
b. Secondary suite in duplex		✓	✓	✓		
c. Garden suite	✓	✓	✓			
d. Coach house	✓	✓	✓			
e. Bed & breakfast		✓				
f. Home-based business	✓	✓	✓	✓	✓	✓

14

- b. Accessory Use Limitations and Special Considerations
  - i. Notwithstanding the provisions in Article 5.1.3 b., a garden suite or coach house is prohibited on lots without municipal sewer and water service.
  - ii. On a lot with a duplex, accessory dwelling units are restricted to secondary suites, subject to provisions within Article 5.1.3 b.; a coach house or garden suite is prohibited.
  - iii. In all low and medium density residential zone districts one accessory dwelling unit is permitted on a lot.
  - iv. Suburban R-1 zone
    - a. One of three types of accessory dwelling unit is permitted on a lot with a single detached dwelling: a secondary suite, a garden suite, or a coach house.
    - b. A home-based business is permitted if
      - (a) the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a total of 80 square metres; or
      - (b) the accessory dwelling is in a separate structure such as a garden suite or coach house.



- v. Urban R-2 zone
  - a. One of three types of accessory dwelling unit is permitted on a lot with a single detached dwelling: a secondary suite, or a garden suite or a coach house.
  - b. A secondary suite is permitted on a lot with a duplex, provided it is a lot of a minimum 780 square metres.
  - c. A bed and breakfast is permitted if there is no accessory dwelling, or the accessory dwelling or the bed and breakfast bedrooms are in a separate structure, such as a garden suite, or coach house or other type of accessory building.
  - d. A home-based business is permitted if
    - (a) the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a total of 80 square metres; or
    - (b) the accessory dwelling is in a separate structure such as a garden suite or coach house.
- vi. Urban Core R-3 zone
  - a. One of three types of accessory dwelling unit is permitted: a secondary suite, or a garden suite, or a coach house is permitted on a lot with a single detached dwelling.
  - b. A secondary suite is permitted on a lot with a duplex, provided it is a corner lot, or has a garage with tandem parking, or lot of a minimum 780 square metres.
  - c. A home-based business is permitted if
    - (a) the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a total of 80 square metres; or
    - (b) the accessory dwelling is in a separate structure such as a garden suite or coach house.
- vii. Medium Density R-4 zone
  - a. A secondary suite is permitted on a lot with a single detached dwelling.
  - b. A secondary suite is permitted on a lot with a duplex provided it is a corner lot or has a garage with tandem parking or is on a lot of a minimum 780 square metres.
  - c. A home-based business is permitted if the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a maximum total of 80 square metres.
- viii. Single Detached and Duplex R-5 zone
  - a. A secondary suite is permitted on a lot with a single detached dwelling.
  - b. A secondary suite is permitted on a lot with a duplex, provided it is a corner lot, or has a garage with tandem parking, or lot of a minimum 780 square metres.
  - c. A home-based business is permitted if the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a maximum total of 80 square metres.



ix. Small House R-6 zone

- a. A secondary suite is permitted in a single detached dwelling subject to the following:
  - (i) The secondary suite is in a basement or in a walk out garden level.
  - (ii) The maximum lot coverage is 50%.
  - (iii) One of the required off street vehicle spaces is a garage.
- b. A home-based business is permitted if the combined area of a secondary suite and the area devoted to the home-based business does not exceed 40% of the gross floor area of the residential dwelling up to a maximum total of 80 square metres.

**5.1.4 Site Specific Permitted Principal and Accessory Uses**

a. Suburban R-1

b. Urban R-2

c. Urban Core R-3

i. Principal Uses

- (a) Silviculture for Lots 1 to 4, Plan VIP74849, District Lots 10 & 14, silviculture, subject to the following conditions:

- (i) a minimum lot size of 40,000 square metres;
- (ii) leave strips along streams shall be established in accordance with the requirements of the Riparian Area Regulations; and
- (iii) leave strips of a minimum of a minimum 10 metre width shall be established for the purpose of protecting the visual aesthetics along the primary roadway adjacent to the Town-owned campground and leading to the Cowichan Lake Educational Centre.

ii. Accessory Uses

- (a) Development and care of forests for use for Lots 1 to 4, Plan VIP74849, District Lots 10 & 14.
- (b) Bed and Breakfast, accessory to principal single detached residential use for Lot 3, Block 4, Section 5, Plan 1750 only.

d. Medium Density R-4

e. Single Detached and Duplex R-5

f. Small House R-6

**5.1.5 Zone District Subcategory Permitted Principal and Accessory Uses**

- a. Zone district subcategories s are denoted on the Schedule A Zoning Map with the corresponding letter.

a. Suburban R-1

b. Urban R-2

c. Urban Core R-3

d. Medium Density R-4

e. Single Detached and Duplex R-5

- i. Designation B (denoted as R-5 B) is to permit Bed and Breakfast is an accessory use.

f. Small House R-6





5.1.6 Standards

Low and Medium Density Residential Zone Districts Standards						
District Name and Symbol	Suburban R-1	Urban R-2	Urban Core R-3	Medium Density R-4	Single Detached and Duplex R-5	Small House R-6
Standards						
a. Minimum Lot Size (square metres)						
i. Single Unit	600	600	600	500	350	275
ii. Duplex		780	780	600	600	
iii. Triplex and four-plex			780			
b. Maximum Height (metres)						
i. Principal building	11.0	11.0	11.0	8.25	11.0	5.5; the ridge of pitched roofs with a minimum slope of six to 12 may extend up to 7.6 m; all parts of the roof above 5.5 m shall be pitched.
ii. Accessory building greater than 10 m <sup>2</sup>	7.5	7.5	7.5	4.5 for pitched roof; 3.7 for flat roof	7.5	4.5 for pitched roof; 3.7 for flat roof
iii. Accessory structure less than 10 m <sup>2</sup>	3.5	3.5	3.5	3.5	3.5	3.5
c. Maximum lot coverage (%)	30	35	45	45	50	60 50 when a secondary suite is present for R-6 Small House Zone
d. Minimum setbacks for principal and accessory buildings or structures (metres)						

16

17



Low and Medium Density Residential Zone Districts Standards						
District Name and Symbol	Suburban R-1	Urban R-2	Urban Core R-3	Medium Density R-4	Single Detached and Duplex R-5	Small House R-6
i. Front lot line	7.5	7.5	7.5	5.5	6.0 to garage face; 4.5 to front face of dwelling; the garage face shall in all cases be set back a minimum of 1.5 metres further than the home face.	1.5
ii. Rear lot line	4.5	4.5	4.5	3.0	4.5	1.5
15 iii. Interior side lot	2.0	1.5	1.5	1.5	1.5	1.2
iv. Interior side lot for duplexes			Use shall be separated only by a common party wall.			
v. Exterior side lot line	3.0	3.0	3.0	4.0	1.5	1.5
e. Minimum setbacks for accessory structures of less than 10m <sup>2</sup> (metres)						
i. Front lot line	7.5	7.5	7.5	7.5	4.5	n/a
ii. Rear lot line	0.6	0.6	0.6	0.6	0.6	n/a
iii. Interior side lot line	0.6	0.6	0.6	0.6	0.6	n/a
iv. Exterior side lot line	3.0	3.0	3.0	4.0	1.5	n/a

### 5.1.7 Exceptions to Standards

- a. For Lots 1 to 4, Plan VIP74849, District Lots 10 & 14.
  - i. Minimum lot size is 40,000 square metres.
  - ii. Minimum building setbacks for principal and accessory buildings is 30 metres for the front lot line and 15 metres for the rear, exterior side, and interior side lot lines.

### 5.1.8 Secondary Suite Standards

- a. Maximum size is 40% of gross floor area of principal dwelling, or 85 square metres, whichever is less.
- b. Minimum size is 30 square metres.
- c. Maximum number of bedrooms is 2 (two).
- d. Entrance shall be a separate independent entrance form the principal dwelling entrance.



**5.1.9 Garden Suite Standards**

- a. Maximum size is 40% of gross floor area of principal dwelling, or 60 square metres, whichever is less.
- b. Minimum size is 30 square metres.
- c. Maximum number of bedrooms is 2 (two).
- d. A Garden suite shall be located in the rear yard of the principal dwelling, except in the case of a riverside or lakeside lot, in which case it may also be located in the front or side yard.

18

**5.1.10 Coach House Standards**

- a. The maximum size is 40% of gross floor area of principal dwelling, or 60 square metres, whichever is less.
- b. The minimum size is 30 square metres.
- c. The maximum number of bedrooms is 2 (two).

19



**5.2 MULTI-UNIT RESIDENTIAL ZONE DISTRICT—R-7**

**5.2.1 Intent of Zone District**

The intent of the R-7 Multi- unit Residential zone is to provide for multiple residential dwellings in medium to high density environments in accordance with Official Community policy.

