
**Cowichan Valley Regional District
Electoral Area E – Cowichan Station/Sahtlam/Glenora**

Zoning Bylaw

No. 1840



Cowichan Valley Regional District
**Electoral Area E – Cowichan Station/Sahtlam/Glenora
Zoning Bylaw No. 1840**

Amended up to and including Bylaw No. 4121

CONSOLIDATED FOR CONVENIENCE ONLY

Please check with the Planning & Development Department (250-746-2620) for current information on this Bylaw



NOTE: CVRD Planning & Development 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 Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway.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:

- 1922 (housekeeping 1999)
- 1956 (secondary suite – A-1 Zone, June/99)
- 1933 (Oct/99), 2012 (Oct./99), 2014 (Oct./99), 2013 (Oct./99)
- 2107 (livestock auction – Sept./00)
- 2205 (Contaminated Soil) – October 27, 2004 – Text Amendment Only
- 2350 (Small Suite Definition) – November 27, 2002 – Text Amendment
- 2364 (Railway Transportation Zone) – August 27, 2003 – Text and Map
- 2394 (Industrial 1 Zone) – November 12, 2003 – Text
- 2395 (Community Sewer System) – November 12, 2003 – Text
- 2507 (Second Dwelling Covenants) – October 27, 2004 – Text Amendment Only
- 2541 (Separated Parcels) – April 27, 2005 – Text Only
- 2529 (Tattam) – June 23, 2004 – Text and Map
- 2614 P-1 Zone Update – April 27, 2005 – Text Only
- 2622 J.R. Westside Construction/Greg Johnson – April 27, 2005 – Text and Map
- 2641 Pakulak – May 25, 2005 – Map Only
- 2653 Public Land Dedication – April 27, 2005 – Text Only
- 2654 Jurisdictional Boundary Definition – June 22, 2005 – Text Only
- 2602 Lampson/Glenora Farm – August 25, 2005 Text and Map
- 2704 Agricultural Auction Deletion – Text Only
- 2714 Mineral/Aggregate Processing Deletion – Text Only – January 11, 2006
- 2763 Agricultural Conversion – Text Only – November 8, 2006
- 2773 Height Exceptions Deletion – Text Only – April 12, 2006
- 2839 F-1 Lot Size – Text Only – April 11, 2007
- 2865 Community Sewer/Water Definitions – Text Only – May 9, 2007
- 2909 Caromar Sales – Text and Map – October 10, 2007
- 2938 Caromar Sales Conservation Lands – Text and Map - December 12, 2007
- 3006 Secondary Suite – Text Only – September 12, 2007
- 3075 Civic Use Definition – Text Only – May 14, 2008
- 3081 Suites/Agricultural Lands - Text Only – August 13, 2008
- 3084 Lehna – Text/Map - June 11/08
- 3211 DEF Autoworld – Text/Map – May 13, 2009
- 3355 Zoning Maintenance – Text Only – May 12, 2010
- 3338 Inwood Creek Estates – Text Only – December 8, 2010
- 3465 Wandering U Inc. – Text Only – July 13, 2011
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- 3285 Cherry Blossom Estates – Text and Map – March 14, 2012
- 3642 Funeral Home Use – Text – November 14, 2012
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- 3728 Forest Industrial Use – Text – October 9, 2013
- 3751 Medical Marihuana – Text – December 11, 2013
- 3807 CVTS Club Special Event – Text and Map – October 8, 2014
- 3552 Urban Edge – Text and Map – May 13, 2015

3856 Swimming Pool Fencing – Text Only – May 13, 2015
3939 Kaelble – Text and Map – February 10, 2016
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4121 Cannabis Regulations – Text Only – September 26, 2018

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COWICHAN VALLEY REGIONAL DISTRICT
ZONING BYLAW NO. 1840

**A Bylaw to Establish Zones and Regulate
the Use of Land, Water, Buildings and Structures
Within the Zones within Electoral Area "E"
(Cowichan Station/Sahtlam/Glenora)**

WHEREAS pursuant to Section 903 of the Municipal Act, R.S.B.C. 1996, Chapter 323 (the "Act") the Regional Board is empowered to prepare and adopt a zoning bylaw:

AND WHEREAS the Regional Board deems it appropriate to adopt a zoning bylaw respecting those lands within Electoral Area "E" - Cowichan Station/Sahtlam/Glenora of the Regional District;

NOW THEREFORE the Regional Board of Cowichan Valley Regional District in open meeting assembled HEREBY ENACTS AS FOLLOWS:

PART ONE

TITLE

- 1.1 This bylaw may be cited for all purposes as "CVRD Electoral Area "E" - Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998"

- 2.1 The Administrator or person being designated to act in the place of the Administrator may enter any *parcel, building* or premises at any reasonable time to ascertain whether regulations of this bylaw are being obeyed.
- 2.2 Every person who:
- (a) violates any of the provisions of this bylaw;
 - (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;
 - (c) neglects or omits to do anything required under this bylaw;
 - (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
 - (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 authorized entry of the Administrator, or person designated to act in the place of the Administrator.
- shall be deemed to be guilty upon summary conviction of an offence under this bylaw.
- 2.3 Each day's continuance of an offence under Section 2.2 constitutes a new and distinct offence.
- 2.4 Every person who commits an offence against this bylaw is liable to a fine of not less than \$25 and not more than \$2,000 for each offence and the costs of prosecution.
- 2.5 In this bylaw, unless otherwise stated, the singular infers the plural and the masculine infers the feminine.

For convenience purposes within this bylaw, all terms and phrases referenced in Part Three DEFINITIONS, Section 3.1 are italicized throughout this document.

3.1 In this bylaw:

“**accessory**” means ancillary or subordinate to and associated with a *principal use*;

“**agriculture**” means growing, rearing, producing or harvesting agricultural crops or livestock 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, but excludes cannabis production (commercial – medical), cannabis production (commercial – non-medical), and cannabis production (personal – home cultivation);

“**aisle space**” means the area of a *parcel* which provides space for motor vehicle access and does not include required space for motor vehicle parking;

“**alteration**” means a structural change to a *building* and also includes:

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

“**assembly**” means the gathering of persons for charitable, *civic*, cultural, educational, entertainment, political, recreational or religious purposes;

“**auction**” means a public sale of goods wherein items are sold via a professional auctioneer to the highest bidder in the public auction process;

“**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;

“**building**” means any *structure used* or intended to be *used* for supporting or sheltering any *use* or occupancy;

“**campground**” means a *use* in which campground spaces are provided, occupied and maintained for *temporary accommodation* of the travelling public in tents, trailers or recreational vehicles;

“campground space” means an area within a *campground, used* or intended to be *used*, rented or leased for occupancy by the travelling public in tents, trailers, or recreational vehicles.

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

“Cannabis Act” means the statute of the Government of Canada by that name, once in force, or any other statute of Canada which regulates the production and sale of cannabis for non-medical purposes;

“cannabis-related business” means the carrying on of activity where:

- a) the primary purpose of the business is to advocate or promote the use of cannabis for medical purposes;
- b) Cannabis is sold or otherwise provided to persons for medical purposes;
- c) Cannabis is stored for the purpose of sale or distribution to persons for medical purposes.

“cannabis consumption lounge” means the use of a building or structure for the service to customers of cannabis products, medical marijuana, equipment, paraphernalia, and related therapeutic services which are primarily intended to be consumed, used or otherwise provided on-site and includes the accessory sale of goods, wares, personal merchandise, articles, or things incidental to the provision of such service;

“cannabis production (commercial – medical)” means the carrying on of any of the following activities in accordance with the requirements of the Access to Cannabis for Medical Purposes Regulations:

- a) the cultivation, growth, harvesting, and processing of plants or parts of plants of the genus cannabis;
- b) the processing of raw materials, testing, destruction, alteration, manufacturing, assembling, packaging, and labelling of plants or parts of plants of the genus cannabis;
- c) the storage and transshipping of materials, goods or products;
- d) the storage, distribution and sale of materials, goods and products derived from plants or parts of plants of the genus cannabis, to licenced retailers or individual customers.

“cannabis production (commercial – non-medical)” means the carrying on of any of the following activities in accordance with the requirements of the Cannabis Act, but excludes cannabis production (commercial - medical) and cannabis production (personal - home cultivation):

- a) the cultivation, growth, harvesting, and processing of plants or parts of plants of the genus cannabis;
- b) the processing of raw materials, testing, destruction, alteration, manufacturing, assembling, packaging, and labelling of plants or parts of plants of the genus cannabis;
- c) the storage and transshipping of materials, goods or products;
- d) the storage, distribution and sale of materials, goods and products derived from plants or parts of plants of the genus cannabis, to licenced retailers or individual customers.

“cannabis production (personal – home cultivation)” means the use of no more than 10% of the gross floor area of a residential dwelling or accessory structure and the carrying on of any of the following activities in accordance with the requirements of the Access to Cannabis for Medical Purposes Regulations or the Cannabis Act:

- a) the cultivation, growth, harvesting, and processing of plants or parts of plants of the genus cannabis by an individual their personal use or consumption, or for the personal use or consumption of another individual where authorized under Part 2 of the Access to Cannabis for Medical Purposes Regulations;

- b) the processing of raw materials, testing, destruction, alteration, manufacturing, assembling, packaging, and labelling of plants or parts of plants of the genus cannabis by an individual for personal use or consumption;
- c) the storage and transshipping of materials, goods or products;
- d) the storage of materials, goods and products derived from plants or parts of plants of the genus cannabis by an individual for personal use or consumption.

“**cannabis storefront retail**” means the use of lands, buildings or structures for the marketing and sale of cannabis to the final consumer, who attends the premises, provided that the consumer product is stored and sold from within a building;

“**civic use**” means a use providing for government functions and services; includes federal, provincial, regional and municipal offices, public schools, colleges, public hospitals, fire halls, community halls, libraries, museums, parks, cemeteries, courts of law, highways, waterworks and facilities and sewage facilities, and does not include jails, prisons, halfway houses and similar uses;

“**commerce**” means the selling, servicing and repair of goods or, the provision of services and commercial *office* functions that are carried on for the purpose of earning income;

“**community sewer system**” means a system of sewerage works or sewage collection, treatment and disposal which serves 100 residential unit equivalents or more and which is owned, operated and maintained by the Cowichan Valley Regional District or a municipality incorporated under the *Local Government Act*;

“**community water system**” means a system of waterworks which serves 50 residential unit equivalents or more and which is owned, operated and maintained by an Improvement District under the *Water Act* or *Local Government Act*, the Cowichan Valley Regional District, or a municipality incorporated under the *Local Government Act*.

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

“**convenience store**” means a *retail* sales outlet contained under one roof, having a *floor area* not exceeding 200 square metres and providing for the sale of items regularly *used* by households, including books, magazines, household accessories, food and beverage, and take out service;

“**custom workshop**” means a workshop where the production, sales and servicing of specialized goods or services, including home cabinets, signs, window coverings, and furniture occurs;

“**day care**” is a community day care facility licensed by Ministry of Health pursuant to the Community Care Facilities Act;

“**derelict motor vehicle**” means any vehicle pursuant to the Motor Vehicle Act and amendments thereto, which has not been licensed for over a period of one (1) year and has not been housed in a garage or carport;

“**dwelling**” means any *building* consisting of one *dwelling unit*, *used* or intended to be *used* as the *residence* of one family;

“dwelling unit” means one or more habitable rooms with self-contained sleeping, living, cooking, eating, sanitary facilities and direct access to the open air without passing through any other similar unit, intended for year round occupancy as the residence of one family;

“equipment” means large mechanical equipment including farm machinery and implements, construction and industrial machinery;

“exterior side parcel line” means a *parcel* boundary, other than a *front parcel line*, located between a *parcel* and a *highway*;

“family” means

(a) two or more persons related by blood, marriage, adoption or foster parenthood sharing one *dwelling*; or

(b) not more than five unrelated persons sharing one *dwelling*;

“fence” means a free standing structure and includes arbour, archway, gate, screen, trellis and wall, including retaining wall; but does not include hedges and similar landscaping;

“fish farm” means the growing and rearing of fish;

“floor area” means the space on any *storey* of a *building* between exterior walls and required firewalls, measured from the outside walls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

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

“funeral home” means a lot, building or structure, or part thereof used for the preparation of deceased persons for burial or cremation and for the viewing of the deceased, and may include accessory meeting rooms, chapel and the sale of funeral supplies and services, but excludes cremation facilities.

“gas bar” means a *use* containing not more than two gasoline pumping stations and which is *used* solely for the sale of motor vehicle fuel, lubricating oil and minor motor vehicle accessories, directly to the users of motor vehicles;

“grade” means the lowest of the average levels of ground adjoining each face of a *structure*;

“gravel processing” means the washing, screening, grading, sorting, crushing, milling, concentration or storage of minerals, rocks, earth, clay, sand or gravel;

“group home” is a community care residential facility licensed by Ministry of Health pursuant to the Community Care Facility Act;

“gross floor area” means the total floor area of all buildings on a parcel measured to the outer limits of the building 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 sun-decks, elevators or ventilating machinery and building features referred to in Section 5.16 of this bylaw;

“guest lodge” means a building with not more than one kitchen, used for the overnight accommodation of transient, temporary paying guests;

“Health and Wellness Studio” means a facility where persons may undertake health-related or wellness-related activities either with or without instruction or coaching, which may include accessory treatment of health conditions or injuries, and accessory offices;

“height” means the vertical distance from the average finished ground level (or the surface water at high water) at the perimeter of a *building* or *structure*, to the highest point of the *building* or *structure*;

“high water mark” means the high water mark identified on the plan of *subdivision* or the plan accompanying the instrument conveying Crown Land in fee simple, which plan was most recently filed in a Land Title Office or *natural boundary* as determined by a B.C. Land Surveyor;

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

“historical centre” means a building or structure used to preserve, protect and display historical artifacts and which is maintained and operated by a non-profit society or a local government;

“home occupation” means a profession, occupation, business or craft and the sale of the services and goods made on the same *parcel* where such activities are carried on as an *accessory use* in a *dwelling* or *accessory building* to the *dwelling*;

“horticulture” means the practice of growing fruits, vegetables, flowers or ornamental plants;

“household equipment” means small equipment commonly used in a residence including appliances, power tools, and exercise equipment;

“industry” means processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking or salvaging goods, materials or things;

“institution” includes an arena, armoury, cemetery, college, community centre, community hall, court of law, fire hall, hospital, library, municipal office, park, playground, police station, public art gallery, public museum, school, stadium or public swimming pool;

“interior side parcel line” means a *parcel* boundary between two *parcels* other than a *front*, *rear* or *exterior side parcel line*;

“in-vessel composting” means intensive aerobic composting of plant and animal material within containers that are enclosed within a building or structure serviced by an air supply, ventilation and leachate control system as per the Composting Regulations of the Waste Management Act.

