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Cowichan Valley Regional District  
**Electoral Areas A (Mill Bay/Malahat) and  
C (Cobble Hill)**

# **South Cowichan Zoning Bylaw**

**No. 3520**



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Cowichan Valley Regional District  
**Electoral Areas A – Mill Bay/Malahat and  
C – Cobble Hill**  
**South Cowichan Zoning Bylaw No. 3520**

**Amended up to and including Bylaw No. 4508**

**CONSOLIDATED FOR CONVENIENCE ONLY**

Please check with the Land Use Services Department (250.746.2620) for current information on this Bylaw



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*NOTE: CVRD Land Use Services Department staff have made every effort to provide the most up-to-date version of this consolidated bylaw and the associated maps. Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway. Persons using this consolidated bylaw text and the maps should not rely on them for legal purposes or to make important decisions.*

## **AMENDING BYLAWS:**

3749	Medical Marihuana – text amendment only	December 11, 2013
3688	Parshel Holdings Ltd – map and text amendment	January 8, 2014
3656	General Maintenance – map and text amendment	July 9, 2014
3811	Living Forest (Secondary suites/duplex) text amendment	July 30, 2014
3864	Mill Bay Institutional – map amendment only	February 11, 2015
3893	Cobble Hill R – 6 Zone - text amendment	February 11, 2015
3764	St. Francis Xavier Church – map amendment	March 11, 2015
3854	Swimming Pool Fencing – text amendment only	May 13, 2015
3878	Stonebridge Lot 2 – map amendment only	July 8, 2015
3884	Mill Bay Boat Launch – text and map amendment	May 13, 2015
3946	Mill Bay Baptist Fellowship – map amendment only	March 9, 2016
4008	(Stonebridge & Stonebridge CD Zone Amendments) – text and map	January 11, 2017
4027	750 Handy Road – text amendment only	December 14, 2016
4039	Cobble Hill Chickens – text amendment only	December 14, 2016
4040	Bylaw Maintenance – text amendment only	January 11, 2017
4118	Cannabis Regulations – text amendment only	September 26, 2018
4154	PID: 024-611-859 – text amendment only	February 28, 2018
4225	145 Okotoks Drive – text amendment only	January 23, 2019
4259	3625 Cobble Hill Road – map amendment only	August 14, 2019
4287	Malahat Skywalk – text and map amendment	October 9, 2019
4292	3741 Holland Avenue – map amendment only	June 9, 2021
4335	Suites and Plumbing Fixtures – text amendment only	October 14, 2020
4365	3541 Cobble Hill Road – text and map	April 14, 2021
4382	Suites and Park Dedication – text amendment only	June 9, 2021
4326	1134 Chapman Road – text and map	November 24, 2021
4404	Bylaw Maintenance (CD-10) – text amendment only	February 23, 2022
4330	Zoning Bylaw Harmonization – text amendment only	July 13, 2022
4426	CD-5 – Text and map amendment	July 13, 2022
4334	Villa Eyrie – Text and Map	June 28, 2023
4447	2734 Barry Road – Text and Map	February 22, 2023
4349	Cannabis Uses – Text only	April 12, 2023
4479	3265 Telegraph Rd – Map only	June 14, 2023
4486	South Cowichan Suites – Text only	September 13, 2023
4480	3280 Trans-Canada Hwy – Text only	September 13, 2023
4508	1146 Fisher Rd – Text and Map	September 27, 2023

## **Table of Contents**

<b>PART ONE – TITLE, APPLICATION AND ADMINISTRATION .....</b>	<b>2</b>
1.1 Title .....	2
1.2 Application.....	2
1.3 Severability.....	2
1.4 Repeal of Previous Bylaws .....	2
<b>PART TWO – ADMINISTRATION .....</b>	<b>3</b>
2.1 Conformity and Compliance .....	3
2.2 Prohibitions .....	3
2.3 Enforcement.....	3
2.4 Violation .....	3
2.5 Penalty .....	4
2.6 Covenants Against Building, Subdivision or Use .....	4
2.7 Application.....	4
2.8 Bylaw Amendments.....	4
<b>PART THREE – DEFINITIONS.....</b>	<b>5</b>
3.1 Definitions .....	5
<b>PART FOUR – GENERAL REGULATIONS FOR USES, BUILDINGS AND STRUCTURES ...</b>	<b>22</b>
4.1 Uses Permitted in all Zones.....	22
4.2 Uses Prohibited in all Zones .....	22
4.3 Determination of Residential Density if a Parcel is in Two or More Zones .....	23
4.4 Height Limit Expectations .....	23
4.5 Accessory Buildings and Structures .....	23
4.6 Camping or Occupying an Existing Dwelling During New House Construction .....	24
4.7 Use of Common Property in a Strata Plan .....	24
4.8 Farm Animals in Residential Zones .....	25
4.9 Number of Dwellings Permitted Per Parcel.....	25
4.10 Home – Based Business Regulations.....	25
4.11 Daycare Regulations .....	26
4.12 Bed and Breakfast Regulations .....	27
4.13 Residential Use .....	27
4.14 Limited Agriculture Regulation.....	27
4.15 Accessory Dwelling Unit.....	28
4.16 Secondary Suite .....	30
4.17 Storage of Junk or Wrecks .....	31
4.18 Restaurant Regulation.....	32
4.19 Mobile Homes and Manufactured Homes.....	32
4.20 Use of Tents, Trailers or Recreational Vehicles as a Residence.....	32
4.21 Recreational Vehicle Parking Regulation.....	32
4.22 Wells as Domestic Water for Parcels upon which Two or More Dwellings are Located..	32
4.23 Commercial Cannabis Regulations.....	32
4.24 Swimming Pool Fencing .....	33

<b>PART FIVE – GENERAL REGULATIONS FOR SITING .....</b>	<b>34</b>
5.1 Sight Triangle .....	34
5.2 Fencing and Screening .....	34
5.3 Setback Exceptions .....	35
5.4 Setbacks from a Watercourse – Flood Protection and Environmental Protection.....	35
5.5 Natural Hazard Management Requirements.....	35
<b>PART SIX – GENERAL REGULATIONS RESPECTING THE SUBDIVISION OF LAND .....</b>	<b>36</b>
6.1 Subdivision of Parcels within Two or More Zones.....	36
6.2 Subdivision of Parcels Containing a Water Body, Watercourse or Wetland .....	36
6.3 Subdivision of Panhandle Parcels .....	36
6.4 Subdivision Using Density Averaging .....	36
6.5 Subdivision Following Dedication for Public Use .....	36
6.6 Subdivision Using Section 946 of the <i>Local Government Act</i> .....	37
6.7 Subdivision where Additional Parkland is Accepted by CVRD .....	37
6.8 Subdivision of Parcels Severed by Roads or another Parcel .....	37
6.9 Subdivision of Parcels Severed by a Jurisdictional Boundary Line .....	37
6.10 Subdivision of Parcels for Public Parks or Public Utility Uses .....	38
6.11 Parcel Realignments and Amalgamations .....	38
6.12 Parcel Consolidations and Addition of Roads .....	38
6.13 Undersized Parcels .....	38
6.14 Strata Conversion of Residences in Electoral Area A .....	38
<b>PART SEVEN – GENERAL REGULATIONS FOR PARKING AND LOADING.....</b>	<b>39</b>
7.1 Off-Street Parking Requirements.....	39
7.2 Calculation Resulting in a Fraction .....	41
7.3 Seating Accommodation Requirements.....	41
7.4 Parcels with More than One Use .....	41
7.5 Location of Off-street Parking Spaces .....	41
7.6 Dimensions of Parking Spaces.....	42
7.7 Dimensions of Aisle Space .....	42
7.8 Access to Parking Spaces .....	42
7.9 Street Access or Egress from Parking Areas .....	42
7.10 Surfacing of Parking Areas .....	43
7.11 Provision of Oil/Water Separator .....	43
7.12 Parking for Persons with a Disability .....	43
7.13 Extending or Expanding an Existing Use .....	43
7.14 Cash in Lieu of Parking .....	43
7.15 Bicycle Parking .....	44
7.16 Minimum Off-Street Loading Requirements.....	44
7.17 Required Loading Spaces in Specified Zones .....	45
7.18 Calculation Resulting in a Fraction .....	45
7.19 Location of Off-street Loading Spaces.....	45
7.20 Access to Loading Spaces .....	45
7.21 Dimensions of Loading Spaces .....	45
7.22 Loading Spaces additional to Off-street Parking .....	45
7.23 Parcels With More Than One Use .....	45
7.24 Extending or Expanding an Existing Use .....	45

<b>PART EIGHT – CREATION OF ZONES</b>	<b>46</b>
8.1 Creation of Zones	46
8.2 Zone Boundaries	47
<b>PART NINE – RURAL AND AGRICULTURAL RESOURCE ZONES</b>	<b>48</b>
9.1 A-1 Agricultural Resource 1 Zone	48
9.2 A-2 Village Agricultural 2 Zone	49
9.3 A-3 Agricultural Veterinary 3 Zone	50
9.4 A-4 Agricultural/Golf Course 4 Zone	51
9.5 A-5 Agricultural Market 5 Zone	52
9.6 A-6 Agricultural Institutional 6 Zone	53
9.7 RUR-1 Rural Resource 1 Zone	54
9.8 RUR-2 Rural Resource 2 Zone	55
9.9 RUR-3 Rural Resource Quarry/Aggregate 3 Zone	56
<b>PART TEN – RESIDENTIAL ZONES</b>	<b>57</b>
10.1 RR-1 Rural Residential 1 Zone	57
10.2 RR-2 Rural Residential 2 Zone	58
10.3 RR-3 Rural Residential 3 Zone	59
10.4 RR-3A Rural Residential 3A Zone	60
10.4A RR-3D Rural Residential 3D Zone	61
10.5 RR-4 Rural Manufactured Home Park 4 Zone	63
10.6 RR-5 Rural Manufactured Home 5 Zone	63
10.7 RR-6 Rural Recreational Cabin 6 Zone	66
10.8 R-2 Village Suburban Residential 2 Zone	67
10.9 R-3 Village Residential 3 Zone	69
10.9A R-3 Village Residential 3A Zone	72
10.10 R-4 Village Manufactured Home Park 4 Zone	74
10.11 R-5 Village Manufactured Home Residential 5 Zone	74
10.12 R-5A Kerry Village Manufactured Home Residential 5A Zone	77
10.13 R-6 Mixed Use Residential 6 Zone – Cobble Hill Village	79
10.14 RM-1 Duplex Residential 1 Zone	80
10.15 RM-2 Low Density Multiple Family Residential 2 Zone	82
10.16 RM-3 Medium Density Multiple Family Residential 3 Zone	84
<b>PART ELEVEN – COMPREHENSIVE DEVELOPMENT ZONES</b>	<b>86</b>
11.1 CD-1 Rural Comprehensive Development 1 – Arbutus Ridge	86
11.3 CD-3 Rural Comprehensive Development 3 – Chapman Road	88
11.4 CD-4 Rural Comprehensive Development 4 – Malahat Skywalk	90
11.5 CD-5 Rural Comprehensive Development 5 – Sandy Beach Cottages	91
11.6 CD-6 Village Comprehensive Development 6 – Congregate Care	94
11.7 CD-7 Village Comprehensive Development 7 – Ocean Terrace	96
11.8 CD-8 Village Comprehensive Development 8 – Stonebridge South	99
11.9A CD-9A Village Comprehensive Mixed Use 9A	101
11.9B CD-9B Village Comprehensive Residential 9B	102
11.10 CD-10 Village Comprehensive Development 10 – Galliers Road East	104
11.11 CD-11 Rural Comprehensive Development 11 – Villa Eyrie	106

<b>PART TWELVE – COMMERCIAL ZONES.....</b>	<b>108</b>
12.1 C-1 Rural Local Commercial 1 Zone.....	108
12.2 C-2 Rural Highway Commercial 2 Zone.....	109
12.3 C-3 Rural Service Commercial 3 Zone .....	110
12.4 C-4 Rural Tourist Commercial 4 Zone .....	111
12.5 C-5 Village Commercial 5 Zone.....	112
12.6 C-6 Mixed Use Village Commercial/Residential 6 Zone.....	114
12.7 C-7 Village Service Commercial 7 Zone .....	116
12.8 C-8 Village Tourist Commercial 8 Zone .....	117
12.9 C-9 Village Neighbourhood Pub Commercial 9 Zone.....	118
 <b>PART THIRTEEN – INDUSTRIAL ZONE CATEGORIES.....</b>	 <b>119</b>
13.1 I-1 Light Industrial 1 Zone .....	119
13.2 I-1A Bamberton Light Industrial 1A Zone .....	121
13.3 I-1B Light Industrial 1B Zone .....	123
13.4 I-1C Light Industrial 1C Zone.....	125
13.5 I-1D Business Park Industrial – Commercial 1D Zone .....	127
13.6 I-1E Fisher Road Industrial 1E Zone.....	129
13.7 I-1F Rural Transition Light Industrial.....	131
13.8 I-1G Recreational Vehicle Storage 1G Zone.....	133
13.9 I-2 Heavy Industrial 2 Zone.....	134
13.10 I-3 Transportation Industrial 3 Zone.....	135
13.11 I-4 Aggregate Industrial 4 Zone .....	136
13.12 I-5 Mini Warehousing Industrial 5 Zone .....	137
13.13 I-6 Agricultural Industrial 6 Zone .....	138
13.14 I-7 Railway Transportation 7 Zone.....	139
13.15 I-8 Auto Wrecking/Salvage Industrial 8 Zone .....	140
 <b>PART FOURTEEN – PARKS, INSTITUTIONAL &amp; WATER ZONES.....</b>	 <b>141</b>
14.1 P-1 Parks 1 Zone .....	141
14.2 P-2 Institutional 2 Zone.....	142
14.2A P-2A Private School Institutional 2A Zone.. ..	143
14.3 P-3 Village Institutional 3 Zone .....	145
14.4 P-4 Park / Community Forest 4 Zone .....	146
14.5 P-5 Forest Institutional 5 Zone.....	147
14.6 P-6 Outdoor Recreation Park 6 Zone .....	148
14.7 W-1 Marine Conservation 1 Zone .....	149
14.8 W-2 Freshwater Conservation 2 Zone .....	150
14.9 W-3 Water Institutional 3 Zone .....	151
14.10 W-4 Water Marina 4 Zone .....	152
14.11 W-5 Marine Docks and Moorage 5 Zone .....	153
14.12 W-6 Marine Water Institutional 6 Zone.....	151
 <b>PART FIFTEEN – FORCE AND EFFECT.....</b>	 <b>154</b>
 <b>APPENDIX ONE.....</b>	 <b>155</b>



## COWICHAN VALLEY REGIONAL DISTRICT

### ZONING BYLAW NO. 3520

#### **A Bylaw to establish zones and regulate the use of land, water, buildings and structures within Electoral Area A (Mill Bay/Malahat) and Electoral Area C (Cobble Hill) of the Cowichan Valley Regional District**

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**WHEREAS** the Division 7 of Part 26 of the *Local Government Act* of the Province of British Columbia authorizes a local government to enact bylaws, which divides land including the surfaces of water into zones and which establish other regulations for the use and development of land in each zone;

**AND WHEREAS** the Cowichan Valley Regional District Board of Directors considers it to be in the public interest to:

- a. Pursuant to Section 903 of the *Local Government Act*, regulate the use of land, buildings and other structures within Electoral Area A (Mill Bay/Malahat) and Electoral Area C (Cobble Hill);
- b. Pursuant to Section 903 of the *Local Government Act*, regulate the density of the use of land, buildings and other structures, and the siting, size and dimensions of buildings and other structures and the uses that are permitted on the land;
- c. Pursuant to Section 903 of the *Local Government Act*, regulate the shape, dimension and area, including the establishment of minimum and maximum sizes of all parcels of land that may be created by subdivision;
- d. Pursuant to Section 904 of the *Local Government Act*, establish different density regulations for certain zones, one generally applicable for the zone and the other or others to apply if conditions related to amenities are met;
- e. Pursuant to Section 906 of the *Local Government Act*, regulate the provision of off-street parking and loading spaces;
- f. Pursuant to Section 907 of the *Local Government Act*, regulate the maximum percentage of the area of land that can be covered by impermeable material;
- g. Pursuant to Section 909 of the *Local Government Act*, set standards for and regulate the provision of screening and landscaping to mask or separate certain land uses; and
- h. Pursuant to Section 946 of the *Local Government Act*, establish minimum parcel sizes for parcels that may be subdivided under that Section;

**AND WHEREAS** persons who deem their interest in property affected by this Bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters contained herein, in accordance with the requirement of the *Local Government Act*;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District, in open and public meeting assembled, enacts as follows:



**1.1 Title**

This Bylaw may be cited for all purposes as “CVRD South Cowichan Zoning Bylaw No. 3520, 2012”.

**1.2 Application**

This Bylaw applies to all lands, including the surface of water, and all uses, buildings and structures located within the boundaries of Electoral Area A – Mill Bay/Malahat and Electoral Area C – Cobble Hill of the Cowichan Valley Regional District, as shown on Schedule “A”, the Zoning Map, which is attached to and forms part of this Bylaw.

**1.3 Severability**

If for any reason, any section, subsection, sentence, clause, phrase, portion or schedule of this Bylaw is held to be invalid by the decision of any court of competent jurisdiction, it shall not affect the validity of the remaining parts of this Bylaw or the validity of this Bylaw as a whole.

**1.4 Repeal of Previous Bylaws**

1. Mill Bay/Malahat Zoning Bylaw No. 2000, 1999, and all amendments thereto, which applies to Electoral Area A – Mill Bay/Malahat, are hereby repealed.
2. Cobble Hill Zoning Bylaw No. 1405, 1992, and all amendments thereto, which applies to Electoral Area C – Cobble Hill, are hereby repealed.

**2.1 Conformity and Compliance**

1. No person shall use, occupy, subdivide or permit any person to use, occupy or subdivide any land, building or other structure in contravention of this Bylaw.
2. Land that is subject to this Bylaw must not be used, and such land must not be subdivided, and buildings and structures on such land must not be constructed, altered, or sited except in accordance with this Bylaw.
3. Every use of land, building and structure permitted in each zone shall conform to all the regulations of the applicable zone and all other regulations of this Bylaw.
4. Nothing contained within this Bylaw shall relieve any person from the responsibility to apply for and obtain any other permit or approval, and to comply with any other statute, regulation or bylaw, including the approvals, statutes and regulations of a senior government applicable to a use, activity or other matter regulated under this Bylaw.
5. No land may be subdivided, no building, structure, land or water surface may be used and no building or structure may be sited in a manner which renders any existing use, building or structure on the same parcel non-conforming with respect the provisions of this Bylaw, unless another regulation in this Bylaw specifically permits it.

**2.2 Prohibitions**

1. Any use of land, or of a building or structure not expressly permitted in Part 4 of this Bylaw, or in the regulations applicable to a specific zone under this Bylaw, is prohibited.
2. Lawful non-conforming uses of land, buildings and structures, as well as buildings and structures that are lawfully non-conforming as to their siting, size or dimensions are governed by Section 911 of the *Local Government Act*.

**2.3 Enforcement**

1. The Administrator, and a Bylaw Enforcement Official, may enter any parcel, building or premises at all reasonable times, and in accordance with Section 314.1 of the *Local Government Act*, ascertain whether the regulations of this Bylaw are being obeyed.
2. A Bylaw Enforcement Official or other such person that may be appointed by the Board may enforce this Bylaw.

**2.4 Violation**

1. Any person who:
  - a. violates any provision of this Bylaw;
  - b. causes or permits any act or thing to be done in contravention or violation of any provision of this Bylaw;
  - c. neglects to do or refrains from doing any act or thing which is required to be done by any provisions of this Bylaw;
  - d. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Bylaw;

- e. fails to comply with an order, direction or notice given under this Bylaw; or
- f. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or a Bylaw Enforcement Official;

commits an offence against this Bylaw and is liable to the penalties imposed under this Bylaw.

- 2. Each day's continuance of an offence under Section 2.4.1 constitutes a new and distinct offence.

## **2.5 Penalty**

Any person who contravenes any provision of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding \$2,000, or the current maximum fine and penalty prescribed under the *Offence Act*, whichever is the highest, for each offence.

## **2.6 Covenants Against Building, Subdivision or Use**

Where under this Bylaw an owner of land or a building is required or authorized to grant a covenant restricting subdivision, strata plan registration, use or development of land, the covenant must be granted to the Cowichan Valley Regional District and registered pursuant to Section 219 of the *Land Title Act* in priority to all financial charges, and under the terms of the covenant the owner must indemnify the Cowichan Valley Regional District for any fees or expenses the CVRD may incur as a result of a breach of the covenant by the owner.

## **2.7 Application**

Except as otherwise specified in this Bylaw, all provisions of Parts Two, Three, Four, Five, Six and Seven apply to all zones established under this Bylaw.

## **2.8 Bylaw Amendments**

- 1. Any application for amendment to this bylaw is subject to:
  - a. the provisions of the *Local Government Act*; and
  - b. the requirements of Cowichan Valley Regional District Development Application Procedures and Fees Bylaw No. 3275, as amended, or replaced.

**3.1 Definitions**

In this Bylaw:

**“Abattoir”** means a parcel or building upon which or within which animals are slaughtered;

**“Accessible”** means that a person with a disability, without assistance from another person, is able to approach, enter, pass to and from and make use of an area and/or its facilities;

**“Accessory”** means ancillary or subordinate to, customarily incidental to, and associated with a principal use, building or structure that is located on the same parcel or that is located on common property within the same strata plan as the principal use, building or structure;

**“Accessory dwelling unit”** means a small secondary dwelling unit not attached to or within another dwelling unit constituting a self-contained dwelling unit in accordance with Section 4.15 of this Bylaw, which is located on a parcel that has a principal dwelling unit on it;

**“Administrator”** means the person appointed from time to time as the Chief Administrative Officer of the CVRD and includes any person designated by the Administrator;

**“Agriculture”** means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

**“Agri-tourism”** means a tourist activity, service or facility accessory to land that is classified as a farm under the *Assessment Act*, provided that the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

**“Agro-forestry”** means an intensive land management system that optimizes the benefits from the biological interaction created when trees and shrubs are intentionally combined with crops as an integrated agro-system, or that involves deliberate retention, introduction or mixing of trees or other plants in crop and animal production systems to provide an economic return;

**“ALR”** means the provincial Agricultural Land Reserve, established pursuant to the *Agricultural Land Commission Act*;

**“Animal shelter”** means a facility providing temporary care to household animals awaiting placement;

**“Arcade”** means the use of a building for the purpose of entertainment provided by four or more mechanical or electronic games;

**“Artist studio”** means a building, or portion thereof, used for the creation, display or sale of arts and crafts;

**“Assembly use”** means the use of land, buildings or structures to accommodate exhibits, special events or meetings, and includes the gathering of persons for charitable, civic, cultural, educational, entertainment, recreational or religious purposes;

**“Assembly hall”** means a use of a building or structure for the assembly, gathering, or meeting of persons for religious, charitable, philanthropic, cultural, educational, political or similar purposes;

**“Assisted living residence”** has the same meaning as under the *Community Care and Assisted Living Act*;

**“Auction”** means the offering for sale of new and used goods by means of a request or invitation for bids, but does not include retail sales;

**“Automobile salvage or wrecking yard”** means an area of land where motor vehicles are wholly or partially disassembled, dismantled, or junked, or where vehicles not in operable condition or used parts of motor vehicles are stored;

**“Automobile service shop”** means a building or structure used for periodic, routine servicing of motor vehicles, including minor repairs and replacement of mechanical and other components, but does not include an automobile workshop or automobile salvage or wrecking yard;

**“Automobile workshop”** means a building or structure used for all manner of mechanical repairs to motor vehicles and parts thereof, including: engine and transmission tuning, upgrading and rebuilding as well as the rebuilding of other auto components and associated machine shop; and cosmetic and structural repair and restoration of motor vehicle bodies and chassis, including sand and media blasting, painting and metal plating of automobile parts and bodies, and also includes motor vehicle assembly and parts and accessory sales, but does not include motor vehicle manufacturing or automobile salvage or wrecking yard;

**“Bakery”** means a building within which baked goods are produced and within which most of the produced goods are sold at retail, and may include accessory uses such as tea room or coffee shop;

**“Bare land strata lot”** means a strata lot within a strata plan that is registered under the *Bare Land Strata Regulation*;

**“Beauty and wellness centre”** means the use of premises to improve beauty and wellness including, but not limited to styling, cutting, or chemical treatment of hair and through skin and body treatments, including manicures, pedicures, facials, microdermabrasion, electrolysis, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, massage and related services.

**“Bed and breakfast accommodation”** means the accessory use of a residential dwelling for the overnight tourist accommodation of transient paying guests, in which breakfast is the only meal served;

**“Board”** means the Board of Directors of the Cowichan Valley Regional District;

**“Boarding and lodging”** means the partial use of a dwelling unit for rental of sleeping units, with or without meals being provided;

**“Boarding stable”** means a stable in which persons, not residing on the parcel where the stable is located, may rent accommodation for their horses;

**“Boat shelter”** means a roof supported by posts, where the sides of the structure are open, that is used to shelter boats;

**“Brewery or distillery”** means the use of land, buildings and structures, licensed under the *Liquor Control and Licensing Act*, for the brewing or distilling of beverage alcohols and may include facilities on the same site where the beverage alcohols may be blended, mixed, stored or packaged, and may include the accessory uses of retail, tours, and customer seating areas.

**“Buffer area”** means a landscaped area, the purpose of which is to provide visual and physical separation in each zone along parcel lines to screen land uses from adjacent parcels and public roads, and to mask or separate outdoor storage, refuse sites and utility kiosks;

**“Building”** means any structure, wholly or partly enclosed by a roof or roofs supported by walls or columns, which is used for supporting or sheltering any use or occupancy;

**“Building Official”** means an employee of the CVRD who is appointed to administer the provisions of the CVRD Building Bylaw;

**“Bunkhouse”** means a building designed for the temporary accommodation of workers on a parcel, in which the sleeping rooms do not contain sanitary facilities or cooking facilities, and in which common facilities for sanitation and cooking are provided;

**“Café”** means use of a building or structure for the service to customers of coffee, tea and light refreshments, and includes service of pre-prepared or rapidly prepared food at a walk-up counter, for consumption on or off the premises;

**“Campground”** means a site intended or used for the temporary accommodation of persons for vacation or recreational purposes in recreational vehicles, park model units or tents, which do not serve as dwelling units and may include an accessory laundry facility, washroom, shower facilities, convenience store, restaurant, office and recreational facilities, provided such uses are limited to serving the occupants of the campground, but excludes a manufactured home park;

**“Cannabis”** means cannabis as defined in the *Cannabis Act* (Canada);

**“Cannabis – Micro Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m<sup>2</sup>, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

**“Cannabis – Standard Production and Processing”** means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

**“Caretaker’s residence”** means a dwelling unit that is located on a parcel of land where a single family dwelling is not a principal permitted use, and where the residence is for the sole use of a person responsible for property maintenance or the security of that parcel;

**“Car wash”** means a building or structure containing facilities for washing motor vehicles, including tunnel car washers, coin operated automatic car washers and coin operated self-service car washes;

**“Catering”** means the preparation of food for imminent consumption, which will, after preparation, be delivered off-site to a customer;

**“Centre line”** when used in reference to a highway, means an imaginary line drawn between the boundaries of the highway so that it is always equidistant from either boundary;

**“Child care facility”** means a use providing care for children in a facility licensed under the *Community Care and Assisted Living Act*, without a limit to the number of children in care;

**“Civic use”** means a use providing for government functions and services, including but not limited to federal, provincial, regional and municipal offices, public schools and colleges, publicly owned and operated hospitals, fire halls, community halls, libraries, museums, parks, cemeteries, courts of law, waterworks facilities and sewage facilities, but excludes storage as a principal use, and excludes public works yards;

**“Clinic”** means the use of a building or structure for the medical, dental, surgical or therapeutic treatment of human beings, but does not include a private hospital;

**“Club or lodge”** means the use of a building by an association or organization for fraternal, social, or recreational purposes, but excludes entertainment uses;

**“Commercial vehicle”** includes any vehicle defined as a commercial vehicle or licensed pursuant to the *Commercial Transport Act*;

**“Common storage area”** means an area of land, building or structures, or combination thereof, which is used exclusively to provide for the storage needs of residents of a manufactured home park, or for the residents of strata lots within the same strata plan;

**“Community forest”** means a forest that is owned by a local government and is managed in such a way that its ecological integrity is protected while providing for human cultural, recreational and provisioning needs;

**“Community service facility”** means a building or structure or grouping of buildings or structures intended to provide limited recreational and commercial services to comprehensively developed housing projects and may include a swimming pool, health club, craft, hobby or activity rooms, tennis courts, lawn bowling, a refreshment or news stand, an accessory food service facility, personal service use, office, personal care; public assembly area, financial institution, library, restaurant, licensed lounge, retail store with or without an accessory postal outlet, guest house;

**“Community sewer system”** means a system of sewerage works or sewage collection, treatment and disposal which is owned, operated and maintained the Cowichan Valley Regional District, a municipality, or an improvement district under the *Local Government Act*;

**“Community water system”** means a system of waterworks which is owned, operated and maintained by an improvement district under the *Local Government Act* or the *Water Act*, the Cowichan Valley Regional District, a municipality, and where the water quality meets or exceeds the standards for potability under the *Drinking Water Protection Act*;

**“Concrete batch plant”** means equipment and facilities for making ready-mix concrete;

**“Conservation covenant”** means a covenant registered under Section 209 of the *Land Title Act* for protecting the ecological integrity of natural environments, including their biodiversity, eco-system services and wildlife habitat;

**“Consumer products”** means goods manufactured for the retail sale to the end consumer;

**“Contiguous”** means adjoining and touching;

**“Convenience store”** means a retail sales outlet of under 230 m<sup>2</sup> in floor area, contained under one roof providing for the sale of items regularly used by households, including food, beverages, books, magazines and household accessories;

**“Convention facility”** means a building in which facilities are provided for such purposes as meetings of groups for civic, educational, political, religious or social purposes, but does not include overnight accommodation;

**“Cooking facilities”** means the means of cooking a meal or any arrangement of cooking facilities within a dwelling unit, and includes gas, propane, or electric ranges or stoves, microwave ovens, counter-top cooking units, hot plates, wall ovens, toaster ovens, electric frying pans, pressure cookers, crock pots, or any other such cooking facility or any combination of such cooking facilities, and includes the arrangement of service lines which provide the energy source being used to service such facilities;

**“Cultural facility”** means one or both of a museum or a theatre for the performing arts, which may include an accessory gift shop;

**“CVRD”** means the Cowichan Valley Regional District;

**“Delicatessen” and “Specialty food store”** means an eating establishment where specialty foods are served and which may include seats for customers to consume food on the premises, and which does not serve food via a drive through window;

**“Derelict motor vehicle”** means any motor vehicle which is not capable of operating under its own power, and includes parts of a motor vehicle that have been disassembled or detached from the whole;

**“Drive through”** means a facility for the provision of food, drink or other commercial services to persons within a motor vehicle, without the need for the customer to exit the motor vehicle;

**“Duplex”** means a building containing two dwelling units, placed one above the other or side by side;

**“Dwelling” or “Dwelling unit”** means one or more rooms which comprise a self-contained housekeeping unit with a separate entrance, intended to be solely for residential



use, and containing one kitchen, and living, sleeping and sanitary facilities but does not include tourist accommodation unless explicitly permitted under this Bylaw;

**“Ecological services”** means the benefits (regulating, supporting, provisioning, cultural) derived from the ecological functions of healthy ecosystems;