**5.2.2 Permitted Principal Uses**

- a. Side by side two-unit dwelling (duplex)
- b. Multi-unit dwellings (all types)
- c. Lodges and boarding houses

**5.2.3 Permitted Accessory Uses**

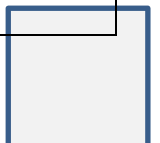
- a. Home-based business, accessory to an existing non-conforming single detached dwelling
- b. Secondary suite within an existing non-conforming single detached dwelling

**5.2.4 Zone District Subcategory Permitted Principal Uses (Designation ‘R’)**

Designation R (denoted as R-7-R on the map) is to permit ‘rental only’ multi-unit dwellings in accordance with the *Local Government Act*.

**5.2.5 Dimensional and Density Standards by type of structure and location**

<b>Multi-unit Residential Zone Dimensional and Density Standards</b>				
Standards	Type of structure or location			
	Multi-unit and accessory buildings greater than 10m <sup>2</sup>	Multi-unit and accessory buildings in OCP-designated Downtown and Uptown areas	Two-unit residential; lodging and boarding house; and accessory buildings greater than 10 m <sup>2</sup>	Accessory structures less than 10 m <sup>2</sup>
a. Maximum gross density (units per hectare)	n/a	100 *	n/a	n/a
b. Maximum lot coverage (%)	50	75*	30	As per % provided for use
c. Minimum landscaped area (%)	5	5, in accordance with development permit process and parking landscape standards	5	n/a
d. Minimum recreation area (%)	4	4	4	n/a



<b>Multi-unit Residential Zone Dimensional and Density Standards</b>				
Standards	Type of structure or location			
	Multi-unit and accessory buildings greater than 10m <sup>2</sup>	Multi-unit and accessory buildings in OCP-designated Downtown and Uptown areas	Two-unit residential; lodging and boarding house; and accessory buildings greater than 10 m <sup>2</sup>	Accessory structures less than 10 m <sup>2</sup>
e. Front minimum setback (metres)	9	3	7.5	As provided for by use
f. Front maximum setback (metres)	n/a	6	n/a	7.5
g. Exterior lot line minimum setback (metres)	4.5	3	3.0	3.0
h. Maximum exterior setback (metres)	n/a	6	n/a	n/a
i. Interior lot line minimum setback (metres)	4.5	1.5	2.0; 0.0 setback for side-by-side two-unit residential (duplex) use where separated only by a common party wall	0.6
j. Maximum height (metres) and stories	10.5	17 (5 stories) *	10.5	4.5
k. Minimum height (stories)	n/a	3 habitable stories	n/a	n/a
l. Minimum lot size up to 3 stories (square metres)	n/a	667	n/a	n/a
m. Minimum lot size for 4 and 5 stories (square metres)	n/a	1,334	n/a	n/a

\* Subject to rezoning to Comprehensive Development or density bonus amenity provisions



**5.2.6 Minimum Dwelling Unit Floor Area Standards**

Dwelling Unit Type	Minimum Dwelling Size (square metres)
a. Bachelor apartment	33
b. One-bedroom apartment	59
c. Two-bedroom apartment	70
d. Three-bedroom apartment	85

5.2.7 More than one principal building shall be permitted where the principal use is a multi-unit dwelling.



**5.3 COMMERCIAL ZONES**

**5.3.1 Intent of Commercial Zones**

- a. The intent of the C-1 General Commercial Zone is to provide for a broad range of commercial uses, limited manufacturing, and high-density residential uses.
- b. The intent of the C-1-A Mixed Use Commercial Zone is to provide for a broad range of commercial uses with a mix of residential uses at medium to high densities.
- c. The intent of the C-1-B – Limited Commercial and Residential Zone is to provide for a limited range of commercial uses and high-density residential uses.
- d. The intent of the C-2 – Local Commercial Zone is to provide for limited local commercial uses.
- e. The intent of the C-3 – Lakefront and Riverfront Commercial Zone is to provide for commercial uses near the lakefront and riverfront.
- f. The intent of the C-4 – Business Commercial Zone is to provide for business and professional office uses.

**5.3.2 Permitted Principal and Accessory Uses**

Permitted Principal and Accessory Uses						
	Zone Districts					
Uses	C-1	C-1-A	C-1-B	C-2	C-3	C-4
Legend: ✓ Principal Use; 'a' Accessory to a principal use						
a. Art studio and art gallery	✓	✓	✓			
b. Bed and breakfast accessory to single detached dwelling					a	
c. Business and professional services	✓	✓	✓		✓	✓
d. Childcare facility	✓		✓			
e. Grocery store, local				✓		
f. Home-Based business			a			
g. Hotel					✓	
h. Light manufacturing including boat building, cabinet, and furniture; door and sash manufacturing within a building	✓	✓				
i. Liquor sales		✓			✓	
j. Lodging and boarding houses			✓			



Uses	Zone Districts					
	C-1	C-1-A	C-1-B	C-2	C-3	C-4
k. Marina and equipment sales	✓	✓			✓	
l. Personal service establishment	✓	✓			✓	
m. Repair services for small items such as shoes, electronics, and similar items	✓	✓				
n. Residential duplex			✓			
o. Residential multi-unit above commercial use or at rear of commercial use where not fronting public street	✓	✓	✓			
p. Residential single detached	a	a	✓	a	a	a
q. Residential single unit attached				a	✓	
r. Restaurant	✓	✓				
s. Retail store	✓	✓				
t. Service station	✓					
u. Theatre	✓	✓				

### 5.3.3 Site Specific Permitted Principal and Accessory Uses

#### a. C-1 General Commercial

- i. Boat and marine storage only on the parcel described as Lots A and B, Plan EPP23955.
- ii. Institution use of a school on the parcel with a street address of 38 King George Street North, and legally described as Lot 1, Plan EPP65810, District Lot 12, Cowichan Lake Land District (PID: 029-995-680).

21

#### b. C-1-A Mixed Use Commercial Zone

1. Adult Vape Store where the sale of e-cigarettes and vapour products is permitted only on Lot 1, Section 6, Renfrew District, Plan VIP27529 (PID: 002-120-003) subject to adherence to all provincial regulations.

7

#### c. C-1-B Limited Commercial and Residential Zone

#### d. C-2 – Local Commercial Zone

#### e. C-3 – Lakefront and Riverfront Commercial Zone

- i. Residential Multi- unit only on the parcel described as Lot 2, Section 6, Cowichan Lake District, Plan 5631 subject to no additional units existing on March 24, 2015.
- ii. Short term vacation rentals applicable to Lot 1, Section 6, Plan 5631 only.

#### f. C-4 – Business Commercial Zone





## 5.3.4 Dimensional and Coverage Standards

Dimensional and Coverage Standards for Commercial Zones							
Standards		C-1 General Commercial	C-1-A Mixed Use Commercial	C-1-B Limited Commercial and Residential	C-2 Local Commercial Zone	C-3 Lakefront and Riverfront Commercial	C-4 Business Commercial
a. Maximum lot coverage (%)		50, 60*	50	50	50	40, 50*	50
b. Front lot line setback (metres)	minimum	0	1.5	1.5	7.5	0	1.5
	maximum	3**	n/a	n/a	n/a	3**	n/a
c. Exterior side lot line setback (metres)	minimum	0	1.5	1.5	3	0	1.5
	maximum	3	n/a	n/a	n/a	3	n/a
d. Interior side lot line minimum setback (metres)		0	1.5	1.5	2	0	1.5
e. Rear lot line (metres)		3	3	3	3	3	3
f. Minimum landscaped area (%)		n/a	5	5	5	5	10
g. Maximum height (metres) and/or stories		10.5, 17 (5 stories) *	10.5, 17 (5 stories) *	10.5	10.5	10.5	10.5
h. Minimum height (stories)		Two stories	n/a	n/a	n/a	n/a	n/a
i. Minimum lot size -- commercial (m <sup>2</sup> )		464	464	464	930	464	464
j. Minimum lot size -- residential above (m <sup>2</sup> )		464	464	464	n/a	n/a	n/a
k. Minimum lot size -- residential		n/a	n/a	n/a	n/a	600	n/a

\* Subject to rezoning to Comprehensive Development or density bonus amenity provisions

\*\* No more than 50% of the front or exterior side of a building shall be set back further than the maximum setback



### 5.3.5 Landscaping and Screening

- a. For any boat and marine storage use, screening of storage shall include a minimum 2-metre-high opaque fence (maximum height of 2.4 metres) along all lot lines and the use of semi-enclosed structures to contain and conceal storage on at least three sides. Screening shall be subject to a Development Permit in accordance with Development Permit Area Highway Commercial, Neighbourhood Centre, and Tourism Areas Development Permit Area (DPA-5) of the Official Community Plan.

## 5.4 INDUSTRIAL ZONES

### 5.4.1 Intent of Zone Districts

- a. I-1 Light Industrial Zone

The intent of the I-1 Light Industrial Zone is to provide for light industrial and service uses.

- b. I-2 Heavy Industrial Zone

The intent of the I-2 Heavy Industrial Zone is to provide for heavy industrial and forestry related uses.



