
MEMORANDUM



TO: ADVISORY PLANNING COMMISSION
FROM: JAMES VAN HEMERT, CONSULTING TOWN PLANNER
SUBJECT: UPDATING SUBDIVISION, WORKS, AND SERVICES BYLAW; DRAFT REVISIONS AND TOPICS FOR DISCUSSION
DATE: 10/26/2021

1. Adjust lot width and depth standards to mesh with the updated Zoning Bylaw

- a. *What are the pros and cons of establishing minimum lot widths and depths?*
- b. Draft revision to Section 6.1, incorporating amended and new zone districts:

Zone District			Minimum Lot Frontage (metres)	Minimum Lot Depth (metres)		
Residential						
Previous	New Zoning Bylaw	Minimum lot size <i>for reference</i> (m2)		Proposed Revision	Current Subdivision Bylaw	Proposed Revision
R-2	R-1 Suburban	600	An average of 18 in any created subdivision	17	27	25
R-1A	R-2 Urban	600; 780 for duplex	average of 18	17	27	25
R-1	R-3 Urban core	600; 780 for duplex	average of 18	17	27	25
R-4A	R-4 Medium Density	500; 600 for duplex	An average of 12 in any created subdivision	12	20	20
n/a	R-5 Single Detached & Duplex	350; 600 for duplex	n/a	12	n/a	20
n/a	R-6 Small House	275	n/a	11	n/a	18
R-3	R-7 Multi-unit	Varies	average of 18	None	27	None
R-4	Eliminated				27	

2. Panhandle Lots

- a. The Local Government Act does not specifically define panhandle lots, however, it does require exemptions for lots created when less than 10% of its perimeter is on road frontage.
- b. The town's definition and illustration is:

LOT, PANHANDLE means a lot which requires a relatively narrow strip of land, or panhandle, to provide principal vehicle access to a street and where the lot frontage on a highway is less than 10% of the lot perimeter;



- c. The town's current regulations limit panhandle lots to subdivisions of less than 3 lots, a minimum road frontage of 6 metres, and requires council approval.
- d. *What are the pros and cons of regulating panhandle lots?*

3. Streamside Protection and Enhancement Areas (SPEA)

- a. Currently the Town does not have a policy or regulation with regards to the allowable proportion of SPEA within a lot and when it may be advisable to retain SPEA within a community association, strata, or Town ownership. Two examples:
 - i. The Point Ideal subdivision which received development variance permits comprises 47 fee simple lots and a strata lot; all SPEA falls within land originally planned to be dedicated to the Town.