**“Eco-forestry”** means a system of forest management that manages human activities in such a way that ecological integrity, its composition, structure and function is maintained at all spatial and temporal scales and in accordance with the range of natural variability;

**“Eco-forestry covenant”** means a covenant registered under Section 219 of the *Land Title Act* for the protection, maintenance and restoration of ecosystem composition, structure and function (process), including biodiversity and ecosystem services, while allowing ecologically determined levels of forest product harvesting;

**“Entertainment use”** means a building, structure or parcel used for the purpose of one or both of a commercial cinema and theatre;

**“Equestrian centre”** means the use of lands, buildings or structures for the boarding of horses, the training of horses and riders and the staging of equestrian events, but does not include race tracks, gaming or gambling establishments, feed lots or auctions;

**“Exterior side parcel line”** means a parcel boundary, other than a front parcel line or a rear parcel line, that abuts a highway;

**“Family”** means one or more individuals occupying a dwelling who are related through marriage, common law, blood relationship, legal adoption, guardianship, or foster parenthood, or a group of not more than five unrelated persons including boarders and lodgers;

**“Farm gate sales”** means the accessory sale of farm products that are produced on the farm where the sales take place;

**“Fence”** means a structure used as an enclosure or screening around all or part of a parcel or site, and includes arbour, archway, gate, screen, trellis and wall, including retaining wall, but does not include hedges and similar landscaping, and does not include a barbed wire fence unless specifically permitted in a specific zone;

**“Financial institution”** means a bank, credit union, acceptance corporation, trust company, finance company, or other establishments providing similar services;

**“Fish farm”** means a land-based facility for the commercial growing and rearing of fish;

**“Fitness studio”** means a facility where persons may use exercise equipment and may include a facility where persons have sport and work related injuries evaluated and treated, and includes accessory offices;

**“Floor area”** means the total horizontal area of the storey of a building between interior walls and required firewalls, measured from the inside walls, but not including exits, vertical service spaces and their enclosing assemblies;

**“Floor area ratio (FAR)”** means the figure obtained when the total gross floor area of all buildings and structures located on a parcel is divided by the total land area of the parcel upon which they are located;

**“Food and dairy products manufacturing and processing facility”** means the use of land, buildings or structures for the processing, warehousing, and distribution of food and beverage products, but specifically excludes livestock processing and the slaughter or processing of animals, fish, poultry and other fowl;

**“Forestry”** means the use of land for the management of forest ecosystems (silviculture) in such a way that ecological integrity and ecological services are maintained while still providing for sustainable human cultural and economic needs, but does not include any milling or wood products processing, or ancillary uses such as office, maintenance facilities;

**“Frontage”** means the side of a parcel contiguous with a highway;

**“Front parcel line”** means a parcel boundary common to a parcel and a highway other than a lane, and where a parcel is contiguous with the intersection of two highways, the front parcel line is the shortest parcel boundary adjoining a highway other than a lane;

**“Front yard”** means the area of a parcel, bounded by the front parcel line, the interior side parcel lines and a line drawn parallel to the front parcel line at a point 15 metres distant from the front parcel line;

**“Garden centre”** means the use of land, buildings, and structures for the purpose of retail sales of trees, plants, flowers, and associated gardening or landscaping supplies and outdoor garden equipment;

**“Golf course”** means the use of land, buildings or structures for the purpose of playing golf and may include an accessory office, retail pro shop, restaurant, banquet facilities, lounge, golf driving range, and caretaker’s residence;

**“Golf driving range”** means an open air recreation facility where the sport of golf is practiced from individual tee boxes, and may include one or more of the following as an accessory use: retail store, restaurant, lounge, caretaker’s dwelling unit, and golf academy;

**“Grocery store”** means the use of a building or structure the retail sale of food products to consumers;

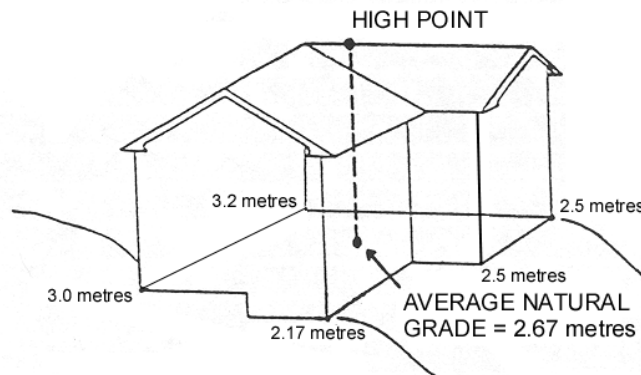
**“Gross floor area”** means the total floor area of all buildings on a parcel measured to the inner limits of each building’s interior walls including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas, and excluding auxiliary parking, unenclosed swimming pools, balconies or sundecks, elevators or ventilating equipment;

**“Group daycare”** means a daycare that holds a license under the *Community Care and Assisted Living Act* and accommodates not more than 24 children who do not reside on the parcel;

**“Guest house”** means guest sleeping accommodation within a building where cooking facilities are not provided in any guest room or suite, but not exceeding a maximum capacity of eight bedrooms maximum capacity;

**“ha”** means hectare, an area of land equivalent to 10,000 m<sup>2</sup> (square metres) – for example, a square area 100 by 100 metres;

**“Height”** means the vertical distance from the average existing natural grade (or the 200 year flood construction level, if known, or if the flood construction level is not known, the highest high tide plus freeboard of 1 metre) at the perimeter of a building or structure, to the high point of the building or structure, as generally illustrated below:



**“Highway”** means a way open to public use, and includes a street, road, strata road, lane, bridge, viaduct, but does not include a private right-of-way or easement on private property;

**“Home-based business”** means an occupation, business, trade or professional practice which is carried on for remuneration or financial gain within a wholly enclosed building or structure, and which is accessory to the residential use of the property;

**“Horticulture”** means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

**“Hospital”** means the use of lands and buildings as a hospital, as defined in the *Hospital Act*;

**“Hotel”** means a building used for tourist accommodation, which contains tourist sleeping units and may include accessory facilities such as a restaurant, meeting rooms, convention facilities, gift shop, recreational facilities and a public house;

**“Impervious surface coverage”** means a non-natural surface, including the roof of a building or structure, that does not allow precipitation to penetrate through to the natural ground underlying the artificial surface;

**“Incubator mall”** means a building or series of buildings within which light industrial uses occur, and where the costs of renting space are subsidized with a view to encouraging the establishment of light industrial business which will, once well established, move to other premises;

**“Institutional use”** means building or facility operated on a not-for-profit basis which is open to the public or which serves public purposes and includes, but is not limited to an ambulance station, arena, assembly use, cemetery, civic use, college, community centre, community hall, fire hall, government office, hospital, library, outdoor recreation use, park, playground, police station, post office, public art gallery, public botanical gardens, public museum, religious facility or institution, school, stadium, public swimming pool, social non-profit housing facility, and utility;

**“Intensive resort agriculture”** means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include poultry and/or livestock.

**“Interior side parcel line”** means a parcel boundary between two parcels, other than a front parcel line, exterior side parcel line or a rear parcel line, which does not run along a highway;

**“Junkyard”** means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling old or scrap copper, brass, other metals, rope, rags, batteries, paper trash, rubber debris, waste or other junk, iron, steel, and other old or scrap ferrous or nonferrous material or for the maintenance of an automobile graveyard, but excluding automobile salvage or wrecking yard;

**“Jurisdictional boundary”** means a boundary between adjoining electoral areas, municipalities or regional districts;

**“Kennel”** means the use of a parcel, building or structure for one or more of the boarding, or breeding of dogs or cats, and may include a building, structure, compound, group of pens or cages that lodge dogs or cats, and accessory office, retail sales, and grooming and training of dogs or cats;

**“Kitchen”** means a room used for the preparation, cooking or eating of food and which contains cooking facilities, a sink, cabinetry and ventilation for the cooking facilities;

**“Landscaping”** means the physical arrangement and maintenance of landscaping materials such as plants on a parcel for the purpose of enhancing the functional and aesthetic qualities of site development;

**“Lane”** means a highway less than 11 metres in width, which provides a secondary means of legal access to a parcel;

**“Laundromat”** means a building used for the purpose of receiving articles or goods of fabric or leather to be subjected to the process of dry cleaning, dry dying, or cleaning, processing or repairing elsewhere and for the distribution of any such articles or goods which have been subjected to any such processes, and includes a building or portion thereof where machines for the washing and drying of articles or goods of fabric are provided to be operated by costumers;

**“Lease area”** means, for the purposes only of the Bamberton Light Industrial 1A Zone of this Bylaw, an area of land that is held by a lease, the boundaries of which are shown on a sketch plan or explanatory plan prepared by a BC Land Surveyor;

**“Licensed gross vehicle weight”** means the gross vehicle weight for which a commercial vehicle is licensed pursuant to the *Commercial Transport Act*;

**“Limited agriculture”** means any agricultural activities carried on in accordance with Section 4.14 of this Bylaw, including an equestrian centre and horse riding arena;

**“Liquor store”** means a retail store licensed under the *Liquor Control and Licensing Act* for the sale of beer, wine or other alcoholic beverages for consumption off-premises;

**“Lounge”** means an establishment licensed to serve liquor in conjunction with live entertainment and/or dancing as a Liquor-Primary Establishment under the *Liquor Control and Licensing Act*;

**“Lumber yard” and “Lumber and building supply yard”** means the use of land, buildings, and or structures for the purpose of retail sales of materials used in construction;

**“m<sup>2</sup>”** means a measure of surface area expressed in square metres;

**“Manufactured home”** means a dwelling unit, normally built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of its manufacture, and includes modular homes which are either completely self-contained or are incomplete and fastened together and completed on site, and which are certified as being constructed to the Canadian Standards Association Z240 Mobile Home Series or the A277 Modular Home standards;

**“Manufactured home park”** means land that is subject to the Cowichan Valley Regional District Mobile Home Park Bylaw, as amended, and that is used or occupied for the purpose of providing two or more sites for the accommodation of manufactured homes;

**“Marina”** means a facility which provides mooring spaces for watercraft and may also include, as accessory uses, administrative offices, recreational lounges, restaurants, chandlery, the retail sale of marine supplies and equipment, and dockside boat repair, but does not include a marine public house;

**“Marine public house”** means a public house that is built on or over the surface of water;

**“Market”** means the use of land, a building, or structure by multiple vendors for the purpose of selling produce, fish, meat, cheese, seafood, flowers and crafts, and may include retail stores and restaurants;

**“Mini storage”** means the use of land, buildings or structures for the purpose of storing personal property inside buildings, for compensation, but excluding all outdoor storage and excluding the storage of recreational vehicles unless the zone applicable to that parcel expressly permits it;

**“Motorsports facility”** means the use of land, pavement, buildings and structures for the purpose of racing automobiles, motorcycles, quads and remote-controlled and other motorized vehicles, and includes advanced driver training and motor vehicle testing on a drag strip, racing circuit, sports car track, skidpad, off-road course, and includes other uses and facilities customarily incidental to motor vehicle racing;

**“Motor vehicle sales”** means the retail and wholesale sale of new or used motor vehicles that are capable of being licensed under the *Motor Vehicle Act*, and includes automobile service shop, but does not include automobile workshop;

**“Motel”** means the same as “hotel” as defined in this Bylaw;

**“Multiple family dwelling”** means a building or cluster of buildings consisting of three or more dwelling units, and includes a condominium, townhouses, apartment building and seniors’ congregate care housing;

**“Natural boundary”** means:

- a. the visible natural boundary of any lake, river, stream or other body of water where the presence and action of the water 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 its banks, in vegetation, as well as in the nature of the soil itself; and
- b. the edge of dormant side channels of any lake, river, stream or other body of water;

**“Natural grade”** means the elevation of the ground surface in its natural state, before alterations, as it adjoins each face of a building or structure;

**“Nursery”** means the use of land, a building or structure for growing and the wholesale or retail sales of flowers, fruits, vegetables, plants other than cannabis, shrubs, trees and similar vegetation;

**“OCP”** means the CVRD South Cowichan Official Community Plan Bylaw 3510;

**“Office”** means the occupancy or use of a building for the purpose of carrying out business, training or professional activities, but specifically excludes retail sales and personal service use;

**“Outdoor assembly”** means a temporary gathering of persons for civic, cultural, charitable, entertainment, political, religious, social, educational, recreational, wedding, convention and philanthropic purposes outdoors or in temporary structures and includes the temporary sale of liquor as an auxiliary use.

**“Outdoor recreation”** means a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element and includes but is not limited to a park or open space, playing field, not for profit campground and botanical garden but does not include a golf course;

**“Panhandle parcel”** means a parcel, the majority of which is physically separated from the nearest highway by another parcel, and that is serviced by the highway by a narrow strip of land forming part of the Panhandle parcel, used primarily as a driveway;

**“Parcel”** means any lot, block or other area in which land is held or into which it is subdivided, including a bare land strata lot and a water lot, but does not include a highway;

**“Parcel area”** means the total area of land within the exterior perimeter of a parcel, and in the case of a panhandle parcel, the access strip shall not be included in the calculation of parcel area;

**“Parcel coverage”** means the total ground floor area of all buildings and structures on a parcel as measured from the outermost perimeter, expressed as a percentage of the total parcel area;

**“Parcel yield”** means the number of parcels that may be created by subdivision of any other parcel, determined by dividing the total developable area of a parcel (gross area, minus any area required to be dedicated for public road or park purposes) by the minimum parcel size for the one within which the parcel is located;

**“Park model”** means a transportable seasonal accommodation unit with cooking, sanitary, and living facilities that is certified to the Canadian Standards Association Z241 Standard;

**“Parking lot”** means an area of land used for the parking of motor vehicles;

**“Passive recreation”** means outdoor recreation activities which do not involve the use of buildings or structures;

**“Permitted use”** means a permissible purpose for which land, buildings, or structures may be used;

**“Person with a disability”** means a person who has a loss, or a reduction of functional ability and activity, and includes a person in a wheelchair and a person with sensory disability;

**“Personal care facility”** means a use or facility in which food, lodging, and care or supervision are provided, with or without charge, to persons unrelated to the operator of the facility, who on account of age, infirmity, or physical or mental disability require care, and which is licensed under the *Community Care and Assisted Living Act* or the *Hospital Act*;

**“Personal care unit”** means one or more habitable rooms with self-contained sleeping, living and sanitary facilities, intended to provide extended care, contained within a personal care facility as defined in the *Community Care and Assisted Living Act*;

**“Personal service”** means the use of a building or structure to provide professional services to a person, including but not limited to a barber shop, hairdresser salon, tailor, shoe repair shop, photographer’s studio, picture framing shop, doctor’s office, dentist office and fitness studio, and may include the sale of goods, wares, personal merchandise, articles, or things accessory to the provision of such services;

**“Portable container”** means a non-combustible, portable unit used for the storage or transporting of goods, and includes cargo containers, but specifically excludes dumpsters and recycling receptacles intended for neighbourhood refuse collection;

**“Poultry”** means any bird normally raised for food or egg production, and without limiting the generality of the foregoing includes: chickens, turkeys, geese, ducks, artificially reared grouse, partridge, quail, pheasant or ptarmigan;

**“Poultry processing”** means the use of land, buildings or structures for the processing of poultry;

**“Principal use”** means the primary and chief use for which a parcel, building or structure is used or designed;

**“Printing and publishing facility”** means the use of land, buildings and structures for printing, engraving, blueprinting, duplicating, and publishing of newspapers and magazines;

**“Private hospital”** has the same meaning as under the *Hospital Act*;

**“Production bakery”** means the use of a building for the production of baked goods that will mostly be sold at retail at locations other than the site of their production, and may include accessory retail sales of baked goods on site;

**“Province”** means the government of the Province of British Columbia, Canada;

**“Pub” and “Public house”** mean a licensed establishment pursuant to the *Liquor Control and Licensing Act*, serving primarily alcoholic beverages as well as full lunch and dinner menus, including hot and cold meals, and may include a retail store for beer and wine;

**“Public park”** means publicly owned land and waterways used for one or more of the following: recreational, archaeological, historical or ecological conservation purposes, and may also include buildings, structures and infrastructure dedicated to the support of ecological preservation and indoor and outdoor recreation;

**“Pumphouse”** means a building not exceeding one storey in height, measuring not more than 9 m<sup>2</sup> in gross floor area and used exclusively for housing water-pumping and treatment equipment;

**“Qualified environmental professional”** has the same meaning as under the *Provincial Riparian Areas Regulation*;

**“Rear parcel line”** means the parcel boundary that lies opposite to and is not directly serviced by the front parcel line;

**“Rear yard”** means the total area of a parcel, exclusive of an area bounded by the front parcel line, the interior side parcel lines and a line drawn parallel to the front parcel line at a point 15 metres distant from the front parcel line;

**“Recreational facility”** means the use of land, buildings or structures for the conduct of sports and leisure activities, including gymnasiums, indoor or outdoor racquet courts, curling rinks, skating rinks, swimming pools, dance studios, aerobic studios, weight rooms, billiard halls, bowling alleys;

**“Recreational vehicle (RV)”** means a motorhome, camper van, 5<sup>th</sup> wheel, tent trailer or other vehicle that is required to be licenced under the *Motor Vehicle Act* if used on a highway and is designed, converted or adapted for the temporary overnight accommodation of people;

**“Recycling depot”** means a collection facility and distribution point for recyclable material to be sorted and stored within a building, but does not include processing except assembling or packaging for shipping. A recycling depot does not include an automotive wrecking yard, a display yard or a junk yard;

**“Recycling plant”** means the processing of recyclable materials within a building, but does not include an automobile wrecking yard or a junk yard;

**“Refundable container depot”** means a collection facility and distribution point within a building for bottles, cans and other refundable containers to be reused or recycled, but does not include processing except for assembly or packaging for shipping;

**“Regional District”** means the Cowichan Valley Regional District, unless the context indicates otherwise;

**“Religious facility”** means a building or structure dedicated to religious worship and may include such accessory uses as a group daycare, religious education, assembly activities and a manse;



**“Repair shop”** means a shop at which household items or other small motors or electrical devices may be repaired, but specifically excludes automobile parts and component repairs;

**“Residence”** means a dwelling unit which is occupied or used, and is a fixed place of living to which a resident intends to occupy or return to, if absent;

**“Residential facility”** means a building or grouping of buildings operating as a comprehensively developed housing project, comprised principally of residential facility units and where one or more meals per day are served from a common dining area;

**“Residential recreational cottage”** means a cottage or beach house with one or two residences – as specified in any zone that permits this use, which may be used either as a full time or seasonal residence.

**“Residential shelter”** means a dwelling used for the purpose of a temporary residence providing emergency and support services for adults and their children, but does not include the use of land for halfway house use in conjunction with the administration of justice for the purpose of shelter and support of persons serving or on from any part of a sentence imposed by a court;

**“Residential facility unit”** means one or more habitable rooms with self-contained sleeping, living and sanitary facilities, which may or may not contain cooking facilities, intended for year round occupancy by not more than two adult persons and that is contained within a residential facility;

**“Residential use”** means a use providing for the accommodation of one or more persons, including activities customarily incidental to the accommodation of a person or a family, where such accommodation is the principal home and residence to which the person or family intends to return if absent, and if such premises are rented, where the minimum rental and occupancy period is 30 consecutive days;

**“Resort”** means a commercially operated facility for transient guests where the primary attractions are recreational features or activities, with temporary accommodation provided in a lodge, hotel, motel, cottages, separate units or buildings or any combination of them, which may contain tourist sleeping units with cooking facilities, and may include accessory assembly and related uses;

**“Restaurant”** means a building or structure for the service to customers of food and drink, and if licensed under the *Liquor Control and Licensing Act*, holds a “food primary” license;

**“Retail store”** means a store in which any type of goods or wares are sold to the final consumer, provided that the product is stored and sold from within a building;

**“Retail pro shop”** means the use of land, buildings or structures for the purpose of selling sports equipment, sports clothing and other sports paraphernalia;

**“Sawmill”** means a building, structure, or area where timber is cut, sawn, or planed, either to finished lumber or as an intermediary step, and may include facilities for the kiln drying of lumber, and may include the distribution of such products on a wholesale or retail basis;

**“Seasonal cabin”** means a building or structure other than a principal residence, that may contain cooking, eating, living and sleeping facilities, that is not serviced by a

community water system or community sewer system, that has a self-contained sanitary system and a source of potable water and is only used for temporary accommodation;

**“Seasonal recreational camp”** means the temporary accommodation of persons in tents or bunkhouses;

**“Secondary suite”** means one or more habitable rooms, containing or providing cooking facilities, constituting a self-contained dwelling unit in accordance with Section 4.16 of this Bylaw, that is for the residential accommodation of one family, contained within or attached to a single family dwelling;

**“Senior government”** means the Government of Canada or the Government of the Province of British Columbia;

**“Seniors’ congregate housing”** means a residential or institutional facility which provides sleeping units or dwelling units for persons aged 65 or older, one or more meals per day and housekeeping services, contains a common dining area with a capacity sufficient to accommodate all residents of the residential facility, and may contain accessory personal service use and accessory convenience store;

**“Service station”** means premises used principally for the retail sale of motor fuels, lubricating oils, electric vehicle recharges and motor vehicle parts and accessories, and the accessory servicing and repair of motor vehicles and boat engines, but not including wholesale sales or motor vehicle body repairs, painting, storage or wrecking;

**“Setback”** means the minimum permitted horizontal distance required under this Bylaw, between a building or structure and a specified parcel line or other described feature;

**“Shopping centre”** means one or more buildings designed as an integrated unit to be used for retail stores, offices, restaurants, cinemas, exercise studios, personal service use, appliance repair shops, automobile service shop, and garden centres, and which may be used on a temporary basis for automobile sales, carnivals, flea markets or craft fairs;

**“Single family dwelling”** means a building consisting of one dwelling unit, used as the residential unit of one family;

**“Silviculture”** means managing forest ecosystems for the full range of forest resource objectives including biodiversity, ecological integrity and ecological services and includes seedling and tree nurseries but specifically excludes the processing of wood or wood products;

**“Site”** means an area of land consisting of one or more parcels used collectively as a unit devoted to a certain use or occupied by a building or structure or group of buildings or structures united by a common interest, use or development;

**“Sleeping unit”** means a room or group of rooms other than a dwelling unit, used for the accommodation of any person;

**“Staff accommodation”** means dwelling units, whether single family, duplex or multiple family, exclusively for the use of persons that are employed by a business upon whose land the accommodation is located;

**“Storage yard”** means an area outside of an enclosed building where construction materials and equipment, solid fuels, lumber, new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether as a principal or accessory use, but specifically excludes the use of containers, and specifically excludes an automobile salvage or wrecking yard, a junk yard or log sorting and storage;

**“Storey”** means the portion of a building that is situated between the top of any floor and:

- a. the top of the next floor above it; or
- b. the ceiling above it, where there is no floor above the ceiling;

**“Structure”** means any construction fixed to, supported by, or sunk into land or water, but does not include concrete pavement or asphalt paving or similar surfacing of a parcel;

**“Subdivision”** means:

- a. a subdivision as defined in the *Land Title Act*; and
- b. a subdivision under the *Strata Property Act*;

**“Take-out restaurant”** means an eating establishment which prepares meals for pick-up or delivery to customers, and which may provide some seats for customers to consume food on the premises, and which does not serve food via a drive-through window;

**“Temporary accommodation”** means the accommodation of any person for other than a residential use;

**“Theatre”** means a building, structure or parcel that is used for the showing of dramatic, musical or other live performances and includes cinemas, and drive-in theatres;

**“Tourist accommodation”** means a use, building or structure, or set of buildings or structures other than a campground, used for temporary accommodation, and includes hotels, motels, resorts and cabins;

**“Tourist sleeping unit”** means a room or group of rooms, which may or may not contain cooking facilities, used for the temporary paying accommodation of any person;

**“Transit facility”** means a bus exchange, transit vehicle yard and maintenance facility, including offices and related vehicle washing facilities;

**“Treetop canopy suite”** means a room for the temporary accommodation of tourists that is located in or near the canopy of a tree, and is operated commercially in association with a guest lodge;

**“Unlicensed daycare”** means a daycare that does not require a license under the *Community Care and Assisted Living Act* and accommodates not more than three children who do not reside on the parcel;

**“Use”, “Uses” and “Used”** mean the purpose or function to which land, the surface of water, buildings or structures are designed, occupied, put or intended to be put;

**“Utility”** means a use and associated works which provide for essential services such as community water service, community sewer service, electricity, telephone, natural gas, cable television, and similar services, where such use is established by the CVRD Board

of Directors, a municipality, an improvement district, is licensed by a senior government or is operated by a body that is subject to the *Utility Commission Act*. In addition, utility includes recycling drop-off bins in association with a commercial, industrial or institutional use. Utility also includes communications infrastructure, navigation aids and seawalls. Utility does not include: exterior storage of any kind, recycling depots, recycling plant, waste disposal facilities, offices, vehicle or equipment repair facilities, or power generation facility of any sort;

**“Veterinary clinic”** means a building or part thereof provided for the prevention, treatment, care and alleviation of disease and injury to animals, and includes a shelter that is exclusively for animals during their period of treatment and recovery;

**“Warehousing/Wholesaling”** means a building or part thereof, used for the housing, storage, adapting for sale, and packaging or wholesale distribution of goods, wares, merchandise, foodstuffs and articles;

**“Warehouse”** means the use or intended use of land, buildings or structures for the purpose of receiving and storage of goods for compensation, and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes retail sales from the parcel;

**“Waste transfer station”** means the use of land or buildings, for consolidating waste from multiple collection vehicles into transfer vehicles for shipment to disposal sites, and may include accessory office, recycling and vehicle scaling facilities;

**“Watercourse”** means any natural drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, wetland, the sea or source of ground water and includes portions that may be contained within a conduit or culvert;

**“Water frontage”** means the side of a parcel that is contiguous with a lake or the ocean;

**“Wetland”** means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, estuaries and similar areas;

**“Wholesale”** means the use of land, building, or structures, by establishments or businesses engaged in selling merchandise to retail dealers or to other wholesale dealers, or to contractors or to manufacturers, for resale or for use in their business;

**“Winery or cidery”** means the use of land, buildings and structures, licensed under the *Liquor Control and Licensing Act*, for the manufacturing of cider, spirits or wine and may include facilities on the same site where the cider, spirits or wine may be blended, mixed, stored or packaged, and may include the accessory uses of sales, tours, and customer seating areas.

**“Zone”** means an area of Electoral Area A, B or C that is designated as a zone under Part 8 of this Bylaw for which specific regulations are hereinafter outlined in this Bylaw and its Schedules.

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## PART FOUR: GENERAL REGULATIONS FOR USES, BUILDINGS AND STRUCTURES

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### 4.1 Uses Permitted in all Zones

Except as otherwise stated in this Bylaw, the following uses are permitted in all zones as specified below, subject to compliance with the other regulations that apply to such uses under this Bylaw:

- a. Highways;
- b. Conservation areas, ecological reserves and wildlife sanctuaries;
- c. Landscape screening and fencing;
- d. Public parks;
- e. Utilities, excluding offices, maintenance garages and storage areas;
- f. Uses, works, buildings and structures accessory to a principal permitted use, provided they are located on the same parcel or within the same strata plan as the principal use;
- g. Temporary siting of a mobile home or recreational vehicle, for the property owner, while a permitted dwelling is being constructed, subject to the requirements of Section 4.6 of this Bylaw;
- h. Temporary buildings, structures or storage of materials, for a maximum of one year, required for an approved construction project on the same parcel provided such temporary buildings, structures, and/or storage areas are removed within 30 days of the completion of the project;
- i. Residential shelter operated by a non-profit society or licensed or operated by a Municipal, Regional, Provincial or Federal Agency;
- j. Railways.

### 4.2 Uses Prohibited in all Zones

1. Any use not expressly permitted in this Bylaw is prohibited in every zone, and where a particular use is expressly permitted in one zone, such use is prohibited in every zone where it is not expressly permitted.
2. The following uses are prohibited in all zones, unless explicitly permitted elsewhere in this Bylaw:
  - a. The use of a houseboat, float home or float camp for temporary or permanent residential use;
  - b. The use of a recreational vehicle for permanent, full time residential occupancy;
  - c. The parking of more than one commercial or industrial vehicle with a GVW in excess of 5000 kg, except on a parcel zoned for a commercial or industrial use;
  - d. The keeping of more than 5 cats or dogs that are over 4 months of age on a parcel, except in zones where a kennel is permitted;
  - e. Storage of any wastes or contaminated soils, if the wastes or contaminated soils did not originate on the same parcel;
  - f. Treatment of any wastes or contaminated soils on any parcel other than that upon which the contamination arose;
  - g. Gaming and gambling establishments, other than charity gaming;
  - h. The storage, collection or accumulation of all or part of any automobile wreck or all or part of any motor vehicle which is not validly registered and licensed in accordance with the *Motor Vehicle Act*, or capable of motivation under its own power;
  - i. Storage of portable containers, other than during a construction project with an active building permit; and
  - j. Keeping of roosters in any zone that does not permit Agriculture or Limited agriculture;

#### **4.3 Determination of Residential Density if a Parcel is in Two or More Zones**

The permitted maximum residential density on a parcel that is partially in two or more zones will in all cases be determined by the zone with the highest permitted residential density.

#### **4.4 Height Limit Exceptions**

##### **a. *Unlimited Height***

Notwithstanding other height restrictions in this Bylaw, the following parts of buildings and structures may be of an unlimited height: agricultural building; belfry; chimney; dome; drive-in theatre screen; elevator tower; flag pole; grain elevator; industrial crane; lighting pole; monument; radio; television or telecommunications antenna; religious facility spire; silo; theatre scenery loft; smoke stack; stadium bleacher and light standard; stair tower and tank.

##### **b. *Limited Height***

Notwithstanding other height restrictions in this bylaw, the following parts of buildings and structures are permitted to be not more than 1.5 metres above the height limit specified in the zone within which the parcel is located: solar panels and wind turbines.

##### **c. *Roof Height of Overheight Structure***

Where one or more parts of a building or structure specified in Section 4.4(a) and (b) are located on top of a building, the total area occupied by all such parts shall not exceed 10% of the horizontal plane of the roof area as seen from any direction.

#### **4.5 Accessory Buildings and Structures**

For zones within which accessory buildings and structures are permitted, the following general regulations apply:

1. No accessory building or structure shall be situated on a parcel unless the principal building, to which the accessory building is incidental, has already been erected or will be erected simultaneously with the accessory building on the same parcel, with the exception of one accessory building or structure not exceeding 25 m<sup>2</sup> of gross floor area, used only for storage purposes.
2. Notwithstanding Section 4.5.1, an accessory building may be situated on a parcel contiguous to a parcel on which the principal building is situated, provided the owners of both parcels agree to have registered on the title a covenant in favour of the CVRD stating that the parcel with the accessory building will not be sold independently of the adjacent parcel with the dwelling, unless the accessory building is firstly removed.
3. No part of an accessory building shall be used as a dwelling unit or sleeping unit, except as otherwise provided for in this Bylaw.
4. Except in accordance with Section 4.5.2, an accessory building shall be located on the same parcel as the principal building or use.
5. One greenhouse, not exceeding 25 m<sup>2</sup> in floor area shall be permitted on a parcel where a residential use is permitted, as an accessory residential structure. Greenhouses exceeding 25 m<sup>2</sup> in floor area are deemed to be agricultural buildings, and are permitted

only in zones where agriculture is listed as a permitted use and shall comply with the relevant agricultural building setbacks from parcel lines.

6. A garage or carport attached to a principal building is deemed to be a part of the principal building and is not an accessory building.