“jurisdictional boundary” means a line representing a boundary between electoral areas, between municipalities and between regional districts;

“kennel” means the *use* of a *parcel, building, or structure* for the boarding and/or breeding of dogs and cats;

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

“landscape screen” means a visual barrier formed by a hedge of compact plant material, a masonry wall, earth berm or *fence* or a combination thereof, when such screen is continuous except for access driveways and walkways;

“livestock/poultry/crop/produce auction” means a public auction of farm animals, poultry, crops and/or produce, and may include farming – related items such as small farm equipment and farm supplies;

“local farm products” means commodities grown or reared on a farm within 160 km (100 miles);

“manufactured home” means a single family *dwelling unit*, factory built and factory assembled, designed for conveyance after fabrication on a *highway* on its own wheels or on a flatbed or other trailer, and arriving at the site where it is to be occupied as a *dwelling unit* completed and ready for occupancy, with or without wheels, except for minor and incidental unpacking and assembly operations, such as locating on jacks or other foundation, and connection to utilities. Neither a motor home, travel trailer, park model unit, nor recreational vehicle shall be considered a *manufactured home*;

“manufactured home park” means land *used* or occupied for the purpose of providing space for the residential accommodation of *manufactured homes* either on a rental, lease or ownership basis;

“medical marijuana” means a cannabis that is produced and consumed or used for a medical purpose in accordance with the requirements of the Access to Cannabis for Medical Purposes Regulations or any subsequent legislation or regulations which may be enacted in substitution;

“medical marihuana growing and processing” means the cultivation, harvesting, processing, packaging, storage and distribution of plants or parts of plants of the genus *Cannabis* as permitted under the *Marihuana for Medical Purposes Regulation of the Government of Canada*;

“modular home” means a factory built dwelling that:

- (1) conforms to CSA A277 series standard;
- (2) has a pitched roof with a minimum slope of 4:12; and
- (3) is assembled on a permanent foundation.

“motel” means a *building* which contains *temporary sleeping units* for rent for the travelling public and may contain auxiliary *assembly, commerce, entertainment, indoor recreation* or restaurant uses and premises licensed to serve alcoholic beverages;

“multiple family residence” means a *building* containing three or more *dwelling units* and includes townhouse and apartment;

“natural boundary” means:

- (a) the visible winter *high water mark* 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.

“office” means the occupancy or use of a building for the purpose of carrying out business or professional activities, but specifically excludes retail activities and personal service 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 golf course, park and open space, playing field, botanical garden and arboretum. Outdoor recreation does not include motor sports or use of remote controlled vehicles or aircraft;

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

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

“parking space” means the area identified for the parking of one motor vehicle and does not include *aisle space*;

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

“personal care” means a community care facility developed in accordance with the Community Care Facility Act and amendments thereto, or a hospital developed in accordance with the Hospital Act and amendments thereto;

“personal service use” means a commercial establishment which provides direct personal goods or services to persons such as barber shops, hairdressers, drug stores, doctor and dentist offices, laundromats and fitness studios;

“principal” means the primary and chief *use* and the intended *use* of a parcel, *building*, or structure;

“public park” means public land *used* or intended for *outdoor recreation*, or set aside for archaeological, historical or ecological purposes;

“pumphouse” means a *building* not exceeding one storey, measuring not greater than 9.0 square metres in *gross floor area* and *used* exclusively for housing water pumping equipment;

“rear parcel line” means the *parcel* boundary which lies the most opposite to and is not connected to the *front parcel line*;

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

“recreational vehicle” means any vehicle, trailer, coach, camper bus, structure or conveyance designed to travel or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters by travellers;

“Regional District” means the Cowichan Valley Regional District;

“residence” means:

- (a) occupancy or *use* of a *building* or part thereof as a *dwelling*; and
- (b) the *dwelling* occupied or *used* and
- (c) without limiting the generality of (a) and (b) above, a fixed place of living to which a person intends to return when absent;

“residential shelter” means a single *family dwelling* used for the purpose of a temporary *residence* providing emergency and support services for persons leaving physically, psychologically and/or sexually abusive relationships;

“retail” means the sale and rental of goods and wares to the general public;

“religious facility” means an *assembly* building used for public worship;

“secondary suite” means a dwelling unit that does not exceed the floor area limit established in the General Requirements section of this Bylaw, located within a single family dwelling that is capable of being occupied year-round, with a separate entrance, living facilities including provision for sleeping, cooking, sanitation, food storage and preparation;

“setback” means the minimum permitted horizontal distance required under this bylaw between a *building* or *structure* and a specified *parcel* line;

“shot gun” means a firearm designed to be fired from the shoulder with a smoothbore barrel that fires shot shells containing pellets;

“silviculture” means all activities related to the development and care of forests, including seedling and tree nursery and harvesting, but specifically excludes the processing of wood or wood products;

“sleeping unit” means a room or suite of rooms which may or may not contain cooking facilities, used to accommodate any person on a *temporary* basis;

“**small suite**” means a small dwelling unit that does not exceed the floor area limit established in the General Requirements section of this Bylaw, that is not attached to or within a single family dwelling, and is capable of being occupied year-round, with a separate entrance, living facilities including provision for sleeping, cooking, sanitation, food storage and preparation;

“**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;

“**strata lot**” has the same meaning as in the Condominium Act;

“**streamside protection and enhancement area (SPEA)**” means the area so designated by a Qualified Environmental Professional in a Riparian Assessment Report that is registered at the Province of British Columbia, prepared under the *Riparian Areas Regulation*”.

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

“**subdivision**” means the division of land into two or more *parcels*, re-alignment of land or consolidation of *parcels* whether by plan, apt descriptive words or otherwise; and includes *parcels* created under the Land Titles Act and the Condominium Act;

“**temporary**” means a total of less than twenty-two (22) weeks in a calendar year;

“**top of bank**” means the point at which the upward ground level becomes less than one (1.0) vertical to four (4.0) horizontal and refers to the crest of the bank or bluff where the slope changes into a natural upland bench that is a minimum of 15 metres wide;

“**tourist accommodation**” means a *use*, a *building* or *structure* or set of *buildings* or set of *structures*, used for *temporary* accommodation which may contain *sleeping units* and may contain auxiliary *assembly*, *commerce*, entertainment, or restaurant uses, premises licensed to serve alcoholic beverages and staff accommodation and may include a hotel, *motel*, resort lodge or guest cabins;

“**training centre**” means a building or structure used to host seminars, workshops and conduct training but does not include public or private schools;

“**use**”, “**uses**” and “**used**” means the purpose or function to which land, the surface of water, *buildings* or *structures* are designed, used, occupied, intended to be put, or put;

“**utility**” means broadcast transmission, electrical, telephone, sewer, water or solid waste disposal services and facilities established or licensed by a government (excluding private radio or television broadcast towers) and includes navigation aids and seawalls;

“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;

“wetlands” 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;

For convenience purposes within this bylaw, all terms and phrases referenced in Part Three DEFINITIONS, Section 3.1 are italicized throughout this document.

- 4.1 Except as otherwise specified in this bylaw, all provisions of Part Four apply to all zones established under this bylaw.
- 4.2 Except where otherwise specifically stated, this bylaw applies to the entire area of Electoral Area “E” (Cowichan Station/Sahtlam/Glenora), being that certain area of the *Regional District* defined in Schedule “A”.
- 4.3 Land or the surface of water shall not be *used* and *buildings* or *structures* shall not be constructed, altered, located or *used* except as specifically permitted by this bylaw.
- 4.4 Except where otherwise specifically stated and despite Section 4.9, all *uses* permitted by this bylaw include those *uses* reasonably and customarily *accessory* to the permitted *principal* uses and all *buildings* or *structures* reasonably and customarily *accessory* to *buildings* or *structures* constructed, located or *used* with respect to permitted *principal* uses.
- 4.5 Notwithstanding any other provision of this bylaw, the following *uses* are permitted in any zone:
- (a) *utility use*
 - (b) *public park*
 - (c) *group home* for the mentally and/or physically handicapped and/or persons over 55 years of age
 - (d) *residential shelter* operated by a non-profit society or licensed or operated by a Provincial or Federal Agency
- 4.6 The correct name of each zone provided for in this bylaw is set out in Column I of Section 6.1 of this bylaw. The inclusion of the names contained in Column II of Section 6.1 is for convenience only.
- 4.7 If any section, subsection, sentence, clause, phrase, or schedule of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.
- 4.8 Non-conforming *uses* of land, *buildings* and *structures*, as well as siting, size or dimensions of *buildings*, or *structures* are governed by Section 911 of the Municipal Act.
- 4.9 Prohibited Uses
- Any *use* not expressly permitted in this bylaw is prohibited in all zones and where a particular *use* is expressly permitted in one zone, such *use* is prohibited in all zones where it is not expressly permitted. For additional clarity, the following uses are amongst those explicitly prohibited:
- a. cannabis-related business;
 - b. cannabis consumption lounge;
 - c. cannabis production (commercial - medical);
 - d. cannabis production (commercial - non-medical);
 - e. cannabis production (personal - home cultivation);
 - f. cannabis storefront retail;

- 4.10 The provisions of this Bylaw relating to Community Care Facilities shall be binding insofar that they are not repugnant to the Community Care Facility Act, or Regulations made under the Community Care Facility Act.
- 4.11 The provisions of this Bylaw relating to topics covered in all other applicable legislation shall be binding insofar that they are not contrary to such legislation.
- 4.12 The provisions of this Bylaw shall be read in conjunction with all other applicable Bylaws.
- 4.13 Notwithstanding the provisions of this bylaw, uses permitted in Section 13.2 of the Forest Land Reserve Act are permitted on any *parcel* that is within the Forest Land Reserve or that is designated as Managed Forest by the B.C. Assessment authority.

5.1 Applicability

Except as otherwise specified in this bylaw, all provisions of Part Five apply to all zones established under this bylaw.

5.2 Accessory Buildings and Structures

- (a) *Buildings and structures accessory to principal uses* are permitted in any zone.
- (b) No *accessory building or structure* shall be situated on a *parcel* unless the *principal building*, to which the *accessory building* is incidental, has been erected or will be erected simultaneously with the *accessory building* on the same *parcel*.
 - (i) Notwithstanding Section 5.2.b, one small *accessory building or structure* may be permitted for storage purposes but shall not exceed 28 sq. m. of gross floor area.
- (c) Notwithstanding Section 5.2(b) and 5.2(b)(i), an *accessory building* may be situated on a *parcel contiguous* to a *parcel* on which the *principal building* is situated.
- (d) An *accessory building* shall not be *used* as a *dwelling or sleeping unit* except as otherwise provided for in this bylaw.
- (e) No *accessory building* nor *accessory structure* shall be larger than 100 square metres.
- (f) One greenhouse, not exceeding 25 square metres in *floor area* shall be permitted per *parcel* as an *accessory residential structure*. Greenhouses exceeding 25 square metres in *floor area* shall be considered as *agricultural buildings* and shall respect the relevant agricultural building setbacks from parcel lines.

5.3 Agricultural Land Reserve

Notwithstanding the provisions of this bylaw, land within the *Regional District* designated as “Agricultural Land Reserve”, pursuant to the Agricultural Land Commission Act, shall be subject to:

- (a) The Agricultural Land Commission Act.
- (b) Regulations made under the Agricultural Land Commission Act.
- (c) Relevant orders of the Provincial Agricultural Land Commission made under the Agricultural Land Commission Act.
- (d) In the event of differences between the Agricultural Land Commission Act, or the orders of the Provincial Agricultural Land Commission and the regulations of this bylaw, the more restrictive regulation shall prevail.
- (e) The Farm Practices Protection (Right to Farm) Act.
- (f) Regulations made under the Farm Practices Protection Act.

5.4 Attached Garage

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

5.5 Bed and Breakfast Regulations

In the zones 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) The single *family dwelling* shall be occupied as a permanent *residence* by the operator of the *bed and breakfast* accommodations.
- (c) Be conducted by a resident on the *parcel* who may not employ more than one additional non-resident person on the *parcel*.
- (d) Not involve the *use* of more than three rooms at any one time for *temporary* guest accommodation.

5.6 Camping

5.6.1 Camping During House Construction

An owner of a *parcel* may occupy one camping space while in the process of constructing a *dwelling* on a *parcel* provided that the following criteria are met:

- a) The period of occupancy shall not exceed one continuous calendar year;
- b) The camping space shall not be established or occupied until a building permit has been issued for the construction of the *principal dwelling* on the *parcel* nor occupied after occupancy of the *principal dwelling* begins.
- c) Sewage is disposed of at approved off-site locations, or if on-site, in a location and manner acceptable to the jurisdiction having authority;
- d) The camping space shall not be located closer than 4.5 metres from any *parcel* line.

5.7 Contaminated Soil and Waste

Unless explicitly permitted in a zone, no parcel shall be used for the purpose of storing contaminated waste or contaminated soil, if the contaminated material did not originate on the same legal parcel of land that it is being stored on.

5.8 Fences

Except as otherwise specifically stated in this bylaw,

- (a) The *height* of a *fence* or wall shall be measured to the highest point from and perpendicular to a line representing the average *grade* level at the base;
- (b) A *fence* where permitted within a required front yard shall not exceed a *height* of 1.2 metres and *fences* in all other parts of a *parcel* shall not exceed a *height* of 2.0 metres except within zones in which commercial, agricultural, horticultural or industrial *use* is permitted, in which case the maximum *height* permitted is 2.5 metres;
- (c) Notwithstanding the provisions of 5.7(a) and (b) *fences used* for recreational purposes, such as ball parks, playgrounds, golf courses, and other similar sports, public *utility* uses and industrial storage areas shall not exceed a *height* of 4.5 metres provided such *fences* are constructed of material that permits visibility, such as wire mesh;
- (d) *Fences* may be constructed within any required *setback* area except in the sight triangle identified in Section 5.18.