## 5.4.2 Permitted Principal and Accessory Uses

Principal Uses	Zone District	
	I-1	I-2
a. Aggregate processing facility		✓
b. Automobile body repair and painting	✓	✓
c. Automobile repair shop	✓	✓
d. Automobile sales	✓	✓
e. Building supplies – wholesale and retail	✓	✓
f. Call centres and data processing	✓	✓
g. Cold storage plant and/or frozen food locker	✓	✓
h. Computer technology related enterprises and electronics research and development	✓	✓
i. Door and window manufacturing within a building	✓	✓
j. Feed, seed, and fertilizer storage	✓	✓
k. Food processing facility		✓
l. Forest products processing and manufacturing, excluding pulp and paper production	✓	✓
m. Garden nursery	✓	✓
n. Heavy manufacturing		✓
o. Light manufacturing including boat building, cabinet, and furniture, door, and sash manufacturing within a building	✓	✓
p. Log sorting		✓
q. Saw and shake and shingle mills		✓
r. Lumber yard	✓	✓
s. Metal fabrication	✓	✓
t. Modular or prefabricated home manufacturing	✓	✓
u. Recycling depot	✓	✓
v. Service station	✓	✓
w. Warehouse, including commercial storage	✓	✓
x. Welding shop, machine shop and metal fabrication	✓	✓



### 5.4.3 Dimensional and Coverage Standards

<b>Dimensional and Coverage Standards for Industrial Zones</b>	
	I-1 and I-2
a. Maximum height (metres)	16
b. Minimum lot size (square metres)	667
c. Maximum parcel coverage (as a %)	50
d. Building setbacks	
i. Front (metres)	5.0
ii. Rear (metres)	5.0
iii. Exterior side (metres)	5.0
iv. Interior side (metres)	5.0

## 5.5 P-1 PUBLIC USE ZONE

### 5.5.1 Intent

The intent of the P-1 – Public Use Zone is to provide for not-for-profit institutional uses.

### 5.5.2 Permitted Principal Uses

- a. Columbarium
- b. Institution
- c. Municipal campground
- d. Public recreation use
- e. Public storage and works yards
- f. Seniors' care facility
- g. Senior citizen housing
- h. Special needs facility
- i. Sports field
- j. Transportation station
- k. Worship centre

### 5.5.3 Site Specific Accessory Uses

#### a. Principal Uses

- i. Childcare Facility for Palsson Elementary School on the site legally described as Lot B, Section 6, Renfrew District (situated in Cowichan Lake Land District), Plan VIP61171 (PID:023-056-011) at 30 Grosskleg Way;
- ii. Childcare Facility for Lake Cowichan School on the site legally described as Lot A, Block 25, Cowichan Lake Land District, Plan VIP8127, Except Plan 41318, VIP55717, and Exc Parcel A (DDB68607) (PID:000-534-340) at 190 South Shore Road;



- iii. Childcare Facility for Stanley Gordon School on the site legally described as Lot 13, Block 9, District Lot 12, Cowichan Lake Land District, Plan VIP1231, Except Plan 41318 (PID: 000-374-326) at 63 Sahtlam Avenue; and

b. Accessory Uses

Storage container, accessory to principal use in Lot B, Section 6, Renfrew District (situated in Cowichan Lake Land District), Plan VIP61171 but which must be properly screened.

#### 5.5.4 Standards

Public Use Zone Standards	Dimensions
a. Minimum lot size (square metres)	1,000
b. Maximum height (metres)	17
c. Maximum parcel coverage (percentage)	50
d. Minimum building setbacks for buildings and structures	
i. Front lot line	3.0
ii. Rear lot line	3.0
iii. Exterior side lot line	3.0
iv. Interior side lot line	3.0

## 5.6 W-1 WATER RECREATION ZONE

### 5.6.1 Intent

The intent of the W-1 – Water Recreation Zone is to ensure the protection and preservation of the natural state and environment of Cowichan Lake and Cowichan River and the riparian areas adjacent to them.

### 5.6.2 Permitted uses

- a. Beach and water-based recreational activities
- b. Marinas, breakwaters, ramps, and floats
- c. Navigational aids, buoys, and markers
- d. Public and commercial wharves

### 5.6.3 Standards

Water Recreation Zone Standards	Dimensions
a. Minimum lot size (square metres)	1,000
b. Maximum height (metres)	3.0
c. Maximum parcel coverage (percentage)	10
d. Minimum building setbacks for buildings and structures	

<b>Water Recreation Zone Standards</b>	<b>Dimensions</b>
i. Front lot line	7.5
ii. Rear lot line	7.5
iii. Exterior side lot line	7.5
iv. Interior side lot line	7.5



#### 5.6.4 Conditions of Use

- a. All development shall be undertaken by Development Permit as outlined in the Community Plan
- b. The use of docks, rafts, docking berths or such floatation devices necessary for the operation of a marina must receive appropriate permits and approvals from the provincial and/or federal department responsible for administration of foreshore lands.
- c. No residential use of floats, piers or vessels or the storage of vessels of any kind is permitted in this zone.
- d. The following are prohibited: boat houses, houseboats, and boat shelters.
- e. All use of this zone shall adhere to the legal requirements of the Canada Shipping Act: Boating Restriction Regulations

### 5.7 CD-1 – COMPREHENSIVE DEVELOPMENT ZONE

#### 5.7.1 Intent

The intent of a CD-1 Comprehensive Development Zone is to accommodate and regulate the development of a mixture of uses as an integrated unit based on a comprehensive area plan or as referenced in the Official Community Plan. A unique Comprehensive Development Zone shall be prepared and applied to each specific site in accordance with the regulations contained in this Section.

#### 5.7.2 Permitted Uses

- a. Agriculture
- b. Institution
- c. Silviculture
- d. No additional uses are permitted within this zone until and unless a zoning amendment application is made and approved.

#### 5.7.3 Standards

Comprehensive Development Zone Standards	Dimensions
a. Minimum lot size (square metres)	1,000
b. Maximum height (metres)	17
c. Maximum parcel coverage (percentage)	50
d. Minimum building setbacks for buildings and structures (metres)	
i. Front lot line	3.0
ii. Rear lot line	3.0
iii. Exterior side lot line	3.0
iv. Interior side lot line	3.0



#### 5.7.4 Documentation

- a. Every applicant for Comprehensive Development Zoning or every applicant making application to develop or subdivide lands, or construct buildings or structures within a Comprehensive Development Zone shall submit the following to Council:
  - i. An appropriate zoning amendment application completed and approved to fit required uses.
  - ii. A site plan, including the legal description of the land, showing the location of all existing or proposed buildings, streets, lanes, highways, parking and loading areas, sidewalks, street lighting, utilities and utility easements, streams, and other topographical features of the site;
  - iii. Preliminary architectural plans of any proposed buildings;
  - iv. Existing and proposed grades and their relation to the elevation of adjoining properties;
  - v. The location, size, height, and orientation of signs;
  - vi. The location and treatment of open spaces, screening, and landscaping.

### 5.8 CD-2 TINY HOUSE RESIDENTIAL (THR) COMPREHENSIVE DEVELOPMENT ZONE

#### 5.8.1 Intent

The intent of the C D-2 Tiny House Residential Comprehensive Development Zone is to accommodate and support the development of a tiny house neighbourhood.

#### 5.8.2 Permitted Uses

- a. Single detached dwelling

#### 5.8.3 Accessory Uses

- a. Home-based business





**5.8.4 Dimensional and Coverage Standards**

<b>CD-2 Tiny House Residential Comprehensive Development Zone Standards</b>	<b>Dimensions</b>
a. maximum density of a tiny house neighbourhood	one dwelling unit per 183 square meters
b. minimum individual home lot size	97 square metres
c. minimum size of a tiny house	29 square meters
d. maximum size of a tiny house	60 square metres on the ground floor and a maximum of 90 square metres for the combined ground floor and second story
e. maximum lot coverage of all buildings and accessory structures	50%
f. Building Height and Roof Pitch	
i. All parts of the roof above 5.5 metres shall be pitched	
ii. The height limit permitted for structures (metres)	5.5
iii. The ridge of pitched roofs with a minimum slope of six to 12 may extend up to 7.6 metres	
g. Building Setbacks (metres)	
i. Front lot line	1.5
ii. Rear lot line	1.5
iii. Exterior side lot line	1.2
iv. Interior side lot line	1.2

**5.8.5 Special conditions for a zero-lot line setback**

- a. Notwithstanding the provisions of Subsection 5.8.5, a principal building may be constructed with a zero-lot line setback from an interior property line adjacent to another tiny house lot, provided the following:
  - i. A minimum distance of 3 (three) meters is maintained between buildings on adjacent lots;
  - ii. A maintenance and construction easement shall be executed between the owners of the adjacent zero lot line lots and shall establish a minimum 2 (two) meters width extending in all directions from all zero setback walls.