#### **4.6 Camping or Occupying an Existing Dwelling During New House Construction**

1. An owner of a parcel of land may occupy a mobile home or recreational vehicle (RV) as a temporary dwelling on the parcel while in the process of constructing a permanent dwelling on the same parcel, provided that the following conditions are met:
  - a. the period of RV occupancy shall not extend beyond twelve (12) months from its commencement;
  - b. The RV occupancy shall not commence until a building permit has been issued for the construction of a principal dwelling on the parcel, nor shall the RV be occupied after occupancy of the newly constructed principal dwelling has begun;
  - c. Sewage shall be disposed of at approved off-site sani-dump locations, or if it is disposed of on-site, in a location and manner that is permitted by the jurisdiction having authority;
  - d. The RV parking space shall be no closer than 4.5 metres to any parcel line.
2. Despite a restriction under this Bylaw on the number of dwellings permitted on a parcel, an owner of a parcel which already has an existing dwelling located on it, while in the process of constructing a new principal dwelling on the same parcel, may continue to occupy the existing dwelling during construction of the new principal dwelling, provided that the following conditions are met:
  - a. the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the *Land Title Act* to the effect that the owner undertakes to remove the existing dwelling or render it uninhabitable to the satisfaction of the Building Inspector following the granting of the certificate of occupancy for the new principal dwelling;
  - b. the covenant also specifies that an irrevocable letter of credit or other security satisfactory to the CVRD in the amount of \$5000 be issued in favour of the CVRD by the owner, to be forfeited to the CVRD in the event that the other terms of the covenant are not complied with, in which case the CVRD shall use the \$5000 to offset any costs of legal action to obtain compliance;
  - c. that the actions required under Section 4.6.2.a must be completed within a maximum time period of 2 years from the date of issuance of the building permit to completion and occupancy of the new principal dwelling, and that this time period be specified in the covenant.

#### **4.7 Use of Common Property in a Strata Plan**

Land comprising the common property in a strata plan may be used for purposes accessory and customarily incidental to permitted principal uses on the strata lots within the same strata plan. For the purposes of accessory buildings that may be constructed on common property, the same setbacks, building height, parcel coverage and other building standards apply as apply to strata lots in the same zone.

#### **4.8 Farm Animals in Residential Zones**

Other than zones in which “agriculture” is a permitted use, the keeping of farm animals is only permitted on a residential parcel under this Bylaw if “limited agriculture” is a permitted use in the zone, and in accordance with Section 4.14: Limited Agriculture Regulation.

#### **4.9 Number of Dwellings Permitted Per Parcel**

Not more than one dwelling unit shall be located on any one parcel, except as specifically permitted in this Bylaw.

#### **4.10 Home – Based Business Regulations**

For zones in which home-based business is a permitted use, all of the following regulations apply:

1. The home-based business use shall only be conducted within a dwelling unit or within a wholly enclosed permitted accessory building;
2. The home-based business use shall be clearly subservient and incidental to the use of the dwelling unit for residential purposes and to the residential use of the parcel upon which the dwelling is located, and further, and the gross floor area of buildings used for the home-based business shall not exceed the gross floor area of the residence;
3. There shall be no variation from a primarily residential appearance of the land and premises where the home-based business is located;
4. The home-based business use shall not produce any hazard, offensive odour, noise, dust, smoke, glare, toxic or noxious matter, contaminated site, heat, electrical interference, fire hazard, litter, additional waste, floodlighting, vibration, excessive customer or service traffic, or create a nuisance of any kind;
5. The home-based business use shall have no external display or advertisement other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m<sup>2</sup> in area;
6. The home-based business use shall not involve exterior storage of any material or equipment used directly or indirectly in the processing, servicing or sale of any product;
7. The maximum floor area per parcel used for home-based business use, including office space, storage, processing or sales, shall not exceed the figures shown in the following table:

<b>Parcel Area</b>	<b>Electoral Area A</b>	<b>Electoral Area C</b>
1 hectare or less	100 m <sup>2</sup>	90 m <sup>2</sup>
>1 hectare	200 m <sup>2</sup>	

8. The home-based business use shall only be conducted by person who is a full-time resident on the parcel.
9. The home-based business shall not employ persons who do not reside on the parcel other than in accordance with the following table:



Parcel Area	Electoral Area A	Electoral Area C
≤1 hectare	1 non-resident employee	1 non-resident employee
>1 hectare	2 non-resident employees	

10. Only if the parcel is 0.4 hectares in area or more, the following applies: the home-based business use may involve the repair of motor vehicles, excluding the painting and bodywork of vehicles, and shall:
  - a. be limited to not more than one fully enclosed service bay with a total area not exceeding 25 m<sup>2</sup>; and
  - b. exclusive of the resident's own licensed vehicles, be permitted to park not more than one vehicle out of doors. No work on a vehicle is permitted while it is out of doors;
  - c. occur in a wholly enclosed building that is set back not less than 20 metres from any parcel line.
11. Automobile body shops, machine shops, welding shops, heavy equipment repair and similar uses are not permitted as home-based businesses.
12. No off-site parking associated with the home-based business use is permitted.
13. No more than one commercial vehicle with a gross vehicle weight of 5,000 kg or more shall be parked or stored outside of a building or structure.
14. Home-based business use must comply with all CVRD and senior government agency environmental protection regulations.

#### 4.11 Daycare Regulations

For zones in which unlicensed daycare and group daycare are permitted uses, all of the following regulations apply:

1. A daycare providing care to more than three persons shall be licensed in accordance with the *Community Care and Assisted Living Act*;
2. No group daycare licensed for between 9 and 16 children shall be located on a parcel that is less than 2000 m<sup>2</sup> in area.
3. No group daycare licensed for between 17 and 24 children shall be located on a parcel that is less than 4000 m<sup>2</sup> in area.
4. A daycare use shall be clearly subservient and incidental to the use of the dwelling unit for residential purposes and to the residential use of the parcel upon which the dwelling is located;
5. There shall be no variation from a primarily residential appearance of the land and premises where the daycare is located;
6. The daycare use shall not produce excessive traffic, or create a nuisance of any kind;
7. The daycare use shall have no external display or advertisement other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m<sup>2</sup> in area;
8. The daycare use shall only be conducted by a person who resides on the parcel.

9. No off-site parking associated with the daycare use is permitted.
10. Any daycare use must also comply with all senior government agency regulations.

#### **4.12 Bed and Breakfast Regulations**

For zones in which it is permitted, a bed and breakfast use shall:

- a. be completely contained within a single family dwelling which is the principal use on the parcel;
- b. be conducted by a resident on the parcel, who may not employ more than one additional non-resident person on the parcel;
- c. not involve the use of more than four rooms per parcel at any one time, for overnight guest accommodation;
- d. where a renovation, an addition or new construction is required to allow the bed and breakfast use to occur, applications for building permits shall explicitly show which rooms in the dwelling will be used for bed and breakfast purposes.

#### **4.13 Residential Use**

1. No dwelling unit shall be used or occupied by more than one family, except as specifically permitted in this bylaw.
2. All rooms of a dwelling unit shall be accessible from within that dwelling unit.
3. Not more than one kitchen shall be contained within a dwelling unit.
4. The accommodation of up to three boarders or lodgers in a dwelling unit is permitted, but not in addition to any Bed and Breakfast use that may be occurring in the same dwelling.

#### **4.14 Limited Agriculture Regulation**

For zones within which limited agriculture is a permitted use, the following uses are prohibited:

- a. the growing of mushrooms within a building;
- b. the permanent confinement within a fully enclosed building or structure of livestock of any type.

#### 4.15 Accessory Dwelling Unit

For zones within which it is a permitted use, an accessory dwelling unit:

1. shall not be located on a parcel of land that has a secondary suite or another accessory dwelling unit on it;
2. shall be free standing or attached to a building that is accessory to residential use;
3. shall not exceed 85 m<sup>2</sup> in floor area;
4. shall be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval of the authorities responsible for domestic waste disposal and domestic water supply;
5. shall have an additional off-street parking space in accordance with Section 7.1;
6. may be subdivided from the parcel upon which it is located only if:
  - a. it is in a zone which would allow for the proposed parcel sizes following subdivision;
  - b. the principal dwelling and accessory dwelling unit are so located as to allow for setback requirements to be met following subdivision, with each being on a separate parcel following subdivision;
  - c. the approval of the Health Authority for sewage disposal has been obtained.

If the parcel upon which the accessory dwelling unit would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the accessory dwelling unit, register a covenant under Section 219 of the *Land Title Act* in favour of the CVRD against the title to the parcel which prohibits its subdivision or the registration of any form of strata plan under the *Strata Property Act*.

For parcels that meet the requirements of Subsections (6) a., b., and c., following the subdivision, the dwelling that was formerly considered to be the accessory dwelling unit will no longer be subject to the regulations of Section 4.15 of this Zoning Bylaw.

7. shall not be located within 60 metres of the natural boundary of any tributary watercourse, or within 30 metres of the natural boundary of the Koksilah River;
8. is subject to Section 4.22 of this Bylaw;
9. if located within the **Mill Bay Village** boundary under the OCP, shall only be permitted if:
  - a. both the principal dwelling and accessory dwelling unit are serviced by community water and community sewer services, or
  - b. the parcel of land is at least 0.2 hectare in area if both the principal residence and accessory dwelling unit are serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
  - c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience

in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.

- d. Notwithstanding subsection 4.15.9.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.15.6.c determining whether an accessory dwelling unit is permitted.

10. if located within the **Cobble Hill Village** boundary under the OCP, shall only be permitted if:

- a. both the principal dwelling and accessory dwelling unit are serviced by community water and community sewer services, or
- b. the parcel is at least 0.2 hectare in area if the principal residence and accessory dwelling unit are both serviced by a community water system, and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
- c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.
- d. Notwithstanding subsection 4.15.10.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.15.6.c determining whether an accessory dwelling unit is permitted.

11. if located **outside of a Village** area under the OCP, shall only be permitted if:

- a. both the primary residence and accessory dwelling unit are serviced by approved sewage disposal system and an approved water source, and
- b. the parcel is at least 0.2 hectare in area if the principal residence and accessory dwelling unit are both serviced by a community water system, and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
- c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.
- d. Parcels that are less than 1 hectare in area and not serviced by a community water system, upon which a single family dwelling and an accessory dwelling unit were legally authorized as of December 11, 2013, are considered to be legal and conforming under this Bylaw.
- e. Notwithstanding subsection 4.15.11.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.15.6.c determining whether an accessory dwelling unit is permitted.

#### 4.16 Secondary Suite

For zones within which it is a permitted use, a secondary suite:

1. shall be located within or attached to a principal residence;
2. shall have a private access through an entrance on one of the sides or rear of the residence;
3. shall not occupy more than 40% of the gross floor area of the residence;
4. shall be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval of the authorities responsible for domestic waste disposal and domestic water supply;
5. shall not have a gross floor area in excess of 85 m<sup>2</sup>;
6. shall not be located on a parcel of land that has another secondary suite or accessory dwelling unit on it;
7. shall not be located on a parcel of land unless an owner resides on the same parcel;
8. shall have one additional off-street parking space;
9. shall not have, through subdivision or strata plan, a separate title distinct from the one for the parcel of land upon which the suite is located, and the owner shall, prior to the issuance of a building permit for the secondary suite, register a covenant pursuant to Section 219 of the *Land Title Act* in favour of the CVRD against the title to the parcel which would prevent its subdivision or the registration of any form of strata plan under the *Strata Property Act*;
10. is subject to Section 4.22 of this Bylaw;
11. if located within the **Mill Bay Village** boundary under the OCP, shall only be permitted if:
  - a. both the principal dwelling and secondary suite are serviced by community water and community sewer services, or
  - b. the parcel of land is at least 0.2 hectare in area if both the principal residence and secondary suite are serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
  - c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.
  - d. Notwithstanding subsection 4.16.11.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.16.4 determining whether a secondary suite unit is permitted.

12. if located within the **Cobble Hill Village** boundary under the OCP, shall only be permitted if:

- a. both the principal dwelling and secondary suite are serviced by community water and community sewer services, or
- b. the parcel is at least 0.2 hectare in area if the principal residence and secondary suite are both serviced by a community water system, and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
- c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.
- d. Notwithstanding subsection 4.16.12.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.16.4 determining whether a secondary suite unit is permitted.

13. if located **outside of a Village** area under the OCP, shall only be permitted if:

- a. both the primary residence and secondary suite are serviced by approved sewage disposal system and an approved water source, and
- b. the parcel is at least 0.2 hectare in area if the principal residence and secondary suite are both serviced by a community water system, and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel; or
- c. the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment that would permit the requested total density on the parcel.
- d. Parcels that are less than 1 hectare in area and not serviced by a community water system, upon which a single family dwelling and a secondary suite were legally authorized as of September 11, 2013, are considered to be legal and conforming under this Bylaw.
- e. Notwithstanding subsection 4.16.13.b and c above, where a parcel of land has been created under Section 6.7 of this Bylaw, minimum land area requirements shall not apply, with the Health Authority approval under 4.16.4 determining whether a secondary suite unit is permitted.

#### **4.17 Storage of Junk or Wrecks**

1. Unless specifically permitted by this Bylaw, no parcel shall be used as a junkyard or for the external storage, collection or accumulation of all, or part, of any automobile wreck, derelict motor vehicle, or all or part of any motor vehicle that is not:
  - a. validly registered, licensed and insured in accordance with the *Motor Vehicle Act*; and
  - b. capable of operation under its own power.

2. Despite Sections 4.17.1.a and 4.17.1.b above, not more than one unlicensed but operational motor vehicle or one recreational vehicle is permitted to be parked out of doors, in compliance with all other regulations of this Bylaw.

#### **4.18 Restaurant Regulation**

Unless explicitly permitted in a zone under this Bylaw, no restaurant, coffee shop or cafeteria shall be equipped with a drive-through facility.

#### **4.19 Mobile Homes and Manufactured Homes**

In all zones where “single family dwelling” is a permitted use, a manufactured home certified to the CSA A277 standard or mobile home certified to the CSA Z240 standard is considered to be a single family dwelling.

#### **4.20 Use of Tents, Trailers or Recreational Vehicles as a Residence**

A tent, trailer, recreational vehicle, park model unit certified to the CSA Z241 standard, bus or other motor vehicle shall not be used as a residence, except in accordance with Section 4.6 of this Bylaw.

#### **4.21 Recreational Vehicle Parking Regulation**

Not more than one Recreational Vehicle (RV) or boat trailer shall be parked or stored on a parcel that is not explicitly zoned for that use, and where an RV or boat trailer is parked or stored in a Village Residential Zone, the RV or boat trailer shall be parked or stored not less than 4 metres back from the front parcel line.

#### **4.22 Wells as Domestic Water for Parcels upon which Two or More Dwellings are Located**

Where more than one unattached dwelling unit (not including a secondary suite) is permitted on a parcel that is not within a community water service area, either:

- a. each dwelling unit shall have its own well for domestic water use; or
- b. if a shared well is used, the shared well must be approved pursuant to the *Drinking Water Protection Act* and the purveyor shall be certified as such under that statute.

#### **4.23 Commercial Cannabis Regulations**

1. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
2. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
3. Cannabis - Standard Production and Processing are subject to the following regulations:
  - a. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility,

- and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
- c. on Industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m<sup>2</sup>, and the combined gross floor area for all buildings and structures used for cannabis processing on any parcel must not exceed 1,000 m<sup>2</sup>.
4. Cannabis – Micro Production and Processing are subject to the following regulations:
- a. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses and wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
  - b. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
  - c. on Industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
  - d. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m<sup>2</sup>.
5. Farm gate sales of cannabis produced on the parcel where the farm gate sales are occurring is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

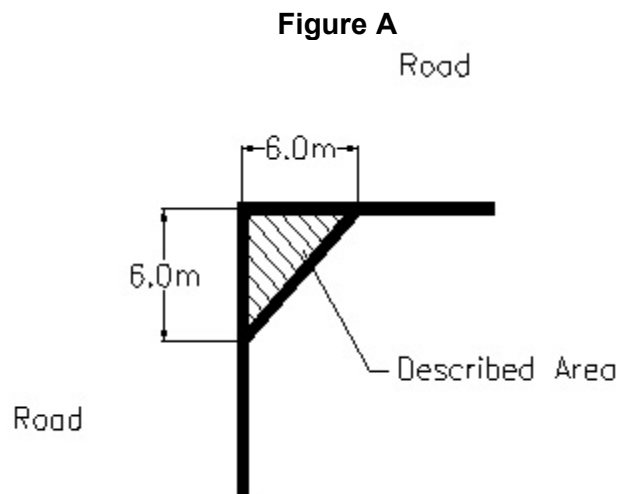
#### **4.24 Swimming Pool Fencing Required**

Swimming pools shall be enclosed in a structure or be surrounded by a fence not less than 1.5 metres and not more than 1.8 metres in height, designed to prevent climbing, and where equipped with gates, the gate shall be operated by hinges and a lock and shall be able to be opened freely from the inside only.



### 5.1 Sight Triangle

No person being the owner, occupier or lessee of any land located at the intersection of any two streets, shall place or permit to be placed, construct or grow any tree, plant, shrub, fence or other structure greater than 1 metre in height within a sight triangle bounded by the intersecting parcel lines at a street corner and a line joining points along said parcel lines 6 metres from their point of intersection. For greater certainty, a diagram shown as part of this section and labeled "Figure A" depicts the area described in this section.



### 5.2 Fencing and Screening

Except as otherwise specifically stated in this Bylaw,

1. The height of a fence or wall shall be measured to the highest point from, and perpendicular to, a line representing the average natural grade level of the fence at its base.
2. For residential zones and comprehensive development zones that permit residential use – with the exception of the CD-1 Zone (Arbutus Ridge) – a fence, where permitted within a front yard, shall not exceed a height of 1.2 metres, and fences on all other parts of a parcel shall not exceed a height of 2.0 metres.
3. For agricultural, commercial, institutional and industrial zones, the maximum fence height is 2.5 metres.
4. Notwithstanding the provisions of Section 5.2.3, fences used in association with recreational uses, such as playing fields, playgrounds, golf courses and other similar sports, public utility uses and industrial storage areas shall not exceed a height of fifteen (15) metres, provided such fences are constructed of material that permits virtually unobstructed visibility, such as wire mesh.
5. Subject to Section 5.1, fences may be constructed on any portion of a parcel, including within a required setback area, except for closed fences and landscape screens, which shall be less than 2 metres in height when sited in a required setback area from a parcel line adjoining a residential use.

6. The use of barbed wire for fencing within a residential, institutional and commercial zone is prohibited, except along a parcel boundary that is within or adjoins land in the ALR.
7. The use of barbed wire for fencing is permitted in zones within which agriculture is listed as a principal permitted use.

### **5.3 Setback Exceptions**

1. Except as otherwise provided in particular zones, the setback requirements of this Bylaw do not apply to:
  - a. A pump house;
  - b. Bay windows; chimneys; exterior building finishes; heating, ventilation and air conditioning equipment, sills; sunlight control projections including sunshades; unenclosed stairwells, if the projections do not exceed 1 m measured horizontally into the setback area and are not within 1 metre of a parcel boundary;
  - c. Eaves, canopies, cornices, gutters, sunshades, and unenclosed stairwells and above-ground stairways if the projections, measured horizontally, do not exceed:
    - i. 2 m in the case of a setback from a rear parcel line;
    - ii. 1 m in the case of a setback from a front or side parcel line;
  - d. Signs;
  - e. Open fences; and
  - f. Closed fences and landscape screens that are less than 2 metres in height.
2. Notwithstanding any other provision of this Bylaw, the consent of the Ministry of Transportation and Infrastructure is required to place any building or structure closer than 4.5 m to a property line adjacent to a highway.
3. Features not specifically mentioned in Section 5.3.1 shall not project into a required setback area.

### **5.4 Setbacks from a Watercourse – Flood Protection and Environmental Protection**

1. Notwithstanding any other provision of this Bylaw, and except where a larger setback may be specified in an Assessment Report prepared under the *Riparian Areas Regulation*, no building or structure shall be located:
  - a. within 30 metres of the natural boundary of the Koksilah River;
  - b. within 15 metres of the natural boundary of any watercourse, lake or the sea;

And further, all buildings and structures shall be elevated at least:

- a. 3 metres above the natural boundary of the Koksilah River;
- b. 1.5 metres above the natural boundary of any watercourse, lake or the sea.

### **5.5 Natural Hazard Management Requirements**

In addition to compliance with Section 5.4 above, all buildings and structures shall conform to a Floodplain Management Bylaw, if one is in effect, and any potential natural hazards that the Building Official believes may be present shall be dealt with in accordance with Section 56 of the *Community Charter*.

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## **PART SIX: GENERAL REGULATIONS RESPECTING THE SUBDIVISION OF LAND**

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### **6.1 Subdivision of Parcels within Two or More Zones**

Where any parcel in the area subject to this Bylaw is partially in two or more zones, each portion that lies within a single zone may be subdivided in accordance with that zone's regulations, notwithstanding the land area remaining on the other portion, following subdivision.

### **6.2 Subdivision of Parcels Containing a Water Body, Watercourse or Wetland**

Where a parcel contains all or part of a natural water body, watercourse or wetland, the area of the natural water body, watercourse or wetland shall not be included in the area of the parcel for the purposes of calculating the permitted number of parcels. The area of the natural water body, watercourse or wetland shall be determined by a BC Land Surveyor, where the water feature is not subject to the *Riparian Areas Regulation* and a Qualified Environmental Professional where the water feature is subject to the *Riparian Areas Regulation*.

### **6.3 Subdivision of Panhandle Parcels**

Where a parcel or a proposed parcel is in a panhandle configuration, the access strip (or panhandle) shall not be calculated as part of the parcel area for the purpose of subdivision.

### **6.4 Subdivision Using Density Averaging**

Unless explicitly permitted in a zone under this Bylaw, density averaging for non-strata parcels is not permitted. Provincial regulations address density averaging in strata development.

### **6.5 Subdivision Following Dedication for Public Use**

A parcel which is reduced in size by not more than ten (10) percent as a result of a dedication for a public use by:

- a.the regional district;
- b.a municipality;
- c.the provincial government;
- d.the federal government;
- e.an improvement district;
- f.the board of school trustees; or
- g.a public utility,

by donation, expropriation or purchase, shall be deemed, for the purpose of further subdivision under this Bylaw, to be of the same size as it was prior to the dedication for public use. If this deemed size would permit further subdivision, then such subdivision may occur pursuant to the general regulations of this Bylaw and the regulations of the zone within which the parcel is located.

## **6.6 Subdivision using Section 946 of the *Local Government Act***

The minimum size for a parcel outside of the Agricultural Land Reserve that may be subdivided under Section 946 of the *Local Government Act* throughout Electoral Area A – Mill Bay/Malahat and Electoral Area C – Cobble Hill is 25 hectares, or the minimum parcel size of the zone within which the parcel of land is located, whichever is larger.

## **6.7 Subdivision where Additional Parkland is Accepted by CVRD**

Where an owner of land being subdivided under the *Strata Property Act* or the *Land Title Act* dedicates as parkland in fee simple title to the CVRD an amount greater than 5% of the land being subdivided, the area of dedicated parkland that is greater than 5%, but not more than 50%, may, for the purposes of calculating minimum parcels sizes under this Bylaw, be included in the total area of parcels being created in the subdivision, and the dedicated parkland is deemed not to be a parcel or lot. This regulation is subject to all of the following conditions:

- a. parcel yield shall not be increased over what would be available were no additional parkland being proposed;
- b. the parcels being created shall be of sufficient area to accommodate the area required for a sewage disposal field and well if it is in an unserviced area, and a sufficient building envelope must exist in the absence of any variances to setback requirements in the zones within which the parcels are located;
- c. the parkland proposed must be in a location and condition that is acceptable to the CVRD.

## **6.8 Subdivision of Parcels Severed by Roads or another Parcel**

Notwithstanding the minimum parcel size provisions of each zone, where a portion of a parcel is physically separated from the remainder of the parcel by a public road or another parcel, which separation was in existence as of the date of adoption of this Bylaw, the physically separated portion may be subdivided from the remainder of the parcel provided that:

- a. the public road or other parcel is used as the subdivision boundary;
- b. if the parcel lies in the Agricultural Land Reserve, the approval of the Agricultural Land Commission has firstly been obtained; and
- c. no parcel created pursuant to this Section shall be less than one hectare in area where there is no community water service connection, and 2000 m<sup>2</sup> in area where community water service connections are made to each parcel.

### **6.8.1** Notwithstanding Section 6.8, land legally described as Lot 5, District Lots 138 and 149, Malahat District, Plan 2001, Except Part in Plan 41398 (PID: 000-560-251) which is severed by Okotoks Drive, and which severance was registered subsequent to the date of adoption of this Bylaw, may be subdivided using Okotoks Drive as the subdivision boundary provided that no parcel created pursuant to this section shall be less than one hectare in area where there is no community water service connection, and 2000 m<sup>2</sup> in area where community water service connections are made to each parcel.

## **6.9 Subdivision of Parcels Severed by a Jurisdictional Boundary Line**

Notwithstanding the minimum parcel size provisions of each zone, where a portion of a parcel is separated from the remainder by a jurisdictional boundary line, the parcel may be subdivided along the jurisdictional boundary line, provided that:

- a. the jurisdictional boundary is used as the subdivision boundary;
- b. no parcel created pursuant to this Section 6.9 shall be less than one hectare in area where connection to a community water system is not available and 2000 m<sup>2</sup> in area where community water system connections are made to each parcel; and
- c. if the parcel lies in the Agricultural Land Reserve, the approval of the Agricultural Land Commission has firstly been obtained.

## **6.10 Subdivision of Parcels for Public Parks or Public Utility Uses**

The minimum parcel size provisions as prescribed in each zone shall not apply where the parcel being created is to be used solely for the unattended equipment necessary for the operation of:

- a. a bus shelter, railway station, public transit station;
- b. a community water system;
- c. a community sewer system;
- d. a community gas distribution system;
- e. a community radio or television broadcasting antenna;
- f. a radio or television relay broadcasting antenna;
- g. a telecommunication relay station;
- h. an automatic telephone exchange, excluding mobile telephone towers;
- i. an air or marine navigation aid;
- j. a public park;
- m. a rest stop for a Provincial or National highway.

## **6.11 Parcel Realignments and Amalgamations**

Existing parcels may be consolidated and re-subdivided into new parcels, provided that:

- a. the subject parcels are adjoining;
- b. no additional parcels are created;
- c. where the proposed parcels are under 1 ha in area, the boundary change does not result in the reduction of any parcel by 20% or more of its original size;
- d. the requirements of this Bylaw respecting siting of buildings and structures are complied with.

## **6.12 Parcel Consolidations and Addition of Roads**

The minimum parcel area requirements do not apply to the consolidation of existing parcels or the consolidation of a closed highway with an adjoining parcel.

## **6.13 Undersized Parcels**

Parcels that do not meet the minimum parcel size provisions of this Bylaw that:

- a. exist as separate and titled parcels in the records of the Land Title Office, at the time of adoption of this Bylaw; or
- b. have been created pursuant to the provisions of this Bylaw; or
- c. have been created under the authority of a statute of the Province of BC;

may be occupied for the uses permitted in the zone in which they are located, subject to all other regulations of this and any other applicable bylaw, regulation or statute.

## **6.14 Strata Conversion of Residences in Electoral Area A**

Notwithstanding the minimum parcel size requirements of the zones within this Bylaw that apply to Electoral Area A (Mill Bay/Malahat), parcels upon which there are located two or more legally-constructed dwelling units built prior to October 27, 1999 are deemed to be in conformity with the provisions of this Bylaw and may be reconstructed, maintained, and altered in accordance with the provisions of the zone within which they are located and the general provisions in Parts Four through Seven of this Bylaw. The conversion to strata of such buildings may be approved, subject to all lands remaining common property of the strata corporation.

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**PART SEVEN: GENERAL REGULATIONS FOR PARKING AND LOADING**


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**7.1 Off-Street Parking Requirements**

Minimum off-street parking spaces and facilities shall be provided in accordance with the following table. Where a specific use is not identified, a similar use to one listed in the table shown in Section 7.1 shall be selected as an applicable standard.

<b>CATEGORY</b>	<b>USE</b>	<b>PARKING</b>
<b>Residential Uses</b>	Single family residence and duplex	2 spaces per dwelling unit, which may be in tandem; 1 space per dwelling unit for parcels under 460 m <sup>2</sup> in area
	Multiple family dwelling	1 space per bachelor dwelling unit; 1.5 spaces for each 1 and 2 bedroom dwelling unit; 1.75 spaces for each 3 bedroom dwelling unit; 2 spaces for each dwelling unit with 4 or more bedrooms; and in all cases, 2 or more required spaces may be in tandem if the parking area is separate for each dwelling unit
	Community service facility	1 space per 100 m <sup>2</sup> of gross floor area
	Bed and breakfast accommodation	In addition to the parking requirement for the principal residential use, one space per bedroom used for guest accommodation, and such spaces may be in tandem
	Home-based business	1 space per non-resident employee
	Secondary suite and accessory dwelling unit	1 space
<b>Commercial, Industrial, Institutional Uses</b>	Art gallery and museum	1 space per 100 m <sup>2</sup> of gross floor area
	Automobile service stations, fuel sales, and repair facilities	1 space, plus 1 space per 2 employees on duty
	Automobile, marine, machinery, or equipment sales and rentals	1 space per 75 m <sup>2</sup> of gross floor area, plus 1 space per employee
	Bakery (retail)	1 space per 35 m <sup>2</sup> of retail floor area
	Boat building, repair and storage	1 space per 75 m <sup>2</sup> of gross floor area, plus 1 space per two employees
	Community centre	1 space per 35 m <sup>2</sup> of gross floor area
	Clinic	1 space per two chairs in the waiting room
	Convenience store	1 space per 20 m <sup>2</sup> of retail floor area
	Convention facility	10 spaces plus 1 space per 35 m <sup>2</sup> of gross floor area
	Daycare, child care facility	3 spaces plus 1 space per 50 m <sup>2</sup> of gross floor area

<b>Commercial, Industrial, Institutional Uses</b> (continued)	Equipment sales, rentals, servicing and repair	1 space per 15 m <sup>2</sup> of gross floor area
	Financial institution (e.g. bank or credit union)	1 space per 15 m <sup>2</sup> of gross floor area
	Fire hall, police station	1 space per 15 m <sup>2</sup> of gross floor area
	Funeral parlour	1 space per 4 seats
	Golf course	150 spaces
	Golf driving range	1 space per tee plus 5 spaces
	Hospital (private or public)	1 space per 2 employees plus one space for every 5 beds
	Hotel, motel, campground, RV Park, resort, and similar temporary commercial accommodation	1 space per unit or campground space plus 3 spaces
	Bowling alleys, pool halls, arcades, bingo halls, ice arenas and similar commercial recreational and entertainment centres	1 space per 30 m <sup>2</sup> of gross floor area or one space for every 4 potential players or participants (at capacity), whatever is greater
	Kennel	4 spaces
	Laundromat	1 parking space per 3 washing machines
	Library	1 space per 30 m <sup>2</sup> of gross floor area
	Lumber and storage yard/building supply store	1 space per 100 m <sup>2</sup> of storage area plus 1 space per 35 m <sup>2</sup> gross floor area
	Manufacturing	1 space per 100 m <sup>2</sup> of gross floor area
	Marina/moorage facilities for taxi, ferry or fishing boats	1 space per 2 boat stalls plus three spaces
	Mobile/Manufactured home park	1 space per residence plus 2 guest spaces per 10 residences
	Nursery	1 space per 15 m <sup>2</sup> of gross floor area of retail sales building plus 1 space per 465 m <sup>2</sup> of outdoor display
	Offices (business, administrative, civic, and professional)	1 space per 35 m <sup>2</sup> of gross floor area
	Personal care facility	1 space per every 5 personal care units
	Personal service use	1 space per 12 m <sup>2</sup> of gross floor area
	Post office	1 space per 30 m <sup>2</sup> of gross floor area
	Printing and publishing establishments	1 space per 30 m <sup>2</sup> of gross floor area
	Pub	1 space per 3 seats (at full capacity), plus 3 spaces
	Recreation facility	1 space per 10 m <sup>2</sup> of gross floor area or 1 space per 3 seats, whichever is greater

<b>Commercial, Industrial, Institutional Uses</b> (continued)	Recycling, wrecking and/or storage of automobiles and or other materials or equipment	1 space per 100 m <sup>2</sup> of covered storage plus 1 space per employee
	Religious facility	1 space per 4 seats
	Residential facility	1 space per every 4 residential units
	Restaurant	1 space per 3 seats (at full capacity), plus 3 spaces
	Restaurant accessory to a residential facility or personal care facility	1 space per every 100 m <sup>2</sup> of gross floor area
	Retail store	1 space per 20 m <sup>2</sup> of gross floor area
	Retail store accessory to a residential facility or personal care facility	4.5 spaces per every 100 m <sup>2</sup> of gross floor area
	School (kindergarten and elementary)	2.5 spaces per classroom
	School (secondary), business or private school, university or college	2 spaces per classroom plus 1 space per 10 non-boarding students
	Seniors housing (Institutional use)	1 space per every three dwelling units
	Shopping centre	5.5 spaces per 100 m <sup>2</sup> of gross floor area
	Theatre	1 space per 10 seats
	Transportation facilities including bus depot	3 spaces minimum plus 1 space per 50m <sup>2</sup> of gross floor area
	Veterinary clinic	1 space per 35 m <sup>2</sup> of gross floor area
	Warehouse or wholesale use	1 space minimum per business use plus 1 space per 200 m <sup>2</sup> of gross floor area
	Welding shop	1 space plus 1 space per 50 m <sup>2</sup> of gross floor area

## 7.2 Calculation Resulting in a Fraction

Where the calculation of the required off-street parking space results in a whole number plus a fraction, the number of required parking spaces shall be rounded up to the next whole number.