5.9 Forest Land Reserve

Notwithstanding the provisions of this bylaw, land within the *Regional District* designated as “Forest Land Reserve”, pursuant to the Forest Land Reserve Act, shall be subject to:

- (a) The Forest Land Reserve Act.
- (b) Regulations made under the Forest Land Reserve Act.
- (c) Relevant orders of the Forest Land Commission made under the Forest Land Reserve Act.
- (d) In the event of differences between the Forest Land Reserve Act, or the orders of the Forest Land Commission and the regulations of this bylaw, the more restrictive regulation shall prevail.

5.10 Height

5.10 An industrial crane, grain elevator, silo, tower tank and bunker, satellite dish, *religious facility* spire, flag pole, chimney, monument, belfry, dome, monument, smoke and fume disposal and dispersing facilities, drive-in theatre screen, stadium bleacher, lighting pole, radio or television antenna, federally regulated microwave communication tower, stair tower, scenery loft, windmill and elevator shaft may be of unlimited *height*.

5.11 Home Occupation Regulations

- (a) The *home occupation use* may only be conducted by a resident on the *parcel*, and may not employ more than one additional non-resident person on the *parcel*;
- (b) The *home occupation use* may only be conducted within a *dwelling* or within a permitted *accessory building*;
- (c) All articles sold through a *home occupation use* must be produced or manufactured on site with an exception allowing for the incidental selling of goods not manufactured on site but directly related to other activity on the site;
- (d) The *home occupation use* shall be clearly subservient and incidental to the *use* of the *dwelling* for residential purposes and to the residential *use* of the *parcel* or site on which the *dwelling* is located;
- (e) The *home occupation use* shall not involve the *use* of mechanical equipment save as ordinarily employed in purely private domestic and household *use* for recreational hobbies, except for such equipment as may be *used* for a resident physician or dentist;
- (f) Articles manufactured off site may be sold through a *home occupation* provided that all storage and distribution of articles will be carried out off site by persons employed in the *home occupation*.

- (g) The *home occupation use* shall not involve any outdoor business activity nor the exterior storage of any material, container, finished product or equipment used directly or indirectly in the processing or sale or servicing of any product;
- (h) The maximum *floor area* per lot that can be *used for home occupation use* including office space, storage, processing or sale, shall not exceed 100 square metres;
- (i) There shall be no variation of the external residential appearance of the land and premises in which the *home occupation* is carried on;
- (j) Notwithstanding Section 5.10 (d) and (e) *home occupation* involving the repair of vehicles shall:
 - i) be limited to not more than one enclosed service bay with a total area not exceeding 25 square metres;
 - ii) exclusive of the resident's own licensed vehicles, be permitted to park not more than one vehicle out of doors;
 - iii) only involve the repair of vehicles inside a *building*;
- (k) The *home occupation use* shall not produce any offensive odor, noise, dust, smoke, glare, toxic or noxious matter, heat, electrical interference, fire hazard, litter, additional waste, floodlighting, vibration, excessive customer or service traffic, or create a nuisance of any kind other than that normally associated with a *dwelling* or residential use;
- (l) No *home occupation* shall encourage the generation of non-local traffic on residential streets;
- (m) No off site parking associated with the *home occupation use* shall be permitted.
- (n) Any home occupation use must comply with all Regional, Provincial and Federal Environmental Protection Regulations.

5.12 Parking

Cowichan Valley Regional District Parking Standards Bylaw shall apply.

5.13 Residential Use

5.13.1 Number of Dwelling Units Per Parcel

- (a) Not more than one *dwelling unit* shall be located on any one *parcel* except as specifically permitted in this bylaw.
- (b) No *dwelling unit* shall be *used* or occupied by more than one *family*.
- (c) All rooms of a *dwelling unit* shall remain accessible from within that *dwelling unit*.

5.13.2 Residential Use in Non-Residential Zones

- (a) Notwithstanding the *setback* requirements of this bylaw, where a single *family dwelling* is permitted in a commercial, industrial or institutional zone, the following minimum *setbacks* shall apply:

Type of Parcel Line	Residential Use in a Non-Residential Zone
Front	7.5 m.
Side Exterior	4.5 m.
Side Interior	3.0 m.
Rear	4.5 m.

- (b) If the single *family dwelling* is attached to the *principal use* it shall not occupy more than 50% of the *floor area* of the *building*.
- (c) If the single *family dwelling* is a detached single family residential *dwelling* it must be located to the rear of the commercial, institutional or industrial *use*.

5.14 Sale of Products Grown or Reared on the Property

In zones permitted, the sale of products grown or reared on the property shall be permitted provided that the produce stand or agricultural outlet shall not exceed 32 square metres in area and is used exclusively to sell produce or other agricultural products generated on the farm itself.

5.15 Screening and Landscaping

A landscape screen shall be provided as a buffer between any commercial or industrial use and public roads, residential uses and institutional uses.

5.16 Secondary Suite

- (a) The *secondary suite* shall be located within a principal *residence*;
- (b) The *secondary suite* shall be located within the principal residence and shall have a private access;
- (c) The *secondary suite* shall be constructed in accordance with the provisions of the British Columbia Building Code;
- (i) The *secondary suite* shall not occupy more than 40% of the *gross floor area* of the *residence*;
- (ii) The floor area of a *secondary suite* shall not exceed 90 sq. m.

- (d) Prior approval of the jurisdiction having authority for liquid waste disposal shall be obtained before issuance of building permit;
- (e) Prior approval of the jurisdiction having authority for domestic water supply shall be obtained before issuance of building permit;
- (f) Two additional on-site *parking spaces* shall be provided;
- (g) Only one *suite*, either *secondary or small* shall be permitted per parcel;
- (h) An owner of the parcel must occupy either the *secondary suite* or the principal dwelling;
- (i) The secondary suite is subject to Section 5.27 of this Bylaw.

5.17 Setback Exceptions

Except as otherwise provided in particular zones, the *setback* requirements of this bylaw do not apply with respect to:

- (a) *pumphouse*;
- (b) gutters, cornices, sills, belt courses, bay windows, chimneys, exterior finish, heating or ventilating equipment if the projections do not exceed one metre, measured horizontally; and
- (c) eaves, unenclosed stairwells, decks or balconies, canopies and sunshades if the projections, measured horizontally, do not exceed:
 - i) 2 metres in the case of rear yard
 - ii) 1 metre in the case of front yard, or
 - iii) 0.6 m. in the case of side yard
- (d) Notwithstanding any other provision of this bylaw, the consent of the Ministry of Transportation and Highways is required to place any *building* or *structure* within 4.5 metres from the property line adjacent to a *highway* right-of-way;
- (e) signs
- (f) *fences*

no other features may project into a required *setback* area.

5.18 Setback from a Watercourse and Streamside Protection and Enhancement Area (SPEA)

(a) The watercourse setback is as follows: no *building, structure, lane* or *highway*, nor driveway shall be located:

- i) within 30 metres of the *top of bank* of the Cowichan, Chemainus or Koksilah Rivers or;
- ii) within 20 metres of the *natural boundary* of any other *watercourse*, or a lake.

If a SPEA setback would be larger than the watercourse setback, the larger of the two setbacks applies.

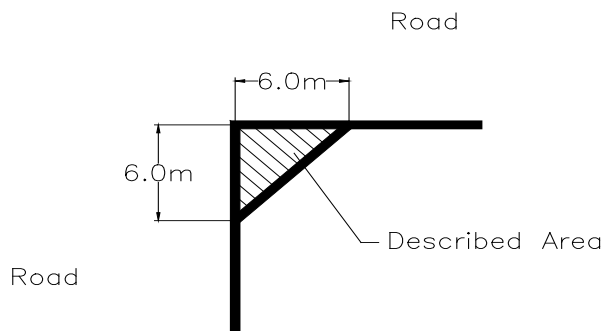
(b) The SPEA setback is as follows: where a Streamside Protection and Enhancement Area (SPEA) has been designated on a parcel, no *building, structure, lane* or *highway*, nor driveway shall be located closer than 7.5 metres or 12.5% of the average parcel depth – whichever is greater – to the SPEA, with parcel depth being measured between the SPEA boundary and the front parcel line. If a watercourse setback would be larger than the SPEA setback, the larger of the two setbacks applies.

(c) Notwithstanding any other provision of this bylaw, no *building* used for the accommodation of livestock shall be located within 30 metres of the *natural boundary* of a *watercourse* or a sea, lake, sandpoint or well.

5.19 Sight Triangle

On a corner parcel contiguous to a highway intersection, no building, structure, fence, shrub, tree or bush shall be allowed at a height greater than 1.0 metre above the established elevation of the centre point of intersecting highways, and within an area extending out from the corner of the parcel and bound by a line joining a point on each parcel line, a distance of 6.0 metres from the corner of the parcel. For greater certainty, a diagram shown as part of this section and labelled “Figure A” depicts the area described in this section.

FIGURE A



5.20 Signage

Notwithstanding Cowichan Valley Regional District Sign Bylaw no person shall erect, construct, place, *use*, maintain, display or cause to be constructed, erected, *used*, maintained or displayed any sign which does not in all respects conform with the applicable requirements.

5.21 Siting - General

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

5.22 Siting of Kennel Buildings

Within a zone in which *kennels* are a permitted *use*, *buildings* and *structures* for the accommodation of dogs, including dog runs, shall not be located within 45 metres of a *parcel* line.

5.23 Small Suites

- (a) The maximum *floor area* of a *small suite* shall not exceed 90 square metres;
- (b) The *small suite* shall be freestanding;
- (c) Two additional on-site *parking spaces* shall be provided;
- (d) Prior approval of the authority having jurisdiction for sewage disposal must be secured before issuance of building permit;
- (e) Prior approval of the authority having jurisdiction for potable water must be secured before issuance of building permit;
- (f) The *small suite* shall not be in the form of a recreational vehicle nor park model unit;
- (g) The *small suite* may be in the form of a mobile, manufactured or modular home but may not exceed a length of 13 m.;
- (h) Only one *suite*, either *secondary* or *small* shall be permitted per *parcel*.
- (i) An owner of the parcel must occupy either the *small suite* or the principal dwelling;
- (j) The small suite is subject to Section 5.27 of this Bylaw;

- (k) A small suite may be incorporated into or attached to an accessory building.
- (l) The *small suite* may be subdivided from the *parcel* upon which it is located only if:
 - i. it is in a zone which would allow for the proposed lot sizes following subdivision;
 - ii. the *principal dwelling* and *small suite* are so located as to allow for setback requirements to be met following subdivision;
 - iii. the approval of the Health Authority for sewage disposal has been obtained
 - iv. all other requirements of subdivision are met.

If the *parcel* upon which the *small suite* 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 *small suite*, register a restrictive covenant on the *parcel* which would prevent its subdivision or the registration of any form of strata plan under the *Strata Property Act* on the *parcel*.

For *parcels* that meet the requirements of (l) i., ii., iii., and iv., following the subdivision, the *dwelling* that was formerly considered to be the *small suite* will no longer be subject to the regulations of Section 5.23 of the Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw.

5.24 Storage of Junk or Wrecks

Unless specifically permitted by this bylaw, no *parcel* shall be used for a junk yard 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; and/or
- (b) Capable of motivation under its own power.

5.25 The Use of Tents, Trailers or Recreation Vehicles as a Residence

A tent, trailer, recreation vehicle, park model unit, bus or other motor vehicle shall not be used as a *residence*.

5.26 Undersized Parcels

Parcels that exist as separate and titled *parcels* in the records of the Land Titles Office, at the time of the passage of this bylaw; or

Parcels that have been reduced to a size that is less than the allowable minimum parcel size, as a result of *highway* widening by the Ministry of Transportation and Highways or;

Parcels that have been created under the authority of a statute of the Province of B.C.;

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

5.27 Covenant Required For More Than One Dwelling per Parcel

Except for subdivisions proposed under Section 5.23(1) of this Bylaw, parcels upon which there are located two or more dwelling units as permitted under this bylaw shall not be subdivided, nor shall any Strata Plan pursuant to the *Strata Property Act* be registered on the parcel or the buildings located on the parcel, and the owner(s) of the parcel shall enter into and register on the title of the parcel a covenant agreement to this effect as a pre-requisite to obtaining a building permit for the extra dwelling(s).

5.28 Minimum Parcel Area for Section 946 Subdivision

Except where a specific S. 946 regulation is contained within a zone under this Bylaw, for the purposes of subdivisions to provide a residence for a relative that may be proposed, the minimum required area of a parent parcel as per Section 946(4) of the *Local Government Act* is as follows:

- (a) for any parcel located in a zone within which the highest possible minimum lot size is 4 hectares or less, the minimum required area of a parent parcel is 4 hectares;
- (b) for any parcel located in a zone within which the smallest possible minimum parcel size is greater than 4 hectares, the minimum required area of a parent parcel is the same as the minimum parcel size of the zone within which the parcel is located.

5.29 Interpretation of Zoning on Parcels with 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 used and subdivided in accordance with that zone's regulations.

5.30 Sewer Infrastructure

The construction, placement or installation of any sewer infrastructure in a designated Streamside Protection and Enhancement Area (SPEA) is not permitted.

5.31 Commercial Cannabis Regulations

- (a) Where cannabis production (commercial – medical) or cannabis production (commercial – non-medical) is permitted in a zone, the use is subject to the following regulations:
 - i. the cannabis producer must be in possession of a valid license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
 - ii. all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
 - iii. all parcels used for that purpose shall be located not less than 300 metres from a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.
- (b) Cannabis production (commercial – medical) is a permitted use on lands located in the ALR in accordance with the Province of British Columbia Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

5.31 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.

6.1 Creation of Zones

The area of Electoral Area “E” - Cowichan Station/Sahtlam/Glenora is divided into the zones identified in Column I and each zone is briefly described in Column II.