**PART VI. CONDITIONS FOR SHORT TERM VACATION RENTALS**

**6.1** In any zone or property in which a Short-Term Vacation Rental is permitted, the following conditions shall be satisfied:

- 6.1.1 Compliance with the Bylaw for the licensing and regulating of businesses in the Town of Lake Cowichan;
- 6.1.2 Compliance with the parking requirements of the Schedule B Off-Street Parking Spaces;  
and
- 6.1.3 Subletting of units by tenants is not permitted.



**PART VII. TRANSITION**

**7.1** Town of Lake Cowichan Zoning Bylaw Number 935-2013, as amended is hereby repealed.

READ A FIRST TIME on 27<sup>th</sup> day of April 2021.

READ A SECOND TIME on the on 27<sup>th</sup> day of April 2021.

PUBLIC HEARING held on the 28<sup>th</sup> of September 2021.

READ A THIRD TIME on the 28<sup>th</sup> of September 2021.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 28<sup>th</sup> of September 2021.

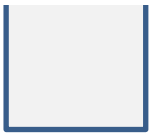
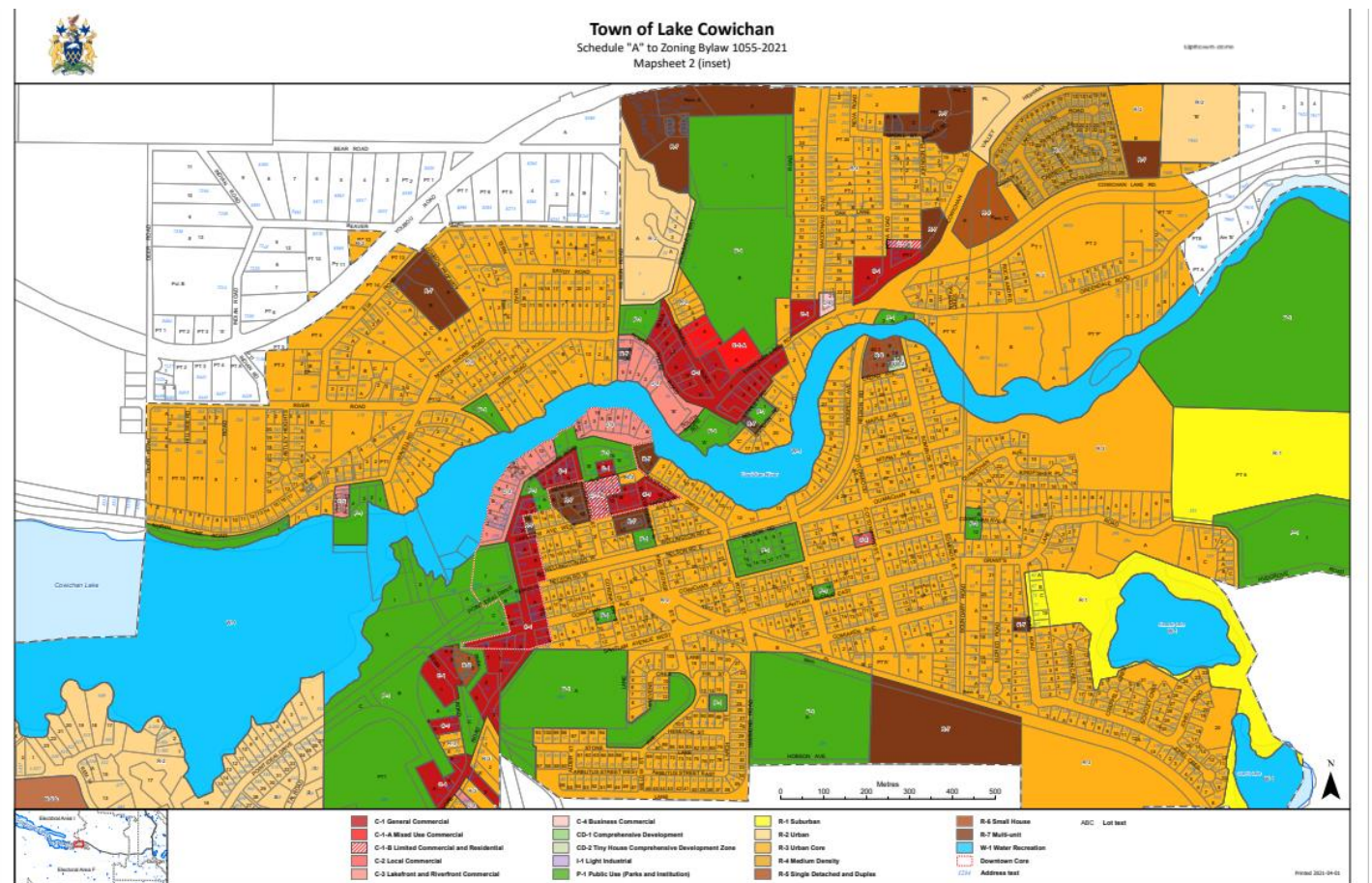
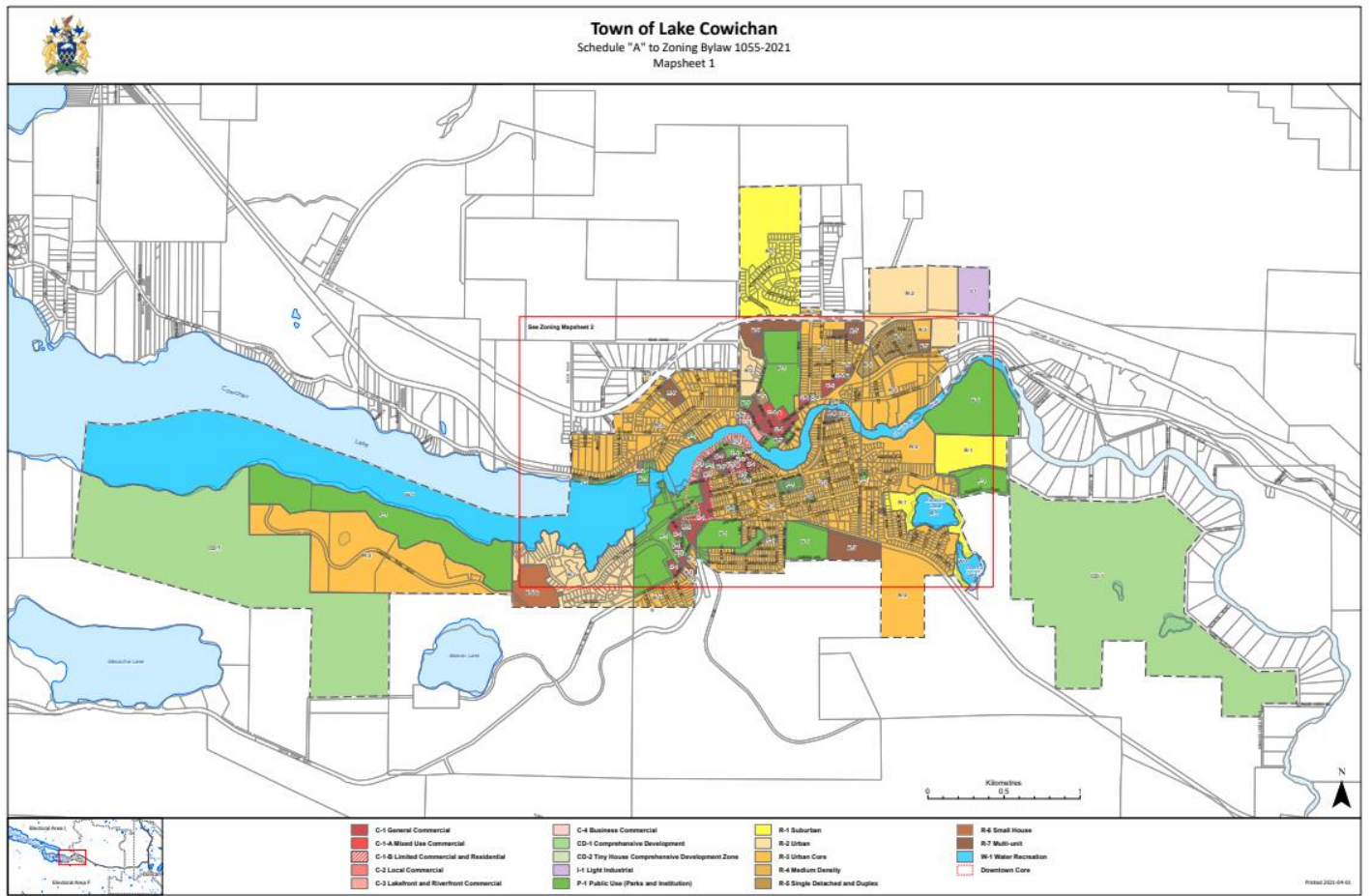
\_\_\_\_\_  
Bob K. Day  
Mayor

\_\_\_\_\_  
Joseph A. Fernandez  
Corporate Officer



**SCHEDULE 'A' ZONING MAP**

**Note:** Maps shown here for reference only. View high resolution maps in the Town Office or in a separate file on the Town website.