## 7.3 Seating Accommodation Requirements

Where seating accommodation is the basis for a unit of measurement under this Section and consists of benches, pews, booths or similar seating accommodation, each 0.7 m<sup>2</sup> of seating area shall be deemed to be one seat.

## 7.4 Parcels With More Than One Use

Where a building or parcel contains more than one function or use, the required number of parking spaces shall be the sum of the requirements for each function or use.

## 7.5 Location of Off-street Parking Spaces

Required parking spaces for all uses shall be located on the same parcel as the building or use.



## 7.6 Dimensions of Parking Spaces

The minimum required dimensions for parking spaces under this Bylaw are set out as follows in the table below:

Minimum Parking Space Dimensions	Width	Length
Angle Parking Spaces	2.8 metres	5.8 metres
Parallel Parking Spaces	2.6 metres	7.0 metres

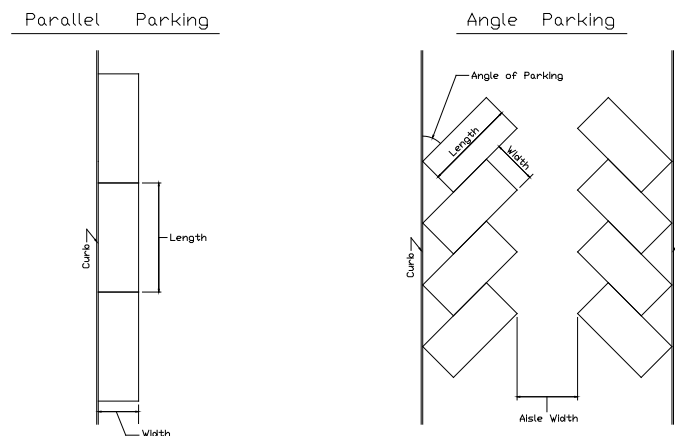
However, with respect to a parking area containing more than 100 parking spaces, up to 20 percent of the total required number of parking spaces may be reduced to 4.6 metres in length provided that each parking space is identified by the words “small car only” on the pavement in the space itself or on a wall facing it.

## 7.7 Dimensions of Aisle Space

The minimum required dimensions for aisle space under this Bylaw is set out as follows (refer to diagrams below for interpretation):

ANGLE OF PARKING	MINIMUM WIDTH OF AISLE
0°	3.7 metres
30°	3.4 metres
45°	3.9 metres
60°	5.5 metres
90°	7.3 metres

### Parking Diagram



## 7.8 Access to Parking Spaces

Except in the case of a single family or duplex residential building, no parking space shall gain direct access to a highway.

## 7.9 Street Access or Egress from Parking Areas

Street access or egress shall be not less than 15 metres from the nearest point of intersection of two highways.

### 7.10 Surfacing of Parking Areas

Parking areas shall be dust-free and the use of pervious surfaces such as grasscrete, is encouraged for all outdoor parking areas.

### 7.11 Provision of Oil/Water Separator

Parking areas paved with an impervious material shall include one or more oil-water separators, and it shall be the responsibility of the landowner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal.

### 7.12 Parking for Persons with a Disability

- a. For any use required to be accessible to persons with a disability by the BC Building Code, a minimum of one parking space for a person with a disability shall be provided.
- b. Where 25 or more parking spaces are required by this Bylaw, the greater of one parking space the number of parking spaces equal to 1 percent of all spaces required shall be accessible to persons with a disability.
- c. All parking spaces for persons with a disability shall be:
  - i. A minimum of 3.7 metres in width and 5.8 metres in length;
  - ii. Surfaced with concrete or asphalt to provide ease of access for wheelchairs;
  - iii. Located in the most accessible and convenient location available within the parking areas; and
  - iv. Marked or otherwise designated for sole use by persons with a disability.

### 7.13 Extending or Expanding an Existing Use

The parking requirements established in Section 7.1 do not apply to a building or use existing prior to the adoption date of this Bylaw, provided that there is no change, expansion or addition to the building or use that requires more parking spaces than were required for the building or use existing when this Bylaw was adopted. However, if there is an expansion or addition to an existing use or building, then the provisions of Section 7.1 apply to such expansion or addition.

### 7.14 Cash in Lieu of Parking

As an alternative to meeting the parking standards of this Bylaw, or for a change to an existing use or additional building that would require more parking, at the option of the owner or occupier of the land, a cash payment may be made to the CVRD in lieu of the required number of parking spaces, in accordance with the table under a), and subject to the conditions under b):

#### a. Table of fees:

Use	Cash amount per space
Commercial	\$4000
Office	\$4000
Restaurant, Pub	\$3500
Residential	\$3500
All other uses	\$3000

**b. Conditions for cash in lieu of parking spaces:**

- i. The cash in lieu option is only available for parcels of land within zones with “Village” in the title of the zone and also within the RM-2 and RM-3 Zones;
- ii. Not more than 50% of the additional parking spaces required may be replaced with a cash in lieu payment for a commercial zone, and not more than 33% of the parking required for a multiple family residential use may be replaced with a cash in lieu payment;
- iii. The cash in lieu of parking payments collected will be placed into a reserve fund for transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation, and will be spent within the Electoral Area within which it was collected.

**7.15 Bicycle Parking**

All commercial developments requiring at least 5 parking spaces shall have a bicycle rack capable of accommodating at least 4 bicycles.

**7.16 Minimum Off-Street Loading Requirements**

Minimum off-street loading spaces and facilities shall be provided in accordance with the following table. Where the proposed use is not identified in the table below, the most comparable use from the table shall be used as the applicable standard:

USE	LOADING REQUIREMENT
Automobile, marine and equipment related industries, such as service stations, marine sales and service, building supply stores, automobile wreckers, recycling depots, warehousing, manufacturing and equipment sales and rentals.	1 space for uses with less than 700 m <sup>2</sup> gross floor area, plus 1 space for each additional 700 m <sup>2</sup> to a maximum of 4 spaces
Churches, religious facilities	1 space for passenger loading for every 100 m <sup>2</sup> of gross floor area
Convenience stores	1 space
Financial institutions, offices and personal service use	1 space per 2700 m <sup>2</sup> of gross floor area
Indoor recreational uses	1 space per 2700 m <sup>2</sup> of gross floor area
Institutional uses, including civic uses, hospitals	1 space per 2700 m <sup>2</sup> of gross floor area
Outdoor recreational uses	1 passenger loading space
Personal care facility	1 space
Residential facility	1 space, or 0 spaces if shared with personal care facility loading space
Retail Stores, nurseries	1 space for uses occupying less than 700 m <sup>2</sup> of gross floor area, plus one space for each additional 500 m <sup>2</sup> of gross floor area
Schools, colleges	1 passenger loading space per 3000 m <sup>2</sup> of gross floor area
Shopping centres	1 space per 100 m <sup>2</sup> of gross floor area
Theatre	1 passenger loading space plus 1 loading space
Transportation facilities	1 passenger loading space

#### **7.17 Required Loading Spaces in Specified Zones**

In addition to the requirements of Section 7.16, a minimum of one off-street loading space shall be provided on each parcel in a Commercial, Industrial or Institutional Zone.

#### **7.18 Calculation Resulting in a Fraction**

Where the calculation of the required off-street loading space results in a number that is a whole number plus a fraction, the number of spaces required shall be rounded up to the next whole number.

#### **7.19 Location of Off-street Loading Spaces**

Required loading spaces for all uses shall be located on the same parcel as the building or use.

#### **7.20 Access to Loading Spaces**

Each off-street loading space shall have at all times access to an aisle that intersects with a highway. No loading space shall gain direct access to a highway.

#### **7.21 Dimensions of Loading Spaces**

Each off-street loading space involving the receipt and delivery of goods or materials by vehicles shall be not less than 3 metres wide, 9 metres long and have a clear height of not less than 4 metres.

#### **7.22 Loading Spaces Additional to Off-street Parking**

Off-street loading spaces shall not be credited against the requirements for off-street parking.

#### **7.23 Parcels With More Than One Use**

When a building or parcel contains more than one function or use, the required number of loading spaces is the sum of the requirements for each function or use.

#### **7.24 Extending or Expanding an Existing Use**

The loading requirements established in Section 7.16 do not apply to a building or use existing prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing use or building, then the provisions of Section 7.16 apply to such expansion or addition.

**PART EIGHT:****CREATION OF ZONES****8.1 Creation of Zones**

For the purposes of this Bylaw, Electoral Areas A, B and C of the Cowichan Valley Regional District are divided into the following zones:

LAND USE CATEGORY	SYMBOL	ZONE TITLE
<b>AGRICULTURAL AND RESOURCE ZONES</b>		
Agricultural	A-1	Agricultural Resource 1
	A-2	Village Agricultural 2
	A-3	Agricultural Veterinary 3
	A-4	Agricultural / Golf Course 4
	A-5	Agricultural Market 5
	A-6	Agricultural Institutional 6
Rural Resource	RUR-1	Rural Resource 1
	RUR-2	Rural Recreation/Resource 2
	RUR-3	Rural Resource Quarry/Aggregate 3
<b>RESIDENTIAL ZONES</b>		
Rural Residential & Recreational	RR-1	Rural Residential 1
	RR-2	Rural Residential 2
	RR-3	Rural Residential 3
	RR-3A	Rural Residential 3A
	RR-3D	Rural Residential 3D
	RR-4	Rural Manufactured Home Park 4
	RR-5	Rural Manufactured Home Residential 5
	RR-6	Rural Recreational Cabin 6
Village Residential	R-2	Village Suburban Residential 2
	R-3	Village Residential 3
	R-3A	Village Residential 3A
	R-4	Village Manufactured Home Park 4
	R-5	Village Manufactured Home Residential 5
	R-5A	Kerry Village Manufactured Home Park Residential 5A
	R-6	Village Mixed Use Residential 6
	RM-1	Duplex Residential 1
	RM-2	Low Density Multiple Family Residential 2
	RM-3	Medium Density Multiple Family Residential 3
<b>COMPREHENSIVE DEVELOPMENT ZONES</b>		
Rural Comprehensive Development	CD-1	Rural Comprehensive Development 1 Arbutus Ridge
	CD-3	Rural Comprehensive Development 3 Chapman Road
	CD-4	Rural Comprehensive Development 4 – Malahat Skywalk
	CD-5	Comprehensive Development 5 – Sandy Beach Cottages
	CD-11	Rural Comprehensive Development 11 – Villa Eyrie
Village Comprehensive Development	CD-6	Village Comprehensive Development 6 Congregate Care
	CD-7	Village Comprehensive Development 7 Ocean Terrace
	CD-8	Village Comprehensive Development 8 Stonebridge South
	CD-9A	Village Comprehensive Mixed Use
	CD-9B	Village Comprehensive Residential
	CD-10	Village Comprehensive Development 10 Galliers Road E.
<b>COMMERCIAL ZONES</b>		
Rural Commercial	C-1	Rural Local Commercial 1

	C-2	Rural Highway Commercial 2
	C-3	Rural Service Commercial 3
	C-4	Rural Tourist Recreation Commercial 4
Village Commercial	C-5	Village Neighbourhood Commercial 5
	C-6	Mixed Use Village Commercial/Residential 6
	C-7	Village Service Commercial 7
	C-8	Village Tourist Commercial 8
	C-9	Village Neighbourhood Pub Commercial 9
<b>INDUSTRIAL ZONES</b>		
Industrial	I-1	Light Industrial 1
	I-1A	Bamberton Light Industrial 1A
	I-1B	Light Industrial 1B
	I-1C	Light Industrial 1C
	I-1D	Business Park Manufacturing/Commercial 1D
	I-1E	Fisher Road Industrial 1E
	I-1F	Rural Transition Light Industrial
	I-1G	RV Storage 1G
	I-2	Heavy Industrial 2
	I-3	Transportation Industrial 3
	I-4	Aggregate Industrial Processing 4
	I-5	Mini-Warehousing Industrial 5
	I-6	Agricultural Industrial 6
	I-7	Railway Transportation 7
	I-8	Auto Wrecking / Salvage Industrial 8
<b>INSTITUTIONAL AND WATER ZONES</b>		
Parks/Institutional	P-1	Parks 1
	P-2	Institutional 2
	P-2A	Private School Institutional 2A
	P-3	Village Institutional 3
	P-4	Park / Community Forest 4
	P-5	Forest Institutional 5
	P-6	Outdoor Recreational Park 6
Water	W-1	Marine Conservation 1
	W-2	Freshwater Conservation 2
	W-3	Water Institutional 3
	W-4	Water Marina 4
	W-5	Marine Docks and Moorage 5 Zone
	W-6	Marine Water Institutional Zone

## 8.2 Zone Boundaries

1. The area of each zone is defined by Schedule “A” – the Zoning Bylaw Map – which is attached to and forms part of this Bylaw;
2. Where a zone boundary is shown on Schedule “A” as following a road allowance or a watercourse, the centre line of the road allowance or the centre of a watercourse, excluding a lake or the sea, shall be the zone boundary. In the case of a lake or the sea, the natural boundary shall be the zone boundary unless otherwise indicated on Schedule “A”.

**9.1 A-1 AGRICULTURAL RESOURCE 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the A-1 Zone:

- a. Agriculture, horticulture, silviculture, turf farm, fish farm;
- b. Kennel;
- c. Single family dwelling;
- d. Farm uses as designated by Statute or Regulation under the *Provincial Agricultural Land Commission Act*;

The following accessory uses are permitted in the A-1 zone:

- e. Bed and breakfast accommodation;
- f. Farm gate sales;
- g. Home-based business;
- h. Secondary suite;
- i. Unlicensed daycare and group daycare;
- j. Secondary dwelling units in areas upon land which a secondary dwelling unit was legally authorized at the date of December 11, 2013.

**2. Minimum Parcel Size**

The minimum parcel area in the A-1 Zone is 30 hectares.

**3. Number of Dwellings**

One dwelling is permitted per parcel in the A-1 Zone.

**4. Setbacks**

The following minimum setbacks for buildings and structures apply in the A-1 Zone:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Kennel Use
Front parcel line	15 metres	7.5 metres	45 m
Interior side parcel line	15 metres	3 metres	45 m
Exterior side parcel line	15 metres	4.5 metres	45 m
Rear parcel line	15 metres	7.5 metres	45 m

**5. Height**

In the A-1 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

**6. Parcel Coverage**

The parcel coverage in the A-1 Zone shall not exceed:

- a. 20 percent for all buildings and structures;
- b. Notwithstanding Section 9.1.6.a, the parcel coverage may be increased by an additional 30% of the parcel area for the purpose of accommodating greenhouses.

## 7. Kennel Regulation

No outdoor runs, outdoor pens or part thereof shall be located within 50 metres of any parcel boundary.

## 8. Poultry processing

Poultry processing is permitted as a principal use, and portable containers are permitted as accessory agricultural structures, on the property LOT A, SECTION 9, RANGE 8, SHAWNIGAN DISTRICT, PLAN 43278 (PID: 003-027-147). Buildings and structures for the use of poultry processing must comply with the setbacks for Agricultural and Accessory Uses.

## 9.2 **A-2 VILLAGE AGRICULTURAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-2 Zone:

### 1. Permitted Uses

The following principal uses and no others are permitted in the A-2 Zone:

- a. Agriculture, horticulture, silviculture, turf farm, fish farm, equestrian arena, boarding stable;
- b. Single family dwelling;

The following accessory uses are permitted in the A-2 Zone:

- c. Secondary suite or accessory dwelling unit;
- d. Bed and breakfast accommodation;
- e. Agri-tourism;
- f. Farm gate sales;
- g. Home-based business;
- h. Unlicensed daycare and group daycare.

### 2. Minimum Parcel Size

The minimum parcel area in the A-2 Zone is 2 hectares.

### 3. Number of Dwellings

One dwelling is permitted per parcel in the A-2 Zone.

### 4. Setbacks

The following minimum setbacks for buildings and structures apply in the A-2 Zone:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses
Front parcel line	15 metres	7.5 metres
Interior side parcel line	15 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres



## 5. Height

In the A-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

## 6. Parcel Coverage

The parcel coverage in the A-2 Zone shall not exceed 30 percent or 500 m<sup>2</sup>, whichever is less, for all buildings and structures, and may be increased by an additional 20% of parcel area for the purpose of constructing greenhouses.

## 7. Special Regulations

- a. Notwithstanding Section 4.15.3, an accessory dwelling unit shall not exceed 90 m<sup>2</sup> in floor area on LOT 11, SECTION 16, RANGE 7, SHAWNIGAN DISTRICT, PLAN 22741 (PID: 003-166-929).

### 9.3 **A-3 AGRICULTURAL VETERINARY 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-3 Zone:

#### 1. Permitted Uses

The following principal uses and no others are permitted in the A-3 Zone:

- a. Agriculture,
- b. Pet grooming and supplies;
- c. Tack store/saddle shop;
- d. Veterinary clinic;

The following accessory uses are permitted in the A-3 Zone:

- e. Overnight accommodation of animals in conjunction with the veterinary clinic, but excluding boarding or breeding of animals;
- f. Single family dwelling.

#### 2. Minimum Parcel Size

The minimum parcel area in the A-3 Zone is 2 hectares.

#### 3. Number of Dwellings

One dwelling is permitted per parcel in the A-3 Zone, accessory to a principal permitted use.

#### 4. Setbacks

The following minimum setbacks for buildings and structures apply in the A-3 Zone:

Type of Parcel Line	Agricultural & Accessory Uses	Residential and Accessory Uses
Front parcel line	15 metres	7.5 metres
Interior side parcel line	15 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres

## 5. Height

In the A-3 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

## **6. Parcel Coverage**

The parcel coverage in the A-3 Zone shall not exceed 30 percent for all buildings and structures, and may be increased by an additional 20% of parcel area for the purpose of constructing greenhouses.

### **9.4 A-4 AGRICULTURAL / GOLF COURSE 4 ZONE**

Subject to compliance with the regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-4 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the A-4 Zone:

- a. Any use permitted in the A-1 Zone;
- b. Golf course;

The following accessory uses are permitted in the A-4 Zone:

- c. Restaurant, lounge, conference and meeting rooms, golf pro shop;
- d. Tennis courts;
- e. Unlicensed daycare and group daycare.

#### **2. Number of Dwellings**

Not more than one dwelling is permitted on a parcel in the A-4 Zone.

#### **3. Minimum Parcel Size**

The minimum parcel area in the A-4 Zone is 30 hectares.

#### **4. Setbacks**

The following minimum setbacks for buildings and structures apply in the A-4 Zone:

<b>Type of Parcel Line</b>	<b>Agricultural and Accessory Uses</b>	<b>Residential and Accessory Uses</b>
Front parcel line	15 metres	7.5 metres
Interior side parcel line	15 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres

#### **5. Height**

In the A-4 Zone, the height of all principal buildings and structures shall not exceed 10 metres.

#### **6. Parcel Coverage**

The parcel coverage in the A-4 Zone shall not exceed 30 percent.

## 9.5 **A-5 AGRICULTURAL MARKET 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-5 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the A-5 Zone:

- a. Agriculture;
- b. Nursery;
- c. Retail sales of agricultural products;
- d. Single family dwelling;

The following accessory uses are permitted in the A-5 Zone:

- e. Bed and breakfast;
- f. Unlicensed daycare and group daycare.

### 2. **Number of Dwellings**

Not more than one dwelling is permitted on a parcel in the A-5 Zone.

### 3. **Minimum Parcel Size**

The minimum parcel area in the A-5 Zone is 2 hectares.

### 4. **Setbacks**

The following minimum setbacks apply for buildings and structures in the A-5 Zone:

Type of Parcel Line	Agricultural & Accessory Uses	Residential and Accessory Uses	Retail and Nursery Uses
Front parcel line	15 metres	7.5 metres	5 metres
Interior side parcel line	15 metres	3 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres	4.5 metres

### 5. **Height**

In the A-5 Zone, the height of all principal buildings and structures shall not exceed 10 metres.

### 6. **Parcel Coverage**

The parcel coverage in the A-5 Zone shall not exceed 30 percent for all buildings and structures, and may be increased by an additional 20% of parcel area for the purpose of constructing greenhouses.

## **9.6 A-6 AGRICULTURAL INSTITUTIONAL 6 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-6 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the A-6 Zone:

- a. Agriculture, horticulture, silviculture;
- b. Seasonal recreational camp;
- c. Single family dwelling;

The following accessory uses are permitted in the A-6 Zone:

- d. Bed and breakfast accommodation;
- e. Farm gate sales;
- f. Home-based business;
- g. Outdoor recreation;
- h. Secondary suite;
- i. Unlicensed daycare and group daycare.

### **2. Number of Dwellings**

Not more than one dwelling is permitted on a parcel in the A-6 Zone.

### **3. Minimum Parcel Size**

The minimum parcel area in the A-6 Zone is 12 hectares.

### **4. Density Provisions**

The following density provisions apply in the A-6 Zone:

- a. The maximum density of camping sites will not exceed one site per hectare of camping area;
- b. The maximum number of individuals accommodated in a camping site will not exceed 36;
- c. The maximum number of individuals accommodated in a bunkhouse will not exceed 40;
- d. Where both a bunkhouse and camping spaces are located on the same parcel, the maximum number of individuals accommodated on a parcel will be 70.

### **5. Setbacks**

The minimum setback in the A-6 Zone for buildings and structures is 6 metres to all parcel lines.

### **6. Height**

In the A-6 Zone, the height of all buildings and structures shall not exceed:

- a. 10 metres for principal buildings and structures;
- b. 7.5 metres for accessory buildings and structures.

### **7. Parcel Coverage**

The parcel coverage in the A-6 Zone shall not exceed 20 percent for all buildings and structures.

## **9.7 RUR-1 RURAL RESOURCE 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RUR-1 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the RUR-1 Zone:

- a. Agriculture, horticulture;
- b. Forestry, silviculture, excluding sawmilling and manufacturing;
- c. Single family dwelling;

The following accessory uses are permitted in the RUR-1 Zone:

- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Secondary suite or accessory dwelling unit;
- g. Unlicensed daycare and group daycare.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RUR-1 Zone shall not exceed 12%, of which not more than 10% may be parcel coverage.

### **3. Building Height**

The height of all principal buildings and structures in the RUR-1 Zone shall not exceed 10 metres.

### **4. Setbacks**

The following minimum setbacks for buildings and structures apply in the RUR-1 Zone:

<b>Type of Parcel Line</b>	<b>All Uses</b>
Front parcel line	7.5 metres
All other parcel lines	4.5 metres

### **5. Minimum Parcel Size**

The minimum parcel size in the RUR-1 Zone is 80 ha.

## 9.8 **RUR-2 RURAL RESOURCE 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RUR-2 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the RUR-2 Zone:

- a. Agriculture, horticulture;
- b. Forestry, silviculture, excluding sawmilling and manufacturing;
- c. Outdoor recreation;
- d. Single family dwelling;

The following accessory uses are permitted in the RUR-2 Zone:

- h. Bed and breakfast accommodation;
- i. Gift shop, office and cafeteria accessory to outdoor recreation use;
- j. Home-based business;
- k. Secondary suite or accessory dwelling unit;
- l. Unlicensed daycare and group daycare.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RUR-2 Zone shall not exceed 22%, of which not more than 20% may be parcel coverage.

### 3. **Building Height**

The height of all principal buildings and structures in the RUR-2 Zone shall not exceed 10 metres.

### 4. **Setbacks**

The following minimum setbacks for buildings and structures apply in the RUR-2 Zone:

Type of Parcel Line	All Uses
Front parcel line	7.5 metres
All other parcel lines	4.5 metres

### 5. **Minimum Parcel Size**

The minimum parcel size in the RUR-2 Zone is 80 ha.

## 9.9 **RUR-3 RURAL RESOURCE QUARRY/AGGREGATE 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RUR-3 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the RUR-3 Zone:

- a. Agriculture, horticulture;
- b. Forestry, silviculture, excluding sawmilling and manufacturing;
- c. Mineral and aggregate processing, crushing, washing, screening and related uses;
- d. Single family dwelling;

The following accessory uses are permitted in the RUR-3 Zone:

- e. Bed and breakfast accommodation;
- f. Home-based business;
- g. Secondary suite or accessory dwelling unit;
- h. Unlicensed daycare and group daycare.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RUR-3 Zone shall not exceed 20%, of which not more than 10% may be parcel coverage.

### 3. **Building Height**

The height of all principal buildings and structures in the RUR-3 Zone shall not exceed 10 metres.

### 4. **Setbacks**

The following minimum setbacks apply in the RUR-3 Zone:

Type of Parcel Line	All Uses
Front parcel line	15 metres
Interior side parcel line	15 metres
Exterior side parcel line	15 metres
Rear parcel line	15 metres

### 5. **Minimum Parcel Size**

The minimum parcel size in the RUR-3 Zone is 80 ha.

**10.1 RR-1 RURAL RESIDENTIAL 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the RR-1 Zone:

- a. Agriculture;
- b. Forestry;
- c. Single-family dwelling;

The following accessory uses are permitted in the RR-1 Zone:

- d. Accessory dwelling unit or secondary suite;
- e. Bed and breakfast accommodation;
- f. Farm gate sales;
- g. Home-based business;
- h. Unlicensed daycare and group daycare.

**2. Parcel Coverage**

The parcel coverage in the RR-1 Zone shall not exceed 20 percent of parcel area, or 500 m<sup>2</sup>, whichever is less, for all buildings and structures.

**3. Building Height**

The height of buildings and structures in the RR-1 Zone shall not exceed:

- a. 10 metres for principal buildings and structures;
- b. 7.5 metres for accessory buildings and structures.

**4. Setbacks**

The following minimum setbacks for buildings and structures apply in the RR-1 Zone:

Type of Parcel Line	Residential and Accessory Use	Agricultural & Forestry Use
Front parcel line	7.5 metres	15 metres
Interior side parcel line	3 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres
Parcel line adjoining the Agricultural Resource 1 Zone	15 metres	15 metres

**5. Minimum Parcel Size**

The minimum parcel size in the RR-1 Zone is 4 hectares.



## 10.2 **RR-2 RURAL RESIDENTIAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-2 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the RR-2 Zone:

- a. Agriculture;
- b. Horticulture;
- c. Single-family dwelling;

The following accessory uses are permitted in the RR-2 Zone:

- d. Accessory dwelling unit or secondary suite;
- e. Bed and breakfast accommodation;
- f. Farm gate sales;
- g. Home-based business;
- h. Unlicensed daycare and group daycare.

### 2. **Parcel Coverage**

The parcel coverage in the RR-2 Zone shall not exceed 20 percent of parcel area, or 500 m<sup>2</sup>, whichever is less, for all buildings and structures.

### 3. **Building Height**

The height of buildings and structures in the RR-2 Zone shall not exceed:

- a. 10 metres for a principal building and structure;
- b. 7.5 metres for an accessory building and structure.

### 4. **Setbacks**

The following minimum setbacks for buildings and structures apply in the RR-2 Zone:

Type of Parcel Line	Residential and Accessory Uses	Agricultural Use
Front parcel line	7.5 metres	15 metres
Interior side parcel line	3 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres
Parcel line adjoining the Agricultural Resource 1 Zone	15 metres	7.5 metres

### 5. **Minimum Lake and Ocean Frontage Requirement**

No parcel being created by subdivision in the RR-2 Zone that fronts on a lake or the ocean shall have a total water frontage along the waterfront of less than 50 metres or 15% of total lot perimeter, whichever is greater.

## 6. Minimum Parcel Size

The minimum parcel size in the RR-2 Zone is 2 hectares for all lands except those located within Blocks 156, 201, 361 and 791 of the Malahat District (commonly known as Goldstream Heights).

## 10.3 **RR-3 RURAL RESIDENTIAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-3 Zone:

### 1. Permitted Uses

The following principal uses and no others are permitted in the RR-3 Zone:

- a. Single-family dwelling;
- b. Horticulture;

The following accessory uses are permitted in conjunction with a single-family dwelling in the RR-3 Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Farm gate sales;
- f. Home-based business;
- g. Limited agriculture subject to Sections 4.14 and 10.3.6;
- h. Unlicensed daycare and group daycare.

### 2. Parcel Coverage

The parcel coverage in the RR-3 Zone shall not exceed 20 percent of parcel area, or 500 m<sup>2</sup>, whichever is less, for all buildings and structures.

### 3. Building Height

The height of buildings and structures in the RR-3 Zone shall not exceed:

- a. 10 metres for a principal building and structure;
- b. 7.5 metres for an accessory building and structure.

### 4. Setbacks

The following minimum setbacks for buildings and structures apply in the RR-3 Zone:

Type of Parcel Line	Principal Uses	Residential Accessory Uses	Limited Agricultural Uses
Front	7.5 metres	7.5 metres	15 metres
Interior Side	3 metres	3 metres; 1 metre if in rear yard	15 metres
Exterior Side	4.5 metres	4.5 metres	15 metres
Rear	4.5 metres	4.5 metres	15 metres
Adjoining an Agricultural Resource 1 Zone	15 metres	15 metres	4.5 metres

## 5. Minimum Parcel Size

The minimum parcel size in the RR-3 Zone is:

- a. 1 hectare for parcels not serviced by a community water system;
- b. 4000 m<sup>2</sup> for parcels that are serviced by a community water system.

## 6. Special Use Regulation for Limited Agriculture

Notwithstanding that limited agriculture is an accessory use to a single family dwelling, where a parcel without a single family dwelling on it in the RR-3 Zone shares a parcel line with another parcel in any zone upon which the owner of both parcels resides, limited agricultural uses are permitted on the RR-3 parcel without a single family dwelling.

