



TOWNSITE  
PLANNING

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February 12, 2024

Town of Lake Cowichan  
39 South Shore Road  
Lake Cowichan, BC V0R 2G0

Our File: 23-17RZ (LAKE COWICHAN)

Attn: Joseph Fernandez, CAO / James van Hemert, Planner

Re: APPLICATION FOR REZONING – SUPPLEMENTAL INFORMATION  
LOT B, PLAN VIP44661 & LOT B, PLAN VIP29595

Dear Mr. Fernandez and Mr. van Hemert,

Further to our in-person meeting with Mr. van Hemert on November 16, 2023, enclosed please find information and supporting materials in support of the existing application to rezone properties located at the above-noted legal address, on behalf of our client.

We are requesting an amendment to the existing zoning (mix of R-2, R-3 and R-7) on the subject properties to a new *Comprehensive Development (CD) Zone*, in order to facilitate a residential development that will provide for mix of housing options that are aligned with the goals, objectives, and policies of the Town of Lake Cowichan's Official Community Plan (OCP).

We look forward to working with Staff and Council to refine the parameters of this development and advance this project forward through the rezoning process. Please contact us if you have any questions or concerns regarding the application or the information contained herein.

Sincere Regards,

Scott W. Mack, M.Arch., B.Sc. (PLAN), MCIP, RPP  
Managing Partner | Registered Professional Planner

Attachments:

1. Schedule A – Project Rationale
  2. Schedule B – CD-3 Zone
  3. Schedule C – CD-3 Zone Map
  4. Schedule D – Preliminary Development Concept
  5. Schedule E – Appointment of Agent Form
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# EMERALD VALLEY

COMPREHENSIVE DEVELOPMENT / REZONING APPLICATION  
SCHEDULE A - PROJECT RATIONALE

DATE OF SUBMISSION: FEBRUARY 12, 2024

APPLICATION SUBMISSION  
PREPARED BY:



**TOWNSITE**  
**PLANNING**

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## 1.0 – BACKGROUND / SITE CONTEXT

The subject properties are located in the Town of Lake Cowichan, directly adjoining the eastern boundary of the Town with the Cowichan Valley Regional District (CVRD) and include two titled parcels of land and a total developable area of approximately 5.33 ha (12.7 acres).

The site has significant changes in topography / elevation through different portions of the site, generally rising in elevation from south to north. Grade changes are most prominent in the southwest portion (1/3) of the site, while the northern 2/3 of the site presents fewer grading challenges.

There is also a small drainage course that cuts through the northeast corner of the parcel which outlets ultimately to the Cowichan River, located approximately 200 m to the south of where it leaves the subject properties.

There are currently no improvements located on the subject properties and the majority of the site has been cleared in anticipation of initial phases of servicing and development.

Surrounding land uses are described as follows:

**West:** To the west of the site is an existing residential neighbourhood subdivision with approximately 80 units located on small (330 – 500 m<sup>2</sup>) bareland strata lots. Of note, there is an existing 7.0 m wide Common Property buffer strip, mostly forested, separating this strata development from the subject properties. Further to the west of this development is a new 23-lot residential subdivision located at the intersection of Hwy. 18 and Cowichan Lake Road.

**East:** To the east of the subject properties are a number of existing 1–2-acre rural acreage properties, located beyond the corporate limits of the Town of Lake Cowichan within the Cowichan Valley Regional District.

**South:** Approximately half of the southern boundary of the site abuts two existing small residential parcels (each approximately 1/3 acre in size). The other half of the site directly abuts Cowichan Lake Road. On the south side of the road is the right-of-way for the Cowichan Valley (Trans-Canada) Trail. The Cowichan River is located approximately 150 m south of the SE corner of the subject properties.

**North:** The north side of the property directly abuts Highway 18

The site is located very close to numerous existing community services and facilities.