COLUMN I	COLUMN II
F-1	Primary Forestry
F-2	Secondary Forestry
A-1	Primary Agricultural
A-1C	Agricultural Conversion
A-1L	Primary Agricultural 1 Lease
A-2	Secondary Agricultural
A-4	Agricultural Institutional
A-5	Agricultural Market
A-6	Special Agricultural
R-1	Rural Residential
R-2	Suburban Residential
R-3	Urban Residential
R-4	Medium Density Residential
R-5	Comprehensive Development Residential
R-6	Bare Land Strata Residential
RF-50/50	Rural Residential /Forestry Conservation Zone
RM-1	Low Density Multi-Family
RM-2	Medium Density Multi-Family
RC-1	River Corridor
MP-1	Manufactured Home Park
C-1	Convenience Store Commercial
C-2	Local Commercial
C-4	Tourist Recreational Commercial
C-5	Local Commercial (Special) 5
P-1	Parks and Institutional
P-2	River Corridor Conservation
P-3	Outdoor Recreation
P-4	Shooting Range
I-1	Light Industrial
I-1A	Special Light Industrial
I-2	Heavy Industrial
I-4	Aggregate and Mineral Processing Industrial
I-5	Restricted Light Industrial
T-1	Railway Transportation

6.2 Definition of Zones

(a) The area of each zone is defined by Schedule B which is attached to and forms part of this bylaw.

- (b) Where a zone boundary is shown on Schedule B as following a road allowance or a *watercourse*, the centre line of the road allowance or *watercourse* shall be the zone boundary.

7.0 FORESTRY AND AGRICULTURAL ZONES

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

7.1 F-1 ZONE - PRIMARY FORESTRY

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an F-1 zone:

- (1) management and harvesting of primary forest products, excluding sawmilling, manufacturing, dry land log sorting operations, *offices* and works yards;
- (2) *agriculture, silviculture, horticulture*;
- (3) *bed and breakfast accommodation**;
- (4) daycare, nursery school accessory to a residential use*;
- (5) *home occupation**;
- (6) one single *family dwelling*;
- (7) *secondary suite**, or *small suite**.

* use may require approval of Forest Land Commission

(b) Conditions of Use

For any *parcel* in an F-1 zone:

- (1) the *parcel coverage* shall not exceed 30 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres;
- (3) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for residential and *accessory uses* in Column II and for *agricultural* and other permitted *uses* in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural and Other Permitted Uses
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

- (4) Notwithstanding Section 7.1(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size in the F-1 zone is 80 Ha.

7.2 F-2 SECONDARY FORESTRY

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an F-2 zone:

- (1) management and harvesting of primary forest products, excluding sawmilling, manufacturing, dry land log sorting operations, *offices* and works yards;
- (2) one single *family dwelling*;
- (3) two single *family dwellings* on *parcels* 6 Ha. or larger*;
- (4) *agriculture, silviculture, horticulture*;
- (5) *bed and breakfast accommodation**;
- (6) daycare or nursery school accessory to a residential use*;
- (7) *home occupation**;
- (8) *secondary suite** or *small suite**.

* use may require approval of Forest Land Commission

(b) Conditions of Use

For any *parcel* in an F-2 zone:

- (1) the *parcel coverage* shall not exceed 30 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres;
- (3) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for residential and *accessory uses* in Column II and for *agricultural* and other permitted *uses* in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural and Other Permitted Uses
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

- (4) Notwithstanding Section 7.2(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 4 Ha.

7.3 A-1 ZONE - PRIMARY AGRICULTURAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-1 zone:

- (1) *agriculture, horticulture, silviculture, turf farm*, fish farm;*
- (2) *one single family dwelling;*
- (3) *a second single family dwelling on parcels six hectares or larger*;*
- (4) *one additional single family dwelling as required for agricultural use*;*
- (5) *bed and breakfast accommodation*;*
- (6) *daycare, nursery school accessory to a residential use*;*
- (7) *home occupation*;*
- (8) *horse riding arena, boarding stable*;*
- (9) *kennel*;*
- (10) *sale of products grown or reared on the property;*
- (11) *secondary suite;*
- (12) *small suite on parcels two hectares or larger*.*

* subject to Land Reserve Commission approval: It is the mandate of the ALC to preserve agricultural land and encourage agriculture. Therefore, the ALC will base its decision on the benefit to or impact on agriculture.

(b) Conditions of Use

For any *parcel* in an A-1 zone:

- (1) the *parcel coverage* shall not exceed 30 percent for all *buildings* and *structures*;
- (2) notwithstanding Section 7.3(b)(1) *parcel coverage* may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- (3) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (4) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for residential and *accessory uses* in Column II, for *agricultural* and *accessory uses* in Column III and for *auction use* in Column IV:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural and Accessory Uses	COLUMN IV Auction Use
Front	7.5 metres	30 metres	45 metres
Interior Side	3.0 metres	15 metres	45 metres
Exterior Side	4.5 metres	15 metres	45 metres
Rear	7.5 metres	15 metres	45 metres

- (5) Notwithstanding Section 7.3(b)(4), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.
- (6) Processing of any farm material not grown or raised on the parcel shall be specifically prohibited;
- (7) A slaughterhouse, abattoir or stockyard shall be specifically prohibited;
- (8) Maintenance and repair of any materials offered for sale shall be specifically prohibited.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 12 Ha.

7.4 A-1C ZONE – AGRICULTURAL CONVERSION

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in an A-1C Zone: (1) Any use permitted in the A-1 Zone

(b) Conditions of Use

For any parcel in an A-1C Zone:

- (1) the parcel coverage shall not exceed 30% for all buildings and structures;
- (2) notwithstanding Section 7.4(b)(1), parcel coverage may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- (3) the height of all buildings and structures shall not exceed 10 m. except for accessory residential buildings which shall not exceed a height of 7.5 m.;
- (4) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II, and for agricultural and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential and Accessory Uses	COLUMN III Agricultural and Accessory Uses
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

- (5) Notwithstanding Section 7.4(b)(4), a building or structure used for the keeping of livestock shall be located not less than 30 metres from all watercourses, sandpoints or wells.
- (6) Processing of any farm material not grown or raised on the parcel shall be specifically prohibited;
- (7) A slaughterhouse, abattoir, or stockyard shall be specifically prohibited;
- (8) Maintenance and repair of any materials offered for sale shall be specifically prohibited.

(c) Minimum Parcel Size

- (1) Subject to Part 12, the minimum parcel size shall be 8 Ha.
- (2) The Density Averaging Formula shall be as follows:

Density Averaging Formula

To create flexibility in the minimum parcel size provisions, in order to benefit agriculture, the minimum parcel size provisions of the A-1C Zone (Agricultural Conversion Zone) may be varied, on the recommendation of the Agricultural Land Commission, with respect to parcels created by means of density averaging, provided that:

- (a) The total area of the land to be subdivided (exclusive of those lands intended for highway) divided by the number of parcels to be created is not less than the equivalent minimum parcel size of 8 ha, permitted under the A-1C zone;
- (b) No more than 50 percent of the parcels created by means of this Section are less than 8 ha in size;
- (c) The smallest parcel so created is not less than forty (40) percent of the minimum parcel size of 8 ha.

Where a subdivision is created by means of density averaging, a restrictive covenant will be registered in the name of the Regional District against the title of the land at the time of the registration of the subdivision, prohibiting the further subdivision of any lot created from the original parcel where the aggregate average of all lot sizes does not permit further subdivision of the original parcel.

7.5 A-1L ZONE – PRIMARY AGRICULTURAL 1 LEASE

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following uses, uses permitted under Section 4.4 and no others are permitted in an A-1A Zone:

- (1) agriculture, horticulture, silviculture, turf farm, fish farm*;
- (2) horse riding arena, boarding stable*;
- (3) kennel*;
- (4) sale of products grown or reared on the property*;

* subject to the regulations or approval of the Agricultural Land Commission

(b) Definition:

Notwithstanding the definition of “parcel” contained in Section 3.1 of this Bylaw, for the purposes of the A-1L Zone only, the following definition of parcel applies:

parcel exclusively means an area of land that is leased for agricultural purposes only and is described by explanatory plan registered in the Land Title Office. In the A-1L Zone, “parcel” does not mean a subdivision in fee simple, or any sort of strata plan.

(c) Conditions of Use

For any parcel in an A-1L Zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings, which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the A-1L Zone are 30 metres from the front parcel line and 15 metres from all other parcel lines;
- (4) notwithstanding Section 7.3(b)(4), a building or structure used for the keeping of livestock shall be located not less than 30 metres from all watercourses, sandpoints or wells;
- (5) processing of any animal or plant products not grown or reared on the parcel is specifically prohibited;
- (6) a slaughter-house, abattoir or stockyard is not permitted;
- (7) maintenance or repair of any equipment offered for sale is not permitted.

(d) Minimum Parcel Size

The minimum parcel size in the A-1L Zone is 2.5 hectares.

7.6 A-2 ZONE - SECONDARY AGRICULTURAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-2 zone:

- (1) *agriculture, horticulture, silviculture, turf farm* and fish farm;*
- (2) *one single family dwelling;*
- (3) *a second single family dwelling on parcels six hectares or larger*;*
- (4) *bed and breakfast accommodation*;*
- (5) *daycare, nursery school accessory to a residential use*;*
- (6) *home occupation*;*
- (7) *sale of products grown and reared on the property;*
- (8) *small suite* or secondary suite*.*

*use may require approval of Agricultural Land Commission

(b) Conditions of Use

For any *parcel* in an A-2 zone:

- (1) *the parcel coverage shall not exceed 30 percent for all buildings and structures;*
- (2) *notwithstanding 7.6(b)(1) parcel coverage may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;*
- (3) *the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;*
- (4) *the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural uses in Column III:*

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural Uses
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

- (5) *notwithstanding Section 7.6(b)(4), a building or structure used for the keeping of livestock shall be located not less than 30 metres from all watercourses, sandpoints or wells.*

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 2 Ha.

A-4 ZONE – AGRICULTURAL INSTITUTIONAL(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-4 zone:

- (1) agriculture;
- (2) institutional camping*;
- (3) environmental protection and conservation;
- (4) one single-family dwelling accessory to a permitted use.

*subject to Land Reserve Commission approval.

(b) Definition

Notwithstanding the definitions of *campground* and *campground space* in Section 3.1 of this Bylaw, the following definition applies in the A-4 Zone:

Institutional camping means the temporary accommodation of persons or groups in tents and bunkhouses, and associated recreational activities.

(c) Conditions of Use

For any *parcel* in an A-4 Zone:

- (1) The *parcel coverage* for *buildings* and *structures* will not exceed 20 percent;
- (2) The height of all *buildings* and *structures* will not exceed 7.5 metres;
- (3) The minimum *setbacks* for all *buildings* and *structures* is 6 metres to all *parcel* lines;
- (4) Bunkhouses are only permitted on *parcels* that are at least 3 hectares in area;
- (5) Notwithstanding the density provisions in this zone, an event may be held for the duration of three days, which exceeds the maximum number of individuals permitted per parcel, subject to receipt of a special events license from the CVRD, in accordance with Bylaw No. 40.

(d) Density

In the A-4 Zone, the following density provisions apply:

- (1) The maximum density of camping sites will not exceed 1 site per hectare of *parcel* area
- (2) The maximum number of individuals accommodated in a camping site will not exceed 36
- (3) The maximum number of individuals accommodated in a bunkhouse will not exceed 40
- (4) 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.

(e) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size is 2.0 ha.

7.8 A-5 ZONE - AGRICULTURAL MARKET

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-5 zone:

- (1) any *use* permitted in the A-1 zone*;
- (2) sale of agricultural products, plant nursery products and *accessory* sales of gardening supplies;
- (3) processing, storage and retail sales of local farm products;
- (4) food and beverage café, accessory to a use permitted in 7.8(a)(2) and (3)*.

(b) Conditions of Use

For any *parcel* in the A-5 zone:

- (1) the *parcel coverage* shall not exceed 30% for all *building* and *structures*;
- (2) Notwithstanding Section 7.8(b)(1) *parcel coverage* may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- (3) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (4) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for residential and *accessory uses* in Column II and *agricultural uses* in Column III:

COLUMN I Type of Parcel Line	COLUMN II Non-Agricultural Principal and Accessory Uses	COLUMN III Agricultural Uses
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

- (5) notwithstanding Section 7.8(b) (3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells;
- (6) food and beverage café use shall not exceed 125m² of indoor floor area and 125 m² of outdoor patio and deck area, and a maximum seating capacity of 65 persons;
- (7) a slaughterhouse, abattoir or stockyard shall be specifically prohibited.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 5.0 ha.

7.9 A-6 ZONE - SPEICAL AGRICULTURAL

(a) Permitted Uses

- (1) agriculture; horticulture, silviculture, turf farm, fish farm;
- (2) one single family dwelling, including workshop and meeting space for the benefit of disabled individuals;*
- (3) five additional single family dwellings of less than 250 m²*
- (4) one additional single family dwelling as required for an agricultural use;
- (5) daycare, nursery school accessory to a residential use;*
- (6) home occupation;*
- (7) horse riding arena, boarding stable;*
- (8) sale of products grown or reared on the property;
- (9) small suite.*

*subject to Agricultural Land Commission approval

(b) Conditions of Use

For any parcel in an A-6 Zone:

- (1) The parcel coverage shall not exceed 20 percent for all buildings and structures;
- (2) Notwithstanding Section 7.9(b)(1) parcel coverage may be increased by an additional 15% of the site area for the purpose of constructing greenhouses;
- (3) The height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (4) The setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential and Accessory Uses	COLUMN III Agricultural and Accessory Uses
Front	7.5 metres	45 metres
Interior Side	3.0 metres	45 metres
Exterior Side	4.5 metres	45 metres
Rear	7.5 metres	45 metres

- (5) Notwithstanding Section 7.9(b)(4), a building or structure for the keeping of livestock shall be located not less than 30 metres from all watercourses, sandpoints or wells;
- (6) Processing of any farm material not grown or raised on the parcel shall be specifically prohibited;
- (7) Maintenance and repair of any materials offered for sale shall be specifically prohibited.

(c) Minimum Parcel Size

Subject to Part 12, the minimum parcel size in the A-6 Zone shall be 38 ha.