## **SCHEDULE 'B' PARKING SPACES**

### **1. General Provisions**

- 1.1. The purpose of the required parking spaces is to provide enough on-site parking to accommodate most of the traffic generated by the range of uses which might locate at the site over time. Opportunities for reducing vehicular parking requirements are provided through selected 'no minimum' requirements, cash-in-lieu of parking, shared parking for mixed use developments, and unbundling of parking spaces from the sale or lease of apartment dwelling units.

### **2. Interpretation**

- 2.1. The number of parking spaces required is calculated according to uses specified in Table B1 'Required On-site Parking Spaces' of this schedule.
- 2.2. When a type of use is not specified in Table B-1 'Required On-site Vehicular Parking Spaces', the number of spaces will be calculated based on the requirements for the most similar class of use listed in the Table.
- 2.3. When the calculation of the required on-site parking or loading space results in a fraction, one parking space shall be provided with respect to the fraction.
- 2.4. Where seating accommodation is the basis for a unit of measurement under this schedule and consists of benches, pews, booths, or similar seating accommodation, each one-half meter of width of such seating shall be deemed to be one seat.
- 2.5. When calculating parking spaces for single- and two-unit residential uses, a garage, carport, and driveway may be used.

### **3. Reuse of Buildings**

- 3.1. Notwithstanding the provisions in Part 5 Uptown Core Provisions, a change in use of a building to a different category of use within Table B-1 Required Vehicular Parking Spaces may require additional on-site parking, a Development Variance Permit, or cash-in-lieu in accordance with Part 6, Cash-in-lieu.

### **4. Driveway Access to Parking Spaces**

- 4.1. Single detached unit residential lots shall have only a single driveway access subject to Town approval for location.

### **5. Uptown Core Provisions**

- 5.1. Parking requirements for buildings in the Uptown Core as defined in Schedule A to this Bylaw may be waived subject to Section 5 Cash-in-lieu, except where the following shall apply:
  - 5.1.1. One parking space shall be provided for each 100 m<sup>2</sup> of Office use where the Office use exceeds 3,000 m<sup>2</sup>;
  - 5.1.2. Premises used for hotel and motel shall be provided with on-site parking spaces for vehicles equal in number to not less than 50% of the number of hotel and motel units therein; and
  - 5.1.3. Premises for residential accommodation, which premises shall be provided with on-site parking spaces equal to the number required in Table B-1 'Required Vehicular On-site Parking Spaces'.

### **6. Cash-In-Lieu**

- 6.1. Subject to Town approval, any owner or occupier of lands, buildings, or structures zoned commercial shall pay the Town a four thousand dollars (\$4,000) per on-site parking space to be waived.
- 6.2. Payment under Section 6. 1 shall be by cash or certified cheque and shall be made to the Town prior to issuance of a building permit, or issuance of a business licence for a new use of land, and prior to commencement of any new uses of land.
- 6.3. Payments collected under Section 6.1 shall be paid into a reserve fund established in accordance with the Local Government Act.
- 6.4. The allowed reduction of parking stalls without requiring a Development Variance Permit shall be to a maximum of 25% of the required on-site parking.
- 6.5. The Town Council may waive cash-in-lieu requirements for civic uses, affordable housing, senior citizens housing, supportive housing, and community care facilities.

## 7. PARKING SUPPLY RATES

### 7.2 General by Use

7.1.1. Required vehicular On-site parking spaces are identified and organized by use categories in Table B-1 'Required On-site Parking Spaces'.

<b>TABLE B-1 Required On-site Parking Spaces</b>	
<b>Use</b>	<b>Required Spaces</b>
<b>Residential</b>	
a. Bed & breakfast accessory to single unit dwelling	1 per sleeping unit in addition to principal dwelling requirement
b. Dwelling units; apartment, townhouse, including units in buildings also used for commercial use	<ul style="list-style-type: none"> <li>• 0.75 per bachelor unit</li> <li>• 1 per 1-bedroom unit</li> <li>• 1.5 per 2-bedroom unit</li> <li>• 1 guest parking space per 10 units</li> </ul>
c. Single dwelling unit, including mobile & modular home	2 per unit
d. Dwelling unit, duplex	2 per unit
e. Dwelling unit, secondary suite	1 per unit, tandem parking for a duplex in the event a secondary suite is present for lots that are not on a corner, or not greater than 780 square metres.
f. Lodging and boarding houses	1 per unit, including manager unit
<b>Commercial</b>	
a. Boat and marine storage	No minimum
b. Business and professional services, including call centres	2 per 100 m <sup>2</sup> of GFA
c. Commercial, retail, including liquor sales and repair services, but excluding grocery store	2 per 100 m <sup>2</sup> of GFA
d. Commercial, low intensity	1.4 per 100 m <sup>2</sup> of GFA
e. Childcare facility	2 per 100 m <sup>2</sup> of GFA
f. Grocery store, including convenience store	5 per 100 m <sup>2</sup> of GFA, or a minimum of 4 spaces
g. Hotel and tourist accommodation	1 per sleeping unit
h. Personal service establishment	Beauty salon/hair care: 1 space per service seat All other uses: 2.7 space per 100 m <sup>2</sup> of GFA

<b>TABLE B-1 Required On-site Parking Spaces</b>	
<b>Use</b>	<b>Required Spaces</b>
i. Restaurant	2 per 10 seats
j. Service station	Greater of 1 per 100 m <sup>2</sup> of GFA or 2 per service bay
k. Shopping centre, excluding grocery store	2 per 100 m <sup>2</sup>
<b>Institutional</b>	
a. Campground, municipal	No minimum
b. Civic use	No minimum
c. Columbarium	No minimum
d. Hospital	No minimum; based on site needs assessment
e. Institutional office space	2 per 100 m <sup>2</sup> GFA
f. Medical and dental office or clinic	2.7 per 100 m <sup>2</sup> GFA
g. Public assembly use or area, excluding worship centres	1 per 4 seats
h. School; kindergarten, elementary and junior secondary	No minimum requirements, based on School District need assessment
i. School; senior secondary	No minimum requirements, based on School District need assessment
j. Senior citizen housing	0.35 spaces per unit
k. Social organization	3 per 100m <sup>2</sup> of GFA
l. Supportive housing and community care facility	1.25 spaces per 100 m <sup>2</sup> GFA
m. Worship centre	1 per 10 seats
<b>n. Recreation</b>	
o. Marina, exclusive of restaurant and retail space	1per boat slip;
p. Park and playground	No minimum
q. Recreation facility, private	No minimum
r. Recreational facility, public (ice rink, pool)	1.6 per 100 m <sup>2</sup> of rink surface plus 20 spaces per 100 m <sup>2</sup> of pool surface
<b>Industrial</b>	
a. Aggregate processing	No minimum
b. Automotive repair and service shops	Greater of 1 per 100 m <sup>2</sup> of gross floor

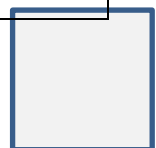
<b>TABLE B-1 Required On-site Parking Spaces</b>	
<b>Use</b>	<b>Required Spaces</b>
	area or 2 per service bay
c. Computer technology related enterprises and electronics research and development	2 per 100 m <sup>2</sup> of GFA
d. Forest product processing and manufacturing including sawmill and log sorting, excluding pulp and paper production	1 for every 100 m <sup>2</sup> of GFA devoted to processing or manufacturing
e. Light manufacturing	1 for every 100 m <sup>2</sup> of GFA devoted to light manufacturing
f. Recycling depot	1 per recycle container
g. Warehouse, mini storage, with individual uses	1 per 100 storage cubicles plus 2 spaces for caretaker residence
h. Warehouse	per 100 m <sup>2</sup> GFA

### 7.3 Specialty Parking

#### 7.3.1 Barrier Free Parking

- (a) Barrier Free parking for cars, vans, and buses shall be provided in accordance with Table B-2 'Required On-site Designated Barrier Free Parking Spaces'.
- (b) The minimum numbers of required spaces are cumulative within their respective columns in Table B-2 'Required On-site Designated Barrier Free Parking Spaces'.
- (c) Barrier free parking design standards are set forth in Section 7 'Design'.

<b>Table B-2 Required On-site Designated Barrier Free Parking Spaces</b>			
<b>Car Spaces</b>		<b>Van Spaces and Bus Lay-bys</b>	
All Uses Except Medical Office, Seniors' Housing, and Community Care Facilities	Medical Office, Seniors' Housing, Community Care Facilities	Seniors' Housing and Community Care Facilities	Medical Office
1 for 15-50 spaces	1 for 15-45 spaces	1 bus lay-by or parking space for 60 or more car spaces	1 van space for 30 or more car spaces
2 for 51 to 100 spaces	Above 45, 1 for every additional 30 spaces		1 bus lay-by for 45 or more car spaces





3 spaces plus 1 for every 50 required spaces in excess of 101			
---	--	--	--

**7.3.2 Bicycle Parking**

- (a) All Multi-unit Residential, Office, Retail, Restaurant, Medical and Dental Office or Clinic, and Civic Facilities uses shall provide bicycle parking in accordance with Table B-3 'Required On-site Bicycle Parking'.