Walking distances are noted as follows:

- 30 m - Cowichan Valley Trail (Directly adjoining site - 30 m trail connection proposed)
- 150 m - BC Transit (Route 7) (Route directly adjoining site, closest stops are located 150 m to west)
- 600 m - Commercial Services (Fuel, Vehicle Repairs, etc. at Hwy. 18 and Cowichan Lake Road)
- 950 m - Commercial Services (Country Grocer, BC Liquor Store, Island Savings, Home Hardware, etc.)
- 1100 m – Palsson Elementary School

- 1400 m – Lake Cowichan Fire Department
- 1500 m – Canada Post Office, Town Hall
- 1700 m – VIRL Public Library
- 2000 m – Lake Cowichan Secondary

It is important to note, all of the above noted facilities can be accessed either directly, or nearly directly from the Cowichan Valley Trail. As an example, high school students will be able to walk to school nearly entirely on the Cowichan Valley Trail, needing to walk along the street for only the final 2 blocks. Similarly, a resident needing groceries will be to walk approximately 700 m along the Cowichan Valley Trail, then travelling only a further 350 m along Cowichan Lake Road to access Country Grocer.

The Cowichan Valley Trail provides excellent linkages and connectivity between this site and virtually all critical community services and facilities.

## 2.0 – APPLICATION HISTORY

The subject properties have been subject to previous development applications, including a subdivision application in 2021, which resulted in the issuance of a PLA for a 19-lot subdivision of the western-most parcel under the existing R2 and R4 zoning. As noted previously, some initial site clearing and grading was commenced. More recently, the owners submitted an application to rezone both properties, however, the Town requested additional supplemental information to further clarify and support the application.

Townsite Planning was engaged by the developer in late 2023 to develop an overall vision for the project, taking into account the developers' goals, the Town's objectives – as spelled out in the Official Community Plan (OCP) – best planning practices, and present housing market conditions.

This submission (Project Rationale, CD-3 Zone, Preliminary Development Concept) is intended to supplement the original application and provide the Town with additional background information that better outlines the proposed development, which we understand will allow the Town to proceed with processing the application.

We also met with the Town Planner (James van Hemert), on November 16, 2023, to review a first draft of the preliminary development concept. Mr. van Hemert, confirmed that the application, as presented, would not require an OCP amendment, and that a Comprehensive Development (CD) zone would likely be the best option to capture the zoning requirements that would allow for the implementation of the vision outlined in the preliminary land use concept. He also provided valuable feedback and recommendations on alterations to the Preliminary Development Concept (which have been incorporated into this updated submission) to better address the needs of the community.

We have attempted to address all of these key points in our updated application and believe that we have prepared a proposal that will create a development that will produce benefits and positive

outcomes for the developer, the Town of Lake Cowichan and future and existing residents of the neighbourhood and community.

### 3.0 – OCP & ZONING

The subject properties are currently designated for a mix of 'Urban Neighbourhood' and 'Urban Neighbourhood Compact' development under the Town of Lake Cowichan OCP Bylaw No. 1022-2019. Based on the densities and anticipated land uses outlined in the OCP, and further confirmed in discussion with the Town's Planner, our application is consistent with these land use designations, and therefore does not require an application to amend the OCP or alter the existing OCP land-use designations.

The subject properties currently fall under three (3) different zoning designations:

- R2 (Urban / Low Density) - eastern portion of the site
- R3 (Urban Core / Medium Density) – northwest portion of the site
- R7 (Multi Unit / Medium – High Density) – southwest portion of the site

The existing zoning designations support and allow for a mix of residential uses and densities, including but not limited to:

- single detached, duplex, triplex and fourplex dwellings;
- townhouses
- multi-unit dwellings, including townhouses and apartments

The proposed Comprehensive Development (CD-3) Zone – Emerald Valley (see attached Schedule B) does not significantly alter the potential uses or densities already permitted under current zoning, rather, it creates a set of specific regulations that responds to the unique characteristics of this site and establishes greater certainty as to how the lands will be developed.