## 10.4 RR-3A RURAL RESIDENTIAL 3A ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-3A Zone:

### 1. Permitted Uses

The following principal uses and no others are permitted in the RR-3A Zone:

- a. Single-family dwelling;
- b. Horticulture;

The following accessory uses are permitted in conjunction with a single-family dwelling in the RR-3A Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Farm gate sales;
- f. Home-based business;
- g. Limited agriculture, subject to Sections 4.14 and 10.4.7;
- h. Unlicensed daycare and group daycare.

### 2. Parcel Coverage

The parcel coverage in the RR-3A Zone shall not exceed 20 percent of parcel area, or 500 m<sup>2</sup>, whichever is less, for all buildings and structures.

### 3. Building Height

The height of buildings and structures in the RR-3A Zone shall not exceed:

- a. 10 metres for a principal building and structure;
- b. 7.5 metres for an accessory building and structure.

### 4. Setbacks

The following minimum setbacks for buildings and structures apply in the RR-3A Zone:

Type of Parcel Line	Principal Uses	Residential Accessory Uses	Limited Agricultural Uses
Front	7.5 metres	7.5 metres	15 metres
Interior Side	3 metres	3 metres; 1 metre if in rear yard	15 metres

Exterior Side	4.5 metres	4.5 metres	15 metres
Rear	4.5 metres	4.5 metres	15 metres
Adjoining an Agricultural Resource 1 Zone	15 metres	15 metres	4.5 metres

## **5. Minimum Lake and Ocean Frontage Requirement**

No parcel being created by subdivision in the RR-3A Zone that fronts on a lake or ocean shall have a total water frontage along a lake or ocean of less than 22 metres or 12% of total lot perimeter, whichever is greater.

## **6. Minimum Parcel Size**

The minimum parcel size in the RR-3A Zone is 1 hectare.

## **7. Special Use Regulation for Limited Agriculture**

Notwithstanding that limited agriculture is an accessory use to a single family dwelling, where a parcel without a single family dwelling on it in the RR-3A Zone shares a parcel line with another parcel in any zone upon which the owner of both parcels resides, limited agricultural uses are permitted on the RR-3A parcel without a single family dwelling.

## **10.4A RR-3D RURAL RESIDENTIAL 3D ZONE**

Subject to compliance with general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, The following regulations apply in the RR-3D Zone:

### **1. Permitted Uses**

The following uses and no others are permitted in a RR-3D Zone:

- a. Horticulture;
- b. Single Family Dwelling;

The following accessory use and no others are permitted in a RR-3D Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Brewery, Distillery, subject to regulations in section 7 below;
- f. Farm gate sales;
- g. Home based business;
- h. Limited agriculture, subject to Sections 4.14 and 10.4.7;
- i. Unlicensed day care and group day care.

### **2. Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the RR-3D Zone shall not exceed 15%.

### **3. Parcel Coverage Limit**

The total amount of parcel coverage for all buildings and structures in the RR-3D Zone is 750m<sup>2</sup>.

### **4. Height**

The maximum height of all buildings and structures in the RR-3D zone are set out below:

- a. 10 metres for a principal building and structure;
- b. 7.5 metres for an accessory building and structure;
- c. 10 metres for any building or structure containing a distillery.

### **5. Setbacks**

The minimum setback for buildings and structures in the RR-3D Zone is 7.5 metres from all parcel lines.

### **6. Minimum Parcel Size**

The minimum parcel size in the RR-3D Zone is 8000m<sup>2</sup>.

### **7. Special Regulations**

The following regulations apply where a brewery or distillery or both (referred to below as “this use”) established under Section 10.4A.1.e. is present:

- a. The maximum size of a building or structure where this use is located is 225m<sup>2</sup>;
- b. Any building or structure with this use shall be set back more than 10 metres from all parcel boundaries;
- c. A public tasting area for beer and liquor sales is permitted provided it comprises no more than 10% of the total floor area of building within which this use is located;
- d. This use shall only be located within a wholly enclosed permitted accessory building;
- e. This use shall be clearly subservient and incidental to the use of the dwelling unit for residential purposes and to the residential use of the parcel upon the dwelling is located;
- f. There shall be no variation from a primarily residential appearance of the land and premises where this use is located apart from a free-standing sign visible from a road frontage, not larger than 1m<sup>2</sup> in area, that identifies the use;
- g. This use shall not produce any offensive odour, noise, dust, smoke, glare, toxic or noxious matter, electrical interference, fire hazard, litter, floodlighting, or create a nuisance of any kind;
- h. This use shall not involve exterior storage of any material or equipment used directly or indirectly in the business;
- i. This use shall only be conducted by person who is a full-time resident on the parcel and may employ up to two additional persons who do not reside on the parcel.

### **8. Parking and Loading**

In addition to the parking regulations in Sections 7.1, 7.2, 7.3, 7.4, 7.13 and 7.14 of this Bylaw, the following provision also applies to the RR-3D Zone:

- a. In addition to any parking spaces required under Part 7, a maximum of three parking spaces is permitted for a brewery or distillery that has a public tasting area;
- b. One loading space is required for a brewery or distillery, and not more than one commercial vehicle with a gross vehicle weight of 5,000 kg or more shall be parked or stored outside of a building or structure.

#### **10.5 RR-4 RURAL MANUFACTURED HOME PARK 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-4 Zone:

##### **1. Permitted Uses**

The following principal use and no others are permitted in the RR-4 Zone:

- a. Manufactured home park.

##### **2. Minimum Parcel Size**

The minimum parcel size in the RR-4 Zone is 2 hectares.

##### **3. Density**

In the RR-4 Zone, the maximum density must not exceed 15 dwelling units per hectare of parcel area.

##### **4. Conditions of Use**

A parcel in the RR-4 Zone is subject to the regulations concerning the use and operation of manufactured home parks, as set out in the CVRD Mobile Home Park Bylaw No. 275, as amended.

##### **5. Standards, Definitions and Setbacks**

The setbacks, definitions of mobile home, minimum site area and other standards for the RR-4 Zone are set out in the CVRD Mobile Home Park Bylaw, as amended.

##### **6. Height**

In the RR-4 Zone, the height of all principal buildings and structures must not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

#### **10.6 RR-5 RURAL MANUFACTURED HOME 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-5 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the RR-5 Zone:

- a. Single family dwelling;

- b. Community service facility;

The following accessory uses are permitted in the RR-5 Zone:

- c. Home-based business;
- d. Unlicensed daycare and group daycare.

## **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RR-5 Zone shall not exceed 50%, of which not more than 45% may be parcel coverage.

## **3. Community Service Facility**

A community service facility is only permitted on a parcel that is at least 1000 m<sup>2</sup> in area.

## **4. Number of Dwellings**

Not more than one dwelling unit is permitted on a parcel in the RR-5 Zone.

## **5. Setbacks**

The following minimum setbacks for buildings and structures apply in the RR-5 Zone:

<b>Type of Parcel Line</b>	<b>Residential and Accessory Use</b>
Front parcel line	4.5 metres
Interior side parcel lines	1.5 metres for one parcel line and 3 metres for the other parcel line
Exterior side parcel line	4.5 metres
Rear parcel line	3 metres
Parcel line adjoining the Agricultural Resource-1 Zone	15 metres

## **6. Servicing**

All parcels in the RR-5 Zone shall be serviced by both a community water system and a community sewer system as a condition of use.

## **7. Height**

In the RR-5 Zone, the height of all principal buildings and structures shall not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

## **8. Special Regulations**

The following regulations apply in the RR-5 Zone:

- a. Within each RR-5 development, a minimum of 10% of the total land area, in addition to any park dedication, common storage area or riparian areas, shall be set aside for the recreational needs of the zone's residents;
- b. Within each RR-5 development, a minimum of 25 m<sup>2</sup> per parcel of land within the RR-5 Zone shall be set aside as a common storage area for the needs of the zone's residents, in addition to any park dedication, recreational or riparian areas;

- c. The exterior boundaries of the RR-5 Zone and any parts of a highway which pass through the RR-5 Zone shall be buffered by a continuous 7.5 metre wide vegetated screen (not including any lands dedicated or transferred to the CVRD as park, or a recreational area or outdoor storage area) within which no buildings or structures may be constructed, and a covenant under Section 219 of the *Land Title Act* preserving this buffering function shall be entered into with the CVRD.

## 9. Minimum Parcel Size

Level of Service available to the Parcel	Parcel for a dwelling not wider than 5 metres	Parcel for a dwelling wider than 5 metres	Parcel for a community services facility
Community water and community sewer	325 m <sup>2</sup>	460 m <sup>2</sup>	1000 m <sup>2</sup>
Community water only	4 hectares	4 hectares	4 hectares
No community water or sewer	4 hectares	4 hectares	4 hectares

## 10. Exemption

Lands that lie within the RR-5 Zone are not subject to the provisions of the CVRD Mobile Home Park Bylaw, as amended.



## **10.7 RR-6 RURAL RECREATIONAL CABIN 6 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-6 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the RR-6 Zone:

- a. Seasonal cabin;
- b. Single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RR-6 Zone shall not exceed 25%, of which not more than 20% may be parcel coverage.

### **3. Size of Seasonal Cabins**

No seasonal cabin in the RR-6 Zone shall have a gross floor area larger than 74 m<sup>2</sup>.

### **4. Density of Seasonal Cabins and Dwellings**

Not more than one seasonal cabin or one single family dwelling per parcel is permitted in the RR-6 Zone.

### **5. Setbacks**

Buildings and structures in the RR-6 Zone shall be set back a minimum of 4.5 metres from all parcel lines, and in addition to that, shall be set back not less than 15 metres from the natural boundary of a lake or the sea.

### **6. Height**

In the RR-6 Zone, the height of all principal buildings and structures shall not exceed 6 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

### **7. Minimum Parcel Size**

The minimum parcel size in the RR-6 Zone is 1 hectare.

## 10.8 **R-2 VILLAGE SUBURBAN RESIDENTIAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-2 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the R-2 Zone:

- a. Single-family dwelling;
- b. Horticulture;

The following accessory uses are permitted in conjunction with a single-family dwelling in the R-2 Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Farm gate sales, accessory to horticulture and limited agriculture;
- f. Home-based business;
- g. Limited agriculture, subject to Sections 4.14 and 10.8.7;
- h. Unlicensed daycare and group daycare.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-2 Zone shall not exceed 35%, of which not more than 30% may be parcel coverage.

### 3. **Setbacks**

The following minimum setbacks for buildings and structures apply in the R-2 Zone:

Type of Parcel Line	Principal Uses	Residential Accessory Uses	Limited Agricultural Uses
Front	7.5 m	7.5 m	15 m
Interior Side	Lesser of 3 m or 10% parcel width	3m; 1 m if in rear yard	15 m
Exterior Side	4.5 m	4.5 m	15 m
Rear	4.5 m	4.5 m	15 m
Line adjoining Agricultural Resource 1 Zone	10 m	10 m	4.5 m

### 4. **Building Height**

The maximum height of a principal building and structure in the R-2 Zone shall not exceed 10 metres, and an accessory building or structure shall not exceed 7.5 metres in height.

### 5. **Minimum Lake and Ocean Frontage Requirement**

No parcel being created by subdivision in the R-2 Zone that fronts on a lake or the ocean shall have a total water frontage along the waterfront of less than 45 metres or 14% of total lot perimeter, whichever is greater.

### 6. **Minimum Parcel Size**

The minimum parcel size in the R-2 Zone is:

- a. 4000 m<sup>2</sup> for parcels that are serviced by a community water system;
- b. 1 hectare for parcels that are not serviced by a community water system.

#### **7. Special Use Regulation for Limited Agriculture**

Notwithstanding that limited agriculture is an accessory use to a single family dwelling, where a parcel without a single family dwelling on it in the R-2 Zone shares a parcel line with another parcel in any zone upon which the owner of both parcels resides, limited agricultural uses are permitted on the R-2 parcel without a single family dwelling.

## 10.9 **R-3 VILLAGE RESIDENTIAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-3 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the R-3 Zone:

- a. Single-family dwelling;
- b. Horticulture;

The following accessory uses are permitted in the R-3 Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Farm gate sales, accessory to horticulture and limited agriculture;
- f. Home-based business;
- g. Limited agriculture, on parcels 0.4 ha or larger;
- h. Unlicensed daycare and group daycare;
- i. The keeping of chickens in Cobble Hill only, in association with a single-family dwelling, excluding roosters, subject to Section 10.9.7.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-3 Zone shall not exceed 35%, of which not more than 30% may be parcel coverage.

### 3. **Setbacks**

The following minimum setbacks for buildings and structures apply as shown for in each electoral area in the R-3 Zone:

Type of Parcel Line	Electoral Area A – Mill Bay/Malahat		Electoral Area C – Cobble Hill	
	Residential Uses	Accessory Uses	Residential Uses	Accessory Uses
Front	7.5 m	7.5 m	7.5 m	7.5 m
Interior Side	3 m	3 m	3 m	3 m
Exterior Side	4.5 m	4.5 m	4.5 m	4.5 m
Rear	4.5 m	3 m	4.5 m	3 m
Line adjoining Agricultural Resource 1 Zone	10 m	10 m	10 m	10 m

#### 4. Building Height

The maximum height of buildings and structures in the R-3 Zone shall not exceed the limits shown for each electoral area in the table below:

Maximum Height by Type of Building or Structure	Electoral Area A – Mill Bay/Malahat East of Trans-Canada Highway*	Electoral Area A – Mill Bay/Malahat West of Trans-Canada Highway	Electoral Area C Cobble Hill
Residential	7.5 m	10 m	10 m
Accessory	6 m	6 m	7.5 m

\* Except for that portion of District Lot 82, Malahat District which lies east of the Trans-Canada Highway, for which the principal building height limit is 10 metres.

#### 5. Minimum Lake and Ocean Frontage Requirement

No parcel being created by subdivision in the R-3 Zone that fronts on a lake or ocean shall have a total water frontage along a lake or ocean of less than 22 metres or 12% of total lot perimeter, whichever is greater.

#### 6. Minimum Parcel Size

The minimum parcel size for each electoral area in the R-3 Zone is shown in the table below:

Level of Service to the Parcel	Electoral Area A – Mill Bay/Malahat	Electoral Area C – Cobble Hill
Community water and community sewer	1675 m <sup>2</sup>	900 m <sup>2</sup>
Community water only	2000 m <sup>2</sup>	2000 m <sup>2</sup>
No community water or sewer	1 hectare	1 hectare

#### 7. Keeping of Chickens

The keeping of chickens in the R-3 Zone under Section 10.9.1.i is subject to the following conditions:

- The keeping of chickens is permitted in Cobble Hill only;
- The parcel of land upon which the chicken keeping is occurring must not be less than 900 m<sup>2</sup> in area;
- Not more than 6 (six) female chickens (hens) shall be permitted on a single parcel of land at any one time;
- Roosters are prohibited;
- A roofed, enclosed coop shall be provided with a minimum floor area of 0.4 m<sup>2</sup> per hen;

- f. The enclosure for the chickens shall be at grade (on the ground) and have a minimum of 1 m<sup>2</sup> of enclosed run area per hen;
- g. The chickens shall be kept in the back yard of the parcel, in a clean and tidy fenced area, secured in such a fashion as to keep predators and vermin away from the chickens and their eggs;
- h. A chicken coop is subject to the setback regulations in Section 10.9.3, and a chicken enclosure shall be no closer than 3 metres to any parcel line.

## 10.9A **R-3A Village Residential 3A Zone**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-3A Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the R-3A Zone:

- a. Single-family dwelling;
- b. Horticulture;
- c. Parking;
- d. Office;

The following accessory uses are permitted in the R-3A Zone:

- e. Accessory dwelling unit or secondary suite;
- f. Bed and breakfast accommodation;
- g. Farm gate sales, accessory to horticulture and limited agriculture;
- h. Home-based business;
- i. Limited agriculture, on parcels 0.4 ha or larger;
- j. Unlicensed daycare and group daycare.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-3A Zone shall not exceed 35%, of which not more than 30% may be parcel coverage.

### 3. **Setbacks**

The following minimum setbacks for buildings and structures apply as shown for in each electoral area in the R-3A Zone:

Type of Parcel Line	Electoral Area A – Mill Bay/Malahat		Electoral Area C – Cobble Hill	
	Residential or Office Uses	Accessory Uses	Residential or Office Uses	Accessory Uses
Front	7.5 m	7.5 m	7.5 m	7.5 m
Interior Side	3 m	3 m	3 m	3 m
Exterior Side	4.5 m	4.5 m	4.5 m	4.5 m
Rear	4.5 m	3 m	4.5 m	3 m
Line Adjoining Agricultural Resource 1 Zone	10 m	10 m	10 m	10 m

#### 4. Building Height

The maximum height of buildings and structures in the R-3A Zone shall not exceed the limits shown for each electoral area in the table below:

Maximum Height by Type of Building or Structure	Electoral Area A – Mill Bay /Malahat East of Trans-Canada Highway*	Electoral Area A – Mill Bay/Malahat West of Trans-Canada Highway	Electoral Area C Cobble Hill
Residential or Commercial	7.5 m	10 m	10 m
Accessory	6 m	6 m	7.5 m

\* Except for that portion of District Lot 82, Malahat District which lies east of the Trans-Canada Highway, for which the principal building height limit is 10 metres.

#### 5. Minimum Lake and Ocean Frontage Requirement

No parcel being created by subdivision in the R-3A Zone that fronts on a lake or ocean shall have a total water frontage along a lake or ocean of less than 22 metres or 12% of total lot perimeter, whichever is greater.

#### 6. Minimum Parcel Size

The minimum parcel size for each electoral area in the R-3A Zone is shown in the table below:

Level of Service to the Parcel	Electoral Area A – Mill Bay/Malahat	Electoral Area C – Cobble Hill
Community water and community sewer	1675 m <sup>2</sup>	900 m <sup>2</sup>
Community water only	2000 m <sup>2</sup>	2000 m <sup>2</sup>
No community water or sewer	1 hectare	1 hectare

#### 7. Special Parking Regulation

Notwithstanding Section 7.5, parcels in the R-3A zone may accommodate parking from Lease No. 112643, District Lot 459, Cowichan District, containing 1.079 ha.



#### **10.10 R-4 VILLAGE MANUFACTURED HOME PARK 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-4 Zone:

##### **1. Permitted Uses**

The following principal use and no other, is permitted in the R-4 Zone:

- a. Manufactured home park.

##### **2. Conditions of Use**

A parcel in the R-4 Zone is subject to the regulations concerning the use and operation of manufactured home parks, as set out in the CVRD Mobile Home Park Bylaw No. 275, as amended.

##### **3. Minimum Parcel Size**

The minimum parcel size in the R-4 Zone is 2 hectares, including for strata plans of any type.

##### **4. Standards, Definitions and Setbacks**

The setbacks, definitions of mobile home, minimum site area and other standards for the R-4 Zone are set out in the CVRD Mobile Home Park Bylaw, as amended.

##### **5. Height**

In the R-4 Zone, the height of all principal buildings and structures must not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

#### **10.11 R-5 VILLAGE MANUFACTURED HOME RESIDENTIAL 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-5 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the R-5 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the R-5 Zone:

- b. Home-based business
- c. Unlicensed daycare and group daycare.

##### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-5 Zone shall not exceed 50%, of which not more than 45% may be parcel coverage.

##### **3. Number of Dwellings**

Not more than one dwelling unit is permitted on a parcel in the R-5 Zone.

##### **4. Setbacks**

The following minimum setbacks for buildings and structures apply in the R-5 Zone:

Type of Parcel Line	Residential and Accessory Use
Front parcel line	4.5 metres
Interior side parcel lines	1.5 metres for one parcel line and 3 metres for the other parcel line
Exterior side parcel line	4.5 metres
Rear parcel line	3 metres
Parcel line adjoining the Agricultural Resource-1 Zone	15 metres

## 5. Servicing

All parcels in the R-5 Zone shall be serviced by both a community water system and a community sewer system as a condition of use.

## 6. Height

In the R-5 Zone, the height of all principal buildings and structures shall not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

## 7. Special Regulations

The following regulations apply in the R-5 Zone:

- Within each R-5 development, a minimum of 10% of the total land area, in addition to any park dedication, common storage area or riparian areas, shall be set aside for the recreational needs of the zone's residents;
- Within each R-5 development, a minimum of 25 m<sup>2</sup> per parcel of land within the R-5 Zone shall be set aside as a common storage area for the needs of the zone's residents, in addition to any park dedication, recreational or riparian areas;
- The exterior boundaries of the R-5 Zone and any parts of a highway which pass through the R-5 Zone shall be buffered by a continuous 7.5 metre wide vegetated screen (not including any lands dedicated or transferred to the CVRD as park, or a recreational area or outdoor storage area) within which no buildings or structures may be constructed, and a covenant under Section 219 of the *Land Title Act* preserving this buffering function shall be entered into with the CVRD

## 8. Minimum Parcel Size

The minimum parcel size in the R-5 Zone is:

Level of Service available to the Parcel	Parcel for a dwelling not wider than 5 metres	Parcel for a dwelling wider than 5 metres	Parcel for a community services facility
Community water and community sewer	325 m <sup>2</sup>	460 m <sup>2</sup>	1000 m <sup>2</sup>
Community water only	4 hectares	4 hectares	4 hectares
No community water or sewer	4 hectares	4 hectares	4 hectares

## **9. Exemption**

Lands that lie within the R-5 Zone are not subject to the provisions of the CVRD Mobile Home Park Bylaw, as amended.

## **10.12 R-5A KERRY VILLAGE MANUFACTURED HOME RESIDENTIAL 5A ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-5A Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the R-5A Zone:

- a. Canadian Standards Association manufactured or modular home built to either the Z240-MH standard or A277 Modular standard;

The following accessory uses are permitted in the R-5A Zone:

- b. Home-based business.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-5A Zone shall not exceed 40%, of which not more than 35% may be parcel coverage.

### **3. Type of Dwelling**

All dwellings in an R-5A Zone shall be CSA-certified manufactured home built to either the CSA A 277 or Z 240 Standard.

### **4. Number of Dwellings**

Not more than one manufactured or modular home is permitted on a parcel in the R-5A Zone.

### **5. Setbacks**

The following minimum setbacks for buildings and structures apply in the R-5A Zone:

<b>Type of Parcel Line</b>	<b>Residential and Accessory Use</b>
Front parcel line	3 metres
Interior side parcel lines	1.5 metres for one parcel line and 3 metres for the other parcel line
Exterior side parcel line	3 metres
Rear parcel line	3 metres
Parcel line adjoining the Agricultural Resource-1 Zone	15 metres

### **6. Servicing**

All parcels in the R-5A Zone shall be serviced by both a community water system and a community sewer system as a condition of use.

### **7. Height**

In the R-5A Zone, the height of all principal buildings and structures shall not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

## **8. Special Regulations**

The following regulations apply in the R-5A Zone:

- a. Within each R-5A development, a minimum of 10% of the total land area, in addition to any park dedication, common storage area or riparian areas, shall be set aside for the recreational needs of the zone's residents;
- b. Within each R-5A development, a minimum of 25 m<sup>2</sup> per parcel of land within the R-5A Zone shall be set aside as a common storage area for the needs of the zone's residents, in addition to any park dedication, recreational or riparian areas;
- c. The exterior boundaries of the R-5A Zone shall be buffered by a continuous 7.5 metre wide vegetated screen other than a park dedication, recreational area or outdoor storage area, within which no buildings or structures may be constructed, and a covenant preserving this buffering function shall be entered into with the CVRD.

## **9. Minimum Parcel Size**

The minimum parcel size in the R-5A Zone is:

- a. 325 m<sup>2</sup> for a parcel that has a principal building no wider than 5 metres on it;
- b. 460 m<sup>2</sup> for a parcel that has a principal building wider than 5 metres on it.

## **10. Exemption**

Lands that lie within the R-5A Zone are not subject to the provisions of the CVRD Mobile Home Park Bylaw, as amended.

## **10.13 R-6 MIXED USE RESIDENTIAL 6 ZONE – COBBLE HILL VILLAGE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the R-6 Zone:

### **1. Permitted Uses**

The following uses and no others are permitted in the R-6 Zone:

- a. Any commercial use permitted in the C-5 Zone, provided that the commercial use is located on the ground-level floor of a building;
- b. Residential dwelling in association with a commercial use;
- c. Single family dwelling;
- d. Duplex;

The following accessory uses are permitted in the R-6 Zone:

- e. Accessory dwelling unit or secondary suite accessory to a single family dwelling;
- f. Bed and breakfast accommodation accessory to a single family dwelling;
- g. Home-based business accessory to a single family dwelling;
- h. Horticulture;
- i. Unlicensed daycare and group daycare, accessory to a single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the R-6 Zone shall not exceed 55%, of which not more than 50% may be parcel coverage.

### **3. Building Height**

The height of all buildings and structures in the R-6 Zone shall not exceed 10 metres, except for accessory buildings which shall not exceed a height of 7.5 metres.

### **4. Setbacks**

The following minimum setbacks for buildings and structures in the R-6 Zone apply:

Type of Parcel Line	Residential, Commercial and Accessory Uses
Front parcel line	7.5 metres
Interior side parcel line	3.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

### **5. Minimum Parcel Size**

The minimum parcel size in the R-6 Zone is:

- a. 900 m<sup>2</sup> for parcels serviced by a community water and community sewer system;
- b. 1 hectare for parcels that are not serviced by community water and sewer systems.

### **6. Residential Density**

Not more than one Residential dwelling, or one Single family dwelling, or one Duplex is permitted per parcel in the R-6 Zone.

## 10.14 **RM-1 DUPLEX RESIDENTIAL 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RM-1 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the RM-1 Zone:

- a. Duplex;
- b. Single family dwelling;

The following accessory uses are permitted in the RM-1 Zone:

- c. Accessory dwelling unit or secondary suite;
- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Horticulture
- g. Unlicensed daycare and group daycare, accessory to a single family dwelling.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RM-1 Zone shall not exceed 55%, of which not more than 50% may be parcel coverage.

### 3. **Height**

The height of all buildings and structures in the RM-1 Zone shall not exceed 10 metres, except for accessory buildings which shall not exceed a height of 7.5 metres.

### 4. **Density**

Not more than one accessory dwelling unit or secondary suite may be located on any parcel of land in the RM-1 Zone.

### 5. **Setbacks**

The following minimum setbacks apply in the RM-1 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

### 6. **Servicing**

The following servicing requirements apply in the RM-1 Zone as a condition of use:

Level of Service connected to the Parcel	Single Family Dwelling Use	Duplex Use
Community water system	permitted	permitted
No community water system	permitted	prohibited

## 7. Minimum Parcel Size

The following minimum parcel sizes apply in the RM-1 Zone:

<b>Level of Service available to the Parcel</b>	<b>Parcel for a single family dwelling</b>	<b>Parcel for a duplex</b>
Community water and community sewer	900 m <sup>2</sup>	1600 m <sup>2</sup>
Community water only	2000 m <sup>2</sup>	2000 m <sup>2</sup>
No community water or sewer	1 hectare	-



## **10.15 RM-2 LOW DENSITY MULTIPLE FAMILY RESIDENTIAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RM-2 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the RM-2 Zone:

- a. Duplex;
- b. Multiple family dwelling;
- c. Single Family dwelling;

The following accessory uses are permitted in the RM-2 Zone:

- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Horticulture.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RM-2 Zone shall not exceed 55%, of which not more than 50% may be parcel coverage.

### **3. Height**

The height of all buildings and structures in the RM-2 Zone shall not exceed 7.5 metres, except for accessory buildings which shall not exceed a height of 6 metres.

### **4. Special Parking Regulation**

No parking space or driveway in the RM-2 Zone shall be located within 3 metres of windows of habitable rooms.

### **5. Setbacks**

The following minimum setbacks apply in the RM-2 Zone:

<b>Type of Parcel Line</b>	<b>Residential and Accessory Buildings and Structures</b>
Front parcel line	7.5 metres
Interior side parcel line	3.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

### **6. Servicing**

The following servicing requirements apply in the RM-2 Zone as a condition of use:

<b>Level of Service connected to the Parcel</b>	<b>Single Family Dwelling Use</b>	<b>Duplex Use</b>	<b>Multiple Family Dwelling Use</b>
Community sewer system and community water system	permitted	permitted	permitted
Community water system	permitted	permitted	prohibited
No community water system	permitted	prohibited	prohibited

## 7. Minimum Parcel Size

The following minimum parcel sizes apply in the RM-2 Zone:

Level of Service available to the Parcel	Parcel for a single family dwelling	Parcel for a duplex	Parcel for a multiple family dwelling
Community water system and community sewer system	900 m <sup>2</sup>	900 m <sup>2</sup>	2000 m <sup>2</sup>
Community water system	2000 m <sup>2</sup>	2000 m <sup>2</sup>	-
No community water or sewer system	1 hectare	-	-

## 8. Density

The maximum permissible density in the RM-2 Zone shall not exceed 20 dwelling units per hectare.

## 10.16 **RM-3 MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RM-3 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the RM-3 Zone:

- a. Multiple family dwelling;

The following uses accessory to a multiple family dwelling are permitted in the RM-3 Zone:

- b. Artist studio;
- c. Bakery;
- d. Coffee shop;
- e. Convenience store;
- f. Delicatessen;
- g. Group daycare;
- h. Office;
- i. Personal service use
- j. Restaurant;
- k. Retail store.

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the RM-3 Zone shall not exceed 65%, of which not more than 50% may be parcel coverage.

### 3. **Height**

The height of all buildings and structures in the RM-3 Zone shall not exceed:

<b>Maximum Height by Type of Building or Structure</b>	<b>Electoral Area A – Mill Bay/Malahat East of Trans- Canada Highway</b>	<b>Electoral Area A – Mill Bay/Malahat West of Trans- Canada Highway</b>	<b>Electoral Area C Cobble Hill</b>
Residential	7.5 m	12 m	10 m
Accessory	6 m	7.5 m	7.5 m

### 4. **Setbacks**

The following minimum setbacks apply for buildings and structures in the RM-3 Zone:

<b>Type of Parcel Line</b>	<b>All Uses</b>
Front parcel line	4.5 metres
Interior side parcel line	3.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	4.5 metres

## **5. Servicing**

Habitable buildings in the RM-3 Zone shall be serviced by a community sewer and community water system as a condition of use.

## **6. Floor Area Limit for Retail Convenience Store and Retail Store**

No single retail convenience store or retail store within the RM-3 Zone shall have a gross floor area in excess of 150 m<sup>2</sup>.

## **7. Density**

The maximum density of dwelling units in the RM-3 Zone shall not exceed 35 dwelling units per hectare of parcel area.

## **8. Special Regulations**

For any parcel in the RM-3 Zone:

- a. No accessory building shall have a gross floor area in excess of 60 m<sup>2</sup>; and
- b. No parking space or driveway shall be located within 3 metres of windows of habitable rooms.

## **9. Minimum Parcel Size**

The minimum parcel size in the RM-3 Zone is 2000 m<sup>2</sup>.

**11.1 CD-1 RURAL COMPREHENSIVE DEVELOPMENT 1 – ARBUTUS RIDGE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the CD-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the CD-1 Zone:

- a. Single family dwelling;
- b. Community service facilities, limited to a maximum total land area of 2.5 hectares within the CD-1 Zone;
- c. Private utility/property maintenance yard and non-commercial RV/boat storage area.

**2. Minimum Areas and Contiguity Required for Certain Uses**

In the CD-1 Zone, not less than 2.4 hectares shall be set aside for the permitted use 11.1.1.b, and not less than 0.82 hectares shall be set aside for permitted use 11.1.1.c; and each of uses 11.1.1.b and 11.1.1.c, and not more than one separate contiguous block of land shall be set aside for each.

**3. Parcel Coverage Limit**

The limit to parcel coverage in the CD-1 Zone is 50 percent for buildings and structures.