<b>Table B-3 Required On-site Bicycle Parking</b>		
<b>Use</b>	<b>Class 1 Bicycle Facility (Long Term)</b>	<b>Class 2 Bicycle Facility (Short Term)</b>
Multi-unit Residential	1 space per unit	One 6 space rack at entrance
Office	1 space per 400 m <sup>2</sup> GFA	1 space per 400 m <sup>2</sup> GFA
Retail and Restaurant		1 per 250 m <sup>2</sup> GFA: Minimum 4 spaces
Medical and dental office or clinic	1 per 500 m <sup>2</sup> GFA	1 per 500 m <sup>2</sup> GFA
Civic facilities such as Town Hall, Library, Community Centre	One space per 400m <sup>2</sup> GFA of office space	Minimum one 6-space rack at entrance

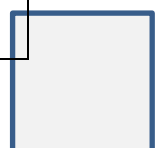
**7.4 Visitor Parking**

- 7.4.1 Visitor parking shall be provided for all multi-residential, townhouse, seniors' housing, and affordable housing buildings, at a rate of a minimum one (1) space per 10 dwelling units.
- 7.4.2 A minimum of one (1) space shall be provided for any building containing between 4 and 9 dwelling units.
- 7.4.3 Visitor parking shall be in addition to parking stalls required in accordance with Table B-1 'Required Parking Spaces' and any supply rate adjustments made in accordance with Section 6.6 'Supply Rate Adjustments'.
- 7.4.4 In a mixed residential and commercial development, required visitor parking spaces may be assigned to commercial use parking spaces, but shall not account for more than 15% of the space required for the commercial use component.

**7.5 Commercial Vehicle Loading**

- 7.5.1 Commercial, institutional, and industrial uses shall provide commercial vehicle loading spaces in accordance with Table B-4 'Required On-site Commercial Vehicle Loading'.

<b>Table B-4 Required On-site Commercial Vehicle Loading</b>	
<b>Use of Building</b>	<b>Number of Loading Spaces</b>
Less than 100 m <sup>2</sup> floor space	0



100 m <sup>2</sup> to 2000 m <sup>2</sup> floor space	1
2000 to 4000 m <sup>2</sup> in floor space	2
Greater than 4000m <sup>2</sup> in floor space	3

## 7.6 Mobility Scooter Parking

7.6.1 Mobility scooter parking shall be provided in seniors' housing in accordance with the following:

- (a) A minimum of one (1) parking space per 5 units;
- (b) Space may be provided using any one or a combination of the following options:
  - i. Within a dwelling unit;
  - ii. Within an enclosed storage unit with space for one or more scooters; or
  - iii. Within a sheltered parking area in which each space has the minimum dimensions of 1.2 metres width and 1.6 metres length.
- (c) Any space not enclosed shall be level, protected from the elements by a roof, be near a building entry, and have adequate charging facilities.

## 7.7 Supply Rate Adjustments

### 7.7.1 Mixed-use Development

- (a) Where there are two or more separate principal uses on a site, the required parking and loading for the site shall be the sum of the required parking and loading for each use, except as otherwise specified below:
  - i. The Chief Administrative Officer may approve a reduction of up to 20% of the total required parking and loading subject to a parking study undertaken by the development applicant that demonstrates the extent of overlap and lack of overlap for hours of operation between proposed uses in a mixed-use development.

### 7.7.2 Transportation Demand Management

- (a) Unbundling of Parking Space from Dwelling Unit
  - i. Residential apartment buildings, with either rental or condominium ownership tenure, may offer for sale or rent separate parking spaces from the rental or ownership of a dwelling unit.
  - ii. New residential apartment buildings that offer separate sale or lease of parking spaces may receive a 20% reduction in the minimum number of required On-site parking, subject to the provision of evidence satisfactory to the Town that all renters and buyers have the option to separately purchase or rent a parking space.

## 8. Design

### 8.1 Access to Parking Facility

8.1.1 The point of access to a parking facility shall be at a location approved by the Town in accordance with traffic safety standards.

### 8.2 Location of Automobile Parking

8.2.1 Parking lots shall be located at the rear or side of buildings relative to the street.



- 8.2.2 If located to the side, in no case shall the linear width of the parking lot adjacent to the street exceed 50 per cent of the lot frontage.

### 8.3 Location and design of Bicycle Parking

#### 8.3.1 Class I Bicycle Parking (Long-Term)

- Long-term bicycle parking shall be provided in a secure bicycle storage area that is accessible only to residents or employees of the building.
- A minimum of 50 percent of the long-term bicycle parking spaces in a bicycle storage facility shall allow for a bicycle to be parked horizontally on the floor.
- Long-term bicycle parking shall be located at building grade or within one story of building grade in an area that provides convenient access to main entrances or well-used areas.

#### 8.3.2 Class II Bicycle Parking (Short-Term)

- Class II bicycle parking (Short-Term) shall be in a well-lit, and convenient location no further than 15 metres distant of the main building entrance that is clearly visible and accessible by visitors.
- Each Class II bicycle parking (Short Term) parking space shall be provided in the form of racks that are permanently anchored to the ground or a permanent structure.

### 8.4 Access to Parking Stalls and Pedestrian Circulation

- 8.4.1 Any area of a lot used for on-site parking shall always be constructed to permit unobstructed access to and egress from each space, clear of any access driveways, aisles, ramps, columns, signs, or other similar obstructions.

### 8.5 Size of Parking Stalls and Aisle Widths

- 8.5.1 Parking stalls shall conform to the requirements as shown in Table B-5 and Table B-6 and Figure 1 'Parking Lot Stall, Aisle and Parking Bay Dimensions'.
- 8.5.2 Notwithstanding the dimensions in Table B-5, small car stalls and access aisles shall have the same dimensions as those of Table B-5 Parking Lot Stall, Aisle, and Parking Bay Dimensions, except the stall length may be 4.6 metres.
- 8.5.3 A maximum of 30% of parking stalls may be small car stalls.

Dimensions (in metres)	Parking Angle			
	0° (Parallel)	90°	60°	45°
Stall width (C-1)	2.8	2.6	2.6	2.6
Stall length(C-2)	6.0	5.5	5.5	5.5
Parking bay depth	n\a	5.5 (D-3)	6.3 (D2)	5.9 (D-1)
Aisle width—one way	4.0	6.7 (A-1)	5.2 (A-2)	4.0 (A-1)
Aisle width—two way	6.1	7.6 (B-3)	6.1 (B-2)	6.1 (B-1)