The CD-3 zone proposes the establishment of three sub-areas (see attached Schedule C) within the subject properties:

- Area 1: Low / Medium Density
- Area 2: Medium / High Density
- Area 3: Neighbourhood Park

Area 1 comprises the majority of the site (68%) and is intended to accommodate a broad range of low to medium density land uses. Key anticipated land uses include: duplexes (potentially w/ secondary suites); townhouses; stacked townhouses; and senior's-oriented patio homes. Buildings would be a mix of one, two and three-stories (with a maximum building height of 3 stories). Building heights on the eastern portions of the site would be limited in order to provide a more subtle transition from the development to the existing rural lands to the east (located within the CVRD).

Area 2 comprises approximately 26% of the site and is intended to accommodate a mix of medium – high density uses, potentially including townhouses and apartments (including purpose-built rental apartments). Buildings in Area 2 would have a maximum height of 4-stories; however, the upper floor would be required to be stepped back in order to reduce the massing of the building. There is also a requirement in the zoning that any residential building with more than three (3) stories must provide for a portion of their parking requirements through underground / under-building parking to reduce the % of impervious spaces on the site.

We have also included an additional increased setback for both Areas 1 & 2 to the existing residential neighbourhood to the west. When combined with the existing 7.0 m Common Property buffer, this means that there will be a minimum separation of approximately 15.0 m (50 ft.) between any buildings on the two sites.

Area 3 is dedicated for municipal park dedication for the purposes of a neighbourhood park (approximately 5% of the site). See Section 5.0 for additional details regarding proposed park dedication and improvements.

Schedule D provides a detailed Preliminary Development Concept which illustrates a potential development scenario that would be permitted within Areas 1-3 under the CD-3 zone. The overall layout is heavily influenced by the existing grade on the site (particularly in the southwest portions of the site) and the need to design the road in a manner to achieve minimum engineering standards (re: road grades).

The Preliminary Development Concept (Schedule D) likely represents a theoretical “maximum build-out” scenario and contemplates three (3) potential apartment buildings in Area 2. However, it is important to note that the site may be built to a lower final density, subject to prevailing market conditions at the time of development. As an example, Area 2 may not end up with three (3) apartment buildings as illustrated but could instead have one (1) or two (2) apartment buildings along with townhouses. These types of development scenarios would result in lower overall densities but are still in keeping with the CD-3 zoning provisions and OCP policy guidance.

Both the OCP and the *Cowichan Valley Regional Housing Needs Assessment Report* also speak to the strong need in the community for both affordable housing, as well as rental housing – and specifically for smaller units.

By focussing on the creation of a development that includes 100% small scale multi-unit housing (duplex, triplex, fourplex, stacked townhouse, secondary suites, apartment units, etc.) this development will create residential units that are inherently more affordable than conventional large-lot single family development.

In addition, the developer is prepared to commit that a minimum of 60 residential units (60-unit Apartment Building - Rental) within Area 2, will be constructed and secured for purpose-built rental housing. Further to this, as a result of recent amendments to the *Strata Property Act*, which now

prohibits stratas from preventing rentals, it is highly likely that many other residential units within the development (those which have not been secured for purpose-built rental) will be made available to renters and the rental market, which will dramatically increase both the number and diversity of rental housing stock in the community.

## 4.0 ECOLOGICAL CONSIDERATIONS

We acknowledge that the Official Community Plan places a heavy emphasis on the value of the natural environment and ecological features located within the Town boundaries.

The only ecological feature located on the site is a small drainage course and wetland located at the far northeast corner of the site. The drainage course comes from across Highway 18 to the north, travelling through a culvert under the highway, and cutting across the NE corner of the site. At this location, there is also a small, depressed area that appears to retain some water seasonally. After leaving the site the drainage runs generally to the southeast and ultimately outlets to the Cowichan River.

We recognize that this drainage will need to be assessed at the time of subdivision in order to determine if it is classified as a stream under the Riparian Area and Protection Regulation (RAPR) and whether protective measures may be required. The preliminary land use concept contemplates a requirement for protection of this area, including appropriate riparian setbacks.