8.0 RESIDENTIAL ZONES

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

8.1 R-1 ZONE - RURAL RESIDENTIAL

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an R-1 zone:

- 1) *agriculture, horticulture, silviculture, turf farm, fish farm;*
- 2) *one single family dwelling;*
- 3) *a second single family dwelling on parcels 6 hectares or larger;*
- 4) *bed and breakfast accommodation;*
- 5) *daycare, nursery school accessory to a residential use;*
- 6) *home occupation;*
- 7) *horse riding arena, boarding stable;*
- 8) *sale of products grown or reared on the property;*
- 9) *secondary suite or small suite.*

(b) Conditions of Use

For any *parcel* in an R-1 zone:

- (1) the *parcel* coverage shall not exceed 30 percent for all *buildings* and *structures*; provided however that *parcel* coverage may be increased an additional 20% for the purpose of constructing greenhouses;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for residential *use* in Column II; for agricultural *use* in Column III, and for *accessory residential uses* in Column IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural Use	COLUMN IV Accessory to Residential Use
Front	7.5 metres	30 metres	7.5 metres
Interior Side	3.0 metres	15 metres	1.0 metres
Exterior Side	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	1.0 metres

- (4) Notwithstanding Section 8.1(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 5 Ha.

8.2 R-2 ZONE - SUBURBAN RESIDENTIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an R-2 zone:

- (1) one single *family dwelling*;
- (2) a second single *family dwelling* on parcels 6 Ha or larger;
- (3) *agriculture, horticulture*;
- (4) *bed and breakfast accommodation*;
- (5) *daycare*, nursery school *accessory* to a residential *use*;
- (6) *home occupation*;
- (7) *secondary suite* or *small suite*.

(b) Conditions of Use

For any *parcel* in the R-2 zone:

- (1) the *parcel coverage* shall not exceed 30 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for the residential, *agricultural* and *accessory uses* listed in Columns II, III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural Use	COLUMN IV Accessory to Residential Use
Front	7.5 metres	30 metres	7.5 metres
Interior Side	3.0 metres	15 metres	1.0 metres
Exterior Side	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	1.0 metres

- (4) Notwithstanding Section 8.2(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be as follows:

- 1) 0.4 Ha. for *parcels* served by a *community water* and *sewer system*;
- 2) 0.8 Ha. for *parcels* served by a *community water system* only;
- 3) 2.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

8.3 R-3 ZONE - URBAN RESIDENTIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an R-3 zone:

- 1) one single *family dwelling*;
- 2) *bed and breakfast accommodation*;
- 3) *daycare, nursery school accessory to a residential use*;
- 4) *home occupation*;
- 5) *horticulture*;
- 6) *secondary suite or small suite*.

(b) Conditions of Use

For any *parcel* in an R-3 zone:

- (1) the *parcel coverage* shall not exceed 25 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for the residential and *accessory uses* listed in Column II and III;

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Accessory to Residential Use
Front	7.5 metres	7.5 metres
Interior Side	3.0 metres	1.0 metres
Exterior Side	4.5 metres	4.5 metres
Rear	4.5 metres	1.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.09 Ha. for *parcels* served by *community water* and *sewer system*;
- (2) 0.2 Ha. for *parcels* served by a *community water system* only;
- (3) 2.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

8.4 R-4 ZONE – MEDIUM DENSITY RESIDENTIAL

(d) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an R-4 zone:

- (1) *Single family dwelling*;
- (2) *Two family dwelling*;
- (3) *Home occupation*;
- (4) *Horticulture*.

(e) Conditions of Use

For any *parcel* in an R-4 Zone:

- (1) The *parcel coverage* for *buildings* and *structures* shall not exceed 40 percent for all buildings and structures;
- (2) *Dwelling units* shall not exceed 130 m² in floor area;
- (3) Attached or detached garages shall not exceed 55 m² in floor area;
- (4) The *height* of all *buildings* and *structures* shall not exceed 7 metres and shall not exceed one story;
- (5) In the R-4 zone, all *dwelling units*, *parcels*, or *strata lots* shall be connected to a *community water system* and *community sewer system*;
- (6) The minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	4.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	4.5 metres

(f) Density

The maximum density of *dwelling units* shall not exceed 17 units per ha of *parcel* area.

(g) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 1.0 ha for *parcels* served by a *community water system* and *community sewer system*.

8.5 RM-1 ZONE - LOW DENSITY MULTI-FAMILY RESIDENTIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an RM-1 zone:

- (1) *multiple family residence*;
- (2) *day care*, nursery school, *accessory* to a residential use;
- (3) *home occupation*.

(b) Conditions of Use

For any *parcel* in the RM-1 zone:

- (1) the *parcel coverage* shall not exceed 40 percent for all *buildings* and *structures*;
- (2) the *height* of any *principal building* or *structure* shall not exceed 7.5 metres;
- (3) the *height* of any *accessory building* shall not exceed 4 metres;
- (4) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for the *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Exterior Side	4.5 metres
Interior Side	3.0 metres
Rear	7.5 metres

- (5) no *parking space* or driveway shall be located within 3.0 metres of windows of habitable rooms or within 1.5 metres of a *parcel* line.

(c) Density

The maximum density of *dwelling units* shall not exceed 20 units per Ha of *parcel* area.

8.6 RM-2 ZONE - MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an RM-2 zone:

- (1) *multiple family residence*;
- (2) *day care*, nursery school, *accessory* to a residential use;
- (3) *home occupation*.

(b) Conditions of Use

For any *parcel* in the RM-2 zone:

- (1) the *parcel coverage* shall not exceed 40 percent for all *buildings* and *structures*;
- (2) the *height* of any *principal building* or *structure* shall not exceed 7.5 metres;
- (3) the *height* of any *accessory building* shall not exceed 4 metres;
- (4) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for the *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Interior Side	3.5 metres
Exterior Side	4.5 metres
Rear	7.5 metres

- (5) no *parking space* or driveway shall be located within 3.0 metres of windows of habitable rooms or within 1.5 metres of a *parcel* line.

(c) Density

The maximum density of *dwelling units* shall not exceed 30 units per Ha of *parcel* area.

8.7 RC-1 ZONE - RIVER CORRIDOR

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an RC-1 zone:

- (1) one single *family dwelling*;
- (2) *agriculture, horticulture, silviculture*;
- (3) *bed and breakfast accommodation*;
- (4) *daycare*, nursery school *accessory* to a residential *use*;
- (5) *home occupation*;
- (6) *secondary suite* or *small suite*.

(b) Conditions of Use

For any *parcel* in the RC-1 zone:

- (1) the *parcel coverage* shall not exceed 20 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for the residential, *accessory* and agricultural *uses* listed in Columns II, III and IV.

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Accessory Residential Use	COLUMN IV Agricultural Use
Front	7.5 metres	7.5 metres	30 metres
Interior Side	3.0 metres	1.0 metres	15 metres
Exterior Side	4.5 metres	4.5 metres	15 metres
Rear	4.5 metres	1.0 metres	15 metres

- (4) Notwithstanding Section 8.6(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 20 Ha.

8.8 MP-1 ZONE - MANUFACTURED HOME PARK

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an MP-1 zone:

- (1) *manufactured home park*;
- (2) *daycare* or nursery school *accessory* to a residential use;
- (3) *home occupation*.

(b) Conditions of Use

The *height* of all buildings and structures shall not exceed 7.5 m., except for accessory buildings which shall not exceed a *height* of 4.5 m.

(c) Density

For any *parcel* in the MP-1 zone the maximum density of *dwelling units* shall not exceed 15 units per hectare of *parcel* area.

(d) Minimum Parcel Size

- (1) Subject to Part 12, the minimum *parcel* size shall be 2 Ha.
- (2) Notwithstanding Section 8.7(d), provided that in the case of strata title *manufactured* home parks, the minimum *parcel* size shall be 325 square metres for a single wide *manufactured home* and 460 square metres for a double wide *manufactured home*, but in no case shall exceed a density of 15 units per ha.

8.9 R-5 ZONE – COMPREHENSIVE DEVELOPMENT RESIDENTIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in the R-5 Zone:

(a) Permitted Uses

The following uses, plus the uses permitted under Section 4.4, and no other uses, are permitted in the R-5 Zone:

- (4) One single family dwelling per parcel;
- (5) Agriculture, horticulture, including horse riding arena and boarding stable, subject to Section 8.9(b)(4) below;
- (6) Home occupation;
- (7) Bed and Breakfast accommodation;
- (8) Daycare, nursery school accessory to a residential use;
- (9) Secondary suite or small suite.

(b) Conditions of Use:

For any parcel in the R-5 Zone:

- (1) the parcel coverage for buildings and structures shall not exceed 20 percent;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this Section are listed for the residential, agricultural and accessory uses in Columns II, III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use Setbacks	COLUMN III Agricultural Use and accessory to Agricultural Use Setbacks	COLUMN IV Accessory to Residential Use
Front	7.5 metres	30 metres	7.5 metres
Interior Side	3.0 metres	15 metres	1.0 metres
Exterior Side	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	1.0 metres

- (4) Horse riding arenas and boarding stables are only permitted on parcels of land that exceed 3 hectares in area.

(c) Density and Density Bonus

Subject to Part 12, the following regulations apply in the R-5 Zone:

- (1) The number of parcels that may be created by subdivision in the R-5 zone must not exceed 22, including any remainder parcel.
- (2) Despite Section 8.9(c)(1), the number of parcels that may be created by subdivision in the R-5 zone may be increased to 50 if the conditions in Sections 8.9(c)(6) through (8) are met.
- (3) Density averaging is permitted, provided that the average density in any subdivision, excluding any remainder parcel, does not exceed one parcel per 1.6 hectares of gross land area.
- (4) The minimum parcel area for the purposes of s.946(4) of the *Local Government Act* is 25 hectares.
- (5) The minimum parcel area is 1 hectare.
- (6) In respect of each 4 parcels created in excess of 22, one of the parcels 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 set out in Section 8.9(c)(10), and the costs of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.
- (7) Each parcel transferred to the regional district must be selected by the Regional District on the basis of the proposed plan of subdivision, being neither the most valuable nor the least valuable of the lots in the proposed subdivision.
- (8) Each parcel transferred to the regional district must be fully provided with hydro, cable and telephone service and highway frontage improvements to the standard provided in the rest of the subdivision, as well as a driveway to the property line, all as determined by an inspection of the parcel by the Regional District prior to the transfer. The subdivider must also provide to the Regional District proof of potable water and on-site sewage disposal capability, each as required by the local health authority or the subdivision approving officer. No parcel transferred to the Regional District may be a strata lot.
- (9) In the event that a particular subdivision creates a number of parcels producing a fraction of a parcel to be transferred under Section 8.9(c)(6), the subdivider must transfer a parcel in relation to the fraction, with the obligation to transfer parcels under this Section being adjusted upon subsequent subdivision so that the total number of parcels transferred to the Regional District under this Section does not exceed 7.
- (10) The parcels transferred to the Regional District under Section 8.9(c)(6) must be used for:
 - i. the provision of fire protection services, including the sale of one or more of the parcels and the deposit of the proceeds into the Sahtlam Fire Protection Service Area statutory reserve fund; or
 - ii. community park purposes, including the sale of one or more of the parcels and the deposit of the proceeds into an Electoral Area E or Electoral Area F community parks statutory reserve fund.

8.10 R-6 ZONE – BARE LAND STRATA RESIDENTIAL ZONE

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

a. Permitted Uses

The following *uses, uses* permitted under Section 4.4, and no others are permitted in an R-6 zone:

- (1) *modular home*
- (2) *single family dwelling*
- (3) *daycare or nursery school accessory to a residential use;*
- (4) *home occupation*
- (5) *horticulture*

b. Conditions of Use

For any *parcel* in the R-6 zone:

- (1) the *parcel coverage* shall not exceed 35%
- (2) the *height* of all *buildings* and *structures* shall not exceed 6.0 metres, except for accessory buildings, which shall not exceed a *height* of 4.5 metres.
- (3) *Buildings* shall not exceed a single *storey*.
- (4) *Dwellings* shall not exceed a *gross floor area* of 120 square metres.
- (5) *Accessory Buildings* shall not exceed a combined *gross floor area* of 30 square metres.
- (6) The minimum *setbacks* for the types of *parcel lines set out in Column I of this section* are set out for the *principal* and *accessory uses* listed in Column II and III;

COLUMN I Type of Parcel Line	COLUMN II Principal Use	COLUMN III Accessory Use
Front	5.5 m	5.5 m
Interior Side	2.0 m	1.0 m
Exterior Side	3.0 m	2.0 m
Rear	4.5 m	1.0 m.

- (7) In no case shall the number of *dwelling units* per *parcel* exceed one.
- (8) All residential *parcels* shall be connected to a sewer and water system owned and operated by the CVRD and designed to CVRD specifications, including but not limited to:
 - A recycled water treatment and distribution system to supply treated waste water for irrigation and toilets;
 - Water metering for individual homes and a rate structure to encourage conservation;
 - Registration of a covenant on all residential parcels to require “low flow” fixtures and appliances and the use of native and drought tolerant plant species for landscaping;

- (9) Prior to subdivision, a covenant shall be registered on all residential *parcels* to:
- Require all dwellings to be heated primarily by air-to-air heat pumps unless otherwise authorized by the CVRD;
 - Require dwellings to be heated primarily by ground source heat pumps if the CVRD chooses to establish and finance a district energy system;
 - Establish decibel limitations on heat pumps;
 - Require dwellings to be insulated to an R2000 standard or better;
 - Require dwellings to have roughed in facilities for auxiliary wood or gas heating.

(c) Density and Density Bonus

Subject to Part 12, the following regulations apply in the R-6 Zone

- (1) The number of residential parcels that may be created by subdivision in the R-6 zone must not exceed 3, including any remainder parcel.
- (2) Despite Section 8.10(c)(1), the number of residential parcels that may be created by subdivision in the R-6 zone may be increase to 18 if park land in the form of a titled lot, with a minimum area of 0.81 hectares, in a location acceptable to the Regional District, is provided at no cost.
- (3) Despite Section 8.10(c) (1) and (2), the number of residential parcels that may be created by subdivision in the R-6 zone may be increased to 50 if the conditions in Sections 8.10(c)(7) are met.
- (4) The minimum parcel area for the purposes of s. 946(4) of the *Local Government Act* is 25 hectares.
- (5) The minimum residential parcel size is 400 square metres.
- (6) The maximum residential parcel size is 460 square metres.
- (7) In order to develop any residential lot in excess of 18, a strata-owned amenity building and grounds must be constructed that will include:
 - i) A minimum gross floor area of 650 square metres;
 - ii) Interior improvements and furnishings, including a common kitchen and dining room, workshops, dance studio and meeting rooms;
 - iii) A minimum of 20 paved parking spaces;
 - iv) Site landscaping.