**4. Building Height**

In the CD-1 Zone, the following height regulations apply:

- a. The height of all residential buildings and structures shall not exceed 7.5 metres, and the height of all community service buildings shall not exceed 10 metres.
- b. Where the elevation of the centerline of a road is above the average elevation of the natural grade of the parcel, the building height as specified in Section 11.1.4(a) may be increased by the vertical distance between the natural grade and the street curb level, to a maximum additional height of 3 metres.

**5. Setbacks**

The following minimum setbacks for buildings and structures apply in the CD-1 Zone:

Type of Parcel Line	Residential Use	Accessory Use
Front parcel line	6 metres	6 metres
Interior side parcel line	2 metres from one side parcel line and 1.4 m from the other	1.5 metres from one side parcel line and 0 m from the other
Exterior side parcel line	4.5 metres	4.5 metres
Exterior side (strata lots only)	3 metres	3 metres
Rear parcel line	4.5 metres	4.5 metres

## **6. Minimum Parcel Size**

The minimum parcel size in the CD-1 Zone is 900 m<sup>2</sup> for residential uses.

## **7. Residential Density**

Notwithstanding the minimum parcel size in Section 11.1.6 above, the total number of single family residential parcels and single family dwelling units in the entire CD-1 Zone shall not be greater than 646.

## **11.3 CD-3 RURAL COMPREHENSIVE DEVELOPMENT 3 – CHAPMAN ROAD**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7, the following regulations apply in the CD-3 Zone:

### **1. Permitted Uses**

The following uses and no others are permitted in a CD-3 Zone:

- a. Indoor mini warehouse and storage;
- b. Office use;
- c. Outdoor storage of recreational vehicles, mobile homes or boats;
- d. Sale, rental or servicing of recreational vehicles and accessory part sales;
- e. Sale, rental or servicing of mobile homes and accessory part sales;
- f. Sale, rental or servicing of boats and accessory part sales;
- g. Sale, rental or servicing of farm equipment and accessory part sales;
- h. Tourist accommodation, mini golf and accessory gift shop;

The following accessory use and no others are permitted in a CD-3 Zone:

- i. One single family residential dwelling or one mobile home per parcel accessory to a use permitted in 11.3.1a. to h. above.

### **2. Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-3 Zone shall not exceed 35%, of which not more than 30% may be parcel coverage.

### **3. Density**

For tourist accommodation use in the CD-3 Zone, total density shall not exceed:

- a. 1 tourist accommodation unit (one guest room) per 1000 m<sup>2</sup> of total land area, where a parcel is not serviced by a community water system and a community sewer system;
- b. 4 tourist accommodation units (four guest rooms) per 1000 m<sup>2</sup> of total land area, where a parcel is serviced by both a community water system and a community sewer system.

### **4. Height**

The height of all buildings and structures in the CD-3 Zone shall not exceed 10 metres, with a maximum of 7.5 metres for accessory buildings and structures.

### **5. Setbacks**

The minimum setbacks for buildings and structures in the CD-3 Zone are:

Type of Parcel Line	All Uses
Front	7.5 metres
Interior side	6 metres
Exterior side	4.5 metres
Rear	6 metres

### **6. Recreational Vehicle Occupancy**

Notwithstanding any other regulation in this Bylaw, not more than 6 Recreational Vehicles shall be occupied overnight in a CD-3 Zone.

**7. Prohibition**

Notwithstanding Section 4.17 of this Bylaw, no parcel in the CD-3 Zone shall be used for a junkyard or for the storage, collection or accumulation of all or part of any automobile wreck or all or part of any motor vehicle which is not:

- a. validly registered and licensed in accordance with the *Motor Vehicle Act*; or
- b. capable of motivation under its own power.

**8. Minimum Parcel Size**

The minimum parcel size in the CD-3 Zone is:

- a. 2000 m<sup>2</sup> hectare for parcels serviced by a community water system and a community sewer system;
- b. 4000 m<sup>2</sup> hectare for parcels serviced by a community water system only;
- c. 1 hectare for parcels serviced by neither a community water system nor a community sewer system.



## **11.4 CD-4 RURAL COMPREHENSIVE DEVELOPMENT 4 – MALAHAT SKYWALK**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7, the following regulations apply in the CD-4 Zone:

### **1. Permitted Uses**

The following uses and no others are permitted in a CD-4 Zone:

- a. Observation tower;
- b. Outdoor recreation;
- c. Ecological conservation;

The following accessory use and no others are permitted in a CD-4 Zone:

- d. One single family residential dwelling or one mobile home per parcel accessory to a use permitted in 11.4.1.a through 11.4.1.c above;
- e. Office accessory to a use permitted in 11.4.1.a and 11.4.1.b;
- f. Café, restaurant accessory to a use permitted in 11.4.1.a and 11.4.1.b;
- g. Food trucks accessory to a use permitted in 11.4.1.a and 11.4.1.b;
- h. Gift shop, retail store accessory to a use permitted in 11.4.1.a and 11.4.1.b.

### **2. Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-4 Zone shall not exceed 5%.

### **3. Parcel Coverage Limit**

The total amount of parcel coverage for all buildings excluding an observation tower in the CD-4 Zone shall not exceed 850 m<sup>2</sup>.

### **4. Height**

The maximum height of all buildings and structures in the CD-4 Zone are set out below:

- a. Observation tower: 40 metres;
- b. Retail and other uses: 10.5 metres.

### **5. Setbacks**

The minimum setback for buildings and structures in the CD-4 Zone is 7.5 metres from all parcel lines.

### **6. Minimum Parcel Size**

The minimum parcel size in the CD-4 Zone is 20 hectares.

### **7. Parking**

Notwithstanding the parking regulations in Sections 7.1, 7.2, 7.3, 7.4, 7.13 and 7.14 of this bylaw, the following provision applies in the CD-4 Zone:

- a. A total of 250 parking spaces are required for permitted uses 11.4.1.a and b, and any related accessory uses.

## **11.5 CD-5 RURAL COMPREHENSIVE DEVELOPMENT 5 – SANDY BEACH COTTAGES**

Subject to the compliance with the general regulations set out in Parts 4, 5, 6, and 7, the following regulations apply in the CD-5 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the CD-5 Zone:

- a. Residential recreational cottages and beach houses, subject to the provisions of Sections 11.5.3 through 11.5.8;

The following accessory uses and no others are permitted in the CD-5 Zone:

- b. Short-term commercial rental;
- c. Buildings and structures accessory to residential recreational cottages and beach houses.

### **2. Minimum Parcel Size**

The minimum parcel size in the CD-5 Zone is 5000 m<sup>2</sup>.

### **3. Residential Recreational Cabin Density**

Not more than 13 (thirteen) recreational residential cottages and beach houses together shall be located on a parcel within the CD-5 Zone as shown on Schedule Z under 11.5.8.

### **4. Residential Recreational Cottage Ground Floor Area Footprint, Location and Decks**

1. The maximum ground floor area footprint, excluding decks and balconies, of each residential recreational cottage – each with a 5% allowance for possible minor additions, with the cottage numbers and locations being as shown on Schedule X under 11.5.8 (note: there is no Cottage 13), is as follows:
  - a. Cottage 1 – 89.4 m<sup>2</sup> plus an additional 5%
  - b. Cottage 2 – 113.8 m<sup>2</sup> plus an additional 5%
  - c. Cottage 3 – 110.5 m<sup>2</sup> plus an additional 5%
  - d. Cottage 4 – 86.3 m<sup>2</sup> plus an additional 5%
  - e. Cottage 5 – 116.3 m<sup>2</sup> plus an additional 5%
  - f. Cottage 6 – 74.6 m<sup>2</sup> plus an additional 5%
  - g. Cottage 7 – 78.7 m<sup>2</sup> plus an additional 5%
  - h. Cottage 8 – 136.4 m<sup>2</sup> plus an additional 5%
  - i. Cottage 9 – 130.1 m<sup>2</sup> plus an additional 5%
  - j. Cottage 10 – 113.4 m<sup>2</sup> plus an additional 5%
  - k. Beach House 11 – 64.8 m<sup>2</sup> plus an additional 5%
  - l. Beach House 12/14 – 174 m<sup>2</sup> plus an additional 5%
2. The cottages shall be located as shown on Schedule X under 11.5.8, with any additions to be fully on the subject property and meeting spatial separations under the *Building Code*.
3. Decks in association with any cottage or beach house shall only be of the size and in the location that is shown on Schedule X under 11.5.8.

## 5. Maximum Parcel Coverage

The maximum parcel coverage for all buildings and structures in the CD-5 Zone is 30%.

## 6. Setbacks

The following setbacks for buildings and structures apply in the CD-5 Zone:

- a. 3.4 metres from the northernmost interior side parcel line;
- b. 1.5 metres from the southernmost interior side parcel line;
- c. 7.5 metres from Sandy Beach Road, other than a shed, which may be 2.5 metres from Sandy Beach Road;
- d. 7.5 metres from the shore of Saanich Inlet, other than Cottages X and Y as shown on the schematic plan in Section 11.5.4, which may be located on the parcel boundary.

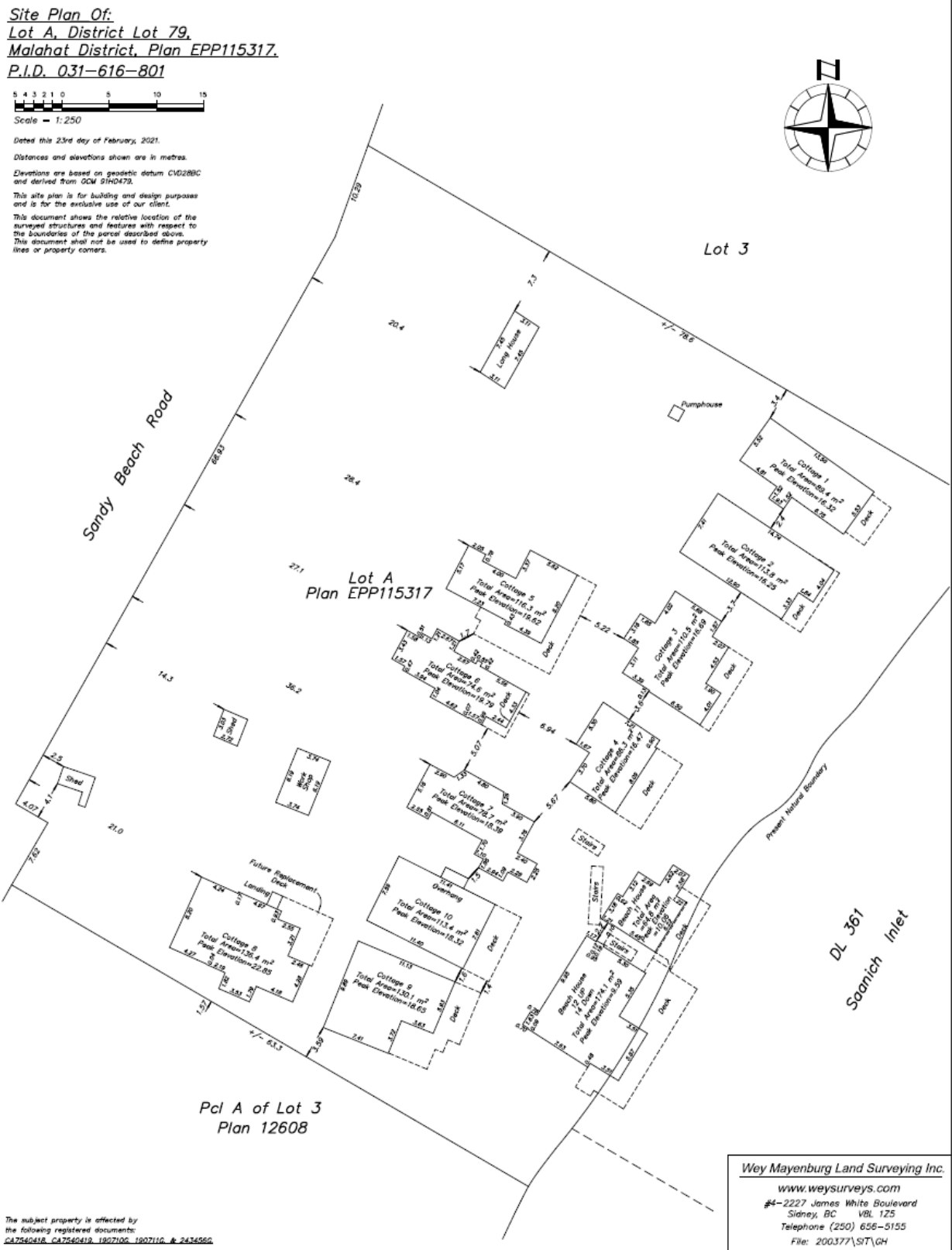
## 7. Height

Unless specifically mentioned in 11.5.7 a. through l. below, buildings and structures other than a stairway in the CD-5 Zone shall not be greater than 6 metres in height from natural grade. For the cottages and beach houses, the maximum heights are as follows, measured according to geodetic datum CVD28BC and derived from OCM 91H0479, as shown on Schedule X: (*Note: there is no Cottage 13*)

- a. Cottage 1 – 16.32 m
- b. Cottage 2 – 16.25 m
- c. Cottage 3 – 16.69 m
- d. Cottage 4 – 16.47 m
- e. Cottage 5 – 19.62 m
- f. Cottage 6 – 19.79 m
- g. Cottage 7 – 18.39 m
- h. Cottage 8 – 22.85 m
- i. Cottage 9 – 18.65 m
- j. Cottage 10 – 18.32 m
- k. Beach House 11 – 10.06 m, plus up to an additional 2 metres
- l. Beach House 12/14 – 9.59 m, plus an additional 2 metres

The additional 2 metres height under 11.5.7 (k) and (l) are only available in the event that the entire structure is to be either lifted or rebuilt in order to raise the ground floor level the equivalent amount in order to provide protection from the incursion of floodwaters.

## 8. Schedule X



## **11.6 CD-6 VILLAGE COMPREHENSIVE DEVELOPMENT 6 - CONGREGATE CARE**

Subject to compliance with the general regulations set out in Parts 4, 5 and 6 of this Bylaw, the following regulations apply in the CD-6 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the CD-6 Zone:

- a. Residential facility;
- b. Personal care facility
- c. Seniors' congregate housing;

The following accessory uses are permitted in the CD-6 Zone:

- d. Child care facility;
- e. Community service facility;
- f. Convenience store;
- g. Group daycare, preschool;
- h. Office;
- i. Personal service use;
- j. Restaurant;
- k. Retail commercial.

### **2. Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-6 Zone shall not exceed 70%, of which not more than 60% may be parcel coverage.

### **3. Floor Area Ratio**

For any parcel in the CD-6 Zone, the floor area ratio (FAR) shall not exceed 0.75.

### **4. Floor Area Limit for Convenience Store**

No convenience store in the CD-6 Zone shall have a floor area exceeding 230 m<sup>2</sup>.

### **5. Height**

No building in the CD-6 Zone shall exceed a height that is greater than 57.0 metres geodetic datum.

### **6. Accessory Buildings**

No accessory building in the CD-6 Zone shall exceed a gross floor area of 60 m<sup>2</sup>.

### **7. Setbacks**

The minimum setback for buildings and structures in the CD-6 Zone is 6 metres from any parcel line.

### **8. Servicing**

Occupied buildings in the CD-6 Zone shall be serviced by a community water and community sewer system as a condition of use.

### **9. Total Density**

In the CD-6 Zone, the maximum density of residential facility units and personal care units combined shall not exceed 80 units per hectare of parcel area.

### **10. Minimum Parcel Size**

The minimum parcel size in the CD-6 Zone is 1 hectare.

## 11. Parking

Notwithstanding the off-street parking and loading requirements in Part 7 of this Bylaw, in the CD-6 Zone, the following parking and loading space requirements apply:

Use of Building	Required Parking Spaces	Required Loading Spaces
Residential facility	1 space for every 3.3 residential units	1 loading space, or 0 spaces if loading is shared with Personal care facility loading
Personal care facility	1 space for every 5 personal care units	1 loading space
Restaurant, accessory to a residential facility or personal care facility	1 space for every 100 m <sup>2</sup> of gross floor area	0 spaces
Retail, accessory to a residential facility or personal care facility	4.5 spaces for every 100 m <sup>2</sup> of gross floor area	1 loading space

## **11.7 CD-7 VILLAGE COMPREHENSIVE DEVELOPMENT 7 - OCEAN TERRACE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the CD-7 Zone:

### **1. Residential Permitted Uses**

Subject to the other regulations of the CD-7 Zone, the following principal residential uses and no others are permitted on residential portions of the comprehensive development site:

- a. Single family dwelling;
- b. Duplex;
- c. Multiple family dwelling;

The following uses accessory to residential are permitted in the CD-7 Zone:

- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Secondary suite;
- g. Unlicensed daycare or preschool or group daycare accessory to a single family dwelling.

### **2. Commercial Permitted Uses**

Subject to the other regulations of the CD-7 Zone, the following principal commercial uses and no others are permitted on commercial portions of the comprehensive development site:

- a. Artist studio;
- b. Bank and financial office;
- c. Catering;
- d. Community use;
- e. Convenience store;
- f. Daycare;
- g. Library;
- h. Office;
- i. Personal service use;
- j. Plant nursery, horticulture, retail sales of gardening supplies and produce;
- k. Printing, publishing;
- l. Restaurant;
- m. Retail;
- n. Sale, rental and servicing of power tools and household equipment;
- o. Software development;
- p. Veterinary clinic;
- q. Warehousing, including wholesale sales.

### **3. Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-7 Zone shall not exceed:

- a. 40% for single family residential parcels, of which not more than 35% may be parcel coverage;
- b. 45% for duplex and multiple family dwelling parcels, of which not more than 40% may be parcel coverage.

### **4. Servicing**

All occupied buildings in the CD-7 Zone shall be serviced by a community water system and a community sewer system as a condition of use.

## **5. Basic Land Use Provisions for All Areas**

For any parcel in the CD-7 Zone:

- a. A minimum of 20 percent of the parent parcels will be dedicated as parkland;
- b. An elementary, intermediate or secondary public school site will be provided to the CVRD;
- c. Within the CD-7 Zone:
  - i) The total number of residential units will depend upon parcel yield but will not exceed 438 dwelling units, not including secondary suites;
  - ii) A minimum of 165 dwelling units will be multiple family units and the remainder shall be a mix of single family, duplex and multiple family units;
  - iii) Commercial development, where permitted, is only permitted on a maximum site area of 1.4 ha;
  - iv) The maximum floor area for commercial businesses, where permitted, including outdoor storage areas, is 700 m<sup>2</sup> for grocery stores, and 500 m<sup>2</sup> for other retail outlets;
  - v) Commercial development, where permitted, shall be located on contiguous parcels of land, rather than being fragmented throughout the site.

## **6. Floor Area Limit for Convenience Store**

No convenience store in the CD-7 Zone shall have a floor area exceeding 230 m<sup>2</sup>.

## **7. Secondary Suites**

Secondary suites shall be permitted within single family residential dwellings in the CD-7 Zone on parcels over 700 m<sup>2</sup> in area.

## **8. Residential Parcel Coverage and Impervious Surfaces Limit**

The parcel coverage for buildings and structures within residential areas of the CD-7 Zone shall not exceed:

- a. 35% on single family residential parcels;
- b. 40% on duplex and multiple family dwelling parcels;
- c. Where actual parcel coverage is less than 35% or 40% under 7a and 7b above, the difference between actual parcel coverage and the parcel coverage limit may be added to the impervious surface permitted under 7d below;
- d. In addition to impervious surfaces other than buildings and structures that may be permitted under 7c above, 5% coverage of impervious surfaces is permitted.

## **9. Residential Building Height**

The height of residential buildings and structures in the CD-7 Zone shall not exceed:

- a. 7.5 metres for single family dwellings;
- b. 7.5 metres for duplexes;
- c. 10 m for multiple family dwellings;
- d. 6 m for accessory buildings.
- e.

## **10. Residential Setbacks**

The following minimum setbacks apply for residential development in the CD-7 Zone:



Type of Parcel Line	Single Family Dwellings	Duplexes	Multiple family Dwellings	Accessory Buildings and Structures
Front	4 metres	4 metres	3 metres	7.5 metres
Interior Side	1.8 metres	3 metres	3 metres	1.8 metres
Exterior Side	3 metres	3 metres	3 metres	3 metres
Rear	4 metres	4 metres	4 metres	1.5 metres

#### **11. Commercial Building Setbacks**

The minimum setback for commercial development in the CD-7 Zone is 6 metres from all parcel lines.

#### **12. Commercial Parcel Coverage and Impervious Surfaces**

- a. The parcel coverage for commercial uses in the CD-7 Zone shall not exceed 50 percent;
- b. Impervious surfaces for commercial uses in the CD-7 Zone shall not exceed 5 percent, when added to the parcel coverage standard.

#### **13. Commercial Building Height**

The height of all commercial buildings and structures in the CD-7 Zone shall not exceed 10 metres.

#### **14. Minimum Parcel Size**

The minimum parcel size in the CD-7 Zone is:

- a. 400 m<sup>2</sup> for single family residential dwellings;
- b. 500 m<sup>2</sup> for duplexes;
- c. 1000 m<sup>2</sup> for multiple family dwellings;
- d. 1000 m<sup>2</sup> for commercial uses.

## **11.8 CD-8 VILLAGE COMPREHENSIVE DEVELOPMENT 8 – STONEBRIDGE SOUTH**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the CD-8 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted within the CD-8 Zone:

- a. Single family dwelling;
- b. Duplex, provided the parcel is at least 700 m<sup>2</sup> in area and the parcel has at least 16 metres of frontage on a road;
- c. Multiple family dwelling, provided the parcel is at least 1000 m<sup>2</sup> area and the parcel has at least 6 metres of frontage on a road;

The following accessory uses and no others are permitted within the CD-8 Zone:

- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Secondary suite
- g. Unlicensed daycare, preschool and group daycare accessory to a single family dwelling.

### **2. Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-8 Zone shall not exceed:

- a. 50% for single family residential parcels, of which not more than 45% may be parcel coverage;
- b. 55% for duplex and multiple family dwelling parcels, of which not more than 50% may be parcel coverage.

### **3. Servicing**

All occupied buildings in the CD-8 Zone shall be serviced by a community water system and a community sewer system as a condition of use.

### **4. Secondary Suites**

Only one secondary suite is permitted in a single family dwelling in the CD-8 Zone, and only on parcels that are 600 m<sup>2</sup> or more in area.

Only one secondary suite is permitted in a duplex in the CD-8 Zone, and only on parcels that are 700 m<sup>2</sup> or more in area.

### **5. Density, Minimum Parcel Size and Density Bonus**

The following density and bonus density provisions apply in the CD-8 Zone:

- a. The number of dwelling units, excluding secondary suites, that may be created in the CD-8 zone must not exceed 225, including any remainder parcel;
- b. Despite Section 11.8.5.a, the number of dwelling units – excluding secondary suites – that may be created in the CD-8 Zone may be increased to 325, only if the conditions in Sections 11.8.5.c. through 11.8.5.h. are met.
- c. The minimum parcel size is 450 m<sup>2</sup>.
- d. Minimum site areas required for certain permitted uses are listed in Section 11.8.1.
- e. In respect of the up to 100 dwelling units created in excess of 225, one or more titled parcels, together comprising not less than 8 hectares of land, must be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances

including any statutory building scheme not specifically approved in writing by the Regional District, to be used for the purposes of community parkland, and the costs of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.

- f. The parcels transferred to the regional district under e. must be approved by the Regional District's Parks and Trails Division on the basis that the lands would be suitable for a community park use, with a sufficiently large contiguous park area.
- g. No parcel transferred to the Regional District may be a strata lot.
- h. The parcels transferred to the Regional District under Section 11.8.5.e. must be used for community park purposes or environmental protection and conservation.

## 6. Building Height

The height of buildings and structures in the CD-8 Zone shall not exceed:

- a. 7.5 metres for a single-family residence;
- b. 10 metres for a multiple family residence;
- c. 6 metres for an accessory building and structure.

## 7. Setbacks

The following minimum setbacks for buildings and structures apply in the CD-8 Zone:

Type of Parcel Line	Single Family Residential Dwellings and Duplex	Multiple Family Residential Dwellings	Accessory Buildings and Structures
Front parcel line – from garage door	5 metres	4.5 metres	5 metres
Front parcel line	4.5 metres	4.5 metres	5 metres
Interior side parcel line	1.5 metres	3 metres	1 metres
Exterior side parcel line	3.5 metres	4.5 metres	3 metre
Rear parcel line	4 metres	4 metres	1 metre

## **11.9A CD-9A VILLAGE COMPREHENSIVE MIXED USE 9A**

### **1. Permitted Uses**

The following permitted uses and no others are permitted within the CD-9A Zone:

- a. Multiple family dwelling, provided the parcel is at least 1000 m<sup>2</sup> in area and the parcel has at least 23 metres of frontage on a road;
- b. Seniors residence;
- c. Congregate care;
- d. Uses permitted in the Village Commercial (C-5) Zone;

The following accessory uses are permitted in the CD-9A Zone:

- e. Home-based business.

### **2. Parcel Coverage Limit**

Parcel coverage in the CD-9A Zone shall not exceed 55% for multiple family dwelling and mixed use parcels.

### **3. Servicing**

All occupied buildings in the CD-9A Zone shall be serviced by a community water system and a community sewer system as a condition of use.

### **4. Minimum Parcel Size and Density**

The maximum number of dwelling units permitted in the CD-9A Zone is 140.

### **5. Building Height**

The height of buildings and structures in the CD-9A zone shall not exceed:

- a. 18 metres for multiple family dwellings with commercial use on the ground floor;
- b. 15 metres for multiple family dwellings without commercial use on the ground floor;
- c. 10 metres for a building with only commercial uses.

### **6. Setbacks**

The following setbacks for buildings and structures apply in the CD-9A Zone:

<b>Type of Parcel Line</b>	<b>Multiple Family Residential Dwellings</b>	<b>Commercial and Mixed-Commercial/Residential Buildings</b>	<b>Accessory Buildings and Structures</b>
Front parcel line – from garage door	4.5 metres	0 metres	5 metres
Front parcel line	4.5 metres	0 metres	5 metres
Interior side parcel line	3 metres	0 metres	1 metres
Exterior side parcel line	4.5 metres	4.5 metres	3 metre
Rear parcel line	4.5 metres	4 metres	1 metre

## **11.9B CD-9B VILLAGE COMPREHENSIVE RESIDENTIAL 9B**

### **1. Permitted Uses**

The following permitted uses and no others are permitted within the CD-9B Zone:

- a. Single family dwelling;
- b. Duplex, provided the parcel has at least 16 metres of frontage on a road;
- c. Multiple family dwelling, provided the parcel has at least 6 metres of frontage on a road;

The following accessory uses are permitted in the CD-9B Zone:

- d. Bed and breakfast;
- e. Home-based business;
- f. Secondary suite in a single family dwelling provided the parcel is at least 600 m<sup>2</sup> in area;
- g. Secondary suite in a duplex provided the parcel is at least 700 m<sup>2</sup> in area.

### **2. Parcel Coverage Limit**

Parcel coverage in the CD-9B Zone shall not exceed:

- a. 45% for single family residential parcels;
- b. 50% for duplex and multiple family dwelling parcels.

### **3. Servicing**

All occupied buildings in the CD-9B Zone shall be serviced by a community water system and a community sewer system as a condition of use.

### **4. Secondary Suites**

Only one secondary suite is permitted in a duplex in the CD-9B Zone, and only on parcels that are 600 m<sup>2</sup> or more in area.

Only one secondary suite is permitted in a duplex in the CD-9B Zone, and only on parcels that are 700 m<sup>2</sup> or more in area.

### **5. Amenity and Density Regulations**

The following density and amenity regulations apply in the CD-9B Zone:

- a. The minimum parcel size for a single family dwelling is 450 m<sup>2</sup>.
- b. The minimum parcel size for a duplex is 700 m<sup>2</sup>.
- c. The minimum parcel size for a multiple family dwelling is 1000 m<sup>2</sup>.
- d. The maximum number of dwelling units permitted in the CD-9B Zone is 50, not including secondary suites.
- e. Despite Section 11.9B.5.d, the number of dwelling units that may be created in the CD-9B Zone may be increased to 140, not including secondary suites, only if the following amenities are provided:
  - a. two serviced parcels, each suitable for the construction of duplex, must be donated, free of any financial encumbrances, to a not-for-profit affordable housing provider that is acceptable to the Cowichan Valley Regional District;
  - b. \$300,000 must be donated to the Electoral Area A Community Parks Capital Reserve Fund; and
  - c. prior to the subdivision of any parcel, the owner must transfer to the CVRD all riparian assessment areas, free and clear of any financial encumbrances, for park conservation purposes.

## 6. Building Height

The height of buildings and structures in the CD-9B zone shall not exceed:

- a. 7.5 metres for single family dwelling, duplex and accessory building;
- b. 15 metres for multiple family dwellings.

## 7. Setbacks

The following setbacks for buildings and structures apply in the CD-9B Zone:

Type of Parcel Line	Single Family Residential Dwellings and Duplex	Commercial Family Residential Dwellings	Accessory Buildings and Structures
Front parcel line – from garage door	5 metres	4.5 metres	5 metres
Front parcel line	4.5 metres	4.5 metres	5 metres
Interior side parcel line	1.5 metres	3 metres	1 metres
Exterior side parcel line	3.5 metres	4.5 metres	3 metre
Rear parcel line	4 metres	4.5 metres	1 metre

## **11.10 CD-10 VILLAGE COMPREHENSIVE DEVELOPMENT 10 – GALLIERS ROAD East**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the CD-10 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted within the CD-10 Zone:

- a. Single family dwelling;
- b. Duplex;
- c. Multiple family dwelling;

The following accessory uses and no others are permitted within the CD-10 Zone:

- d. Bed and breakfast accommodation within a single-family dwelling or duplex;
- e. Home-based business;
- f. Secondary suite
- g. Unlicensed daycare and group daycare accessory to a single-family dwelling.

### **2. Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-10 Zone shall not exceed:

- a. 40% for single family residential parcels, of which not more than 35% may be parcel coverage;
- b. 50% for duplex and multiple family dwelling parcels, of which not more than 45% may be parcel coverage.

### **3. Servicing**

All occupied buildings in the CD-10 Zone shall be serviced by a community water system and a community sewer system as a condition of use.

### **4. Secondary Suites**

Secondary suites are only permitted within single family residential dwellings in the CD-10 Zone on parcels that are greater than 600 m<sup>2</sup> in area.

### **5. Density, Minimum Parcel Size and Density Bonus**

The following density and bonus density provisions apply in the CD-10 Zone:

- a. The number of dwelling units that may be created in the CD-10 zone must not exceed 22, including any remainder parcel.
- b. Despite Section 11.10.5.a, the number of dwelling units that may be created in the CD-10 Zone may be increased to:
  - i. 35 single family residential units; or
  - ii. 45 dwelling units provided that at least ten of the dwelling units are in a duplex or multiple family configuration, and subject to the conditions in Sections 11.10.5.c through 11.10.5.f are met.
- c. The minimum parcel area for a single-family dwelling is 600 m<sup>2</sup> and density averaging is permitted.
- d. The minimum parcel area for a duplex is 650 m<sup>2</sup>.
- e. The minimum parcel area for a multiple family dwelling is 800 m<sup>2</sup>.
- f. In respect of any number of dwelling units in excess of 22, a vegetated buffer of at least 50 metres depth measured westward from the western boundary of Lot 1, Section 13, Range 6, Shawnigan District, Plan VIP29581 (PID: 001-377-892) shall be maintained free of development, buildings and structures, to be solely used for the purposes of visual landscape screening and buffering, environmental protection

and conservation, by way of covenant or other instrument acceptable to the Cowichan Valley Regional District.