## 5.0 PARKS & OPEN SPACE

The dedication and protection of park lands, environmental areas and green spaces is a critical element in the creation of complete and sustainable neighbourhoods. It also forms a critical part of our planning and the application for this site.

There are four (4) primary components to this commitment, as outlined below:

1. The *Local Government Act* requires that lands proposed for subdivision must provide 5% of the land for public park land (or provide a 5% cash-in-lieu contribution). Recognizing that this development will bring new residents to this area, and the value that neighbourhood parks create, the developer is proposing to dedicate lands for a neighbourhood park (approx. 5% - final area to be determined at time of subdivision). The neighbourhood park is located centrally within the site to make it as accessible as possible and is also located on some of the flattest portions of the site, increasing the usability / functionality of the space.
2. The *Local Government Act* only requires developers to provide land for parks and contains no provisions that require the developer to improve or develop the park lands in any way. This often means that dedicated park lands are left undeveloped in any way for many years (or in perpetuity in some cases). When finally developed, these park improvements are typically funded by taxpayers, and/or neighbourhood fundraising efforts.

Again, recognizing the value that park spaces bring within a neighbourhood, as a community amenity contribution the developer is proposing to improve the lands and construct park facilities (including trees, topsoil and seed, playground feature and trails) as generally shown on Schedule D.

3. In addition to the formal dedicated park lands and improvements, the developer is also proposing to provide for a trail network generally through Area 2, the park, and the northern portions of Area 1, generally as shown on Schedule D. This trail network will be located on private lands but will have a statutory-right-of-way registered to allow for public use and access. This trail network will also connect, via sidewalk to Emerald Terrace and to the improvements outlined in Point #4 below, in order to access the Cowichan Valley Trail
4. In recognition of the value and benefit of being located directly adjoining the Cowichan Valley Trail, the developer is proposing to construct an off-site connection (approx. 30 m) from Cowichan Lake Road south to the existing trail. Included as part of this will be safety improvements (including solar pedestrian indicators, crosswalk) at the intersection of Cowichan Lake Road and Emerald Terrace to allow for a safe crossing for pedestrians, cyclists, and other forms of active transportation.

When combined with the anticipated riparian lands, it is expected that more than 10% of the overall site will be dedicated for environmental protection and/or provided for active parks and open space use by neighbourhood residents.

## 6.0 SERVICING & INFRASTRUCTURE

The developer acknowledges that through the subdivision design and construction process, that sewer and water mains will need to be extended to the site to service the proposed development. It may also be necessary that the developer provides appropriate servicing reports and analysis to confirm that there is suitable capacity and downstream infrastructure to manage the increased flows and demands created by the proposed development. A comprehensive stormwater management plan will also be provided at the time of subdivision to ensure that stormwater (both quality and quantity) is properly addressed.

Subdivision and development of the subject properties will also include upgrades and improvements to Cowichan Lake Road across the western frontage of the property. Included in these improvements is anticipated to be an acceleration and deceleration lanes for vehicles entering and leaving the site.

These pull-out lanes may also provide an opportunity for the Town to engage with the CVRD about a potential relocation of the existing Route 7 transit stops (approximately 150 m to the west). Even if it is not relocated, existing transit service will be available to new residents of this development through the proposed trail connection to the CVRD trail discussed above.

Route 7 (Cowichan Lake) also provides direct transit access into Duncan, including key stops at Cowichan Commons, the Train Station (Downtown Duncan) and Village Green Mall. From the Village Green Mall riders can connect to regional transit service to both Nanaimo and Victoria.

In addition, the Town identified in a pre-application meeting that provision of a secondary / emergency access would be preferable. Given existing constraints it is not feasible to provide for two full points of access/egress from the site. These constraints include:

- Existing Ministry of Transportation and Infrastructure (MoTI) jurisdiction over Highway 18 (support for full access directly from the subject properties to Highway 18 is highly unlikely);
- Limited frontage (as well as topographic challenges) on Cowichan Lake Road;
- Stubbing a road to the east property boundary is not likely feasible due to the fact the lands are located within the CVRD and have limited / negligible development potential, therefore a connection from the stubbed road to Cowichan Lake Road is highly unlikely to ever occur;
- and,
- The residential development to the west was developed without creating any potential points for connection (road or trail) to the subject properties.