8.11 RF-50/50 ZONE – RURAL RESIDENTIAL/FORESTRY CONSERVATION ZONE

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses, uses* permitted under Sections 4.4 and 4.5, and no others are permitted in an RF-50/50 zone:

- (1) One single family *dwelling*;
- (2) *agriculture, horticulture, silviculture*;
- (3) *daycare* or nursery school *accessory* to a residential *use*;
- (4) *home occupation*;
- (5) *secondary suite*.

(b) Conditions of Use

For any *parcel* in the RF-50/50 zone:

- (1) the *parcel coverage* shall not exceed 30% for all *buildings* and *structures*.
- (2) the *height* of all *buildings* and *structures* shall not exceed 10.0 metres, except for accessory buildings, which shall not exceed a *height* of 7.5 metres.
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this Section are listed for the residential, non-agricultural, agricultural and *accessory* uses in Column II and III.

COLUMN I Type of Parcel Line	COLUMN II Residential and Non-Agricultural Principal and Accessory Uses	COLUMN III Agricultural Principal and Accessory Uses
Front	7.5 m	30 m
Interior Side	3.0 m	15 m
Exterior Side	4.5 m	15 m
Rear	4.5 m	15 m.

- (4) Notwithstanding Section 8.11(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Density and Density Bonus

- (1) In no case shall the minimum parcel size be less than 1 hectare.
- (2) The minimum parcel area for the purpose of s. 946(4) of the *Local Government Act* is 25 hectares.
- (3) Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in black on Schedule A of Bylaw No. 3338, shall be subject to Density and Density Bonus provisions of Section 13.1.
- (4) The South ½ of Section 9, Range 8, Sahtlam District (PID 009-850-741, Cowichan Valley Trap and Skeet Club) shown outlined in black and identified as “Area B” on Schedule A of Bylaw No. 3807 shall be subject to Density and Density Bonus provisions of Section 13.2.

9.0 COMMERCIAL ZONES

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

9.1 C-1 ZONE - CONVENIENCE STORE COMMERCIAL**(a) Permitted Uses**

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in a C-1 zone:

- (1) *convenience store*;
- (2) *gas bar*;
- (3) one single *family dwelling per parcel accessory to a convenience store or gas bar use*.

(b) Conditions of Use

For any *parcel* in a C-1 zone:

- (1) the *parcel coverage* shall not exceed 50 percent for all *buildings and structures*;
- (2) the *height* of all *buildings and structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings and structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.1 Ha. for *parcels* served by a *community water and sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system only*;
- (3) 1.0 Ha. for *parcels* served neither by a *community water or sewer system*.

9.2 C-2 ZONE - LOCAL COMMERCIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an C-2 zone:

- (1) arcade, billiard and games room and bowling alley;
- (2) business or commercial private school;
- (3) funeral parlours;
- (4) gas bar;
- (5) hardware and camping supply sales, excluding external storage of goods;
- (6) *offices*, banks, credit unions and other financial establishments;
- (7) parking garages and lots, bus depots;
- (8) *personal service establishments*;
- (9) plant nurseries, *horticulture*, *retail* sales of gardening supplies and produce, *accessory* outdoor storage;
- (10) printing and publishing, libraries;
- (11) repair, servicing, sales and rentals of personal and household goods and power tools, electric and electronic equipment, but excluding external storage of goods;
- (12) restaurants, catering;
- (13) *retail* stores, including *convenience stores* and automotive parts and accessory sales but excluding external storage of goods;
- (14) veterinary clinic;
- (15) one single *family dwelling* per *parcel* *accessory* to a use permitted in Section 9.2(a)(1) to (14).

(b) Conditions of Use

For any *parcel* in a C-2 zone:

- (1) the *parcel coverage* shall not exceed 50 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.1 Ha. for *parcels* served by a *community water and sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

9.3 C-4 ZONE - TOURIST RECREATIONAL COMMERCIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in a C-4 zone:

- (1) *campground*;
- (2) *golf driving range and mini-golf facility*;
- (3) *restaurant*;
- (4) *tourist accommodation*;
- (5) *accessory retail sales, gift shop*;
- (6) *one single family dwelling per parcel accessory to a use permitted in Section 9.3(a)(1) to (4).*

(b) Conditions of Use

For any *parcel* in a C-4 zone:

- (1) the *parcel coverage* shall not exceed 20 percent for all *buildings* and structures;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.2 Ha. for *parcels* served by a *community water and sewer system*;
- (2) 0.4 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

9.4 C-5 ZONE – LOCAL COMMERCIAL (SPECIAL)

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in the C-5 Zone:

(a) Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in a C-5 Zone:

- (1) animal hospital and veterinary clinic;
- (2) arcade, billiard and games room and bowling alley;
- (3) automotive sales and repair;
- (4) business or commercial private school;
- (5) funeral parlours;
- (6) gas bar;
- (7) hardware and camping supply sales, excluding external storage of goods;
- (8) *offices*, banks, credit unions and other financial establishments;
- (9) parking garages and lots, bus depots;
- (10) *personal service establishments*;
- (11) plant nurseries, *horticulture*, *retail* sales of gardening supplies and produce, *accessory* outdoor storage;
- (12) printing and publishing, libraries;
- (13) repair, servicing, sales and rentals of personal and household goods and power tools, electric and electronic equipment, but excluding external storage of goods;
- (14) restaurants, catering;
- (15) *retail* stores, including *convenience stores* and automotive parts and accessory sales but excluding external storage of goods;
- (16) one single *family dwelling* per *parcel accessory* to a use permitted in Section 9.4(a)(1) to (15).

(b) Conditions of Use

For any *parcel* in a C-5 zone:

- (1) the *parcel coverage* shall not exceed 50 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size is:

- (1) 0.1 ha for *parcels* served by a *community water and sewer system*;
- (2) 0.3 ha for *parcels* served by a *community water system* only;
- 1.0 ha for *parcels* served neither by a *community water* or *sewer system*.

9.5 INTEGRATED COMMUNITY COMPREHENSIVE DEVELOPMENT (CD1)

(a) Permitted Uses

The following uses, uses permitted under Section 4.5 and no others are permitted in a CD-1 Zone, and shall be located as set out in Figure B, Appendix Section 13.2:

Accommodation/Institutional

- (1) *Bed and Breakfast;*
- (2) *Guest Lodge;*
- (3) *Hostel;*
- (4) *Historical Centre;*
- (5) *Art Gallery;*
- (6) *Training Centre;*
- (7) *Day Care;*

Business Park

- (8) *Custom workshop*
- (9) *Contractor's workshop, yard and storage;*
- (10) *Food Processing, excluding fish processing, abattoirs and slaughterhouses;*
- (11) *Catering;*
- (12) *Office;*
- (13) *Repair, servicing, sales and rentals of personal and household goods and power tools, electric and electronic equipment, but excluding external storage of goods;*
- (14) *Retail sales accessory to a principal use;*
- (15) *Horticulture;*

Residential

- (16) *Single family dwelling;*
- (17) *Two family dwelling;*
- (18) *Multiple family residence;*
- (19) *Home occupation;*
- (20) *Horticulture.*

(b) Conditions of Use

For any parcel in the CD-1 Zone:

- (1) Uses of land and construction of buildings and structures within the CD-1 Zone are subject to the regulations specified in Appendix Section 13.2;
- (2) The parcel coverage shall not exceed 40% for all buildings and structures;
- (3) The height of any principal building shall not exceed 10 metres;
- (4) The height of accessory buildings shall not exceed 6 metres;
- (5) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for residential and residential accessory uses in Column II and for non-residential uses in Column III

Column I Type of Parcel Line	Column II Residential & Accessory Uses	Column III Non-residential Use
Front	7.5 metres	7.5 metres
Interior Side	3.0 metres; or 1 metre where the abutting parcel is zoned P-1	3.0 metres where the abutting parcel is zoned Industrial, Institutional or Commercial 6.0 metres where the abutting parcel is zoned Residential, Multi-family Residential, or Agricultural
Exterior Side	4.5 metres	4.5 metres
Rear	4.5 metres	3.0 metres where the abutting parcel is zoned Industrial, Institutional or Commercial 6.0 metres where the abutting parcel is zoned Residential, Multi-family Residential, or Agricultural

(c) Minimum Parcel Size

- (1) Subject to Part 12, the minimum parcel size shall be 1 ha.

10.0 PARKS AND INSTITUTIONAL ZONES

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

10.1 P-1 ZONE - PARKS AND INSTITUTIONAL**(a) Permitted Uses**

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in a P-1 zone:

- (1) *assembly*;
- (2) *civic use*, transportation facility including airport;
- (3) ecological reserve, *public park*, greenbelt;
- (4) *institution, religious facility*;
- (5) *personal care* facility;
- (6) public botanical garden;
- (7) public school, private school including boarding facilities and *accessory* staff accommodation;
- (8) one single *family dwelling per parcel accessory* to a *use* permitted in Section 10.1(a)(1) to 10.1(a)(7).

(b) Conditions of Use

For any *parcel* in a P-1 zone:

- (1) the *parcel coverage* shall not exceed 40 percent for all *buildings* and *structures*;
- (2) the *height* for all *buildings* and *structures* shall not exceed 12.0 metres;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.2 ha for parcels served by a community water system and a community sewer system;
- (2) 0.4 ha for parcels served by a community water system only;
- (3) 1.0 ha for *parcels* served neither by a *community water* or *sewer system*.

10.2 P-2 ZONE – RIVER CORRIDOR CONSERVATION

Subject to Compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in the P-2 Zone:

(a) Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in a P-2 Zone:

- (1) public trails, nature interpretation;
- (2) natural preserve, ecological reserve, public park, greenbelt.

(b) Conditions of Use

For any parcel in a P-2 Zone:

- (1) no buildings or structures are permitted, except those which support permitted uses under Section 10.2(a);
- (2) nature interpretive signs are permitted.

(c) Minimum Parcel Size

Subject to Part 12, the minimum parcel size in the P-2 Zone is 10 hectares.

10.3 P-3 ZONE - OUTDOOR RECREATION

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in a P-3 zone:

- (1) *outdoor recreation*;
- (2) restaurant or licensed premises *accessory* to an *outdoor recreation use*;
- (3) one single *family dwelling* per *parcel accessory* to an *outdoor recreation use*;

(b) Conditions of Use

For any *parcel* in a P-3 zone:

- (1) the *parcel coverage* shall not exceed 20% for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 7.5 metres;
- (3) the *setbacks* for the types of *parcel* line set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 1.0 Ha.

10.4 P-4 ZONE – SHOOTING RANGE

(a) Permitted uses

The following uses, uses permitted under Section 4.5 and no others are permitted in a P-4 zone:

- (1) Outdoor recreational *shot gun* shooting between the hours of 6:00 pm and 9:00 pm on Tuesday evenings and between the hours of 10:00 am and 6:00 pm on not more than two weekend days in any calendar month which may not be consecutive days;
- (2) *Outdoor recreation*;
- (3) *Assembly*, accessory to a permitted use under s. 10.4(a)(1) to (3);
- (4) Single family dwelling.

(b) Permitted Buildings and Structures

The following buildings and structures are, notwithstanding ss. 4.4 and 5.2(a), the only buildings and structures permitted in the P-4 zone:

- (1) One clubhouse;
- (2) Up to four trap fields which may include shooting bunkers;
- (3) Up to two skeet shooting towers that may consist of high and low skeet houses;
- (4) One single family dwelling;
- (5) Accessory buildings and structures for storage and shelter.

(c) Conditions of Use

- (1) Trap and skeet fields, shooting bunkers and shooting towers must be located at least 100 metres from all property boundaries;
- (2) A forested buffer of at least 60 metres must be maintained from all property boundaries;
- (3) Vehicle parking spaces must be provided at the rate required for recreational uses in the Regional District's parking standards bylaw;
- (4) The *height* of all *buildings* and *structures* shall not exceed 7.5 metres;
- (5) Parcel coverage shall not exceed 50 percent for all buildings and structures.

(d) Minimum Parcel size

Land in the P-4 zone may not be subdivided, but may be subdivided from land in other zones.

(e) Special Event Temporary Uses

- (1) Temporary uses not permitted by this Bylaw may be permitted by a special events temporary use permit as follows:
 - a. Outdoor recreational shot gun shooting between the hours of 6:00 pm and 9:00 pm on a weekday other than Tuesday that is specified in the permit, which need not be the same day of the week in every week, provided that not more than one weekday in any calendar week is used for recreational shooting on the premises;

- b. Outdoor recreational shot gun shooting on two consecutive weekend days specified in the permit, between the hours of 9:00 am and 6:00 pm; and
 - c. Outdoor recreational shot gun shooting on weekend days in excess of two weekend days per calendar month that are specified in the permit, between the hours of 9:00 am and 6:00 pm.
- (2) A special events temporary use permit may specify any condition that the Regional Board considers appropriate for managing the impact of the temporary use on residents of the surrounding area.