## **7. Building Height**

The height of buildings and structures in the CD-10 Zone shall not exceed:

- a. 7.5 metres for a single-family dwelling or duplex;
- b. 10 metres for a multiple family residence;
- c. 6 metres for an accessory building and structure.

## **8. Setbacks**

The following minimum setbacks for buildings and structures apply in the CD-10 Zone:

<b>Type of Parcel Line</b>	<b>Single Family Dwellings and Duplexes</b>	<b>Multiple Family Residential Dwellings</b>	<b>Accessory Buildings and Structures</b>
Front parcel line	4.5 metres	5 metres	4.5 metres
Interior side parcel line	1.8 metres	3 metres	1 metre
Exterior side parcel line	4.5 metres	4.5 metres	4.5 metres
Rear parcel line	4 metres	4 metres	1 metre

## **9. Landscape Screening and Buffering**

A fully treed landscape screen and buffer shall be maintained on all parcels or portions of parcels that are located within 50 metres of Lot 1, Plan 29581, Section 13, Range 6, Shawnigan District.



## 11.11 **CD-11 RURAL COMPREHENSIVE DEVELOPMENT 11 – VILLA EYRIE**

### 1. **Permitted Uses**

The following principal uses and no others are permitted within the CD-11 Zone:

- a. Tourist accommodation
- b. Restaurant

The following accessory uses and no others are permitted within the CD-11 Zone:

- a. Artist studio
- b. Assembly
- c. Bakery
- d. Beauty and wellness centre
- e. Child-care facility
- f. Distillery
- g. Gift store
- h. Intensive resort agriculture
- i. Outdoor recreation
- j. Staff accommodation
- k. Theatre
- l. Winery
- m. For Tourist Accommodation only:
  - a. Personal service uses solely for hotel or resort guests; and
  - b. Educational events associated with hotel or resort facilities.

### 2. **Parcel Coverage and Impervious Surfaces Limit**

Impervious surface coverage of a parcel in the CD-11 Zone shall not exceed 35% of which no more than 20% may be parcel coverage.

### 3. **Density and Minimum Parcel Size**

The minimum parcel size for any lot in the CD-11 Zone is 36.14 hectares.

Maximum density allowed within the Villa Eyrie for each group of land uses shall not exceed:

Land Use	Maximum Density Within Villa Eyrie Resort Area
<b>Accommodation</b> <ul style="list-style-type: none"><li>• Tourist Accommodation</li></ul>	9,290 m <sup>2</sup> (100,000 ft <sup>2</sup> )
<b>Food and beverage</b> <ul style="list-style-type: none"><li>• Restaurant</li><li>• Bakery</li><li>• Distillery</li><li>• Winery</li></ul>	557 m <sup>2</sup> (6,000 ft <sup>2</sup> )
<b>Wellness and personal services</b> <ul style="list-style-type: none"><li>• Beauty and Wellness Centre</li><li>• Childcare</li><li>• Any other personal service uses for hotel or resort guests</li><li>• Artist Studio</li><li>• Gift Shop</li></ul>	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )

<b>Indoor events</b> <ul style="list-style-type: none"> <li>• Assembly</li> <li>• Theatre</li> </ul>	1,486 m <sup>2</sup> (16,000 ft <sup>2</sup> )
<b>Staff accommodation</b>	372 m <sup>2</sup> (4,000 ft <sup>2</sup> )
<b><u>TOTAL DENSITY</u></b>	11,427 m <sup>2</sup> (123,00 ft <sup>2</sup> )

#### 4. Building Height

The height of all buildings and structures in the CD-11 Zone shall not exceed:

- 15 m for buildings with a flat or nearly flat roof with a slope under 1:12; or
- 17 m for buildings with a pitched roof with a slope greater than 1:12.

#### 5. Setbacks

The following minimum setbacks for all buildings and structures apply in the CD-11 Zone:

Front parcel line	7.5 m
Interior parcel line	7.5 m
Exterior parcel line	7.5 m
Rear parcel line	7.5 m
From conservation area	7.5 m

No projections of new buildings into the setbacks will be permitted.

#### 6. Specific regulations

- Notwithstanding the maximum density for any allowable use as denoted in the above table, up to 10% of the total density may be re-allocated amongst allowed uses.
- Parking provision shall not exceed the Zoning Bylaw standards.

**12.1 C-1 RURAL LOCAL COMMERCIAL 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the C-1 Zone:

- a. Bowling alley, arcade, billiard and games room;
- b. Financial institution;
- c. Hardware store, including camping and recreational supplies;
- d. Office;
- e. Personal service;
- f. Plant nurseries, horticulture, retail sales of gardening supplies and produce;
- g. Repair shop for household appliances, power tools and electronics;
- h. Restaurant and catering;
- i. Retail store including convenience store and auto parts store;
- j. Veterinarian clinic;

The following accessory uses are permitted in the C-1 Zone:

- k. Single family dwelling;
- l. Bed and breakfast.

**2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-1 Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

**3. Height**

The height of all buildings and structures in the C-1 Zone shall not exceed 10 metres.

**4. Setbacks**

The following minimum setbacks apply in the C-1 Zone:

Type of Parcel Line	Commercial Buildings and Structures
Front parcel line	5 metres
Interior& exterior side parcel line	4.5 metres
Rear parcel line	6 metres

**5. Minimum Parcel Size**

The minimum parcel size in the C-1 zone is 1 hectare.

## 12.2 C-2 RURAL HIGHWAY COMMERCIAL 2 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-2 Zone:

### 1. Permitted Uses

The following principal uses and no others are permitted in the C-2 Zone:

- a. Art gallery, artist studio;
- b. Bakery;
- c. Business or commercial private school;
- d. Financial institution;
- e. Bowling alley, arcade, billiard and games room;
- f. Group daycare;
- g. Grocery store and farm market;
- h. Hardware and camping supply store, excluding exterior storage yard;
- i. Library;
- j. Office;
- k. Parking garage, transit facility;
- l. Personal service use;
- m. Plant nurseries, horticulture, retail sales of gardening supplies and produce, with outdoor storage;
- n. Repair shop for household appliances, power tools and electronics;
- o. Restaurant, café, including catering;
- p. Retail store, including convenience store and automotive parts and accessory sales;
- q. Veterinary clinic;

The following accessory uses are permitted in the C-2 Zone:

- r. Single family dwelling;
- s. Wholesale sales.

### 2. Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the C-2 Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

### 3. Height

The height of all buildings and structures in the C-2 Zone shall not exceed 10 metres.

### 4. Setbacks

The following minimum setbacks apply in the C-2 Zone:

Type of Parcel Line	Commercial Buildings and Structures
Front and interior side parcel line	7.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	6 metres

### 5. Minimum Parcel Size

The minimum parcel size in the C-2 zone is:

- a. 2000 m<sup>2</sup> for parcels that are serviced by a community water service;
- b. 1 ha for parcels that are not serviced by a community water system.

## **12.3 C-3 RURAL SERVICE COMMERCIAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-3 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the C-3 Zone:

- a. Automobile service shop, auto parts and accessories sales;
- b. Car wash;
- c. Laundromat;
- d. Motor vehicle sales;
- e. Parking lot, bus depot;
- f. Restaurant, café, catering;
- g. Retail sales of building, camping and gardening supplies;
- h. Service station;
- i. Office use;
- j. Personal services use;

The following accessory uses are permitted in the C-3 Zone:

- k. Single family dwelling;
- l. Wholesaling and warehousing.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-3 Zone shall not exceed 65%, of which not more than 50% may be parcel coverage.

### **3. Height**

The height of all buildings and structures in the C-3 Zone shall not exceed 10 metres, except for accessory buildings and structures which shall not exceed a height of 7.5 metres.

### **4. Setbacks**

The minimum setback for all buildings and structures in the C-3 Zone is 6 metres.

### **5. Minimum Parcel Size**

The minimum parcel size in the C-3 zone is:

- a. 2000 m<sup>2</sup> for parcels serviced by a community water system;
- b. 1 hectare for parcels that are not serviced by a community water system.

## **12.4 C-4 RURAL TOURIST COMMERCIAL 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-4 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the C-4 Zone:

- a. Campground;
- b. Convenience store;
- c. Gift shop, retail sales;
- d. Recreational facility;
- e. Restaurant;
- f. Tourist accommodation;

The following accessory uses are permitted in the C-4 Zone:

- g. Single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-4 Zone shall not exceed 50%, of which not more than 30% may be parcel coverage.

### **3. Density for Tourist Accommodation**

A maximum of 25 tourist sleeping units per hectare is permitted in the C-4 Zone.

### **4. Height**

The height of all buildings and structures in the C-4 Zone shall not exceed 10 metres.

### **5. Setbacks**

The minimum setback for buildings and structures in the C-4 Zone is 6 metres from any parcel line.

### **6. Campground Standards**

Campgrounds in the C-4 Zone are subject to CVRD Campground Standards Bylaw No. 1520.

### **7. Floor Area Limit for Convenience Store**

No convenience store in the C-4 Zone shall have a floor area exceeding 230 m<sup>2</sup>.

### **8. Minimum Parcel Size**

The minimum parcel size in the C-4 Zone is:

- a. 4000 m<sup>2</sup> for parcels serviced by a community water system only;
- b. 1 ha for parcels not serviced by a community water system.

## 12.5 **C-5 VILLAGE COMMERCIAL 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-5 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the C-5 Zone:

- a. Art gallery, artist studio;
- b. Automotive parts and accessory sales, excluding external storage of goods;
- c. Bakery;
- d. Bowling alley, arcade, billiard and games room;
- e. Business, finance, insurance institution and offices;
- f. Child care facility;
- g. Cultural facility;
- h. Funeral parlour excluding crematorium;
- i. Grocery store;
- j. Group daycare;
- k. Hardware and camping supply store, excluding exterior storage yard;
- l. Library, book store, printing and publishing;
- m. Market;
- n. Medical or dental clinic;
- o. Museum;
- p. Offices, including government offices;
- q. Personal service use;
- r. Plant nurseries, horticulture, retail sales of gardening supplies and produce, with outdoor storage;
- s. Professional, scientific and technical services;
- t. Restaurant, including catering;
- u. Retail stores;
- v. Shopping centre;
- w. Theatre;
- x. Veterinary clinic;

The following accessory uses are permitted in the C-5 Zone:

- y. Bed and breakfast accommodation accessory to a single family dwelling;
- z. Multiple family residences above the ground floor of any building;
- aa. Single family dwelling, **only if the parcel is located in Electoral Areas A or C;**

### 2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-5 Zone shall not exceed 55%, of which not more than 45% may be parcel coverage.

### 3. **Height**

The height of all buildings and structures in the C-5 Zone shall not exceed 10 metres, except to the east of the Trans-Canada Highway in Mill Bay, where the building height limit is 7.5 metres.

### 4. **Setbacks**

The following minimum setbacks apply in the C-5 Zone:

Type of Parcel Line	Commercial Buildings and Structures where the parcel adjoins a commercial, industrial or institutional zone	Commercial Buildings and Structures where the parcel adjoins a zone other than commercial, industrial or institutional
Front parcel line	0 metres	4.5 metres
Interior side parcel line	0 metres	3 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	4.5 metres	4.5 metres

## 5. Multiple Family Dwelling Special Regulations

The following regulations apply to multiple family residential uses within the C-5 Zone:

- dwelling unit density shall not exceed 20 dwelling units per hectare of land;
- dwelling units are only permitted in a building that has at least 60% of its gross floor area allocated for commercial purposes;
- parcels of land upon which multiple family residential use is proposed shall be serviced by both a community water and community sewer system.

## 6. Minimum Parcel Size

The minimum parcel size in the C-5 zone is 1000 m<sup>2</sup> for parcels serviced by a community water and sewer system, and parcels not so connected are not eligible to be subdivided.

- Notwithstanding Section 12.5.1 – Permitted Uses, the following uses shall be permitted on a site-specific basis:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Cannabis storefront retail ( <i>one store only per parcel</i> )	3541 Cobble Hill Road	017-996-783 LOT 1, SECTION 12, RANGE 5, SHAWNIGAN DISTRICT, PLAN VIP55417
Cannabis storefront retail ( <i>one store only per parcel</i> )	2734 Barry Road	005-810-841 LOT 1, SECTION 2, RANGE 8, SHAWNIGAN DISTRICT, PLAN 7124



## 12.6 C-6 MIXED USE VILLAGE COMMERCIAL/RESIDENTIAL 6 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7, the following regulations apply in the C-6 Zone:

### 1. Permitted Uses

The following principal uses and no others are permitted in the C-6 Zone:

- a. Artist studio;
- b. Bakery;
- c. Business or commercial private school;
- d. Child care facility;
- e. Community services, community centre;
- f. Cultural facility;
- g. Group daycare;
- h. Library;
- i. Market;
- j. Multiple family dwelling;
- k. Museum;
- l. Office;
- m. Personal services;
- n. Pharmacy;
- o. Printing and photography establishments;
- p. Restaurant use;
- q. Retail store limited to 230 m<sup>2</sup>;

The following accessory uses are permitted in the C-6 Zone:

- r. Single family dwelling.

### 2. Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the C-6 Zone shall not exceed 65%, of which not more than 50% may be parcel coverage.

### 3. Arrangement of Permitted Uses

Where there is a combination of commercial and residential uses in a building on a parcel in the C-6 Zone, the commercial use shall be on the main or grade level, and the residential use shall be located above ground level.

### 4. Height

The height of all principal buildings and structures in the C-6 Zone shall not exceed 10 metres, except for accessory buildings which shall not exceed a height of 7.5 metres.

### 5. Setbacks

The following minimum setbacks for buildings and structures apply in the C-6 Zone:

Type of Parcel Line	Commercial Buildings and Structures where parcel adjoins a commercial, industrial or institutional zone	Commercial Buildings and Structures where parcel adjoins a zone other than commercial, industrial or institutional
Front parcel line	0 metres	4.5 metres
Interior side parcel line	0 metres	3 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	4.5 metres	4.5 metres

## **6. Multiple Family Dwelling Special Regulations**

The following regulations apply to multiple family residential uses within the C-6 Zone:

- a. dwelling unit density shall not exceed 25 dwelling units per hectare of land;
- b. dwelling units are only permitted in a building that has at least 60% of its gross floor area allocated for commercial purposes;
- c. parcels of land upon which multiple family residential use is proposed shall be serviced by both a community water and community sewer system.

## **7. Servicing Requirement for Multiple Family Dwellings**

Parcels of land in the C-6 Zone upon which multiple family residential use is proposed shall be serviced by both a community water and community sewer system as a condition of use.

## **8. Minimum Parcel Size**

The minimum parcel size in the C-6 Zone is:

- a. 1000 m<sup>2</sup> for parcels serviced by a community water system and a community sewer system;
- b. 1 hectare for parcels that are not serviced by a community water system and a community sewer system.

## **12.7 C-7 VILLAGE SERVICE COMMERCIAL 7 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-7 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the C-7 Zone:

- a. Automobile service shop, auto parts and accessories sales;
- b. Car wash;
- c. Laundromat;
- d. Motor vehicle sales;
- e. Parking lot, bus depot;
- f. Restaurant, café, catering;
- g. Retail sales of building, camping and gardening supplies;
- h. Service station;
- i. Office use;
- j. Personal services use;

The following accessory uses are permitted in the C-7 Zone:

- k. Single family dwelling;
- l. Wholesaling and warehousing.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-7 Zone shall not exceed 65%, of which not more than 50% may be parcel coverage.

### **3. Height**

The height of all buildings and structures in the C-7 Zone shall not exceed 10 metres, except for accessory buildings and structures which shall not exceed a height of 7.5 metres.

### **4. Setbacks**

The minimum setback for all buildings and structures in the C-7 Zone is 6 metres.

### **5. Minimum Parcel Size**

The minimum parcel size in the C-7 zone is:

- a. 1000 m<sup>2</sup> for parcels serviced by a community water system and a community sewer system;
- b. 3000 m<sup>2</sup> for parcels serviced by a community water system;
- c. 1 hectare for parcels serviced by neither a community water system nor a community sewer system.

## **12.8 C-8 VILLAGE TOURIST COMMERCIAL 8 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-8 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the C-8 Zone:

- a. Convention facility;
- b. Gift shop, retail sales;
- c. Tourist accommodation;
- d. Recreational facility;
- e. Restaurant;

The following accessory uses are permitted in the C-8 Zone:

- f. Single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-8 Zone shall not exceed 45%, of which not more than 40% may be parcel coverage.

### **3. Density for Tourist Accommodation**

Density in the C-8 Zone is limited to:

- a. 20 tourist sleeping units per hectare of parcel area where the parcel is not serviced by a community sewer system;
- b. 30 tourist sleeping units per hectare of parcel area where the parcel is serviced by a community sewer system.

### **4. Servicing**

All parcels in the C-8 Zone shall be serviced by a community water system as a condition of use.

### **5. Height**

The height of all buildings and structures in the C-8 Zone shall not exceed 10 metres, except for parcels to the east of the Trans-Canada Highway, in which case the maximum height for buildings and structures is 7.5 m.

### **6. Setbacks**

The minimum setback for buildings and structures in the C-8 Zone is 4.5 metres from all parcel lines.

### **7. Minimum Parcel Size**

The minimum parcel size in the C-8 Zone is:

- a. 2000 m<sup>2</sup> for parcels serviced by a community water system and a community sewer system;
- b. 4000 m<sup>2</sup> for parcels serviced by a community water system only;
- c. 2 hectares for parcels not serviced by a community water system.

## **12.9 C-9 VILLAGE NEIGHBOURHOOD PUB COMMERCIAL 9 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the C-9 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the C-9 Zone:

- a. Public house;
- b. Restaurant;

The following accessory uses are permitted in the C-9 Zone:

- c. Single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the C-9 Zone shall not exceed 50%, of which not more than 40% may be parcel coverage.

### **3. Height**

The height of all buildings and structures in the C-9 Zone shall not exceed 10 metres.

### **4. Setbacks**

The minimum setback for buildings and structures in the C-9 Zone is 4.5 metres from any parcel line.

### **5. Minimum Parcel Size**

The minimum parcel size in the C-9 Zone is:

- a. 2000 m<sup>2</sup> for parcels serviced by a community water system and a community sewer system;
- b. 4000 m<sup>2</sup> for parcels that are serviced by a community water service only;
- c. Parcels that are not serviced with community water service are not eligible for subdivision.

**13.1 I-1 LIGHT INDUSTRIAL 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the I-1 Zone:

- a. Automobile workshop, automobile service shop;
- b. Auto parts sales, warehousing and storage, excluding automobile wrecking;
- c. Boat and or watercraft manufacturing, repair and storage, marine services;
- d. Building supply sales and storage, including manufacturing of building supplies;
- e. Contractors workshop, yard and storage;
- f. Equipment sales, rental, repair and storage;
- g. Feed, seed and agricultural supplies, sales and storage;
- h. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
- i. Gardening and landscaping supplies and sales;
- j. Incubator mall;
- k. Laboratory;
- l. Manufacturing of log, modular or pre-fabricated homes and associated structures;
- m. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair, treatment, distribution, and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building, and excluding processes that require hydrocarbons or fissile materials;
- n. Motor vehicle sales;
- o. Offices;
- p. Refundable container depot;
- q. Research and development, high technology centre, education centre;
- r. Restaurant, café, take-out food service;
- s. Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m<sup>2</sup> in total retail floor area;
- t. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood, particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
- u. Storage of propane, ethane and methane and related alcohols, total volume not to exceed 160,000 litres;
- v. Veterinary clinic;
- w. Warehouse, including mini-warehouse, freight handling and storage;
- x. Welding shop, steel and metal product fabrication, extrusion and finishing;
- y. Wholesale sales excluding hazardous materials, pesticides, explosives and petroleum products;

The following accessory uses and no others are permitted in the I-1 Zone:

- z. One single family dwelling per parcel or one dwelling unit within each industrial building;
- aa. Retail sales.

## **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1 Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

## **3. Height**

The height of all buildings and structures in the I-1 Zone shall not exceed 10 metres.

## **4. Setbacks**

The following minimum setbacks for buildings and structures apply in the I-1 Zone:

<b>Type of Parcel Line</b>	<b>For all uses, where the adjacent parcel is zoned other than Industrial</b>	<b>For all uses, where the adjacent parcel is zoned Industrial</b>
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

## **5. Minimum Parcel Size**

The minimum parcel size in the I-1 Zone is:

- 0.2 hectares for parcels serviced by a community water and sewer system;
- 0.4 hectares for parcels serviced by a community water system only;
- 0.8 hectares for parcels serviced by neither a community water system nor a community sewer system.

## **6. Special Regulation**

A refundable container depot shall only be located within a wholly enclosed building or structure.

### 13.2 **I-1A BAMBERTON LIGHT INDUSTRIAL 1A ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5 and 6 of this Bylaw, the following regulations apply in the I-1A Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-1A Zone:

- a. All uses permitted in the I-1 Zone, **excluding** storage of propane, ethane and methane and related alcohols;
- b. Agriculture, horticulture, silviculture;
- c. Aquaculture, depuration of shellfish;
- d. Assembly;
- e. Cannabis – micro production and processing;
- f. Cannabis – standard production and processing;
- g. Commercial parking;
- h. Concrete batch plant and concrete products manufacturing;
- i. Electronic equipment manufacturing and repair;
- j. Funeral services;
- k. Indoor and outdoor recreation and associated facilities;
- l. Personal services establishment;
- m. Port facilities;
- n. Printing and publishing;
- o. Processing of gardening and landscaping supplies and materials;
- p. Recreational vehicle manufacturing, with accessory sales;
- q. Research and development centre;
- r. Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m<sup>2</sup> in total retail floor area;
- s. Software engineering office and accessory uses;
- t. Technical services;
- u. Trade/vocational school;

The following accessory uses are permitted in the I-1A Zone:

- v. Retail sales accessory to a principal permitted use;
- w. Dwelling units accessory to a principal permitted use, subject to the Special Lease Area regulation in Section 13.2.2.a below.

#### **2. Special Lease Area Regulations**

For any lease area in an I-1A zone:

- a. Not more than three single family residences are permitted per lease area of land, only in conjunction with a principal permitted use in this Zone;
- b. A convenience store shall not be larger than 230 m<sup>2</sup> in floor area.
- c. Areas of land of any size in the I-1A Zone may be leased, including leases registered in the Land Title Office by Explanatory Plan, provided each lease area is of sufficient size to accommodate the other regulations of this Zone and provided it also has a source of water and sewage disposal system that are suitable to the Provincial authorities having jurisdiction.
- d. The definition of “parcel” in Section 3.1 does not apply to lease areas in the Bamberton Light Industrial 1A Zone.
- e. For the purposes of the I-1A Zone only, the regulations concerning use, density and other matters apply to each lease area.

#### **3. Impervious Surfaces and Parcel Coverage Limit**



Impervious surface coverage of a parcel in the I-1A Zone shall not exceed 70%, of which not more than 60% may be parcel coverage.

#### **4. Height**

The height of all buildings and structures in the I-1A Zone shall not exceed 20 metres.

#### **5. Setbacks**

- a. Buildings and structures in the I-1A Zone shall be set back not less than 7.5 metres from any lease area boundary or parcel line that abuts a non-industrial zone.
- b. Buildings and structures in the I-1A Zone shall be set back not less than 7.5 metres from a Streamside Protection and Enhancement Area (SPEA) as designated in a Riparian Assessment Report.

#### **6. Minimum Parcel Size**

The minimum parcel size in the I-1A Zone is 80 hectares. Notwithstanding this regulation, where a subdivision in the I-1A Zone is proposed to follow a land use zone boundary on an existing parcel that is split-zoned, a subdivision to any parcel size is permitted insofar as it would only create new parcels where zone boundaries pass through the parent parcel, with the resultant subdivision only isolating the entirety of the different zones present on the parent parcel.

#### **7. Off-Street Parking and Loading Spaces**

Notwithstanding the parking and loading space requirements of Sections 5 and 6 of this Bylaw, the minimum number of off-street parking spaces required on a parcel in the I-1A Zone is 1 space per 48 m<sup>2</sup> of gross floor area, plus one space per accessory residential dwelling.

### **13.3 I-1B – LIGHT INDUSTRIAL 1B ZONE**

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations apply in the I-1B Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in an I-1B zone:

- a. All uses permitted in the I-1 Zone, excluding storage of propane, ethane and methane and related alcohols;
- b. Agriculture, horticulture, silviculture;
- c. Aquaculture, depuration of shellfish;
- d. Assembly;
- e. Cannabis – micro production and processing;
- f. Cannabis – standard production and processing;
- g. Commercial parking;
- h. Composting;
- i. Electronic equipment manufacturing and repair with accessory sales;
- j. Funeral services, including crematorium;
- k. Indoor and outdoor recreation and associated facilities;
- l. Personal services establishment;
- m. Printing and publishing;
- n. Processing of gardening and landscaping supplies and materials;
- o. Recreational vehicle manufacturing, with accessory sales;
- p. Recycling depot, recycling plant;
- q. Research and development centre;
- r. Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m<sup>2</sup> in total retail floor area;
- s. Software engineering office and accessory uses;
- t. Technical services;
- u. Trade/vocational school;
- v. Transit facility, parking garage;
- w. Waste transfer station, recycling depot;

The following accessory uses are permitted in the I-1B Zone:

- x. Dwelling units accessory to a principal permitted use, subject to the regulations below;
- y. Retail sales accessory to a principal permitted use.

#### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1B Zone shall not exceed 70%, of which not more than 60% may be parcel coverage.

#### **3. Servicing**

All parcels in the I-1B Zone shall be serviced by a community water system and a community sewer system as a condition of use.

#### 4. Number of Dwelling Units Permitted per Parcel of Land

Not more than three accessory dwelling units shall be located on a parcel of land in the I-1B Zone.

#### 5. Height

The height of all buildings and structures in the I-1B Zone shall not exceed 20 metres.

#### 6. Setbacks

The following minimum setbacks for buildings and structures apply in the I-1B Zone:

Type of Parcel Line	For all uses, where adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	4.5 metres	
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	
Rear parcel line	4.5 metres	0 metres
Streamside Protection & Enhancement Area (SPEA)	7.5 metres	

#### 7. Minimum Parcel Size

The minimum parcel size in the I-1B Zone is 1000 m<sup>2</sup> for parcels serviced by both community water and community sewer services. Parcels that are not so connected cannot be subdivided.

#### 8. Off-Street Parking and Loading Spaces

Notwithstanding Part 7 of this Bylaw, the minimum number of off-street parking spaces required on a parcel in the I-1B Zone is 1 space per 48 m<sup>2</sup> of gross floor area, plus one space per accessory residential dwelling. Off-street loading spaces shall be provided in accordance with Part 7 of this Bylaw.

#### 9. Special Regulation

A recycling depot and recycling plant shall only be located within a wholly enclosed building or structure.

## **13.4 I-1C LIGHT INDUSTRIAL 1C ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1C Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-1C Zone:

- a. Auto parts sales, excluding automobile wrecking;
- b. Automobile service shop and automobile workshop;
- c. Building supply sales and storage, lumber yard;
- d. Café, restaurant;
- e. Contractors workshop, yard and storage;
- f. Door and window manufacturing;
- g. Electric and electronic equipment manufacturing;
- h. Equipment sales, rental, repair and storage;
- i. Feed, seed and agricultural supplies, sales and storage;
- j. Food and dairy products manufacturing and processing facility, storage and packaging;
- k. Furniture and cabinet manufacturing, within a wholly enclosed building;
- l. Gardening and landscaping supplies and sales;
- m. Kennel, veterinary clinic;
- n. Laboratory;
- o. Manufacturing of consumer products;
- p. Modular log or pre-fabricated homes, truss and structure manufacturing;
- q. Motor vehicle sales;
- r. Offices;
- s. Parking garage;
- t. Production bakery;
- u. Refundable container depot;
- v. Research and development, high technology centre, education centre;
- w. Restaurant, cooking school, catering;
- x. Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m<sup>2</sup> in total retail floor area;
- y. Warehouse, including mini-warehouse;
- z. Welding shop;

The following accessory uses and no others are permitted in the I-1C Zone:

- aa. One single family dwelling per parcel of land or one dwelling unit within each industrial building;
- bb. Retail sales.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1C Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

### **3. Height**

The height of all buildings and structures in the I-1C Zone shall not exceed 10 metres.

#### 4. Setbacks

The following setbacks for buildings and structures apply in the I-1C Zone:

Type of Parcel Line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	4.5 metres	4.5 metres
Interior side parcel line	9 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

#### 5. Minimum Parcel Size

The minimum parcel size in the I-1C Zone is:

- 0.2 hectares for parcels serviced by a community water and sewer system;
- 0.4 hectares for parcels serviced by a community water system only;
- 2 hectares for parcels serviced by neither a community water system nor a community sewer system.

#### 6. Special Regulation

A refundable container depot shall only be located within a wholly enclosed building or structure.

### **13.5 I-1D BUSINESS PARK INDUSTRIAL-COMMERCIAL 1D ZONE**

Subject to compliance with the general requirements detailed in Parts 4, 5 and 6 of this Bylaw, the following regulations apply in the I-1D Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in an I-1D zone:

- a. Assembly use;
- b. Auction sales;
- c. Automobile service shop;
- d. Boat building, repair and storage;
- e. Cabinet making, home improvement products manufacturing;
- f. Clothing manufacturing, cleaning, repair and storage;
- g. Commercial parking;
- h. Educational institution;
- i. Equipment sales, repair, storage and rental;
- j. Electronic equipment manufacturing and repair;
- k. Feed, seed and agricultural supplies, sales and storage;
- l. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, brewery, culinary education, all excluding fish cannery and abattoir;
- m. Group daycare and nursery school, child care facility;
- n. Incubator mall;
- o. Laboratory, research and development centre;
- p. Lumber and storage yards, sale of wholesale and retail building supplies;
- q. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair, distribution, and storage of retail or wholesale consumer products produced within a wholly enclosed building;
- r. Motor vehicle sales;
- s. Modular home, mobile home, truss and prefabricated home manufacturing;
- t. Offices;
- u. Personal services establishment;
- v. Printing and publishing;
- w. Recreation facility, including martial arts, boxing and yoga studio;
- x. Research and development centre;
- y. Restaurant, café, coffee shop including take-out and catering;
- z. Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m<sup>2</sup> in total retail floor area per enterprise;
- aa. Secondary processing and manufacturing of wood products;
- bb. Software engineering and accessory uses;
- cc. Technical services;
- dd. Transit facility, parking garage;
- ee. Warehousing, including mini-warehousing, self-storage, distribution and forwarding of freight and wholesale sales;

The following accessory uses are permitted in the I-1D Zone:

- ff. Dwelling units accessory to a principal permitted use, subject to the regulations below;
- gg. Retail sales accessory to a principal permitted use.

## **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1D Zone shall not exceed 75%, of which not more than 60% may be parcel coverage.

## **3. Servicing**

All parcels in the I-1D Zone shall be serviced by a community water system and a community sewer system as a condition of use.

## **4. Number of Dwelling Units Permitted per Parcel of Land**

Not more than three accessory dwelling units shall be located on a parcel of land in the I-1D Zone.

## **5. Height**

The height of all buildings and structures in the I-1D Zone shall not exceed 18 metres.

## **6. Setbacks**

The following minimum setbacks for buildings and structures apply in the I-1D Zone:

Type of Parcel Line	For all uses, where adjacent parcel is not zoned Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	4.5 metres	
Interior side parcel line	5 metres	0 metres
Exterior side parcel line	4.5 metres	
Rear parcel line	4.5 metres	0 metres
Streamside Protection & Enhancement Area (SPEA)	7.5 metres	

## **7. Minimum Parcel Size**

The minimum parcel size in the I-1D Zone is 1000 m<sup>2</sup> for parcels serviced by both community water and community sewer services. Parcels that are not so connected cannot be subdivided.