Having said this, there may be opportunities to provide a for a secondary access, for use only in an emergency. Included on the Preliminary Development Concept (Schedule D) is a potential emergency access from the subject properties to Highway 18. This would be a 3.5 – 4.0 m hard surfaced connection, with locking bollards at either end of the access (emergency services would be provided with the keys) to ensure that it is used for emergency purposes only. MoTI would still need to support and sign off on this at the time of subdivision, however, an emergency access is far more likely to be supported as opposed to a full access / intersection with Highway 18.

In addition, we have also revised the Preliminary Development Concept at the entrance to the site to create a centre median on Emerald Terrace for the first 20-25 m. When combined with the proposed acceleration and deceleration lanes, this creates additional separation and increases the opportunities for emergency vehicles to access into the development in the event of a major emergency at the intersection of Cowichan Lake Road and Emerald Terrace (e.g. simultaneous major vehicle accident at the intersection and a fire or medical emergency within the development).

## 7.0 SUMMARY OF KEY DEVELOPER COMMITMENTS

Green building & design considerations are a critical component of any new development proposal, as both municipal Planners and elected official seek to balance and achieve density and affordability, while decreasing the impact that new development has on the natural environment. This development incorporates numerous green building and development features to support this goal.

Every aspect of this development has been reviewed under an environmental lens in order to determine how best to create a new neighbourhood that minimizes the impact on the natural environment and minimizes the impact and makes efficient use of existing municipal infrastructure.

In addition, the developer is prepared to provide a number of amenities, which we believe will offset the potential impact generated by the development and provide for additional benefits that will enhance both the new development as well as the broader existing neighbourhood and community.

The details and specifics of all proposed new amenities will be secured through registration of a Section 219 covenant(s) prior to adoption of the zoning bylaw amendment. In addition, all constructed public amenities shall be built to municipal standards and in accordance with plans prepared by a civil engineer and shall be subject to approval for construction by the Town of Lake Cowichan.

Key developer commitments and amenities associated with this project are summarized below and include:

1. The developer is committed to provide for design and construction of park improvements as generally shown on Schedule D, including trees, grading, topsoil and seeding, soft surface trail and playground structure. Details and design to be completed at time of subdivision.
2. A minimum of 60 total residential units (Apartment Building – Rental) within Area 2 will be constructed and secured as 'Purpose-Built Rental'.
3. Each residential unit will be designed, and infrastructure will be installed at the time of development in order to allow for the future installation of Level 2 electric vehicle chargers for each required parking stall on the site.
4. As per provincial and municipal regulations, all Part 3 and Part 9 buildings are now required to be constructed to meet Step 3 of the BC Energy Step Code.
5. A minimum of 10% of the residential units within Area 2 will be designed and constructed to meet Adapatable Housing standards as defined in the BC Building Code.
6. The developer is committed to provide for design and construction of a soft surface trail connection from Cowichan Lake Road (at intersection with Emerald Terrace) to the existing Cowichan Valley trail (approximately 30 m), subject to all necessary external agency approvals. Included in this commitment is the installation of solar activated pedestrian crossing lights and a crosswalk. In addition to the CVRD trail connection, a proposed soft surface trail network (approx. 550 l.m.), as outlined on Schedule D and secured through SRW where necessary, serves to increase and create opportunities for enhanced walkability, active transportation, and use of transit, to various locations and services within the neighbourhood and community.

7. Provisions within the CD-3 zone ensure the protection of the existing drainage course and wetland area (re: RAPR) in the northeast corner of the site (including appropriate riparian setbacks).
8. A comprehensive stormwater management plan will be provided at the time of subdivision, in order to effectively manage rain and storm water leaving the site, from both a water quality and quantity perspective.
9. The proposed CD-3 zoning also encourages the reduction of impermeable surfaces through requirements for underground/underbuilding parking for any Apartment Building with more than three (3) residential stories.