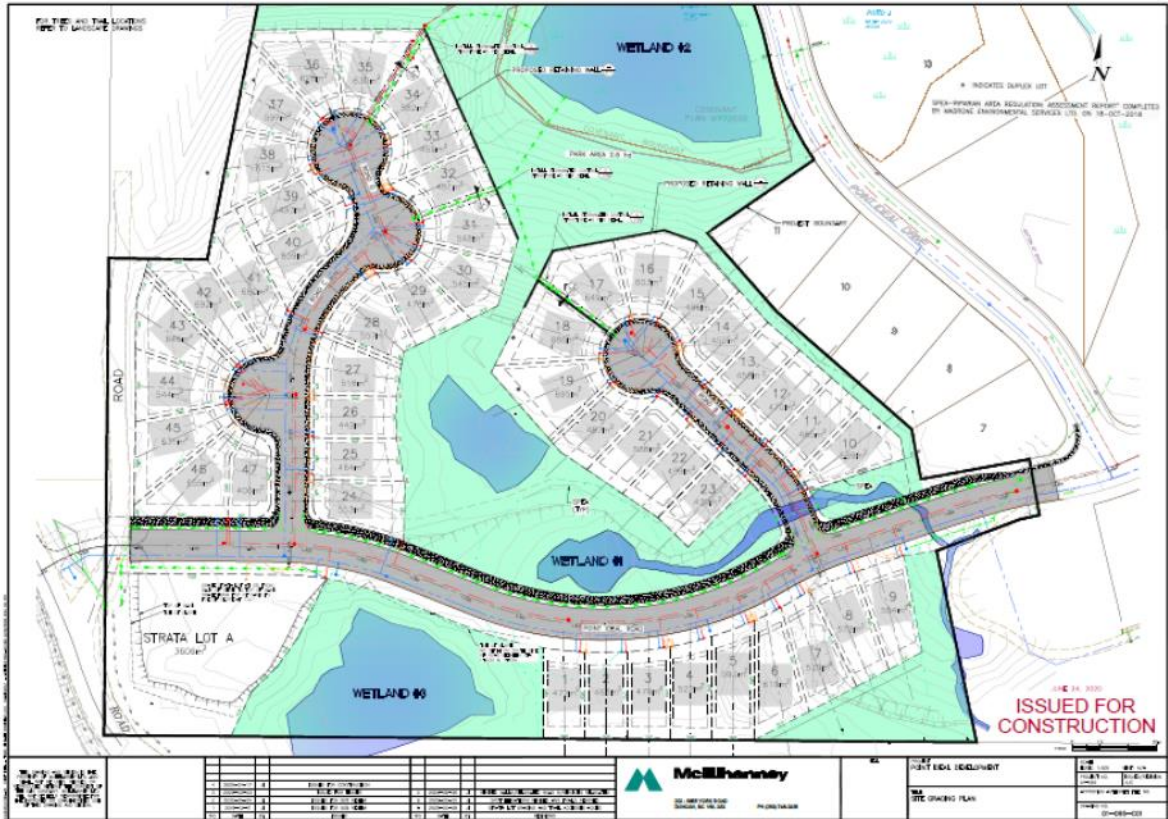


Figure 1 Point Ideal Subdivision illustrating protected areas and SPEA outside of lots

- ii. A preliminary lot layout of 23 lots for the 'Plante' subdivision at the corner of the Old Cowichan Lake Highway and South Shore Road incorporates all SPEA within lots, leaving the protection and maintenance of the SPEA up to individual lot owners.
 - b. *Should SPEAs be included within the minimum calculated area for lots?*
 - c. If a SPEA is included within a minimum calculated lot area, what percentage is allowable?
 - d. Under what conditions should SPEA s be retained within separate community (e.g., Strata or neighbourhood association) or Town owned open space / park land?

4. Street standards

Below is the current Road Design table. Proposed modifications are noted in red tracked changes.

Road Classification	Right-of-Way Width (m)	Pavement Width Curb-to-Curb	Curb Type	No. of sidewalks	No. of Bike Lanes	Parking
Collector	20	13.2	Barrier	2	2	Both sides
Local Single Family Detached	20	8.5	Rollover	2	NA	Both sides
<u>Local Single Detached</u>	<u>18</u>	<u>8.5</u>	<u>Rollover/ barrier for parking</u>	<u>2</u>	<u>n/a</u>	<u>One side, alternating with enhanced design like Langford's R12</u>
<u>Local Single Detached Cul de Sac -- ALTERNATIVE</u>	<u>15</u>	<u>6 to 8.5</u>	<u>Rollover</u>	<u>In lieu of sidewalks special 'woonerf' design features (see below)</u>		<u>Per prepared plan approved by Town</u>
<u>Local Single Detached One Side Developed</u>	<u>20</u>	<u>8.5; 5.5 from centre line adjacent to new development</u>	<u>Rollover</u>	<u>New sidewalk and curb adjacent to new development</u>	<u>n/a</u>	Both sides, retain 2 travel lanes
Local Multi-Family Unit / Commercial	20	12	Barrier	2	2	Both sides

A “Woonerf” is a Dutch term for a pedestrian focused street with added amenities instead of excessive paving for automobiles. A modified version for Lake Cowichan would reduce impervious surface, eliminate sidewalks, ensure adequate space for fire protection and trash collection vehicles, and provide limited on street parking. It would require a comprehensive plan for all driveways and building envelopes. This option may be attractive to developers as it would reduce the land area required and eliminate separate sidewalks. Costs would be incurred, however, for any special paving, curbs, and additional tree planting.