## **8. Off-Street Parking and Loading Spaces**

Notwithstanding Part 7 of this Bylaw, the minimum number of off-street parking spaces required on a parcel in the I-1D Zone is 1 space per 48 m<sup>2</sup> of gross floor area, plus one space per accessory residential dwelling. Loading spaces shall be provided in accordance with Part 7 of this Bylaw.

### **13.6 I-1E FISHER ROAD INDUSTRIAL 1E ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1E Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-1E Zone:

- a. Auto parts sales, excluding automobile wrecking;
- b. Automobile service shop and automobile workshop;
- c. Building supply sales and storage, lumber yard;
- d. Café, restaurant, take-out service;
- e. Cannery for fruits and vegetables;
- f. Cold storage plant and frozen food locker;
- g. Contractors workshop, yard and storage;
- h. Door and window manufacturing;
- i. Electric and electronic equipment manufacturing;
- j. Equipment sales, rental, repair and storage;
- k. Feed, seed and agricultural supplies, sales and storage;
- l. Food, candy and dairy products manufacturing and processing facility, storage and packaging;
- m. Furniture and cabinet manufacturing and joinery, within a wholly enclosed building;
- n. Kennel, veterinary clinic;
- o. Laboratory;
- p. Manufacturing of consumer products;
- q. Modular log or pre-fabricated homes, truss and structure manufacturing;
- r. Motor vehicle sales;
- s. Offices;
- t. Parking garage;
- u. Processing and sale of gardening and landscaping supplies;
- v. Production bakery;
- w. Refundable container depot;
- x. Recycling, sorting and storage of any type of substance or material, including in-vessel composting, but excluding external storage of any type of septage, animal material or animal substance;
- y. Research and development, high technology centre, education centre;
- z. Restaurant, cooking school, catering;
- aa. Warehouse, including mini-warehouse;
- bb. Welding shop;

The following accessory uses and no others are permitted in the I-1E Zone:

- cc. One single family dwelling per parcel of land or one dwelling unit within each industrial building.

#### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1E Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

#### **3. Height**

The height of all buildings and structures in the I-1E Zone shall not exceed 10 metres.



#### 4. Setbacks

The following setbacks for buildings and structures apply in the I-1E Zone:

Type of Parcel Line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	4.5 metres	4.5 metres
Interior side parcel line	9 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

#### 5. Special Regulation

All uses permitted in the I-1E Zone shall only be carried on within a wholly enclosed building, except for the storage of material and vehicles for processing or storage of garden supplies.

#### 6. Minimum Parcel Size

The minimum parcel size in the I-1E Zone is:

- 0.2 hectares for parcels serviced by a community water and sewer system;
- 0.4 hectares for parcels serviced by a community water system only;
- 2 hectares for parcels serviced by neither a community water system nor a community sewer system.

#### 7. Special Regulation

A refundable container depot and all recycling and composting activities shall only be located within a wholly enclosed building or structure.

### **13.7 I-1F – Rural Transition Light Industrial**

Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1F Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-1F Zone:

- a. Auto workshop, auto service shop excluding auto wrecking;
- b. Contractor's workshop, yard and storage;
- c. Equipment rental, repair and storage;
- d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
- e. Gardening and landscaping supplies and sales;
- f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
- g. Offices;
- h. Research and development, high technology centre, education centre;
- i. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood, particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
- j. Warehouse, including mini-warehouse, freight handling and storage, excluding outdoor storage of vehicles, recreational vehicles, and boats;
- k. Welding shop;

The following accessory uses and no others are permitted in the I-1F Zone:

- l. Retail sales;
- m. Fuel storage ;
- n. One single family dwelling per parcel of land.

#### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1F Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

#### **3. Height**

The height of all buildings and structures in the I-1F Zone shall not exceed 10 metres.

#### 4. Setbacks

The following minimum setbacks for buildings and structures apply in the I-1F Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

#### 5. Minimum Parcel Size

The minimum parcel size in the I-1F Zone is:

- a. 0.2 hectares for parcels connected to a community water and sewer system;
- b. 0.4 hectares for parcels connected to a community water system only;
- c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

#### 6. Special Regulation

- a. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
- b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
- c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
- d. Outdoor storage ancillary to a permitted use shall not exceed in area the building are used by the business on the property to perform its operations.
- e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.

### **13.8 I-1G RECREATIONAL VEHICLE STORAGE 1G ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1G Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-1G Zone:

- a. Storage of recreational vehicles, motor vehicles, boats, and trailers.

#### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surfaces of the I-1G Zone shall not exceed 40%.

#### **3. No Buildings**

No buildings and structures are permitted in the I-1G Zone.

#### **4. Setbacks**

Vehicle storage areas shall be set back at least 10 metres from any parcel boundary.

#### **5. Minimum Parcel Size**

The minimum parcel size in the I-1G Zone is 1 hectare.

### **13.9 I-2 HEAVY INDUSTRIAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-2 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-2 Zone:

- a. All uses permitted in the I-1 Zone;
- b. Asphalt plant;
- c. Bulk asphalt storage and distribution;
- d. Concrete products manufacturing including ready-mix concrete, bulk cement storage and delivery;
- e. Gravel and quarried materials processing facilities;
- f. Manufacturing, repair, treatment and storage of products, materials, fabrics and compounds, excluding metal smelter, pulp or pulp and paper mill, hydrocarbon refinery and fissile materials;
- g. Outdoor recreation;
- h. Retail and wholesale sale of petroleum products other than asphalt, limited to a total of 455,000 litres of total volume;

The following accessory uses are permitted in the I-2 Zone:

- i. Single family dwelling or caretaker's dwelling unit, to a maximum of one dwelling unit per industrial building.

#### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-2 Zone shall not exceed 70%, of which not more than 60% may be parcel coverage.

#### **3. Height**

The height of all buildings and structures in the I-2 Zone shall not exceed 20 metres.

#### **4. Setbacks**

The minimum setbacks for buildings and structures in the I-2 Zone is 9 metres from all parcel lines, except where an interior side parcel line or rear parcel line abuts another parcel that is zoned as Industrial, in which case the setback may be reduced to 3 metres.

#### **5. Minimum Parcel Size**

The minimum parcel size in the I-2 Zone is 2 hectares regardless of the level of servicing.

### **13.10 I-3 TRANSPORTATION INDUSTRIAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-3 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-3 Zone:

- a. Terminal facilities for automobile, ship, truck and rail transportation of goods, materials or people, including storage facilities;
- b. Petroleum terminal facility; including storage facilities but excluding liquefied natural gas;

The following accessory uses are permitted in the I-3 Zone:

- c. Single family dwelling.

#### **2. Parcel Coverage**

The parcel coverage in the I-3 Zone shall not exceed 20 percent for all buildings and structures.

#### **3. Height**

The height of all buildings and structures in the I-3 Zone shall not exceed 15 metres.

#### **4. Setbacks**

Buildings and structures in the I-3 Zone shall be located not less than 30 metres from any parcel line, except where a parcel line abuts a residential or agricultural zone, in which case buildings and structures shall be located not less than 45 metres from a parcel line.

#### **5. Screening/Buffer Area**

The southern boundaries of any parcel in the I-3 Zone will have a natural leavestrip area of at least 30 metres in width, within which a vegetative screen shall be established and maintained against properties zoned for single family residential use.

#### **6. Minimum Parcel Size**

The minimum parcel size in the I-3 Zone is 2 hectares regardless of the level of services available to the parcel.

### **13.11 I-4 AGGREGATE INDUSTRIAL 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-4 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-4 Zone:

- a. Asphalt batch plant, concrete batch plant and accessory pre-cast concrete products manufacturing;
- b. Gravel processing;

The following accessory uses are permitted in the I-4 Zone:

- c. Office;
- d. Single family dwelling.

#### **2. Parcel Coverage Limit**

The parcel coverage in the I-4 Zone shall not exceed 20 percent for all buildings and structures.

#### **3. Height**

The height of all buildings and structures in the I-4 Zone shall not exceed 20 metres.

#### **4. Setbacks**

Buildings and structures in the I-4 Zone shall be located not less than 15 metres from any parcel line, except where a parcel line abuts a residential or agricultural zone, in which case buildings and structures shall be located not less than 30 metres from a parcel line.

#### **5. Minimum Parcel Size**

The minimum parcel size in the I-4 Zone is 2 hectares regardless of the level of service.

## **13.12 I-5 MINI WAREHOUSING INDUSTRIAL 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-5 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-5 Zone:

- a. Mini warehousing;
- b. Mini storage;

The following accessory uses are permitted in the I-5 Zone:

- c. Single family dwelling.

### **2. Parcel Coverage Limit**

The parcel coverage in the I-5 Zone shall not exceed 50 percent for all buildings and structures.

### **3. Height**

The height of all buildings and structures in the I-5 Zone shall not exceed 10 metres.

### **4. Setbacks**

The setbacks for buildings and structures in the I-5 Zone are as follows:

<b>Type of Parcel Line</b>	<b>All Uses</b>
Front	7.5 metres
Interior Side	4.5 metres
Exterior Side	4.5 metres
Rear	4.5 metres

### **5. Minimum Parcel Size**

The minimum parcel size in the I-5 Zone is 1 hectare regardless of the level of service available to the parcel.

### **6. Screening**

Parcels in the I-5 Zone shall be screened by a continuous row of evergreen vegetation or an ornamental tightboard fence along the parcel line that abuts a numbered Provincial Highway, in order to minimize the visibility of the site.

### **7. Prohibition**

No outdoor storage is permitted in the I-5 Zone, nor is the parking of boats, travel trailers or recreational vehicles permitted.



### **13.13 I-6 AGRICULTURAL INDUSTRIAL 6 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-6 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-6 Zone:

- a. Agricultural equipment sales, rental, repair and storage;
- b. Agriculture, horticulture;
- c. Canning of fruits and vegetables;
- d. Dairy products manufacturing;
- e. Feed, seed and agricultural supplies, sales and storage;
- f. Food processing, storage and packaging, excluding fish cannery and abattoir;
- g. Frozen food locker;
- h. Gardening and landscaping supplies and sales;

The following accessory uses and no others are permitted in the I-6 Zone:

- i. Office;
- j. Single family dwelling.

#### **2. Parcel Coverage Limit**

The parcel coverage in the I-6 Zone shall not exceed 50 percent for all buildings and structures, including greenhouses.

#### **3. Height**

The height of all buildings and structures in the I-6 Zone shall not exceed 10 metres.

#### **4. Setbacks**

Buildings and structures in the I-6 Zone shall be located not less than 9 metres from any parcel line, except where an interior side parcel line or rear parcel line abuts another parcel in an industrial zone, in which case the setback may be reduced to 3 metres.

#### **5. Minimum Parcel Size**

The minimum parcel size in the I-6 Zone is:

- a. 0.4 hectares for parcels serviced by a community water and sewer system;
- b. 2 hectares for parcels serviced by a community water system only;
- c. Parcels that are not serviced by a community water system are not eligible to be subdivided.

#### **13.14 I-7 RAILWAY TRANSPORTATION 7 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-7 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-7 Zone:

- a. Public utility use;
- b. Terminal facilities for passenger and freight rail services;
- c. Trails for pedestrians, cyclists and equestrians;
- d. Railway stations and railway depots;
- e. Roundhouses, engine sheds, and railway vehicle maintenance facilities;

The following accessory uses are permitted in the I-7 Zone:

- e. Restaurant, retail store, office, accessory to and within a railway station;
- f. Uses customarily incidental to the operation of a railway.

##### **2. Height**

The height of all buildings and structures in the I-7 Zone shall not exceed 10 metres.

##### **3. Setback**

The minimum setback for a railway station use is 4.5 metres from all parcel lines.

##### **4. Prohibition**

No parcel in the I-7 Zone shall be used for the burial of public utilities or pipelines if these would interfere with the use of the transportation corridor for railway use.

### **13.15 I-8 AUTO WRECKING/SALVAGE INDUSTRIAL 8 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-8 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the I-8 Zone:

- a. Automobile salvage or wrecking yard, including trucks and other vehicles;
- b. Automobile workshop;
- c. Sales of used automotive parts and products;

The following accessory uses are permitted in the I-8 Zone:

- d. Sales of new auto parts;
- e. Single family dwelling.

#### **2. Parcel Coverage Limit**

The parcel coverage in the I-8 Zone shall not exceed 60 percent for all buildings and structures.

#### **3. Height**

The height of all buildings and structures in the I-8 Zone shall not exceed 12 metres.

#### **4. Screening**

Any parcel in the I-8 Zone shall be comprehensively screened by continuous evergreen vegetation from any fronting public road.

#### **5. Setbacks**

The setbacks for buildings and structures in the I-8 Zone are as follows:

Type of Parcel Line	Industrial Use	Residential Use
Front	7.5 metres	7.5 metres
Interior Side	9 metres	3 metres
Exterior Side	4.5 metres	4.5 metres
Rear	9 metres	4.5 metres

#### **6. Minimum Parcel Size**

The minimum parcel size in the I-8 Zone is 2 hectares.

**14.1    P-1    PARKS 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-1 Zone:

**1. Permitted Uses**

The following principal uses and no others are permitted in the P-1 Zone:

- a. Parks;

The following accessory uses are permitted in the P-1 Zone:

- b. Park caretaker's residence;
- c. Park maintenance facilities and offices.

**2. Number of Dwellings**

Not more than one park caretaker's residence is permitted on a parcel in the P-1 Zone.

**3. Setbacks**

The minimum setback for buildings and structures in the P-1 Zone is 4.5 metres from any parcel line.

**4. Height**

In the P-1 Zone, the height of all buildings and structures must not exceed 10 metres.

## 14.2 **P-2 INSTITUTIONAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-2 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the P-2 Zone:

- a. Assembly use;
- b. Child care facility;
- c. Group daycare;
- d. Institutional use;
- e. Personal care facility;
- f. Private school, public school, including boarding facilities and accessory staff accommodation;

The following accessory uses are permitted in the P-2 Zone:

- g. Single family dwelling.

### 2. **Minimum Parcel size**

The minimum parcel size in the P-2 Zone is:

- a. 0.4 ha for parcels served by a community water system and a community sewer system;
- b. 2 ha for parcels not served by community water or community sewer systems.

### 3. **Number of Dwellings per Parcel**

Not more than one single family dwelling, excluding staff accommodation, is permitted on a parcel in the P-2 Zone.

### 4. **Setbacks**

The minimum setbacks for buildings and structures in the P-2 Zone are as follows:

Type of Parcel Line	Institutional, Residential and Accessory Uses
Front parcel line	4.5 metres
Interior side parcel line	4.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	4.5 metres

### 5. **Height**

In the P-2 Zone, the height of all buildings and structures must not exceed 12 metres.

### 6. **Parcel Coverage Limit**

The parcel coverage in the P-2 Zone must not exceed 50% for all buildings and structures.

## **14.2A P-2A PRIVATE SCHOOL INSTITUTIONAL 2A ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this bylaw, the following regulations apply in the P-2A Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the P-2A Zone:

- a. Assembly use;
- b. Child care facility;
- c. Day care facility;
- d. Indoor and outdoor recreation;
- e. Institutional use;
- f. Personal care facility;
- g. Private school, including boarding facilities and accessory staff accommodation;
- h. Research and development centre;

The following accessory uses are permitted in the P-2A Zone:

- i. Single family dwelling;
- j. Other uses that are customarily incidental to private school use.

### **2. Minimum Parcel Size**

The minimum parcel size in the P-2A Zone is:

- a. 0.4 ha for parcels served by a community water system and a community sewer system;
- b. 2 ha for parcels not served by community water or community sewer systems.

### **3. Number of Dwellings per Parcel**

Not more than one single family dwelling, excluding staff accommodation, is permitted on a parcel in the P-2A Zone.

### **4. Setbacks**

The minimum setbacks for buildings and structures in the P-2A Zone are as follows:

<b>Type of Parcel Line</b>	<b>Institutional, Residential and Accessory Uses</b>
Front parcel line	4.5 metres
Interior side parcel line	4.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	4.5 metres

### **5. Height**

In the P-2A Zone, the height of all buildings and structures must not exceed 12 metres.

## **6. Parcel Coverage Limit**

The parcel coverage in the P-2A Zone must not exceed 50% for all buildings and structures.

## **7. Special Regulations**

Notwithstanding other fence, sign and parking regulations in this Bylaw or any other CVRD Bylaw, for the P-2A Zone, the following requirements apply instead:

- a. No fence or wall near the perimeter of a parcel shall exceed 3.6 metres in height;
- b. Signs identifying a principal permitted use on the parcel may be placed, provided a development permit has firstly been obtained from the CVRD
- c. The parking requirement for the P-2A Zone is two stalls per classroom, plus three stalls per 100m<sup>2</sup> of office space, plus a minimum of six bus parking spaces. Overflow parking may be accommodated on playing fields.

## **14.3 P-3 VILLAGE INSTITUTIONAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-3 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the P-3 Zone:

- a. Assembly use;
- b. Child care facility;
- c. Commercial uses on the ground floor of a building or structure;
- d. Community centre;
- e. Group daycare;
- e. Institutional use;
- f. Multiple family dwelling;
- g. Office;
- h. Personal service;
- i. Recreational use;

The following accessory uses are permitted in the P-3 Zone:

- j. Single family dwelling.

### **2. Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the P-3 Zone shall not exceed 35%, of which not more than 30% may be parcel coverage.

### **3. Minimum Parcel size**

The minimum parcel size in the P-3 Zone is:

- a. 2000 m<sup>2</sup> for parcels served by a community water system and a community sewer system;
- b. 4000 m<sup>2</sup> for parcels served by a community water system only;
- c. Parcels that are not serviced with community water are not eligible to be subdivided.

### **4. Density**

The maximum density for a multiple family residential use in the P-3 Zone is 45 units per ha.

### **5. Setbacks**

The minimum setbacks for buildings and structures in the P-3 Zone are as follows:

<b>Type of Parcel Line</b>	<b>All Uses</b>
Front parcel line	4.5 metres
Interior side parcel line	3 metres
Exterior side parcel line	4.5 metres
Rear parcel line	3 metres

### **6. Height**

In the P-3 Zone, the height of all buildings and structures must not exceed 12 metres.



#### **14.4 P-4 PARK / COMMUNITY FOREST 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-4 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the P-4 Zone:

- a. Parks;
- b. Passive recreational use;
- c. Community forest;
- d. Forestry, silviculture;

The following accessory uses are permitted in the P-4 Zone:

- e. Single Family dwelling for a caretaker.

##### **2. Minimum Parcel size**

The minimum parcel size in the P-4 Zone is 10 hectares.

##### **3. Number of Dwellings per Parcel**

Not more than one single family dwelling is permitted on a parcel in the P-4 Zone.

##### **4. Setbacks**

The minimum setbacks for buildings in the P-4 Zone are as follows:

Type of Parcel Line	All Uses
Front parcel line	7.5 metres
Interior side parcel line	5 metres
Exterior side parcel line	5 metres
Rear parcel line	5 metres

##### **5. Height**

In the P-4 Zone, the height of all buildings and structures must not exceed 10 metres.

##### **6. Parcel Coverage Limit**

The parcel coverage in the P-4 Zone must not exceed 15 percent for all buildings and structures.

## **14.5 P-5 FOREST INSTITUTIONAL 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-5 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the P-5 Zone:

- a. Agriculture, silviculture;
- b. Forest fire fighting air and logistics base;
- c. Provincial administrative offices;
- d. Seed farm;

The following accessory uses are permitted in the P-5 Zone:

- e. One single family dwelling or one dwelling unit in an institutional building.

### **2. Minimum Parcel Size**

The minimum parcel size in the P-5 Zone is 12 hectares.

### **3. Number of dwelling Units per Parcel**

Not more than one single family dwelling unit shall be located on a parcel in the P-5 Zone.

### **4. Setbacks**

The minimum setback for all buildings and structures in the P-5 Zone is 6 metres from any parcel line.

### **5. Height**

In the P-5 Zone, the height of all buildings and structures must not exceed 12 metres.

### **6. Screening**

A vegetative screen comprising trees or evergreen hedges shall be installed and maintained in the P-5 Zone along the side of the parcel that faces the Trans-Canada Highway.

### **7. Parcel Coverage Limit**

The parcel coverage in the P-5 Zone must not exceed 20 percent for all buildings and structures.

## **14.6 P-6 OUTDOOR RECREATION PARK 6 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-6 Zone:

### **1. Permitted Uses**

The following principal uses and no others are permitted in the P-6 Zone:

- a. Equestrian riding and boarding facilities, horse riding ring and arena, equestrian trails;
- b. Motorsports facility;
- c. Rifle, pistol and archery range, including trap shooting and firearms club facility;
- d. Ultralight aircraft landing and take-off area;

The following accessory uses are permitted in the P-6 Zone:

- e. One single family dwelling or one dwelling unit in another building.

### **2. Minimum Parcel Size**

The minimum parcel size in the P-6 Zone is 8 hectares.

### **3. Number of dwelling Units per Parcel**

Not more than one dwelling unit shall be located on a parcel in the P-6 Zone.

### **4. Setbacks**

The minimum setback for all principal buildings and structures in the P-6 Zone is 50 metres from all parcel lines, and 6 metres for an accessory building or structure.

### **5. Height**

In the P-6 Zone, the height of all buildings and structures must not exceed 10 metres.

### **6. Parcel Coverage Limit**

The parcel coverage in the P-6 Zone must not exceed 20 percent for all buildings and structures.

#### **14.7 W-1 MARINE CONSERVATION 1 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-1 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the W-1 Zone:

- a. Activities directed towards environmental protection and habitat enhancement;
- b. Passive recreation.

##### **2. Prohibited Uses**

Floats, piles, docks, wharves and similar structures for moorage are not permitted in the W-1 Zone.

#### **14.8 W-2 FRESHWATER CONSERVATION 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-2 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the W-2 Zone:

- a. Activities directed towards environmental protection and habitat enhancement;
- b. Passive recreation.

##### **2. Prohibited Uses**

Privately owned floats, piles, docks, wharves and similar moorage structures are not permitted in the W-2 Zone.

## 14.9 **W-3 WATER INSTITUTIONAL 3 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-3 Zone:

### 1. **Permitted Uses**

The following principal uses and no others are permitted in the W-3 Zone:

- a. Any use permitted in the W-2 Zone;
- b. Private and public wharf, dock or float use, including enclosed boat and marine equipment storage and ancillary change room, washroom and training facilities;
- c. Breakwater, ramp.

### 2. **Height**

No building or structure in the W-3 Zone shall exceed a height of 6.5 m above the elevation of an adjacent road surface.

### 3. **Prohibition**

No residential use is permitted in the W-3 Zone, and no structure that would impede public passage below the natural boundary is permitted.

### 4. **Provincial and Federal Regulations**

All structures built in the W-3 Zone shall comply with the federal *Fisheries Act* and the provincial *Water Act* and any other applicable senior government regulations. The following excerpts of senior government regulations in the shaded box below are provided for convenience only; please consult the original regulations and the agency concerned before proceeding:

#### **Fisheries and Oceans Canada Policies**

A dock, wharf, boathouse and float are permitted without application to the Department of Fisheries and Oceans (DFO) if all of the following conditions are met:

- any new, repaired or rebuilt floating, cantilever or post dock or boathouse and combination thereof has a total combined footprint no greater than 24 m<sup>2</sup>;
- the structure does not occur over or adjacent to a location involving known fish spawning habitat;
- the structure does not require any dredging, blasting or infilling in the water body; and
- measures to protect fish and fish habitat are followed during the construction of the structure, in accordance with the Operational Statement for Dock and Boathouse Construction in Freshwater Systems.

#### **BC Ministry of Environment Policies**

A dock, wharf or float - including any attached dock fingers - is permitted without application to the BC Ministry of Environment provided all of the following conditions are met:

- the structure must fit in a 80 m<sup>2</sup> rectangular area or envelope adjacent to the shore;
- a maximum of two float fingers may extend from the main structure;
- the combined maximum surface area of main structure and fingers is 46 m<sup>2</sup>; and
- the first 3 m of structure adjacent to the shore is open span, to accommodate water circulation and exchange and fish movement.

#### **14.10 W-4 WATER MARINA 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-4 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the W-4 Zone:

- a. Any use permitted in the W-2 Zone;
- b. Boat shed or boat shelter;
- c. Management of a waterbody, lake or reservoir by an improvement district, municipality or regional district for use as a community water supply
- d. Marina;
- e. Moorage facilities for water taxi, ferry, fishing boats, or similar commercial use;
- f. Sales and rental of boats and sporting equipment;
- g. Yacht club;

The following accessory uses are permitted in the W-4 Zone:

- h. Marina fuelling station and storage of petroleum products up to 23,000 litre capacity;
- i. Marine public house;
- j. Offices and retail sales
- k. Restaurant;
- l. Sewage pump-out station;
- m. Slips, docks, breakwaters, ramps, dolphins, and pilings necessary for the establishment and/or maintenance of a principal use.

##### **2. Height**

In the W-4 Zone, the height of all buildings and structures shall not exceed 7.5 metres above the natural boundary.

##### **3. Prohibited Uses**

No houseboat or residential use of floats, piles or vessels of any kind is permitted in the W-4 Zone, and no structure that would prevent the passage of the public below the natural boundary is permitted unless an alternate provision for public passage has been made on the land.

##### **4. Parking and Loading**

Off-street parking and loading spaces in the W-4 Zone must be provided on the W-4 land if possible, or within 200 metres of the zone boundary, in accordance with Part 7 of this Bylaw.

#### **14.11 W-5 MARINE DOCKS AND MOORAGE 5 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-5 Zone:

##### **1. Permitted Uses**

The following principal uses and no others are permitted in the W-5 Zone:

- a. Activities directed towards environmental protection and habitat enhancement
- b. Seawall, ramp, breakwater and floats;
- c. Public and private wharves and docks and slips;
- d. Moored vessels;
- e. Passive recreation.

The following accessory uses are permitted in the W-5 Zone:

- f. Sewage pump-out station;
- g. Washroom facilities.

##### **2. Height**

No building or structure in the W-5 Zone shall exceed a height of 5 metres.

##### **3. Prohibited Uses**

Residential use of:

- a. Floats;
- b. Piles;
- c. Docks;
- d. Wharves;
- e. Moored vessels

is strictly prohibited in the W-5 Zone.

#### **14.12 W-6 MARINE WATER INSTITUTIONAL 6 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the W-6 Zone:

##### **1. Permitted Uses**

The following uses and no others are permitted in the W-6 Zone:

- a. Any use permitted in the W-1 Zone;
- b. Public wharf, boat launch, dock and float;
- c. Breakwater, ramp;
- d. Accessory uses to the above.

##### **2. Prohibition**

- a. No residential occupancy of a building, structure or boat is permitted in the W-6 Zone.
- b. No building is permitted in the W-6 Zone.



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**PART FIFTEEN:                      FORCE AND EFFECT**

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15.1    This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this     12<sup>th</sup> day of     December , 2012

READ A SECOND TIME this   12<sup>th</sup> day of     December , 2012.

READ A THIRD TIME this     13<sup>th</sup> day of     November , 2013.

ADOPTED this                   11<sup>th</sup> day of     December , 2013.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

## APPENDIX ONE

### Metric Conversion Table

(Provided for Convenience Purposes Only; metric measurements shall prevail in all cases of interpretation)

<b>Metric</b>	<b>Imperial</b>	<b>Metric</b>	<b>Imperial</b>
7.5 m	24'6"	4.5 m	14'7"
6 m	19'6"	3 m	9'8"
1 m	3' 2"	9 m	29' 5"
10 m	32' 8"	30 m	98' 4"
15 m	49' 2"	50 m	164'
45 m	147' 6"	4 m	13'
2 m	6' 5"	1.2 m	3'9"
2.5 m	8' 2"	0.6 m	1'9"
20 ha	49.42 acres	12 ha	29.65 acres
8 ha	19.77 acres	4 ha	9.88 acres
2 ha	4.94 acres	1 ha (10,000 m <sup>2</sup> )	2.47 acres
0.4 ha (4000 m <sup>2</sup> )	0.99 acre	0.2 ha (2000 m <sup>2</sup> )	0.49 acre
0.3 ha (3000 m <sup>2</sup> )	0.74 acre	0.1 ha (1000 m <sup>2</sup> )	0.24 acre
600 m <sup>2</sup>	0/14 acre	460 m <sup>2</sup>	0.1 acre
325 m <sup>2</sup>	0.08 acre	250 m <sup>2</sup>	2691 sq. ft.
90 m <sup>2</sup>	968 sq. ft.	74 m <sup>2</sup>	796 sq. ft.
60 m <sup>2</sup>	645 sq. ft.	25 m <sup>2</sup>	269 sq. ft.
0.27 m <sup>2</sup>	2.9 sq. ft.	4.546 L (litres)	1 gallon (Imperial)

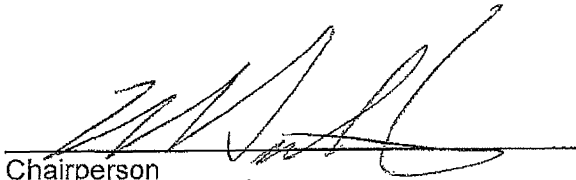
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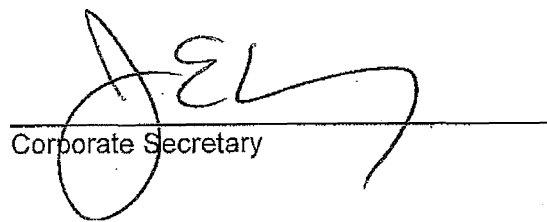
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READ A SECOND TIME this	<u>12<sup>th</sup></u>	day of	<u>December</u>	2012.
READ A THIRD TIME AS AMENDED this	<u>31<sup>st</sup></u>	day of	<u>July</u>	2013.
THIRD READING RESCINDED this	<u>23<sup>rd</sup></u>	day of	<u>October</u>	2013.
SECOND READING RESCINDED this	<u>23<sup>rd</sup></u>	day of	<u>October</u>	2013.
READ A SECOND TIME AS AMENDED this	<u>23<sup>rd</sup></u>	day of	<u>October</u>	2013.
READ A THIRD TIME this	<u>13<sup>th</sup></u>	day of	<u>November</u>	2013.
ADOPTED this	<u>11<sup>th</sup></u>	day of	<u>December</u>	2013.

  
Chairperson

  
Corporate Secretary

## APPENDIX ONE

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<b>Metric</b>	<b>Imperial</b>	<b>Metric</b>	<b>Imperial</b>
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15 m	49' 2"	50 m	164'
45 m	147' 6"	4 m	13'
2 m	6' 5"	1.2 m	3'9"
2.5 m	8' 2"	0.6 m	1'9"
20 ha	49.42 acres	12 ha	29.65 acres
8 ha	19.77 acres	4 ha	9.88 acres
2 ha	4.94 acres	1 ha (10,000 m <sup>2</sup> )	2.47 acres
0.4 ha (4000 m <sup>2</sup> )	0.99 acre	0.2 ha (2000 m <sup>2</sup> )	0.49 acre
0.3 ha (3000 m <sup>2</sup> )	0.74 acre	0.1 ha (1000 m <sup>2</sup> )	0.24 acre
600 m <sup>2</sup>	0/14 acre	460 m <sup>2</sup>	0.1 acre
325 m <sup>2</sup>	0.08 acre	250 m <sup>2</sup>	2691 sq. ft.
90 m <sup>2</sup>	968 sq. ft.	74 m <sup>2</sup>	796 sq. ft.
60 m <sup>2</sup>	645 sq. ft.	25 m <sup>2</sup>	269 sq. ft.
0.27 m <sup>2</sup>	2.9 sq. ft.	4.546 L (litres)	1 gallon (Imperial)