## 8.0 – SUMMARY

In closing, we believe that we have produced a proposal for these lands that allows for the implementation of the vision established by Council and the community in the Official Community Plan.

We believe that the development proposed with this application, as outlined in the Preliminary Development Concept and the CD-3 zone represents exactly the type of development that is specifically targeted in the OCP. This development significantly expands the current range of housing options available in the community – affordable housing, rental housing, adaptable housing, smaller residential units, etc.

At the same time, we have taken care to include considerations and regulations within the zoning that will respect surrounding neighbourhoods and existing community residents, provides enhanced opportunities for outdoor recreational opportunities, strongly encourages, and strengthens opportunities for the use of active transportation, and protects critical ecological features on the site.

When combined with the numerous commitments and amenities that the developer is offering to provide, we believe that the proposed development represents a significant net benefit for the Town of Lake Cowichan and its residents.

We thank you sincerely for your consideration.

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END OF DOCUMENT

# SCHEDULE B

## 5.9 CD-3 COMPREHENSIVE DEVELOPMENT ZONE – EMERALD VALLEY

The purpose of the CD-3 Comprehensive Development Zone – Emerald Valley is to accommodate a comprehensively planned residential neighbourhood with a variety of housing options and densities, along with public park lands.

### (1) CD-3 ZONE AREAS

- a) The CD-3 Zone is divided into three (3) areas: **Area 1, Area 2, and Area 3**
- b) **Areas 1-3** are located as shown on the Plan in Section 5.9 (10) a).
- c) The location of **Areas 1-3** shall comply with the provisions of Section 5.9 (10) a).

### (2) PRINCIPAL USES:

- a) **Area 1:**
  - i) Fourplex
  - ii) Seniors Care Facility
  - iii) Senior Citizen Housing
  - iv) Special Needs Housing
  - v) Townhouse
  - vi) Triplex
  - vii) Two Unit Residence
- c) **Area 2:**
  - i) Apartment Building
  - ii) Apartment Building – Rental
  - iii) Multi-Unit Residence
  - iv) Seniors Care Facility
  - v) Senior Citizen Housing
  - vi) Special Needs Housing
  - vii) Townhouse
- d) **Area 3:**
  - i) Park
  - ii) Public Use

### (3) ACCESSORY USES:

- a) **Areas 1 & 2:**
  - i) Home Based Business, subject to Section 4.3.11
  - ii) Secondary Suite, subject to Section 5.1.8

#### (4) PARCEL SIZING AND DIMENSIONS

- a) **Area 1** - No Parcel shall be created which has a Parcel Area less than 500 sq. m. in area.
- b) **Area 2** - No Parcel shall be created which has a Parcel Area less than 2500 sq. m. in area.
- c) Notwithstanding (4) a) or (4) b) above, a Parcel created through registration of a *Building Strata Plan* registered with the British Columbia Land Title Survey Authority (LTSA) shall not be subject to any minimum parcel sizes.

#### (5) DENSITY:

- a) **Area 1:**
  - i) Maximum Floor Area Ratio: 1.0:1
  - ii) Maximum Parcel Coverage: 50%.
- b) **Area 2:**
  - i) Maximum Floor Area Ratio: 1.5:1
  - ii) Maximum Parcel Coverage: 50%.
- c) A Parcel may contain more than one Principal Building.

#### (6) MAXIMUM BUILDING HEIGHTS:

- a) **Area 1** - No Principal Building or Structure shall exceed a Height of the lesser of 11.0 metres or three (3) stories.
- b) **Area 2** - No Principal Building or Structure shall exceed a Height of the lesser of 15.0 metres or four (4) stories.
- c) No Accessory Building or Structure on any Parcel shall exceed a Height of the lesser of 5.0 metres or one (1) storey.
- d) Notwithstanding Section (6) a), no Principal Building or Structure located within **Area 1** and within 15.0 m of the western boundary of Lot 1, Plan VIP13598 or Rem. Lot 2, Plan VIP13598 shall have a building height that exceeds 7.0 m
- e) Notwithstanding Section (6) b), on any Apartment Building or Apartment Building – Rental constructed within **Area 2** with four (4) stories of residential use, the upper floor of all sides of the building shall be setback by a minimum of 1.2 m from the primary face of the remaining floors of the building.
- f) Notwithstanding Section (6) b) those portions of an Apartment Building or Apartment Building – Rental within **Area 2** that include underground or under-building parking shall not be counted towards the overall building height. Where this occurs, building height shall be measured from the underside of the main floor building elevation.