11.0 INDUSTRIAL ZONES

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

11.1 I-1 ZONE - LIGHT INDUSTRIAL**(a) Permitted Uses**

The following *uses, uses* permitted under Section 4.4, and no others are permitted in an I-1 zone:

- (1) retail stores, including convenience stores, automotive rental, and automotive parts and accessory sales;
- (2) auction grounds;
- (3) automotive repair, sales, body repair, painting, wrecking, storage, salvage;
- (4) café, restaurant, take out service, catering;
- (5) cannabis-related business;
- (6) cannabis storefront retailing;
- (7) clothing and garment manufacturing, laundry, dry cleaning, repair and storage;
- (8) contractor's workshop, yard and storage;
- (9) electric and electronic equipment manufacturing;
- (10) equipment repair, sales, storage and rental;
- (11) feed, seed and agricultural supplies, sales and storage;
- (12) food and candy products manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, but excluding fish cannery and abattoir;
- (13) industrial processing, manufacturing, repair, storage and packaging;
- (14) *kennels* for the keeping, boarding, raising, training and/or breeding of cats and dogs and animal hospital;
- (15) laboratory;
- (16) lumber and storage yards, sale of wholesale and *retail* building supplies;
- (17) modular or prefabricated home structure and truss manufacturing and sale;
- (18) parking garage, recreational vehicle storage and sale;
- (19) processing and sale of gardening and landscaping supplies and materials;
- (20) publishing;
- (21) retail and wholesale sale of petroleum products and accessory storage of petroleum products not exceeding 455,000 litres;
- (22) secondary processing and manufacturing of wood products, including the making of cabinets, furniture, plywood, lath and particle board and similar products; but excluding sawmills, pulp and paper mills and log storage and sorting;
- (23) recycling, sorting and storage of substances or materials, including in-vessel composting;
- (24) warehouse, including mini-warehouse, freight handling and storage;
- (25) welding shop;

- (26) *office accessory to a principal use* permitted in Section 11.1(a)(1) to (25);
- (27) *retail sales accessory to a principal use* permitted in Section 11.1(a)(1) to (25);
- (28) single family dwellings accessory to a permitted use under Section 11.1(a)(1) through (27), subject to the regulations established by Section 11.1(b)(5);
- (29) funeral home;
- (30) health and wellness studio.

(b) Conditions of Use

For any *parcel* in an I-1 zone:

- (1) the *parcel coverage* shall not exceed 50 percent for all *buildings and structures*;
- (2) the *height* for all *buildings and structures* shall not exceed 10.0 metres;
- (3) notwithstanding the uses permitted in Section 11.1(a) of the Industrial-1 Zone, no sewage, septage, biosolids, animal manure, animal material or animal substance shall be stored or utilised in an industrial process on a parcel in the Light Industrial Zone;
- (4) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings and structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	4.5 metres
Interior Side	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional
Exterior Side	4.5 metres
Rear	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional

- (5) The number of accessory residences permitted on any parcel in the I-1 Zone is one. One additional accessory residence is permitted per parcel for every 0.4 hectares of parcel area, but only if the parcel lies within the Eagle Heights Sewer Service Area and is connected to this system.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.1 Ha. for *parcels* served by a *community water and sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

- (d) In addition to the permitted uses listed in Subsection (a), cannabis production (commercial - medical) and cannabis production (commercial – non-medical) is a permitted use on the following properties:
 - a. Lot 6, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan 2948RW (PID: 005-848-661)
 - b. Lot 7, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan VIP73527 (PID: 005-848-695)
 - c. Parcel A, Lot 1, Plan VIP18716, Section 8, Range 1, Land District 16 Portion (DD 389698I), (PID: 003-790-479)
 - d. Lot 1, Plan VIP18716, Section 8, Range 1, Land District 16, EXC PCL A (DD 389698I) THEREOF (PID: 001-349-554)

- (e) Notwithstanding the permitted uses listed in Subsection (a), cannabis-related business and cannabis storefront retailing is a prohibited use on the following properties:
 - a. Lot 6, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan 2948RW, (PID: 005-848-661)
 - b. Lot 7, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan VIP73527, (PID: 005-848-695)
 - c. Parcel A, Lot 1, Plan VIP18716, Section 8, Range 1, Land District 16, Portion (DD 389698I), (PID: 003-790-479)
 - d. Lot 1 Plan VIP18716, Section 8, Range 1, Land District 16, EXC PCL A (DD 389698I) THEREOF (PID: 001-349-554)

11.1(A) I-1A ZONE – SPECIAL LIGHT INDUSTRIAL 1A

(a) Permitted Uses

The following *uses, uses* permitted under Section 4.4 and no others are permitted in an I-1A zone:

- (1) retail stores, including convenience stores, automotive rental, and automotive parts and accessory sales;
- (2) auction grounds;
- (3) animal hospital;
- (4) automotive repair, sales, body repair, painting;
- (5) café, restaurant, take out service, catering;
- (6) cannabis-related business;
- (7) cannabis storefront retailing;
- (8) clothing and garment manufacturing, repair and storage;
- (9) contractor's workshop, yard and storage;
- (10) electric and electronic equipment manufacturing;
- (11) equipment repair, sales, storage and rental;
- (12) feed, seed and agricultural supplies, sales and storage;
- (13) food and candy products manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, but excluding fish cannery and abattoir;
- (14) funeral home;
- (15) gardening and landscaping supplies and sales;
- (16) health and wellness studio;
- (17) industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- (18) laboratory;
- (19) lumber and storage yards, sale of wholesale and retail building supplies;
- (20) modular or prefabricated home structure and truss manufacturing and sale;
- (21) parking garage, recreational vehicle storage and sale;
- (22) publishing;
- (23) secondary processing and manufacturing of wood products, including the making of cabinets, furniture, plywood, lath and particle board and similar products; but excluding sawmills, pulp and paper mills and log storage and sorting;
- (24) recycling facility for bottles, wood, metal and/or paper, excluding automobile parts and any type of composting, septage, animal materials, or animal substance;
- (25) warehouse, including mini-warehouse, freight handling and storage;
- (26) welding shop;
- (27) *office* accessory to a *principal* use permitted in Section 11.1A(a)(1) to (26);
- (28) *retail* sales accessory to a *principal* use permitted in Section 11.1A(a)(1) to (26);
- (29) single family dwellings accessory to a permitted use under Section 11.1A(a)(1) through (26), subject to the regulations established by Section 11.1A(b)(4).

(b) Conditions of Use

For any *parcel* in an I-1A Zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height for all buildings and structures shall not exceed 10.0 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	4.5 metres
Interior Side	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional
Exterior Side	4.5 metres
Rear	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional

- (4) The number of accessory residences permitted on any parcel in the I-1A Zone is one. One additional accessory residence is permitted per parcel for every 0.4 hectares of parcel area, but only if the parcel lies within the Eagle Heights Sewer Service Area and is connected to this system.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.1 hectare for *parcels* served by a *community water* and *sewer system*;
- (2) 0.3 hectare for *parcels* served by a *community water system* only;
- (3) 1.0 hectare for *parcels* served neither by a *community water* or *sewer system*.

11.2 I-2 - HEAVY INDUSTRIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(c) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4 and no others are permitted in an I-2 Zone:

- (1) Cannabis production (commercial - medical);
- (2) Cannabis production (commercial – non-medical);
- (3) Dry land log sorting operation;
- (4) Sawmilling;
- (5) Storage and maintenance of forestry machinery and equipment;
- (6) Uses customarily incidental to forestry operations;
- (7) Single family residence;
- (8) Buildings and structures accessory to a permitted use.

(b) Conditions of Use

For any *parcel* in an I-2 zone:

- (1) the *parcel coverage* shall not exceed 50% for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 15 m.;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Interior & Exterior Side	9.0 metres
Rear	9.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be:

- (1) 0.1 Ha. for *parcels* served by a *community water* and *sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

11.3 I-4 - AGGREGATE AND MINERAL PROCESSING INDUSTRIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an I-4 zone:

- (1) asphalt batch plant, concrete batch plant and *accessory* pre-cast concrete products manufacturing;
- (2) *gravel processing*;
- (3) one single *family dwelling* per *parcel* *accessory* to a *use* permitted in Section 11.3(a) 1 and 11.3(a) 2;
- (4) office *accessory* to a *principal use* permitted in Section 11.3.(a)1 and 11.3 (a)2.

(b) Conditions of Use

For any *parcel* in an I-4 zone:

- (1) the *parcel coverage* shall not exceed 20 percent for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 20 metres;
- (3) the *setbacks* for the types of *parcel* lines set out in Column I of this section as set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	15 metres
Interior and Exterior Side	15 metres
Rear	15 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum parcel size shall be

- (1) 0.8 Ha. for *parcels* served by a *community water* and *sewer system*;
- (2) 0.8 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

11.4 I-5 - RESTRICTED LIGHT INDUSTRIAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Principal Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in an I-5 zone:

- (1) agricultural equipment manufacture, repair, storage and accessory retail and wholesale sales; excluding automotive, truck, recreational vehicle and boat sales and servicing;
- (2) bulk sale of agricultural supplies, feed and seed;
- (3) lawn and garden equipment manufacture, sales, repair and storage;
- (4) light industrial manufacture, repair and storage and accessory retail and wholesale sales;
- (5) one office and one single family dwelling per parcel accessory to the uses permitted in Section 11.4(a)(1) to 11.4(a)(4);

(b) Secondary Permitted Uses

The following *uses* are considered secondary permitted uses, and are permitted only in conjunction with a Principal Permitted Use:

- (1) Equipment sales, rental and repair;
- (2) Household equipment sales, rental and repair.

(c) Conditions of Use

For any parcel in an I-5 zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Interior & Exterior Side	9.0 metres
Rear	9.0 metres

(d) Minimum Parcel Size

Subject to Part 12, the minimum parcel size shall be:

- (1) 0.2 Ha. for parcels served by a community water and sewer system;
- (2) 0.4 Ha. for parcels served by a community water system only;
- (3) 1.0 hectares for parcels served neither by a community water or sewer system.

11.5 T-1 ZONE – RAILWAY TRANSPORTATION

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations shall apply in the T-1 Zone:

(a) Permitted Uses

The following uses and no others are permitted in a T-1 Zone:

- (1) Railways, including passenger and freight services and light rail transit;
- (2) Terminal facilities for passenger and freight rail services;
- (3) Railway stations and railway depots;
- (4) Roundhouses, engine sheds and railway vehicle maintenance facilities;
- (5) Other uses customarily incidental to the operation of a railway.

(b) Condition of Use

Notwithstanding Section 4.3 of this Bylaw, no parcel in a T-1 Zone shall be used for the burial of public utilities or pipelines if these would interfere with the use of the T-1 zoned transportation corridor for railway use.

- 12.1 With respect to the zones, identified in Column I of Section 6.1 and briefly described in Column II, the minimum *parcel* size shall be as identified by the minimum *parcel* size provisions of each zone, except to the extent as varied by the following provisions:
- 12.2 In the case of bare land strata *subdivision*, the minimum *parcel* size may vary within the development, but in no case shall the number of *strata lots* created exceed the density requirements as stated in each zone.
- 12.3 (a) The minimum parcel size provisions specified in each zone may be decreased by as much as five (5%) percent in a case where due to:
- i) unusual terrain,
 - ii) the size or configuration of the *parcel*, or
 - iii) additional *highway* dedication being required above and beyond what is necessary to serve the *parcel* to be created,
- the *parcel* size as stated in each zone cannot be achieved and therefore subdivision would be precluded provided that at the decreased size all other requirements of this and any other relevant bylaws may be met.
- (b) The provisions of Section 12.3(a) shall apply to not more than one *parcel* to be created.
- 12.4 Existing *parcels* may be consolidated and re-subdivided into new *parcels* for matters of convenience, provided that:
- (a) All parts of all new *parcels* are *contiguous*;
 - (b) No additional lots are created;
 - (c) The boundary change does not result in the reduction of either *parcel* by 20% or more of its original size;
 - (d) The requirements of this bylaw respecting siting of *buildings* and *structures* is complied with.
- 12.5 Notwithstanding the minimum *parcel* size provisions of each zone:
- (a) Where a portion of a parcel is physically separated from the remainder of the parcel by a public road or another parcel, the physically separated portion may be subdivided from the remainder of the parcel, to an absolute minimum area of 2000 m² where the parcel is serviced with community water, and 1 hectare where the parcel is not serviced with community water. This regulation only applies to parcels and public roads in existence at the date of adoption of this bylaw;

- (b) Where a *parcel* is cut in two by a *jurisdictional boundary* line the *parcel* may be subdivided along the *jurisdictional boundary* line.

12.6 No subdivision or boundary adjustment, which creates new parcels separated by a road or another parcel, shall be approved unless a covenant is registered in the name of the Cowichan Valley Regional District prohibiting the further subdivision of the newly created severed parcel prior to subdivision approval. This covenant requirement also applies to new dedications of public road, occurring outside of the subdivision process. Even in the event that the Ministry responsible for creating new roads neglects to register the covenant against the title, no subdivision of a separated parcel shall be permitted, other than in conformity with the regulations of the zone in which the parcel is located.

12.7 Subdivision following Dedication of a Road, Park or Trail

The minimum parcel size provisions of this Section do not apply in the case of a subdivision of a parent parcel into two parcels, when that parcel becomes separated by a road, park or trail corridor that has been dedicated to the Regional District, provided that:

- i. The parent parcel is identified in Section 13.2 Appendices;
- ii. The minimum width of a dedicated road is 20 metres, or the minimum width of a dedicated trail corridor is 10 metres;
- iii. The parcels created by the plan comply with Section 944 of the *Local Government Act*;
- iv. The requirements of this bylaw respecting siting of buildings and structures is complied with;
- v. The parcels created by the plan are an absolute minimum of one hectare where the parcel is not serviced with community water, and 2000 m² where the parcel is serviced by community water.

12.8 Where a *parcel* is a panhandle lot the access strip (or panhandle) shall not be calculated as part of the *parcel* area for purposes of determining minimum *parcel* size.

12.9 (a) Where a parcel is a panhandle lot capable of further *subdivision*, the panhandle shall be of adequate width to provide a future road in the event the *parcel* undergoes further *subdivision*.

- (b) The further *subdivision* of a panhandle lot shall be conditional upon the Ministry of Transportation and Highways Approving Officer determining the need for dedication of the panhandle as a public road (highway).

12.10 The minimum *parcel* size provisions as specified in each zone shall not apply:

- (a) where the *parcel* being created is to be used solely for the unattended equipment necessary for the operation of:
 - i) a bus shelter, railway station, public transit station;
 - ii) a *community water system*;
 - iii) a *community sewer system*;

- iv) a community gas distribution system;
- v) a community radio or television broadcasting antenna;
- vi) a radio or television broadcasting antenna;
- vii) a telecommunication relay station;
- viii) an automatic telephone exchange;
- ix) an air or marine navigation aid;
- x) other public *utilities* not specifically listed but considered to be similar in nature to those uses listed in i) to ix) above.