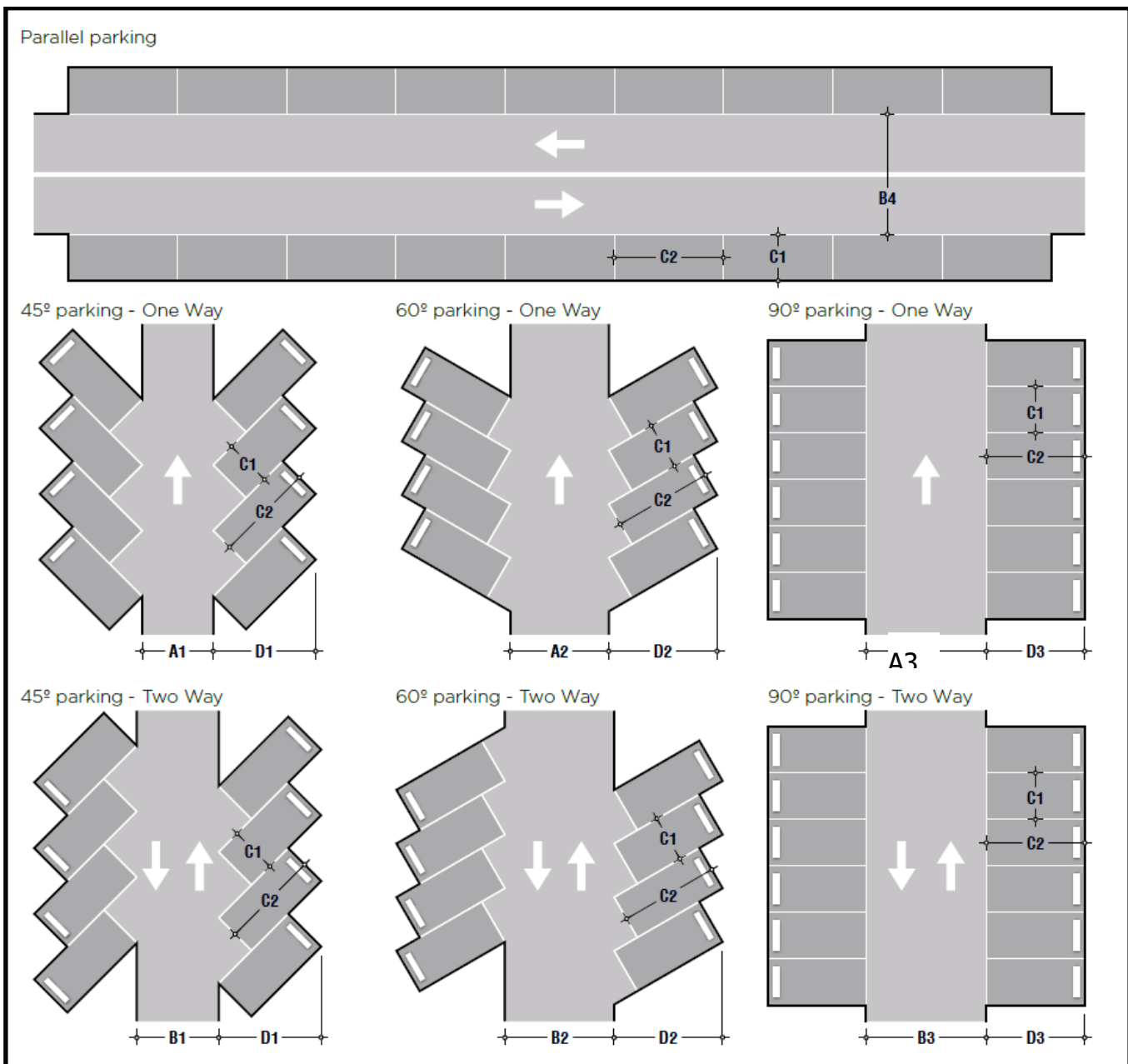


Figure 1 Parking Lot Stall, Aisle and Parking Bay Dimensions

## 8.6 Barrier Free Parking

- 8.6.1 The design and location of barrier free parking stalls shall be in accordance with the following standards:
- Stall dimensions for cars, vans and lay-bys shall be in accordance with Table B-6 Barrier Free Stall Dimensional Standards;
  - Where two barrier free car stalls are provided side-by-side, the additional width (1.1 metre) may be shared between the two spaces (refer to Figure 2);
  - Stalls and lay-bys for custom transit vehicles such as Handy Dart shall be located as close as possible to a building entrance that accommodates wheelchair access; and
  - All other design standards are subject to the BC Building Code.



<b>Table B-6 Barrier Free Stall Dimensional Standards</b>			
<b>All Dimensions Expressed in Metres and for 90° Parking, Except for Lay-by</b>	<b>Stall Width Parallel to Aisle (SW) (in metres)</b>	<b>Stall Depth Perpendicular to Aisle (PD) (in metres)</b>	<b>Height Clearance (in metres)</b>
Car stall	3.7	5.5	n/a
Car—adjacent stalls	2.6 m each plus shared 1.1 m walkway	5.5	n/a
Van stall	4.8	7.6	2.3
Bus lay-by	3	8	2.5

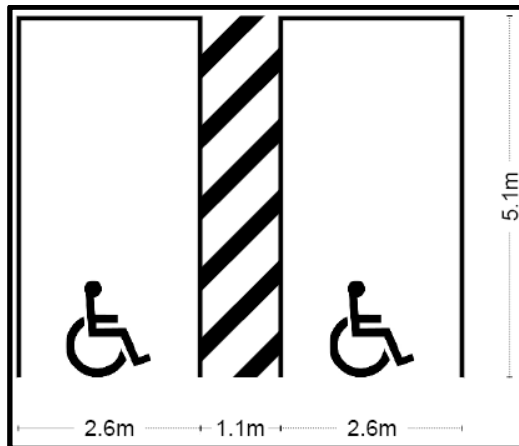


Figure 2 Barrier Free Parking with Shared Access Space

**8.7 Landscaping and Screening**

- 8.7.1 For all uses other than industrial uses, no less than 15% of a surface parking area shall be provided as perimeter and/ or interior landscaped areas comprising a landscape buffer, landscape median, or landscaped islands.
- 8.7.2 Parking lots adjacent Landscaping to a highway shall be screened with either:
  - a. A landscaping buffer (see Figure 3) and landscaping screen (see Figure 4) comprising evergreen plantings of a minimum 1 (one) meter in width, a minimum height of 0.75 metres, and a maximum height of 1.5 metres; or
  - b. A decorative screen (see Figure 4) comprising stone, brick, metal and/or wood of a minimum height of 0.75 metres.



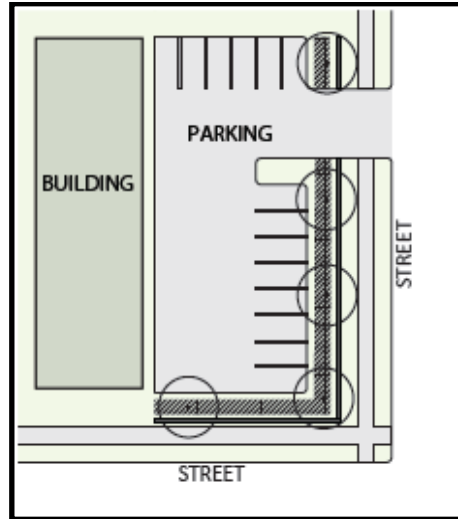


Figure 3 Landscaping Buffer with Evergreen Plantings—Plan View



Figure 4 Landscaping Screen with Evergreen Plantings -Perspective View

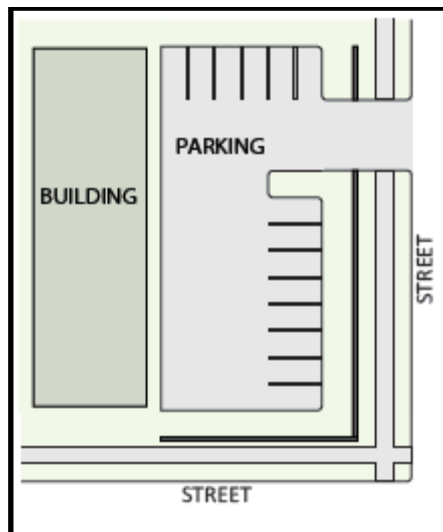


Figure 5 Decorative Screen Plan View





Figure 6 Decorative Screen Perspective View

- 8.7.3 Parking lots adjacent to a residential land use shall be screened with:
- a. A landscaping buffer of a minimum 2 (two) metres in width;
  - b. Tree plantings at the rate of one per 6 lineal metres; and
  - c. A wood privacy fence of a minimum height of 1.5 metres and a maximum height of 2 (two) metres.
- 8.7.4 A parking lot shall have planting islands (see Figure 7) in accordance with the following:
- a. a minimum width of 3 (three) metres between every 10 stalls to avoid long rows of parked cars; and
  - b. a minimum of one shade tree accompanied with low shrubs and/or ground cover.

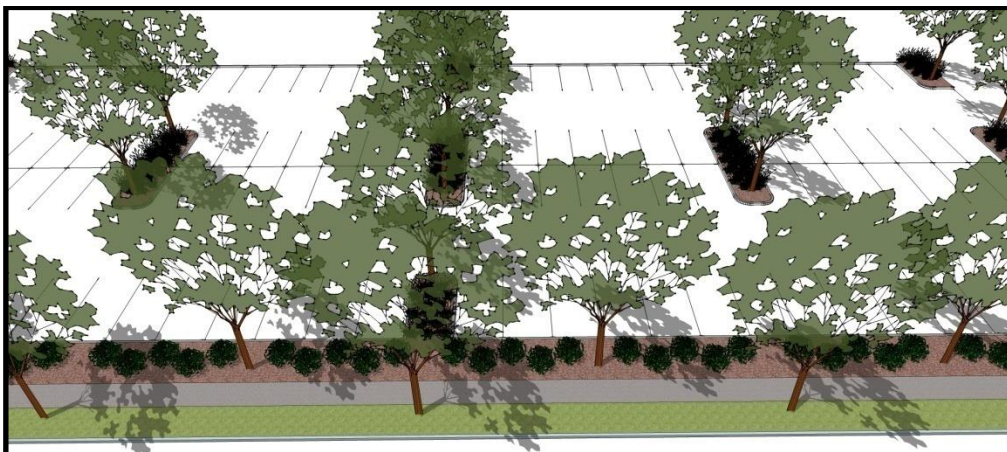


Figure 7 Planting Islands Illustration

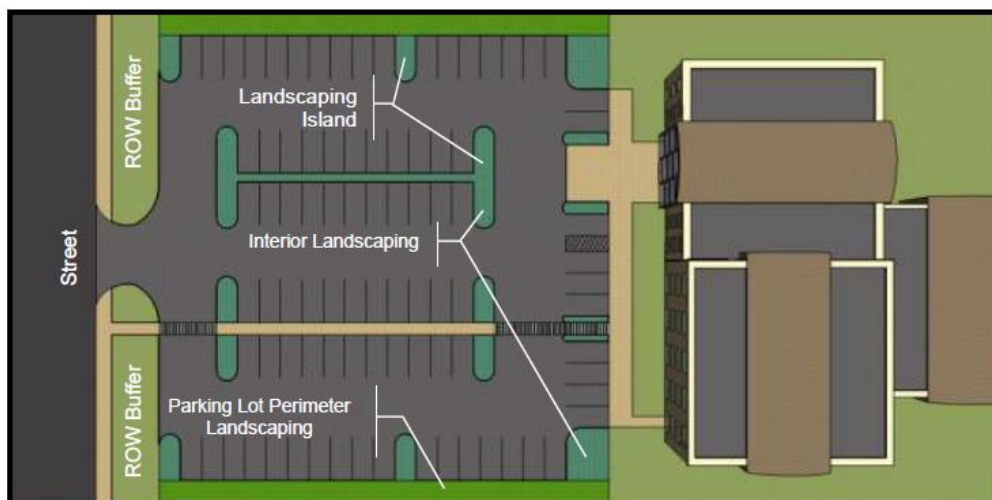


Figure 8 Island, Interior, and Perimeter Landscaping Plan View Illustration



- 8.7.5 Within the interior of the parking lot, circulation and signage design shall:
- a. delineate vehicular and pedestrian circulation patterns using different colour and texture paving materials;
  - b. provide clear and legible signs; and
  - c. provide raised areas, and other appropriate techniques to direct the flow of both vehicular and pedestrian traffic within the lot.
- 8.7.6 Non-residential or mixed-use sites with fifty (50) or more parking spaces shall provide separated pedestrian walkways to enable pedestrian access between the parking area and building entrances.