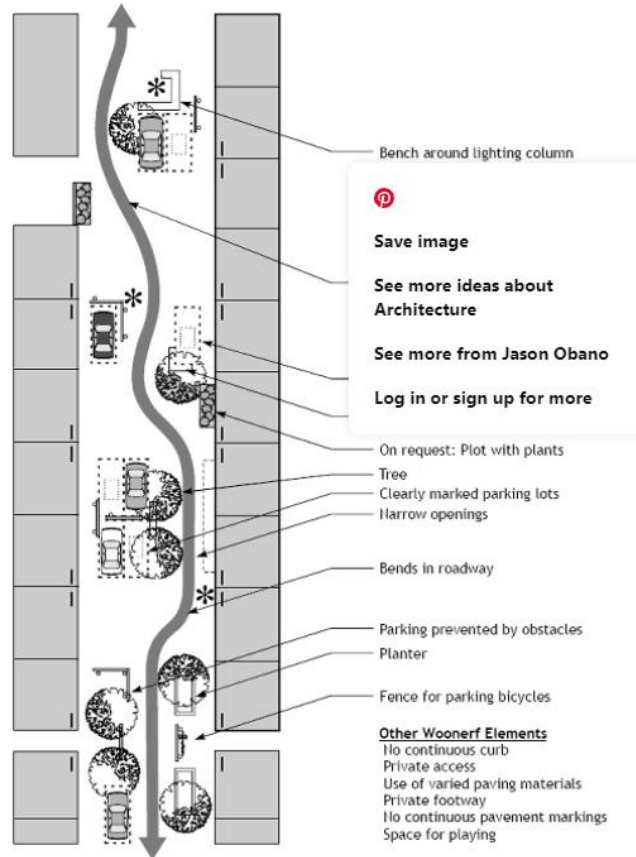


Figure 2 Illustration of 'woonerf' components

5. Wildfire protection covenants

Most of the Town lies within a high wildfire hazard risk zone. The Official Community Plan recognizes this by creating a Natural Hazard Lands Development Permit Area (DPA2). Implementing these guidelines includes a FireSmart approach to residential development that may be applied at the time of subdivision approval using a restrictive covenant. The template language for such a covenant is as follows:

1. **Section 219 Covenant.** *The Owner covenants and agrees with the Town pursuant to Section 219 of the Land Title Act of British Columbia, it being the intention and agreement of the Owner that the provisions hereof will be a charge against and run with the Lands, that:*

- a. *No building may be used or occupied on the Lands unless the building is maintained as follows:*
- i. *Roof covering shall conform to Class A or B fire resistance as defined in the British Columbia Building Code.*
 - ii. *Any material used for exterior wall finishes, such as stucco, metal siding, brick, cement shingles or boards, concrete block, poured concrete, logs or heavy timber and rock, shall be fire resistant as defined in the BC Building Code.*
 - iii. *All windows must be double-paned or tempered.*
 - iv. *All chimneys shall have spark arrestors made of twelve (12) gauge (or better) welded or woven wire mesh with mesh openings of less than twelve (12) millimetres.*
 - v. *All eaves, attic and under floor openings shall be screened with corrosion-resistant, three (3) millimeter non-combustible wire mesh (as a minimum).*
 - vi. *Decks shall be constructed of:*
 - 1. *heavy timber as defined in the British Columbia Building Code; or*
 - 2. *with one (1) hour fire resistant rated assemblies or non-combustible construction as defined by the British Columbia Building Code; or*
 - 3. *equivalent alternative as approved by the Town of Lake Cowichan Fire Chief.*
 - vii. *Landscaping on the lands within one-and-a-half (1.5) metres of a building and any attachments such as decks shall be non-combustible.*
 - viii. *No new or additional coniferous evergreen trees are to be planted within one-and-a-half (1.5) metres of a building or any attachments such as decks.*
 - ix. *All plantings within one-and-a-half (1.5) metres to ten (10) metres shall follow the FireSmart BC Guide to Landscaping.*
 - x. *Coniferous evergreen trees within one-and-a-half (1.5) metres to ten (10) metres of a building shall maintain pruning to keep branches above the ground and spaced so that they have three (3) metres between crowns.*
 - xi. *Coniferous evergreen trees must be a minimum of three (3) metres from a principal building or dwelling.*
- b. *The Owners will ensure that all authorities having jurisdiction have unrestricted access to the lands for the purposes of firefighting, suppression, control, and prevention.*

6. Integrated Rainwater Management

Add the following concept:

Open ditches and swales for rainwater runoff shall be permissible only in selected conditions approved by Town staff. Open ditches and swales on lot frontages are expressly prohibited.