(b) to parks; or

(c) where the owner agrees in writing to registering a condition or covenant on title in favour of the Regional district at the time the *subdivision* is registered, and shall restrict or prohibit the construction of *buildings* or *structures* on, and/or the *use* of any *parcel*.

12.11 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 expropriation or purchase, shall be considered to have the same size as it did 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 this zone in which the parcel is located. No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.

12.12 Subdivision of Parcels Containing a Water Body, Watercourse or Wetland

Where a parcel contains all or part of a water body, watercourse or wetland, the area of the 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*.

13.1 Subject to Part 12, the following regulations apply to Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A of Bylaw No. 3338:

- (1) The number of residential parcels that may be created by subdivision on the subject lands must not exceed 3.
- (2) Despite Appendix 1(1), the number of parcels that may be created by subdivision may be increased to 25 if the conditions in Appendix 1(5) are met.
- (3) Despite Appendix 1 (5), the number of parcels that may be created by subdivision may be increased to 41 if the conditions in Appendix 1 (7) are met.
- (4) Density averaging is permitted, provided that the average density in any subdivision, including public land dedication, does not exceed one parcel per 2.0 hectares of gross land area.
- (5) In respect of any parcel created in excess of 3, an area of land equivalent to 47.13 hectares must be transferred to the Regional District 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, at no cost to the Regional District.
- (6) Land provided to the Regional District described in Appendix 1 (5) may be phased, if the area of public land dedicated is at least proportional to the area of land to be subdivide.
- (7) In respect to any parcel created in excess of 25, one parcel 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 purposes set out in Appendix 1 (9) and the cost of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.
- (8) The parcel transferred to the Regional District referred to in Appendix 1 (7) must generally be located in the northern portion of the subject property, with the location and boundaries of the parcel approved by the Regional District.
- (9) The parcel transferred to the Regional District under Appendix 1 (7) must be used for community park purposes, including the sale of the parcel and the deposit of the proceeds into an Electoral Area E parks statutory reserve fund.
- (10) Notwithstanding Appendix 1 (7), the subdivider may register a restrictive covenant against the parcel referred to in the Section, precluding sale of the parcel for five years following registration of the subdivision and the sale of the lot below market price.
- (11) Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:

- a) All dwellings placed or constructed on the subject lands must have an air-to-air heat pump, geo-source heat pump or an equivalent energy efficient heating system acceptable to the General Manager of the Planning and Development Department;
- b) All dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;
- c) Dwellings shall be situated and designed so as to maximize solar gain in the winter and minimize solar gain in the summer.

13.2 Subject to Part 12, the following regulations apply to that part of The South ½ of Section 9, Range 8, Sahtlam District (PID 009-850-741, Cowichan Valley Trap and Skeet Club) shown outlined in black and identified as “Area B” on Schedule A of Bylaw No. 3807.

- (1) The number of residential parcels that may be created by subdivision on the subject lands must not exceed 2.
- (2) Concurrent with construction of a public trail on land used for park and conservation purposes, the owner must install fencing and signage as necessary to discourage public access onto adjacent P-4 zoned lands.
- (3) Concurrent with construction of a public trail on land used for park or conservation purposes, the owner must install fencing between the public trail and residential lots within the RF 50/50 Zone.
- (4) Fencing referred to in Section 13.2 will be low impact page wire, of a minimum height of 1.2 metres.
- (5) Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:
 - a. All dwellings placed or constructed on the subject lands must have an air-to-air heat pump, geo-source heat pump or an equivalent energy efficient heating system acceptable to the General Manager of the CVRD’s Planning & Development Department;
 - b. All dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;
 - c. Dwelling shall be situated and designed so as to maximize solar gain in the winter and minimize solar gain in the summer, or be designed and constructed to achieve a minimum EnerGuide rating of 82.

13.3 Identification of Road, Trail or Parkland Acquisitions Priorities

The CVRD considers it within the public interest to acquire road dedication through Section 7, Range 8, Sahtlam District, except parts in Plan VIP80873, for the purpose of connecting the public road network west of the subject property (Hanks Road) with Riverbottom Road and Barnjum Road to the east.

13.4 In addition to the regulations specified in Section 9.5 (CD-1 Integrated Community Comprehensive Development Zone), the following regulations apply to Lot 6, Section 13, Range 6, Quamichan District, Plan 7797 as shown shaded in grey on Schedule ‘A’ of Bylaw No. 3552.

Location of Uses

1. Permitted uses shall be set out as illustrated on Figure B, and are divided into 3 categories: Residential, Accommodation/Institutional, and Business Park.
2. The CD-1 (Integrated Community Comprehensive Development) Zone outlines the permitted uses within each of the above-referenced categories.
3. The distribution of single family residential development and multi-family development shall be as shown on Figure B.
4. The following sections outline additional requirements relevant to each category of use.

Business Park

5. All uses must be carried on within an enclosed building except for storage of material permitted under Section 13.2 (7).
6. A maximum of four buildings or a total building footprint of 505 m² is permitted within the business park.
7. Outdoor storage area within the business park shall not exceed 10% of the total gross floor area of buildings.

Residential

8. The maximum density of dwelling units shall not exceed 23 units per Ha of parcel area;
9. Maximum gross floor area of single family dwelling units is 55 m²;
10. Maximum gross floor area of multi-family dwelling units is 90 m²;
11. The maximum number of single family dwellings per parcel is 6.
12. One residential accessory building is permitted per dwelling unit.

Accommodation/Institutional

13. A maximum of 8 bedroom accommodation units shall be used for guest sleeping accommodation in a *guest lodge* or hostel.
14. A *guest lodge* or hostel shall be limited to a maximum occupancy of 20 adult persons at any one time.
15. Within a *guest lodge*, the sale or provision of food to non-overnight patrons is prohibited.
16. Within a *guest lodge, bed and breakfast* or hostel, no person shall occupy a bedroom accommodation unit for more than ten (10) weeks in a calendar year.

Parking

17. On-site parking requirements are specified within CVRD Off-street Parking Bylaw No. 1001.
18. For the purposes of providing adequate parking, shared parking areas may be provided on the subject property.

PART FOURTEEN

TRANSITION

14.1 Cowichan Valley Regional District Zoning Bylaw No. 1090 and all amendments thereto, are hereby repealed.

READ A FIRST TIME this 27TH day of May, 1998

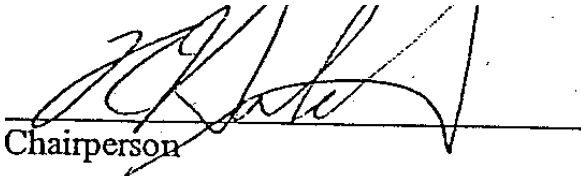
READ A SECOND TIME this 22nd day of July, 1998

READ A THIRD TIME this 14th day of October 1998

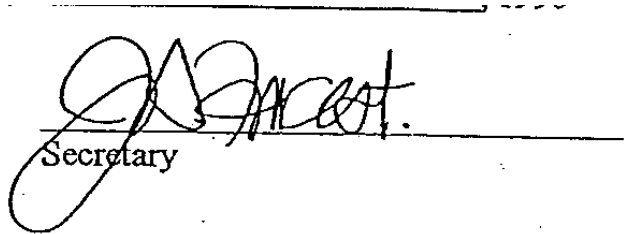
Secretary

Date

Adopted this 16th day of December, 1998



Chairperson



Secretary

SCHEDULE A

Commencing at the north west corner of Section 12, Range 1, Quamichan Land District; thence westerly along the northerly boundary of Section 6 in Ranges 10 and 9, Sahtlam Land District, to the north west corner of said Section 6, Range 9; thence southerly along the westerly boundary of Section 6, Range 9, to the south west corner thereof; thence westerly along the northerly boundary of Section 5 in Ranges 8, 7, 6, 5, 4, 3, 2 and 1 to the north west corner of said Section 5, Range 1; thence southerly along the westerly boundaries of Sections 5, 4, 3, 2 and 1 in Range 1 to the south west corner of said Section 1, Range 1, Sahtlam Land District; thence easterly along the southerly boundaries of Section 1 in Ranges 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Sahtlam Land District, Ranges 1, 2, 3, 4, 5, 6, 7 and 8, Quamichan Land District, and Section 1, Range 1, Cowichan Land District, to the south east corner of said Section 1, Range 1; thence northerly along the westerly boundary of Sections 1 and 2, Range 2, to the point of intersection with the south westerly limit of the Esquimalt and Nanaimo Railway Company's right-of-way; thence south easterly along said south westerly limit to the point of intersection with the westerly boundary of Section 20, Range 3, Shawnigan Land District; thence northerly and easterly along the westerly and northerly boundaries of said Section 20, Range 3, to the westerly boundary of Lot 1 of Section 20, Range 3, Shawnigan Land District and Section 1, Range 3, Cowichan Land District, as shown on Registered Plan 2127 on deposit in the Land Registry Office, Victoria; thence northerly and easterly along the westerly and northerly boundaries of said Lot 1 to the north east corner thereof; thence north to the centre line of Trans Canada Highway as established on the ground, and shown on Registered Plans 1115RW, 1007RW, 1036RW and 590RW on deposit in the Land Registry Office, Victoria; thence in a general north westerly direction along the said centre line to the point of intersection with the northerly boundary of Section 14, Range 6, Quamichan Land District; thence westerly along the northerly boundary of Section 14, Range 6, and the prolongation westerly thereof to a point due south of the south east corner of the West Half of Section 17, Range 5, being also a re-entrant angle of Indian Reserve No. 1 (Cowichan); thence north to the said south east corner of the West Half of Section 17, Range 5; thence westerly along the southerly boundary of Section 17 in Ranges 5, 4 and 3 to the north east corner of Section 16, Range 2; thence southerly along the easterly boundary of Sections 16 and 15 in Range 2 to the most southerly point of intersection with the middle line of Cowichan River; thence south westerly along said middle line to the point of intersection with the southerly boundary of Section 15, Range 2; thence westerly along the said southerly boundary to the north east corner of Section 14, Range 1; thence southerly along the easterly boundaries of Sections 14 and 13 in Range 1 to the point of intersection with the aforesaid middle line of Cowichan River; thence in a general westerly direction along said middle line to the point of intersection with the westerly boundary of Section 12, Range 1, Quamichan Land District; thence northerly along said westerly boundary to the aforesaid north west corner of Section 12, Range 1, Quamichan Land District, being the point of commencement, save and except thereout any lands, foreshore or land covered by water lying within the corporate limits of any city, district, town or village municipality or any land, foreshore or land covered by water that may be hereafter incorporated therein.

Including: Commencing at the southwest corner of Section 15, Range 7, Quamichan Land District; thence westerly along the northerly boundary of Section 14, Range 6 and the prolongation westerly thereof to a point due south of the southeast corner of the West Half of Section 17, Range 5, being also a re-entrant angle of Cowichan Indian Reserve Number 1; thence north to the said southeast corner of the West Half of Section 17, Range 5; thence northerly along the easterly boundary of the said West Half of Section 17,

Range 5, to the most northerly northwest corner of aforesaid Cowichan Indian Reserve Number 1, as shown on Plan 52724, Canada Lands Surveys Records on file in the Victoria Land Title Office under Registered Plan 2363 O.S.; thence easterly along the said northerly boundary of said Cowichan Indian Reserve Number 1 as shown on said Plan 52724, to the northwest corner of Section 17, Range 6; thence southerly along the westerly boundary of said Section 17, to the southwest corner thereof; thence easterly along the southerly boundary of said Section 17, Range 6 to the point of intersection with the southerly limit of Trunk Road as shown on said Plan 52724; thence easterly along the said southerly limit of Trunk Road as shown on said Plan 52724 and Plan 52999, Canada Lands Surveys Records, on file in the Victoria Land Title Office under Registered Plan 1540 RW to the point of intersection with the westerly limit of the Trans Canada Highway, Number 1, as shown on said Plans 52724 and 52999; thence southerly along the westerly limit of said Trans Canada Highway as shown on said Plans 52724 and 52999, to the point of intersection with the westerly prolongation of the southerly boundary of the City of Duncan as shown on plan of survey filed in the Victoria Land Title office as D.F. 75239; thence easterly along the said westerly prolongation to the point of intersection with the westerly boundary of Section 15, Range 7, thence southerly along the westerly boundary of said Section 15, Range 7 to the aforesaid southwest corner thereof, being the point of commencement and containing by admeasurement 117.74 hectares of land more or less and 12.48 hectares of foreshore and land covered by water, more or less.

Excluding: Commencing at the northwest corner of Lot 114-7 of Registered Plan 52724, Canada Lands Survey Records, (C.L.S.R.), on file in the Victoria Land Title Office, under Registered Plan 2363 O.S. and being a point on the easterly limit of Government Street and being within the Cowichan Indian Reserve Number 1; thence southeasterly along the southwesterly boundary of said Lot 114-7, Cowichan Indian Reserve Number 1, Plan 52724, C.L.S.R., to the point of intersection with the easterly boundary of said Cowichan Indian Reserve Number 1; thence southerly along the easterly boundary of said Cowichan Indian Reserve Number 1, to the northeast corner of Lot 114-9-3 of Cowichan Indian Reserve Number 1, Registered Plan 59007, C.L.S.R. and being a point on the southwesterly limit of Government Street, thence northwesterly along the northeasterly boundaries of Lots 114-9-3 and 114-9-2 of Plan 59007, C.L.S.R. and Lots 114-6 and 114-5 of Plan 52724, C.L.S.R. Cowichan Indian Reserve Number 1, to the most northerly northeast corner of said Lot 114-5 of Plan 52724, C.L.S.R.; thence northerly in a straight line to the southeast corner of Lot 114-1 of Cowichan Indian Reserve Number 1, Plan 52724, C.L.S.R.; thence northerly along the easterly boundary of said Lot 114-1 of Plan 52724, C.L.S.R. to the northeast corner thereof and being a point on the northerly boundary of Cowichan Indian Reserve Number 1; thence easterly along the northerly boundary of said Cowichan Indian Reserve Number 1 to the aforesaid northwest corner of Lot 114-7 of Plan 52724, C.L.S.R. being the point of commencement and containing by admeasurement 1.0 hectares of land more or less.