## **8.8 Surfacing, Painting, Curbs, Lighting**

- 8.8.1 All on-site parking areas shall be surfaced in with asphalt, concrete pavers, or permeable material that provides a surface that is durable and dust-free and shall be designed to properly drain all surface water.
- 8.8.2 Notwithstanding provision 7.8.1, a parking lot may be surfaced with gravel, grasscrete, or similar permeable surface as part of a rainwater management plan prepared in accordance with standards set forth in the Subdivision, Works & Services Bylaw.
- 8.8.3 All parking spaces, maneuvering aisles, entrances and exits shall be clearly marked by painted lines or other appropriate means and such markings shall be maintained to ensure legibility.
- 8.8.4 The gradient of an on-site parking area shall not exceed 8% grade in parking space areas and shall not exceed 15% grade on any internal ramp area.
- 8.8.5 A surface parking space that abuts a pedestrian walkway or landscaped area without barrier curb shall have a wheel stop not less than 0.9 metres from the end of the parking space, except when the parking space is configured parallel to the curb, shares a common front boundary with another parking space, or is associated with a single dwelling unit or duplex.
- 8.8.6 On-site parking areas consisting of four or more spaces shall include lighting that is arranged and shielded so that no direct light is oriented upward or shines beyond the boundaries of the site.

## **8.9 Drive-Through Facilities**

- 8.9.1 The number of inbound queuing spaces required for vehicles approaching a drive-up service area is 11.
- 8.9.2 The number of outbound queuing spaces on the exit side of each service position is 2 (two).





**SCHEDULE 'C' DENSITY BONUS CALCULATIONS AND AMENITY CONTRIBUTIONS**

1. Density bonus calculations for specific properties are set forth in this Schedule in accordance with the Town of Lake Cowichan’s Official Community Plan (2019) density bonus policies in Subsection 5.2.1.4.
2. Density Bonus Calculation Table

Parcel	Zone district—pre-development application	Estimated unit yield prior to development application	New or amended Zone district (if applicable)	Additional unit yield permitted with amended zoning or development approval	Voluntary affordable housing contribution	Voluntary amenity contribution
Remainder Lot 1 District Lot 13 Cowichan Lake District Plan VIP 64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and VIP88405	R-1-A Single Detached and Duplex Residential Zone	55	R-5 Single Detached and Duplex Residential Zone	Up to 28 secondary suites	Each secondary suite shall be rented at a rate of 15% below market and shall be subject to a housing agreement attached to property title.	
Consolidation of Lot 1, Plan 27794 and Remainder of Lot C, Plan 27479, both within District Lot 16, Cowichan Lake District, and that part of Remainder of Parcel K (DD 1221071), Section 6, Renfrew District	R-2 Urban Residential	17	R-5 Single Detached and Duplex Urban Residential Zone	15 units, representing an 89% increase in density due to rezoning	20% of additional density achieved (e.g., 3 units based on an additional 15 units); any fraction in the calculation shall be rounded up to the next whole number. Units are to be available on an affordable basis with appropriate covenants registered on affected lots for 10 years.	



**List of Amendments**  
**Consolidated for Convenience Only**

This Bylaw has been consolidated for convenience only. Where applicable, capitalization, numerical order, and numbering have been altered for consistency. Copies of the original Bylaw and amendments may be viewed at the Town of Lake Cowichan Municipal Hall located at 39 South Shore Road, Lake Cowichan, BC.

<b>Bylaw No.</b>	<b>Amendment No.</b>	<b>Adopted</b>	<b>Text (T) or Map (M) Amendment or Designation Change (Z)</b>	<b>Amendment Designation</b>
<b>1079</b>	1	22-11-22	M	Rezone of 3 parcels on Renfrew Avenue (Lakewood Manor) from R-7 Multi-unit and R-3 Urban Core to <b>P-1 Public Use</b>
<b>1080</b>	2	22-11-22	M	Rezone of Lot 18, Plan 8069 (163 Neva Road) from R-3 Urban Core to <b>R-6 Small House.</b>
<b>1087</b>	3	23-03-28	T	Deletion of Section 5.5.3 in its entirety and addition of new Section 5.5.3 – Site Specification Principal and Accessory Uses (a) and (b)
<b>1091</b>	4 <b>REMOVED</b> 1105-2024 AMENDED	23-05-23	T	Amendment to Part V, Section 5.1.3 Permitted Accessory Uses and substituted with new Subsection b Permitted Accessory Use Table to include under Single Detached and Duplex R-5 Secondary Suite accessory use.
<b>1099</b>	5	24-03-26	T	Addition under Section 3.2 Definitions - E-cigarette.
<b>1099</b>	6	24-03-26	T	Addition under Section 3.2 Definitions - Vapour Product.
<b>1099</b>	7	24-03-26	T	Subsection 5.3.3 Site Specific Permitted Principal and Accessory Uses with addition under C-1-A for Adult Vape Shop where the sale of e-cigarettes and vapour products is permitted on Lot 1, Plan VIP27529 only.



Bylaw No.	Amendment No.	Adopted	Text (T) or Map (M) Amendment or Designation Change (Z)	Amendment Designation
1104	8	24-06-25	T	Addition under Section 3.2 Definitions - <b>Accessory Dwelling Unit.</b>
1104	9	24-06-25	T	Addition under Section 3.2 Definitions - <b>Accessory Dwelling - Coach House.</b>
1104	10	24-06-25	T	Deletion under Section 3.2 Definitions - <b>Secondary Suite</b> and Replacing with <b>Accessory Dwelling – Secondary Suite.</b>
1104	11	24-06-25	T	Addition under Section 3.2 Definitions - <b>Tandem Parking.</b>
1104	12	24-06-25	T	Deletion of Article 5.1.3.a. in its entirety
1104	13	24-06-25	T	Replacement of Article 5.1.3.b. in its entirety with <b>table</b> under to as 5.1.3.a.
1104	14	24-06-25	T	Addition of Article 5.1.3.b. <b>Accessory Use Limitations and Special Considerations.</b>
1104	15	24-06-25	T	Amendment to Subsection 5.1.6, Table Low and Medium Density Residential Zone District Standards – Article d. Clause iii. Interior Side Lot from <b>2.0</b> to 1.5 for R-2 and R-3 Zones.
1104	16	24-06-25	T	Amendment to Subsection 5.1.6, Table Low and Medium Density Residential Zone District Standards – Article b. Clause i. Maximum Height amended to <b>11.0 metres</b> for R-1, R-2, R-3, R-5 Zones.
1104	17	24-06-25	T	Amendment to Subsection 5.1.6, Table Low and Medium Density Residential Zone District Standards – Article c. Maximum Lot Coverage amended by including <b>50% coverage for R-6 Small House zone when a secondary suite is present.</b> The 60% coverage for principal dwelling remains unchanged.



<b>1104</b>	<b>18</b>	<b>24-06-25</b>	<b>T</b>	<b>Deletion of Section 5.1.9 Garden Suite Standards in its entirety and addition of new Section 5.1.9 Garden Suite standards.</b>
<b>1104</b>	19	24-06-25	T	Addition of <b>Section 5.1.10 Coach House Standards.</b>
<b>1104</b>	20	24-06-25	T	Amend Schedule B Parking Spaces, Table B-1 Required On-site Parking Spaces, Article <b>e. to require tandem parking for duplex.</b>
<b>1105</b>	21	24-06-25	T	Subsection 5.3.3 Site Specific Permitted Principal and Accessory Uses is amended with the addition under C-1 General Commercial Zone for <b>Institution use of a school on the parcel with a street address of 38 King George Street North</b> , and legally described as Lot 1, Plan EPP65810, District Lot 12, Cowichan Lake Land District (PID: 029-995-680).