**(7) BUILDING SITING AND SETBACKS:**

a) **Area 1** - No Principal Building or Structure shall be located closer to the Parcel Line than the minimum Setback shown in the Table below:

	<u>PARCEL LINE</u>	<u>MINIMUM SETBACK</u>
i.	Front Parcel Line	3.0 metres
ii.	Exterior Side Parcel Line	3.0 metres
iii.	Interior Side Parcel Line	1.5 metres
iv.	Rear Parcel Line	3.5 metres

b) **Area 2** - No Principal Building or Structure shall be located closer to the Parcel Line than the minimum Setback shown in the Table below:

	<u>PARCEL LINE</u>	<u>MINIMUM SETBACK</u>
v.	Front Parcel Line	3.0 metres
vi.	Exterior Side Parcel Line	3.0 metres
vii.	Interior Side Parcel Line	2.5 metres
viii.	Rear Parcel Line	3.5 metres

c) No Accessory Building or Structure shall be located closer to the Parcel Line than the minimum Setback shown in the Table below:

	<u>PARCEL LINE</u>	<u>MINIMUM SETBACK</u>
i.	Front Parcel Line	6.0 metres
ii.	Interior or Exterior Side Parcel Line:	1.5 metres
iii.	Rear Parcel Line:	1.5 metres

c) Notwithstanding Section (7) a) and (7) b) no Principal Building or Structure shall be located within 6.0 m from the eastern boundary of Strata Plan VIS3601 or VIS3290.

d) No Principal or Accessory Buildings or Structures may be located within a Streamside Protection Enhancement Area as defined by the Riparian Area Regulation, B.C. Reg. 376/2004.

**(8) LANDSCAPING AND SCREENING**

a) Landscaping and screening shall be provided in accordance with Section 8.7: Landscaping and Screening.

**(9) PARKING AND LOADING**

a) Off-street parking and off-street loading shall be provided in accordance with Schedule 'B' of the Town of Lake Cowichan Zoning Bylaw Part 8 Parking and Loading Regulations.

b) Notwithstanding Section (9) a), the following minimum parking requirements shall apply within **Area 1 & 2** as shown in the Table below:

	<u>USE</u>	<u>PARKING STALLS PER UNIT</u>
i.	Apartment Building:	One (1) stall/unit + 5% Visitor Parking
ii.	Apartment Building - Rental:	0.85 stalls/unit + 5% Visitor Parking
iv.	Fourplex:	One (1) stall per unit
v.	Secondary Suites:	One (1) stall per unit
vi.	Seniors Care Facility:	0.35 stalls per unit
vii.	Senior Citizen Housing:	0.35 stalls per unit
viii.	Special Needs Housing:	0.35 stalls per unit
ix.	Townhouse:	One (1) stall per unit
x.	Triplex:	One (1) stall per unit
xi.	Two Unit Residence:	One (1) stall per unit

c) Notwithstanding Section (9) a), any Apartment Building (excluding Apartment Building – Rental located within Area 2 with greater than three (3) stories of residential use, must utilize a minimum of 50% of the footprint of the building for the purpose of underground or under-building parking.

d) Notwithstanding Section (9) a), the parking requirements for any parcel within Area 2 may be satisfied on another parcel within Area 2, subject to registration of appropriate easements / covenants and shared use agreements to the satisfaction of the Town of Lake Cowichan.

### (10) CD-3 ZONE AREA BOUNDARIES

a) CD-3 Zone Area Boundaries as per below:

