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**Cowichan Valley Regional District  
Electoral Area F – Cowichan Lake South/Skutz Falls**

# **Zoning Bylaw**

**No. 2600**



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Cowichan Valley Regional District  
**Electoral Area F – Cowichan Lake South/Skutz Falls  
Zoning Bylaw No. 2600**

**Amended up to and including Bylaw No. 4122**

**CONSOLIDATED FOR CONVENIENCE ONLY**

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



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 Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway.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

## **AMENDING BYLAWS:**

- 2842 F-1 Lot Size – April 11, 2007 – Text Only
- 2913 The Village At Paldi; Cherokee Land Investments, November 26, 2008 – Text and Map
- 3023 Kuhnke – April 9, 2008 – Map Only
- 3217 Juch and Ferguson – December 10, 2008 – Map Only
- 3234 Bahler – October 14, 2009 – Map Only
- 3282 Cowichan River Bible Camp – December 9, 2009 – Map Only
- 2981 CVRD for Ministry of Environment – April 14, 2010 – Map Only
- 3233 Polaris/Nicholson - April 14, 2010 – Map Only
- 3472 Hignell – July 13, 2011 – Text and Map
- 3331 Cooper – June 13, 2012 – Map Only
- 3596 All Sports Lands Ltd. – August 8, 2012 – Text and Map
- 3752 Medical Marihuana Regulations – April 9, 2014 – Text Only
- 3800 Mesachie Lake Post Office – May 14, 2014 – Map Only
- 3857 Swimming Pool Fencing – May 13, 2015 – Text Only
- 4059 Road End Water Zoning – December 13, 2017 – Map Only
- 4122 Cannabis Regulations – September 26, 2018 – Text Only

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**COWICHAN VALLEY REGIONAL DISTRICT**

**ZONING BYLAW NO. 2600**

**A Bylaw To Establish Zones And Regulate  
The Use Of Land, Water, Buildings And Structures  
Within Electoral Area F – Cowichan Lake South/Skutz Falls**

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

- a. Pursuant to Section 903 of the *Local Government Act*, regulate or prohibit the use of land, the surface of water, buildings and structures on land and water in Electoral Area "F" – Cowichan Lake South/Skutz Falls;
- b. Regulate the density of the use of land, water surfaces, buildings and structures, and the siting, size and dimensions of buildings and structures and the uses that are permitted on the land;
- c. Regulate the shape, dimension and area, including the establishment of minimum and maximum sizes of all parcels of land that may be created by subdivision;
- d. Regulate the provision of off-street parking and loading spaces pursuant to Section 906 of the *Local Government Act*;
- e. Regulate the provision of screening and landscaping to mask or separate certain land uses, pursuant to Section 909 of the *Local Government Act*.

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

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**PART ONE**

**INTERPRETATION**

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**1.1 Title**

This Bylaw may be cited for all purposes as "**CVRD Zoning Bylaw No. 2600, 2005, Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**".

**1.2 Application**

This Bylaw shall be applicable to all lands, including the surface of water, and all uses, buildings and structures located within Electoral Area "F" – Cowichan Lake South/Skutz Falls of the Cowichan Valley Regional District, as indicated on Schedule "A", the Zoning Map, which is attached to and forms part of this Bylaw.

**1.3 Definitions**

In this bylaw:

**“abattoir”** means the use of land, buildings or structures for the slaughter of livestock, animals, fish, poultry and other fowl and the preliminary processing of animal carcasses;

**"accessible"** means that a disabled person, without assistance from another person, is able to approach, enter, pass to and from and make use of an area and/or its facilities;

"**accessory**" means ancillary or subordinate to, customarily incidental to, and associated with a principal use, building or structure;

"**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);

"**ALR**" means the provincial Agricultural Land Reserve, designated pursuant to the *Agricultural Land Commission Act*;

"**alteration**" means a structural change to a building or structure and also includes:

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

"**animal hospital**" means a building or part thereof provided for the prevention, treatment, care and alleviation of disease and injury to animals and includes a shelter for animals exclusively for animals during their period of treatment and recovery;

"**animal trials centre**" means an area of land for the purpose of animal training and competitions involving trained animals;

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

"**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;

"**block**" – see definition of "parcel";

"**Board**" means the Board of Directors of the CVRD;

"**building**" means any structure, wholly or partly enclosed by a roof or roofs supported by walls or columns, which is used or intended to be used for supporting or sheltering any use accommodating persons, animals, chattels or things;

"**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 the temporary accommodation of 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;

.../2

“*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 for 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, including but not limited to federal, provincial, regional and municipal offices, public schools and colleges, publicly owned and operated hospitals, fire halls, community halls, libraries, museums, parks, cemeteries, jails and prisons, courts of law, waterworks facilities and sewage facilities;



"**clinic**" means a building or structure or part of a building or structure used for the medical, dental, surgical or therapeutic treatment of human beings;

"**community care facility**" means a community care facility as defined in the *Community Care Facility Act*;

"**community service facility**" means a building or structure or grouping of buildings or structures intended to provide limited recreational and commercial services to comprehensively developed housing projects and may include a swimming pool, health club, craft, hobby or activity rooms, tennis courts, lawn bowling, a refreshment or news stand, an accessory food service facility and a postal outlet;

"**community sewer system**" means a system of sewerage works or sewage collection, treatment and disposal which serves 50 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, that provides for the sale of items regularly used by households, including food, books, magazines and household accessories;

"**convention facility**" means a building or part thereof in which facilities are provided for such purposes as meetings for groups of civic, educational, political, religious or social purposes;

"**cottage**" means a self-contained residential building that consists of sleeping, sanitary and cooking facilities, that is used for the temporary accommodation of an owner, lessee, renter or member of the travelling public;

"**CVRD**" means the Cowichan Valley Regional District;

"**day care**" means a facility for the care of persons that is licensed by the Ministry of Health pursuant to the *Community Care Facilities Act*;

"**derelict motor vehicle**" means any vehicle as defined under the *Motor Vehicle Act*, that has not been licensed under the Act for over a period of one (1) year and is not housed within a carport or garage;

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

"**dwelling**" or "**dwelling unit**" means one or more habitable rooms with self-contained sleeping, living, food preparation and storage, cooking, eating, sanitary facilities intended as a residence for one family, and does not include a recreational vehicle or park model RV (CSA Z 241);

"**environmental conservation and protection**" means the act of preserving, enhancing or otherwise improving the state of environmental features or natural biological productivity on a parcel or in an area;

"**exterior side parcel line**" means a parcel boundary, other than a front parcel line or a rear parcel line, that abuts a highway;

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

**"family"** means:

- a. a person or persons related by blood, marriage, adoption or foster parenthood living within one dwelling; or
- b. not more than five unrelated persons sharing one dwelling;

**"fence"** means a freestanding structure and includes arbour, archway, gate, screen, trellis and wall, including retaining wall, but does not include hedges and similar landscaping;

**"fish farm"** means a facility for the commercial growing and rearing of farmed fish;

**"floor area"** means the space on any storey of a building between exterior walls and required firewalls, measured from the inside of the exterior 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 adjoining the intersection of two highways, the front parcel line is the shortest parcel boundary adjoining a highway other than a lane;

**"gross floor area"** means the total floor area of all buildings on a parcel measured to the outer limits of each 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 sundecks, elevators or ventilating equipment;

**"group home"** means a community care residential facility that is licensed by the province pursuant to the *Community Care Facility Act*, serving no more than the maximum number of residents permitted by the Act;

**"ha"** means hectares, a measure of land equivalent to 10,000 m<sup>2</sup> (square metres);

**"height"** means the vertical distance from the average existing natural grade (or the surface water at high water/tide) at the perimeter of a building or structure, to the highest point of the building or structure;

**"high water mark"** means the natural boundary as defined in this Bylaw;

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

**"home-based business"** means a profession, occupation, business or craft and the sale of the services and goods, 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 flowers, fruits, vegetables or ornamental plants, and excludes mushroom farming;

**"hotel"** means a building or buildings used for the temporary accommodation of persons, which contains sleeping units and may contain accessory assembly, convention, entertainment, restaurant, indoor recreation and retail sales uses;

**"institutional use"** includes, but is not limited to: an ambulance station, arena, armoury, artist/artisan centre and retreat, assembly use, civic use, college, community centre, community hall, fire hall, government office, health and wellness centre and retreat, hospital, library, outdoor recreation use, park, playground, police station, post office, public art gallery, public botanical gardens, public museum, public swimming pool, religious facility and retreat, school, stadium, and utility;

**"intensive agriculture"** means the commercial use of land for:

- a. the growing of mushrooms;
- b. the confinement, rearing, producing or processing of livestock, including poultry, swine or fur-bearing animals;
- c. the operation of feed lots or dairies;
- d. the keeping of bees;

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

**"jurisdictional boundary"** means a line representing a boundary between electoral areas, municipalities or regional districts, but does not include a boundary between different Official Community Plan designations or zones under this Bylaw;

**"kennel"** means the use of a parcel, building or structure for the keeping, boarding and/or breeding of four or more dogs or cats of at least four months of age;

**"kitchen"** means an area within a dwelling used for the preparation and cooking of food, and includes facilities for washing utensils, food storage areas and servicing facilities;

**"lane"** means a highway less than 11 metres in width, which provides a second means of legal access to a parcel;

**"lot"** – see definition of "parcel";

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

**"manufactured home"** for the purposes of parcels of land that are not subject to the CVRD Mobile Home Park Bylaw, means a transportable, factory-built single family dwelling unit that is:

- a. exempted under Section 1.1.2.2(I)(g) of the *British Columbia Building Code*;
- b. able to be connected to utility services;
- c. designed to provide year-round living accommodation to one family;
- d. in conformity with the CAN/CSA Z240 Mobile home Series; and
- e. a maximum of 4.5 metres in width;

**"manufactured home park"** means land used or occupied for the purpose of providing space for the accommodation of mobile homes, as defined in and permitted by the Cowichan Valley Regional District Mobile Home Park Bylaw, as amended;

**"Medical marijuana"** means 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*;

**"motel"** means the same as "hotel", as defined in this Bylaw;

**"motorsports facility"** means land, buildings, air and structures for the purpose of racing automobiles, motorcycles, boats and other watercraft, remote-controlled and other motorized vehicles and racing, including advanced driver training and vehicle testing, on a drag strip, racing circuit, sports car track, skidpad, off-road course and other uses and facilities customarily incidental to motor vehicle racing;

**"multiple family residence"** means a building containing three or more dwelling units and includes a condominium, townhouses and/or apartments;

**"natural boundary"** means:

- a. the visible 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 so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself; and
- b. the edge of dormant side channels of any lake, river, stream or other body of water;

**"natural grade"** means the elevation of the ground surface in its natural state, before alterations, as it adjoins each face of a structure;

**"nursery"** means a building or structure and land, with or without greenhouses, for the growing and sale of flowers, fruits, vegetables, plants, shrubs, trees and/or similar vegetation;

**"OCP"** means the Cowichan Lake South/Skutz Falls Official Community Plan of the CVRD;

**"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 or open space, playing field and botanical garden;

**"parcel"** means any lot, block or other area in which land is held or into which it is subdivided, including water lease lots and strata lots, but not including 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;

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

**"personal service use"** means a commercial use which provides direct personal goods or services to persons, such as barber shops, hairdressers, dry cleaners, fitness studios, shoe repair shops, photographers, picture framers, and may include accessory retail sales;

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

**"private utility"** means a use and associated works which are privately-owned and provide services such as water and sewer to more than one parcel of land and which do not meet this Bylaw's definition of "community water system" or "community sewer system";

**"province"** means the government of the Province of British Columbia, Canada;

**"public assembly"** means a use of land or buildings for entertainment, civic or other purposes;

**"public park"** means publicly owned land and waterways used or intended to be used for recreation, archaeological, historical, or ecological purposes, and may also include buildings, structures and infrastructure dedicated to the support of ecological preservation and/or indoor and outdoor recreation;

**"public utility"** means a use and associated works which provide for essential services such as community water service, community sewer service, electricity, telephone, natural gas, cable television, and similar services, where such use is established by the CVRD Board of Directors, a municipality, an improvement district, a senior government or by a body that is subject to the *Utility Commission Act*. In addition to the uses and services listed above, public utility includes any service established by the CVRD Board of Directors. Public utility also includes communications infrastructure, solid waste disposal services, navigation aids and seawalls. Public utility does not include exterior storage of any kind, offices, vehicle or equipment repair facilities, grid-connected power generation plants of any sort, including grid-connected wind turbines, or anything that falls under the definition of private utility;

**"pump house"** means a building not exceeding one storey in height and used exclusively for housing water-pumping and treating equipment;

**"rear parcel line"** means the parcel boundary that lies the most opposite to and is not connected to the front lot line;

**"recreational facility"** means a facility used and equipped for the conduct of sports and leisure activities;

**"recreational vehicle"** means a vehicle capable of being licensed under the *Motor Vehicle Act*, which is designed for the temporary accommodation of people, and includes motor homes, camper vans, tent and camper trailers, fifth wheels and other motor vehicles converted or adapted for temporary human accommodation;

**"regional district"** means the Cowichan Valley Regional District;

**"religious facility"** means a building or structure dedicated to religious worship and may include such accessory uses as a day care centre, religious education and assembly activities and a manse;

**"residence"** means the occupancy or use of a building or part thereof as a dwelling;

**"resort"** means a building or group of buildings used for temporary accommodation, which may contain sleeping units with cooking facilities, and may include accessory assembly and related uses;

**"retail"** means the sale and rental of goods and wares to the general public;

**"secondary dwelling unit"** means an accessory dwelling unit not attached to or within another dwelling unit, but located on a parcel that already has a principal dwelling unit on it;

**"secondary suite"** means an accessory dwelling unit contained within or attached to a single family residential dwelling;

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

**"setback"** means the minimum permitted horizontal distance required under this Bylaw, between a building or structure and a specified parcel line;

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

**"sleeping unit"** means a room or group of rooms which does not contain cooking facilities, used for the temporary accommodation of any person;

"**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 *Strata Property Act*;

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

"**subdivision**" means:

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

"**temporary accommodation**" means the accommodation of any person for a total of less than twenty-two (22) weeks in a calendar year;

"**temporary stay accommodation unit**" means the accommodation of one person for a total of less than two (2) weeks in a calendar year, in a camping site or in a building;

"**theatre**" means a building or outdoor structure used for presenting dramatic performances, motion pictures, or lectures;

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

"**utility**" please see the definitions of "public utility" and "private utility";

"**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;

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

**2.1 Conformity**

Land or water shall not be used and buildings and structures shall not be constructed, altered, located or used except as specifically permitted in this Bylaw.

**2.2 Enforcement**

1. The administrator, or other such person as may be designated by the Board to act in the place of the Administrator, may request permission to enter any parcel, building or premises at any reasonable time, to ascertain whether the regulations of this Bylaw are being obeyed. In the event that the owner denies access to a parcel, building or premises, the administrator may instruct staff to obtain a Court Order to gain access under this Section.
2. The Building Inspector or other such person that may be appointed by the Board may enforce this Bylaw.

**2.3 Prohibitions**

1. Any use not expressly permitted in Part 3 or Part 5 of this Bylaw is prohibited.
2. Non-conforming uses of land, buildings and structures, as well as siting, size or dimensions of buildings and structures are governed by Section 911 of the *Local Government Act*.
3. For additional clarity, the following uses are 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;

**2.4 Violation**

1. Every person who:
  - a. violates any provision of this Bylaw,
  - b. causes or permits any act or thing to be done in contravention or violation of any provision of this Bylaw,
  - c. neglects to do or refrains from doing any act or thing required under this Bylaw;
  - d. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Bylaw,
  - e. fails to comply with an order, direction or notice given under this Bylaw, or
  - f. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator,commits an offence under this Bylaw.
2. Each day's continuance of an offence under Section 2.4.1 constitutes a new and distinct offence.

**2.5 Penalty**

Every person who commits an offence against this Bylaw is liable to a fine of not more than \$2000, or the current maximum fine and penalty prescribed under the *Offence Act*, whichever is the highest, for each offence.

## **2.6 Severability**

If any section, 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.

## **2.7 Amendment**

1. Application for amendment to this bylaw shall be subject to the provisions of the *Local Government Act*.
2. All applications for amendment to this Bylaw shall be subject to the requirements of Cowichan Valley Regional District Development Application Procedures and Fees Bylaw No. 2255, as amended.

## **2.8 Effective Date**

This Bylaw shall become effective upon adoption.

## **2.9 Repeal**

1. Cowichan Valley Regional District Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 1000, 1986, and all amendments thereto, are hereby repealed.
2. Cowichan Valley Regional District West Coast Rural Land Use Bylaw No. 1220, 1989 and all amendments thereto, is hereby repealed.
3. Cowichan Valley Regional District Off-Street Parking Bylaw No. 1001, 1986 is amended by deleting Electoral Area F from its purview.

## **2.10 Provincial Acts of the Legislature**

Provincial Acts of the Legislature referred to in this Bylaw may be viewed at the following Internet Website: <http://www.qp.gov.bc.ca/statreg/> (note that this site may not be up-to-date)



**3.1 Application**

Except as otherwise specified in this Bylaw, all provisions of Part Three apply to all the zones established under this Bylaw.

**3.2 Accessory Buildings and Structures**

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

1. No accessory building or structure shall be situated on a parcel unless the principal building, to which the accessory building is incidental, has already been erected or will be erected simultaneously with the accessory building on the same parcel, with the exception of one accessory building or structure not exceeding 25 m<sup>2</sup> of gross floor area, used only for storage purposes.
2. No part of an accessory building shall be used as a dwelling unit or sleeping unit, except as otherwise provided for in this Bylaw.
3. An accessory building shall be located on the same parcel as the principal building or use.
4. Notwithstanding Section 3.2.3 above, an accessory building may be situated on a parcel that is contiguous to a parcel on which the principal building is situated.
5. One greenhouse, not exceeding 25 m<sup>2</sup> in floor area shall be permitted as an accessory residential structure. Greenhouses exceeding 25 m<sup>2</sup> in floor area shall be considered agricultural buildings, be permitted only in zones where agriculture is listed as a permitted use and shall comply with the relevant agricultural building setbacks from parcel lines.

**3.3 Agricultural Land Reserve**

1. Notwithstanding the provisions of this Bylaw, land within the CVRD designated by the province as "Agricultural Land Reserve" 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. the *Farm Practices Protection (Right to Farm) Act*;
  - e. regulations made pursuant to the *Farm Practices Protection (Right to Farm) Act*.
2. In the event of differences between the *Agricultural Land Commission Act*, the orders of the provincial Agricultural Land Commission and the regulations of this Bylaw, the more restrictive regulation shall prevail.

**3.4 Bed and Breakfast Regulations**

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

1. be conducted by a resident on the parcel, who may not employ more than one additional non-resident person on the parcel;
2. not involve the use of more than four rooms per parcel at any one time, for overnight guest accommodation;

3. where a renovation, an addition or new construction is required to allow the bed and breakfast use to occur, applications for building permits shall explicitly show which rooms in the dwelling will be used for bed and breakfast purposes.

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

1. An owner of a parcel may occupy a recreational vehicle (RV) on the parcel while in the process of constructing a dwelling on the same parcel, provided that the following conditions are met:
  - a. the period of RV occupancy shall not extend beyond twelve (12) months from its commencement;
  - b. The RV occupancy shall not be established until a building permit has been issued for the construction of a principal dwelling on the parcel, nor shall the RV be occupied after occupancy of the newly constructed principal dwelling has begun;
  - c. Sewage shall be disposed of at approved off-site sani-dump locations, or if it is disposed of on-site, in a location and manner that is permitted by the jurisdiction having authority;
  - d. The RV parking space shall be no closer than 4.5 metres to any parcel line;
  - e. Section 3.5.1.a may be extended by the CVRD Board of Directors, upon appeal, for a maximum of an additional 12 months.
2. An owner of a parcel which already has an existing dwelling located on it, which would not comply with Section 3.20, while in the process of constructing a new principal dwelling on the same parcel, may continue to occupy the existing dwelling during construction of the new principal dwelling, provided that the following conditions are met:
  - a. the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the *Land Title Act* to the effect that the owner undertakes to remove the existing dwelling or render it uninhabitable to the satisfaction of the Building Inspector following the granting of the certificate of occupancy for the new principal dwelling;
  - b. the covenant also specifies that a letter of credit or bond in the amount of \$5000 be issued in favour of the CVRD by the applicant for the new dwelling, to be forfeited to the CVRD in the event that the other terms of the covenant are not complied with, in which case the CVRD shall use the \$5000 to offset any costs of legal action to obtain compliance;
  - c. that a maximum time period of 2 years be allowed for the situation described in Section 3.5.2, from the issuance date of the building permit to completion and occupancy of the new principal dwelling, and that this time period be specified in the covenant.

### **3.6 Fencing and Screening**

Except as otherwise specifically stated in the Bylaw,

1. the height of a fence or wall shall be measured to the highest point from and perpendicular to a line representing the average natural grade level at its base;
2. a fence, where permitted within a required front yard, shall not exceed a height of 1.2 metres, and fences on all other parts of a parcel shall not exceed a height of 2.0 metres, except within agricultural, commercial, institutional and industrial zones, in which case the maximum height fence height shall be 2.5 metres;
3. Notwithstanding the provisions of Section 3.6.2, fences used in association with recreational uses, such as playing fields, playgrounds, golf courses and other similar sports, public utility uses and industrial storage areas shall not exceed a height of ten (10) metres, provided such fences are constructed of material that permits visibility, such as wire mesh;

4. Fences may be constructed on any portion of a parcel, including within a required setback area, with the following exceptions:
  - a. closed fences and landscape screens shall be less than 2 metres in height when sited in a required setback area from a lot line adjoining a residential use; and
  - b. no tree, plant, shrub, fence or other structure greater than 1 metre in height shall be located within a sight triangle, defined in Section 3.23 of this Bylaw.
5. the use of barbed wire for fencing within a residential, institutional and commercial zone shall be prohibited except along an Agricultural Land Reserve boundary.

### **3.7 Floodplain Requirements**

All buildings and structures shall conform to a Floodplain Management Bylaw, if one is in effect, and until one is in effect, shall be dealt with in accordance with the legislation governing building inspection until such time as a Floodplain Management Bylaw may be adopted by the CVRD.

### **3.8 Garage Attached to a Principal Building**

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

### **3.9 Height**

Notwithstanding other height restrictions in this Bylaw, an agricultural building, belfries, chimneys, domes, drive-in theatre screens, flag poles, grain elevators, industrial cranes, lighting poles, federally-regulated microwave communications towers, monuments, radio or television antennas, religious facility spires, retaining walls, silos, scenery lofts, smoke stacks, stadium bleachers and light standards, stair towers, tanks, towers and windmills may be of an unlimited height. However, where such structures are located on top of a building, they shall not occupy more than 10% of the horizontal plane of the roof area as seen from any direction.

### **3.10 Home-Based Business Regulations**

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

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

7. The maximum floor area per parcel used for home-based business use, including office space, storage, processing or sale, shall not exceed:
  - a. 100 m<sup>2</sup> on a parcel which is less than 1 ha in area; or
  - b. 200 m<sup>2</sup> on a parcel 1 ha or larger.
8. The home-based business use shall only be conducted by a resident on the parcel and shall not employ more than:
  - a. one additional non-resident person on a parcel which is less than 1 ha in area; or
  - b. two additional non-resident persons on a parcel 1 ha or larger.
9. No home-based business shall encourage the generation of excessive non-local traffic on residential streets;
10. The home-based business use may involve the repair of motor vehicles, excluding any work whatsoever on vehicles out of doors, but for buildings closer than 30 m to any parcel line, the use shall:
  - a. be limited to fully enclosed buildings with a total area not exceeding the floor area limits prescribed in Section 3.10.7 above; and
  - b. exclusive of the resident's own licensed vehicles, be permitted to park not more than one vehicle out of doors.
11. No off site parking associated with the home-based business use shall be permitted.
12. On parcels zoned R-2 and R-3 no more than one commercial vehicle with a maximum gross vehicle weight of 5000 kg shall be located outside of a building or structure.
13. Any home-based business use must comply with all Regional, Provincial and Federal Environmental Protection Regulations.

### **3.11 Minimum Parcel Sizes**

The minimum parcel size shall be the minimum parcel size prescribed in each zone listed in Part Four.

### **3.12 Minimum Parcel Size Exceptions**

The minimum parcel size shall be the minimum parcel size prescribed in each zone listed in Parts 4 and 5 of this Bylaw, except to the extent as varied by the following provisions:

**1. Parcel Consolidations and Addition of Roads:**

The minimum parcel area requirements do not apply to the consolidation of existing parcels or the addition of closed streets to an existing parcel.

**2. 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.

**3. Parcels Severed by Roads or another Parcel:**

Notwithstanding the minimum parcel size provisions of each zone, where a portion of a parcel is physically separated from the remainder of the parcel by a public road or another parcel, the physically separated portion may be subdivided from the remainder of the parcel provided that the physical separation of the parcel would be resolved using the right-of-way or other parcel as the subdivision boundary.

**4. Parcels Severed by a Jurisdictional Boundary Line:**

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

**5. Parcels Subdivided for Public Parks or Public and Utility Uses:**

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

- a. a bus shelter, railway station, public transit station;
- b. a community water system;
- c. a community sewer system;
- d. a community gas distribution system;
- e. a community radio or television broadcasting antenna;
- f. a radio or television relay broadcasting antenna;
- g. a telecommunication relay station;
- h. an automatic telephone exchange;
- i. an air or marine navigation aid;
- j. solid waste transfer station or recycling station;
- k. other public utilities not specifically listed but considered to be similar in nature to those uses listed in Section 311.5 a through j;
- l. a public park.
- m. a rest stop for a Provincial or National highway.

**6. Undersized parcels:**

Undersized parcels that:

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

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

**7. Manufactured Home Park Strata Plan**

Where a parcel zoned as MHR-4 under this Bylaw is proposed to be subdivided into bare-land strata lots, the minimum parcel size for the strata subdivision shall be the same as the Minimum Site Area requirements specified in the CVRD Mobile Home Bylaw as amended, and any eventual successor bylaws.

**3.13 Number of Dwellings Permitted Per Parcel**

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

### 3.14 Off-Street Loading Requirements

1. **Minimum Off-Street Loading Requirements:** Minimum off-street loading spaces and facilities shall be provided in accordance with the following table. Where a specific use is not identified a similar use to one listed in the table shown in Section 3.14.1 shall be selected as an applicable standard:

USE	LOADING REQUIREMENT
Automobile, marine and equipment related industries, such as service stations, marine sales and service, building supply stores, automobile wreckers, recycling depots, warehousing, manufacturing and equipment sales and rentals.	1 space for uses with less than 700 m <sup>2</sup> gross floor area, plus 1 space for each additional 700 m <sup>2</sup> to a maximum of 4 spaces
Churches, Religious facilities	1 space for passenger loading for every 100 m <sup>2</sup>
Convenience Stores	1 space
Financial Institutions, offices and personal service uses	1 space per 2700 m <sup>2</sup> of gross floor area
Indoor Recreational Uses	1 space per 2700 m <sup>2</sup> of gross floor area
Institutional uses, including civic uses, hospitals	1 space per 2700 m <sup>2</sup> of gross floor area
Outdoor Recreational Uses	1 passenger loading space
Retail Stores, nurseries	1 space for uses occupying less than 700 m <sup>2</sup> of gross floor area, plus one space for each additional 500 m <sup>2</sup> of gross floor area
Schools, Colleges	1 passenger loading space per 3,000 m <sup>2</sup> of gross floor area
Shopping Centres	1 space per 100 m <sup>2</sup> of gross floor area
Theatre	1 passenger loading space plus 1 loading space
Transportation Facilities	1 passenger loading space

2. **Required Loading Spaces in Specified Zones:** Notwithstanding the requirements of Section 3.14.1, a minimum of one off-street loading space shall be provided on each parcel in a C-1, C-2, C-3, C-4, I-1, I-2, P-1, or P-2 Zone.
3. **Calculation Resulting in a Fraction:** Where the calculation of the required off-street loading space results in a fraction, one space shall be provided with respect to the fraction.
4. **Location of Off-Street Loading Spaces:** Required loading spaces for all uses shall be located on the same parcel as the building or use.
5. **Access to Loading Spaces:** Each off-street loading space shall have at all times access to an aisle that intersects with a highway. No loading space shall gain direct access to a highway.
6. **Dimensions of Loading Spaces:** Each off-street loading space involving the receipt and delivery of goods or materials by vehicles shall be not less than 3.0 metres wide, 9.0 metres long and have a clear height of not less than 4.0 metres.
7. **Loading Spaces Additional to Off-Street Parking:** Off-street loading spaces shall not be credited against the requirements for off-street parking.
8. **Parcels With More Than One Use:** When a building or parcel contains more than one function or use, the required number of parking spaces is the sum of the requirements for each function or use.

9. **Extending or Expanding an Existing Use:** The requirements established in this Section do not apply to a building or use existing prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing use or building, then the provisions of Section 3.14 shall apply to such expansion or addition.

### 3.15 Off-Street Parking

1. **Off-Street Parking Requirements:** Minimum off-street parking spaces and facilities shall be provided in accordance with the following table. Where a specific use is not identified a similar use to one listed in the table shown in Section 3.15.1 shall be selected as an applicable standard.

CATEGORY	USE	PARKING	
<b>Residential Uses</b>	Bed and Breakfast Accommodation	In addition to the parking requirement for the principal residential use, one space per bedroom used for guest accommodation.	
	Community Service Facility	1 space per 100 m <sup>2</sup> of gross floor area	
	Dwelling Units	2 spaces per each dwelling unit, where a parcel contains less than 3 dwelling units. Where a building or parcel contains 3 or more dwelling units, 1.5 spaces per dwelling unit is required.	
	Home-based business	1 space per non-resident employee	
	Secondary Suite and Sec. Dwelling	1 space	
<b>Commercial, Institutional Commercial, Industrial, Institutional Uses</b>	Animal Hospital	1 space per 35 m <sup>2</sup> of gross floor area	
	Art Gallery	1 space per 15 m <sup>2</sup> of gross floor area	
	Automobile Service Stations, Fuel Sales, and Repair Facilities	1 space per 15 m <sup>2</sup> of gross floor area	
	Automobile, marine, machinery, or equipment sales and rentals	1 space per 15 m <sup>2</sup> of gross floor area + 2 spaces per service bay	
	Bakery	1 space per 35 m <sup>2</sup> of gross floor area	
	Boat building, repair and storage	1 space per 50 m <sup>2</sup> of storage area + 1 space per 35 m <sup>2</sup> of gross floor area	
	Community Centre	1 space per 35 m <sup>2</sup> of gross floor area	
	Clinic	1 space per 35 m <sup>2</sup> of gross floor area	
	Convenience Store	1 space per 35 m <sup>2</sup> of gross floor area	
	Convention Facility	10 spaces + 1 space per 35 m <sup>2</sup> of gross floor area	
	Day Care Facility	3 spaces + 1 space per 50 m <sup>2</sup> of gross floor area	
	Equipment sales, rentals, servicing and repair	1 space per 15 m <sup>2</sup> of gross floor area	
	Bank, Credit Union and similar	1 space per 15 m <sup>2</sup> of gross floor area	
	Fire Hall/Police Station	1 space per 15 m <sup>2</sup> of gross floor area	
	Funeral Parlour	1 space per 4 seats	
	Golf Course	150 spaces	
	Golf Driving Range	1 space per tee + 5 spaces	
	Hospital (private or public)	1 space per 2 employees + one space for every 5 beds	
	<b>Commercial, Industrial, Institutional Uses</b> ...continued	Hotel, motel, campground, RV Park, resort, and similar temporary commercial accommodation	1 space per unit or campground space + 3 spaces
		Bowling alleys, Pool Halls, Arcades, Bingo halls, ice arenas and similar commercial recreational and entertainment centres	1 space per 30 m <sup>2</sup> of gross floor area or one space for every 4 potential players or participants (at capacity), whatever is greater

Kennel	4 spaces
Laundromat	1 parking space per 3 washing machines
Library, Museum and/or Art Gallery	1 space per 30 m <sup>2</sup> of gross floor area
Lumber and Storage Yard/Building Supply Store	1 space per 100 m <sup>2</sup> of storage area + 1 space per 35 m <sup>2</sup> gross floor area
Manufacturing	1 space per 100 m <sup>2</sup> of gross floor area
Marina/Moorage Facilities for Taxi, ferry or fishing boats	1 space per 2 boat stalls + three spaces
Nursery	1 space per 15 m <sup>2</sup> of gross floor area of retail sales building plus 1 space per 465 m <sup>2</sup> of outdoor display
Offices (business, administrative, civic, and professional)	1 space per 35 m <sup>2</sup> of gross floor area
Personal Service Uses	1 space per 12 m <sup>2</sup> of gross floor area 12
Post Office	1 space per 30 m <sup>2</sup> of gross floor area
Printing and publishing establishments	1 space per 30 m <sup>2</sup> of gross floor area
Pub	1 space per 3 seats (at capacity), + 3 spaces
Recreation Facility	1 space per 10 m <sup>2</sup> of gross floor area or 1 space per 3 seats, whichever is greater
Recycling, Wrecking and/or Storage of automobiles and or other materials or equipment	1 space per 100 m <sup>2</sup> of covered storage + 1 space per employee
Religious Facility	1 space per 4 seats
Restaurant (may include drive in or drive through service)	1 space per 3 seats (at full capacity), + 3 spaces
Retail Store	1 space per 20 m <sup>2</sup> of gross floor area
School (Kindergarten and Elementary)	2.5 spaces per classroom
School (Secondary), business or private school, university or college	2 spaces per classroom + 1 space per 10 non-boarding students
Shopping Centre	5.5 spaces per 100 m <sup>2</sup> of gross floor area
Theatre	1 space per 10 seats
Transportation Facilities including Bus Depot	3 spaces minimum plus 1 space per 50m <sup>2</sup> of gross floor area
Warehouse or wholesale use	1 space minimum per business use + 1 space per 185 m <sup>2</sup> of gross floor area
Welding Shop	1 space plus 1 space per 50 m <sup>2</sup> of gross floor area

2. **Calculation Resulting in a Fraction:** Where the calculation of the required off-street parking space results in a fraction, one parking space shall be provided with respect to the fraction.
3. **Seating Accommodation Requirements:** Where seating accommodation is the basis for a unit of measurement under this Section and consists of benches, pews, booths or similar seating accommodation, each 0.64 m<sup>2</sup> of seating area shall be deemed to be one seat.
4. **Parcels with more than one use:** Where a building or parcel contains more than one function or use, the required number of parking spaces shall be the sum of the requirements for each function or use.
5. **Location of Off-Street Parking Spaces:** Required parking spaces for all uses shall be located on the same parcel as the building or use, and shall be located a minimum of 3 m from any parcel line;
6. **Dimensions of Parking Spaces:** The minimum required dimensions for parking spaces under this Bylaw is set out as follows:



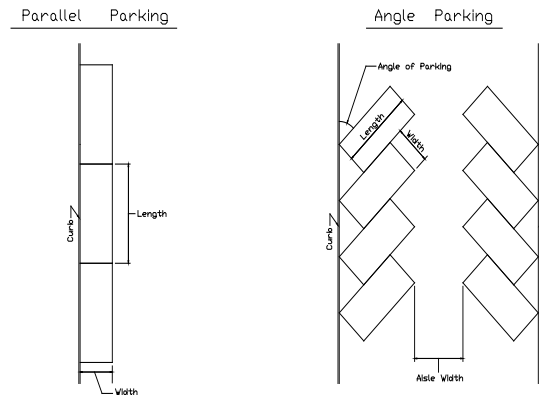
Minimum dimensions	Width	Length
Angle Parking Spaces	2.8 metres	5.8 metres
Parallel Parking Spaces	2.6 metres	7.0 metres

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

7. **Dimensions of Aisle Space:** The minimum required dimensions for aisle space under this Bylaw is set out as follows:

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

### Parking Diagrams



8. **Access to Parking Spaces:** Except in the case of a single family or two family residential building, no parking space shall gain direct access to a highway.
9. **Street access or egress:** Street access or egress shall be not less than 15 metres from the nearest point of intersection of two highways.
10. **Surfacing of Parking Areas:** Where more than ten parking spaces are required by this Bylaw, the parking area shall be surfaced with a dust-free material such as asphalt, grass-crete, concrete, or other suitable dust free material, and each space shall be clearly marked. All other outdoor parking areas must be, as a minimum standard, graveled.
11. **Provision of Oil/Water Separator:** Parking areas paved with an impervious material shall include an oil-water separator, to ensure that contaminants do not seep into the surface water or groundwater, and it shall be the responsibility of the landowner to properly maintain the oil-water separator in good working order.

12. **Parking for Disabled Persons:**
  - a. For any use required to be accessible to disabled persons by the BC Building Code, a minimum of one disabled person parking space shall be provided.
  - b. Where 25 or more parking spaces are required by this Bylaw, the greater of one parking space or a minimum of 1 percent of all spaces shall be accessible to disabled persons.
  - c. All disabled persons parking spaces shall be:
    - i. A minimum of 3.7 metres in width and 5.8 metres in length;
    - ii. Surfaced with concrete or asphalt to provide ease of access for wheelchairs;
    - iii. Located in the most accessible and convenient location available within the parking areas; and
    - iv. Marked or otherwise designated for sole use by disabled persons.
13. **Extending or Expanding an Existing Use:** The parking requirements established in this Section do not apply to a building or use existing prior to the adoption date of this Bylaw. However, if there is an expansion or addition to an existing use or building, then the provisions of Section 3.15 shall apply to such expansion or addition.
14. **Bicycle Parking:** All commercial developments requiring at least 5 parking spaces shall have a bicycle rack capable of accommodating at least four bicycles.

### 3.16 Parcel Realignments and Amalgamations:

Existing parcels may be consolidated and re-subdivided into new parcels for matters for matters of convenience, provided that:

- a. the subject parcels are adjoining;
- b. no additional lots are created;
- c. where the proposed parcels are under 1 ha in area, 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.

### 3.17 Residential Uses

1. No dwelling unit shall be used or occupied by more than one family except as specifically permitted in this bylaw;
2. All rooms of a dwelling unit shall be not be used or occupied by more than one family except as specifically permitted in this Bylaw;
3. Not more than one kitchen shall be contained within a dwelling unit.

### 3.18 Resource Extraction Activities:

A number of Provincial Acts pertaining to resource extraction activities supersede the authority of the Regional District over both Crown and private lands. These include the *Mines Act*, the *Coal Act*, and the *Mineral Tenure Act*. In view of this fact, mineral, gravel and coal exploration and/or mining activities, excluding all manufacturing, cannot be restricted by this Zoning Bylaw. The Mines Branch has a review process to address the public interest in such matters.

### 3.19 Secondary Suite

For zones in which it is a permitted use, the secondary suite shall:

1. be located within a principal residence;
2. have, if it has a separate entrance to the outside, only a private access through an entrance on one of the sides or rear of the residence;
3. not occupy more than 40% of the floor area of the residence;
4. be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval of the authorities responsible for domestic waste disposal and domestic water supply;
5. not have a floor area in excess of 95 m<sup>2</sup>;
6. not be located on a parcel of land that has another secondary suite or secondary dwelling on it;
7. have two additional on-site parking spaces;
8. the secondary suite shall not be subdivided from the parcel upon which it is located, nor shall a strata plan of any type pursuant to the *Strata Property Act* be registered on a parcel which contains a secondary suite, and the owner(s) of the property shall enter into and register on the Certificate of Title a restrictive covenant to this effect;
9. not be located on a parcel that is less than 0.4 hectares in area;
10. not have, through subdivision or strata plan, a separate title distinct from the one for the parcel of land upon which it is located.

### 3.20 Secondary Dwelling Unit

For zones in which it is permitted use, the secondary dwelling unit shall:

1. be either free-standing or attached to a residential accessory building;
2. not be manufactured home, modular home, park model mobile home or recreational vehicle;
3. be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval of the authorities responsible for domestic waste disposal and domestic water supply;
4. not have a floor area in excess of 95 m<sup>2</sup>
5. not be located on a parcel less than 0.4 ha in area;
6. not be located on a parcel of land that has another secondary suite or secondary dwelling on it;
7. The secondary dwelling unit may be subdivided from the parcel upon which it is located only if:
  - a. it is in a zone which would allow for the proposed lot sizes following subdivision;
  - b. the principal dwelling and secondary dwelling unit are so located as to allow for setback requirements to be met following subdivision;
  - c. the approval of the Health Authority for sewage disposal has been obtained.

If the parcel upon which the secondary dwelling unit would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the secondary dwelling unit, 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;

8. have two additional on-site parking spaces.

### 3.21 Setback Exceptions

1. Except as otherwise provided in particular zones, the setback requirements of this Bylaw do not apply with respect to:
  - a. a pump house
  - b. bay windows, belt courses, chimneys, exterior finish, heating equipment, sills, sunlight control projections, sunshades, unenclosed stairwells, and ventilating equipment, if the projections do not exceed 1 m measured horizontally;
  - c. eaves, canopies, cornices, gutters, sunshades, and unenclosed stairwells if the projections, measured horizontally, do not exceed:
    - i. 2 m in the case of a rear yard;
    - ii. 1 m in the case of a front yard or side yard;
  - d. signs;
  - e. open fences; and
  - f. closed fences and landscape screens that are less than 2 metres in height.
2. Notwithstanding any other provision of this Bylaw, the consent of the Ministry of Transportation is required to place any building or structure closer than 4.5 m to a property line adjacent to a highway;
3. No other features may project into a required setback area.

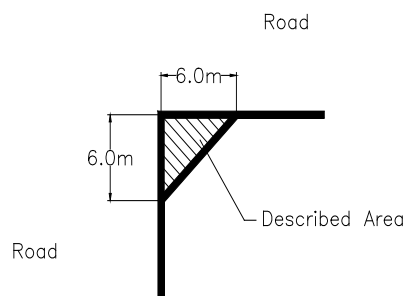
### 3.22 Setbacks from a Watercourse

Notwithstanding any other provision of this Bylaw, no building or structure shall be located within 15 metres of the high water mark of any watercourse, or a lake, or the sea, or 30 m of the Cowichan River, unless specified in a Development Permit.

### 3.23 Sight Triangle

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

**Figure A**



### 3.24 Storage of Junk or Wrecks

Unless specifically permitted by this Bylaw, no parcel shall be used for a junkyard or for the external storage, collection or accumulation of all, or part, of any automobile wreck, derelict motor vehicle, or all or part of any motor vehicle that is not:

- a. a validly registered, licensed and insured in accordance with the *Motor Vehicle Act*; and
- b. capable of motivation under its own power.

### **3.25 Uses of Land, Buildings and Structures Permitted in all Zones**

Except as otherwise stated in this Bylaw, the following uses are permitted in all zones:

1. highways;
2. conservation, ecological reserves and wildlife sanctuaries;
3. landscape screening and fencing;
4. public parks;
5. public utilities, excluding offices, maintenance garages and storage areas;
6. uses, works, buildings and structures customarily incidental to a principal permitted use, provided they are located on the same parcel or in the same strata plan as the principal use;
7. temporary (maximum of one year) siting of a mobile home or recreational vehicle, for the property owner, while a permitted dwelling is being constructed, subject to the requirements of Section 305 of this Bylaw; and
8. temporary buildings, structures or storage of materials, for a maximum of one year, required for an approved construction project on the same parcel provided such temporary buildings, structures, and/or storage areas are removed within 30 days of the completion of the project;
9. railways.

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

A tent, trailer, recreational vehicle, park model unit (CSA Z241), bus or other motor vehicle shall not be used as a residence, except in accordance with Section 3.5 of this Bylaw.

### **3.27 Density Averaging**

The minimum parcel size provisions of this Bylaw as specified in the individual zones and general regulations may be varied with respect to parcels created by means of density averaging provided that:

1. the total area of the land to be subdivided (exclusive of those lands intended for highway and required for park dedication) divided by the number of parcels to be created is not less than the equivalent minimum parcel size standard permitted under the zone in which the land is located;
2. the parcel configurations and sizes are adequate to accommodate buildings and structures appropriate to the permitted uses under this Bylaw;
3. no more than fifty (50) percent of the parcels created by means of this Section are less than the minimum parcel size as specified in this Bylaw;
4. the smallest parcel so created is not less than forty (40) percent of the minimum parcel size as specified in this Bylaw;
5. a restrictive covenant in favour of the CVRD is registered against the title of the land at time of registration of the subdivision, prohibiting the further subdivision of any parcel created from the original parcel, where the aggregate average of all lot sizes taken from the commencement of the original density-averaged subdivision would not permit further subdivision of the original parcel.

### **3.28 Recreational Vehicle Parking**

Not more than a total of two (2) recreational vehicles or private pleasure boats shall be parked or stored on a parcel that is located in a zone which lists "single family dwelling" as a permitted use.

### **3.29 Commercial Cannabis Regulations**

1. Where cannabis production (commercial – medical) or cannabis production (commercial – non-medical) is permitted in a zone, the use is subject to the following regulations:
  - a. 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;
  - b. all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
  - c. 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.
2. 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.

### **3.30 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.

#### 4.1 Creation of Zones

For the purposes of this Bylaw, Electoral Area F – Cowichan Lake South/Skutz Falls of the Cowichan Valley Regional District is divided into the following zones:

CATEGORY	ABBREVIATION	ZONE TITLE
Agricultural Resource	A-1	Agricultural Resource 1 Zone
	A-3	Golf Course/Agricultural 3 Zone
Forest Resource	F-1	Forest Resource 1 Zone
	F-2	Secondary Forest Resource 2 Zone
	F-2A	Forestry/Residential
Waterfront	LR-1	Lakefront Residential 1 Zone
	LR-2	Honeymoon Bay Lakefront Residential 2 Zone
	RC-3	River Corridor 3 Zone
	RC-4	River Corridor 4 Zone
	RC-5	River Corridor 5 Zone
Residential	R-1	Rural Residential 1 Zone
	R-2	Suburban Residential 2 Zone
	R-3	Urban Residential 3 Zone
Comprehensive Development	CD-1	Comprehensive Development 1 Zone
Commercial	C-1	Local Commercial 1 Zone
	C-2	General Commercial 2 Zone
	C-3	Service Commercial 3 Zone
	C-4	Tourist Commercial 4 Zone
	C-4A	Resort Commercial 4A Zone
	C-5	Rural Village Commercial 5 Zone
	C-6	Guest House Commercial 6 Zone
Industrial	I-1	Light Industrial 1 Zone
	I-2	Heavy Industrial 2 Zone
Parks/Institutional	P-1	Parks 1 Zone
	P-2	Institutional 2 Zone
Water	W-1	Water Conservation 1 Zone
	W-3	Water Marina 3 Zone
	W-5	Lakefront Recreational 5 Zone
	W-6	Riparian Conservancy 6 Zone
Recreation	ORP-1	Outdoor Recreation Park 1 Zone
Utility	U-1	Private Utility 1 Zone

#### 4.2 Definition of Zones

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

**5.1 A-1 AGRICULTURAL RESOURCE 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the A-1 Zone:

**1. Permitted Uses**

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

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

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

- c. Bed and breakfast accommodation;
- d. Buildings and structures accessory to a principal permitted use;
- e. One additional temporary dwelling as required for an agricultural use, subject to Sectional 5.1.3.b;
- f. Home-based business,
- g. Sale of products grown or reared on the parcel.

**2. Minimum Parcel Size**

The minimum parcel area in the A-1 Zone is 12 hectares.

**3. Number of Dwellings**

- a. One dwelling is permitted per parcel in the A-1 Zone.
- b. One additional temporary dwelling (manufactured home) for farm help may be permitted on a parcel in the A-1 zone, provided
  - i. the parcel has farm classification on BC Assessment Authority records;
  - ii. the parcel is, in the opinion of the CVRD Development Services staff, used as a *bona-fide* farm;
  - iii. the additional dwelling is located on the lowest capability lands, if possible within the vicinity of existing farm buildings so as not to interfere with or alienate useable farm land;
  - iv. the applicant demonstrates that the additional dwelling is necessary to accommodate a bona-fide assistant employed full time in the farm operation whose residence on the farm property is considered critical to the overall operation of the farm. The scale of the farm operation must be large enough that permanent help is necessary for reasons of security, regular feeding, watering, and caring of livestock, or tending of equipment, or other agricultural activities which are required in the operation of the farm; and
  - v. the applicant covenants with the Regional District that the additional temporary dwelling will be removed once it is no longer required to accommodate farm help.

**4. Setbacks**

The following minimum setbacks apply in the A-1 Zone:

Type of Parcel Line	Agricultural & Accessory Buildings and Structures	Residential and Accessory Buildings and Structures
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	30 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres



**5. Height**

In the A-1 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

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

- a. 30 percent for all buildings and structures;
- b. Notwithstanding Section 5.1.6.a, the parcel coverage may be increased by an additional 20% of the site area for the purpose of accommodating greenhouses.

**7. Parking and Loading**

Off-street parking and loading spaces in the A-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.2 A-3 GOLF COURSE/AGRICULTURAL 3 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the A-3 Zone:

**1. Permitted Uses**

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

- a. Agriculture;
- b. Golf course;
- c. Single-family dwelling.

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

- d. Buildings and structures accessory to a principal permitted use;
- e. Uses customarily incidental to a golf course.

**2. Minimum Parcel Size**

The minimum parcel size in the A-3 Zone is 12 hectares.

**1. Number of Dwellings**

Not more than one dwelling is permitted on a parcel that is zoned as A-3.

**2. Setbacks**

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

Type of Parcel Line	Agricultural Buildings and Structures	Residential, Golf and Accessory Buildings and Structures
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	7.5 metres
Exterior side parcel line	15 metres	7.5 metres
Rear parcel line	15 metres	7.5 metres

**5. Height**

In the A-3 zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the A-3 Zone shall not exceed 10 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking and loading spaces in the A-3 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.3 F-1 FOREST RESOURCE 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the F-1 Zone:

**1. Permitted Uses**

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

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

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

- d. Bed and breakfast accommodation;
- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business;
- g. Secondary dwelling unit or secondary suite.

**2. Minimum Parcel Size**

The minimum parcel size in the F-1 Zone is 80 hectares.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel that is zoned as F-1.

**4. Setbacks**

The following minimum setbacks apply in the F-1 Zone:

Type of Parcel Line	Forestry and Agricultural Buildings and Structures	Residential Buildings and Structures
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres

**5. Height**

In the F-1 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

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

- a. 20 percent for all buildings and structures;
- b. Notwithstanding Section 5.3.6.a, the parcel coverage may be increased by an additional 20% of the site area for the purpose of accommodating greenhouses.

**7. Parking and Loading**

Off-street parking and loading spaces in the F-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.4 **F-2 SECONDARY FOREST RESOURCE 2 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the F-2 Zone:

### 1. **Permitted Uses**

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

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

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

- d. Bed and breakfast accommodation;
- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business
- g. Secondary dwelling unit or secondary suite.

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

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

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

Not more than one dwelling is permitted on a parcel that is zoned as F-2.

### 4. **Setbacks**

The following minimum setbacks apply in the F-2 Zone:

Type of Parcel Line	Forestry and Agricultural Buildings and Structures	Residential Buildings and Structures
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres

### 5. **Height**

In the F-2 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### 6. **Parcel Coverage**

The parcel coverage in the F-2 Zone shall not exceed:

- a. 20 percent for all buildings and structures;
- b. Notwithstanding Section 5.4.6.a, the parcel coverage may be increased by an additional 20% of the site area for the purpose of accommodating greenhouses.

### 7. **Parking and Loading**

Off-street parking and loading spaces in the F-2 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.5 **F-2A FORESTRY/RESIDENTIAL ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the F-2A Zone:

### 1. **Permitted Uses**

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

- a. Management and harvesting of primary forest products, excluding sawmilling, all manufacturing and dry land log sorting operations;
- b. Single-family dwelling or mobile home;
- c. Agriculture, silviculture, horticulture;

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

- d. Home occupation;
- e. Bed and breakfast accommodation;
- f. Secondary dwelling unit.

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

The minimum parcel size in the F-2A Zone is 3.5 hectares.

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

Not more than one dwelling is permitted on a parcel that is zoned as F-2A.

### 4. **Setbacks**

The following minimum setbacks apply in the F-2A Zone:

Type of Parcel Line	Forestry and Agricultural Buildings and Structures	Residential Buildings and Structures
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	30 metres	7.5 metres

### 5. **Height**

In the F-2A Zone, 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, both except in accordance with Section 3.9 of this Bylaw.

### 6. **Parcel Coverage**

The parcel coverage in the F-2A Zone shall not exceed 30 percent for all buildings and structures.

### 7. **Parking and Loading**

Off-street parking and loading spaces in the F-2A Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.6 LR-1 LAKEFRONT RESIDENTIAL 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the LR-1 Zone:

**1. Permitted Uses**

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

- a. Environmental protection and conservation;
- b. Single-family dwelling;

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

- c. Bed and breakfast accommodation;
- d. Buildings and structures accessory to a principal permitted use;
- e. Home-based business;
- f. Secondary dwelling unit or secondary suite, provided the unit would not be located closer than 60 metres to the natural boundary of the lake.

**2. Minimum Parcel Size**

The minimum parcel size in the LR-1 Zone is 2500 m<sup>2</sup> if the parcel is connected to a community water system, and 1 hectare where the parcel is not connected to a community water system.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned LR-1. For parcels zoned LR-1 that 0.4 in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

**4. Setbacks**

The following minimum setbacks apply in the LR-1 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

**5. Height**

In the LR-1 Zone, the height of all buildings and structures shall not exceed 7.5 metres, except in accordance with Section 3.8 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the LR-1 Zone shall not exceed 20 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking and loading spaces in the LR-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.7 LR-2 LAKEFRONT RESIDENTIAL 2 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the LR-2 Zone:

**1. Permitted Uses**

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

- a. Environmental protection and conservation;
- b. Single-family dwelling;
- c. Agriculture;

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

- d. Bed and breakfast accommodation;
- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business.

**2. Minimum Parcel Size**

The minimum parcel size in the LR-2 Zone is 2200 m<sup>2</sup> if the parcel is connected to a private utility sewer and water system, and 2 hectares where the parcel is not connected to a private utility sewer and water system.

**3. Setbacks**

The following minimum setbacks apply in the LR-2 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres or 10% of the parcel width, whichever is less
Exterior side parcel line	
Rear parcel line	4.5 metres
<b>5. Height</b>	4.5 metres

In the LR-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and accessory buildings and structures shall not exceed 7.5 metres in height, except in accordance with Section 3.8 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the LR-2 Zone shall not exceed 30 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking and loading spaces in the LR-2 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.8 **RC-3 RIVER CORRIDOR 3 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RC-3 Zone:

### 1. **Permitted Uses**

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

- a. Agriculture, excluding intensive agriculture;
- b. Environmental protection and conservation;
- c. Single-family dwelling.

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

- d. Bed and breakfast accommodation;
- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business;
- g. Secondary dwelling unit or secondary suite.

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

The minimum parcel size in the RC-3 Zone is 20 hectares.

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

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned RC-3. For parcels zoned RC-3 that 0.4 in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

### 4. **Setbacks**

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

Type of Parcel Line	Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

### 5. **Height**

In the RC-3 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

### 6. **Parcel Coverage**

The parcel coverage in the RC-3 Zone shall not exceed 20 percent for all buildings and structures.

### 7. **Parking and Loading**

Off-street parking spaces in the RC-3 Zone shall be provided in accordance with Section 3.15 of this Bylaw.



**5.9 RC-4 RIVER CORRIDOR 4 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RC-4 Zone:

**1. Permitted Uses**

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

- a. Single family dwelling;
- b. Silviculture;
- c. Horticulture;
- d. Environmental protection and conservation;

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

- e. Bed and breakfast accommodation;
- f. Buildings and structures accessory to a principal permitted use;
- g. Home-based business;
- h. Secondary dwelling unit.

**2. Minimum Parcel Size**

- a. The minimum parcel size in the RC-4 Zone is 12 hectares.
- b. Notwithstanding Section 3.27.3 and 3.27.4 of this Bylaw, for the purposes of the RC-4 Zone, density averaging is permitted provided the smallest parcel created is not less than 2 hectares. Sections 3.27.1, 3.27.2 and 3.27.5 still apply in the RC-4 Zone.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned RC-4. For parcels zoned RC-4 that are 0.4 hectares in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

**4. Setbacks**

The following minimum setbacks apply in the RC-4 Zone:

Type of Parcel Line	Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

**5. Height**

In the RC-4 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the RC-4 Zone shall not exceed 20 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking spaces in the RC-4 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

## 5.9A RC-5 RIVER CORRIDOR 5 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RC-5 Zone:

### 1. Permitted Uses

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

- A Single family dwelling;
- B Agriculture, excluding intensive agriculture;
- C Environmental protection and conservation;

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

- D Bed and breakfast accommodation;
- E Buildings and structures accessory to a principal permitted use;
- F Home-based business.

### 2. Minimum Parcel Size

The minimum parcel size in the RC-5 Zone is 0.4 hectares.

### 3. Setbacks

The following minimum setbacks apply in the RC-5 Zone:

Type of Parcel Line	Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

### 4. Height

In the RC-5 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

### 5. Parcel Coverage

The parcel coverage in the RC-5 Zone shall not exceed 20 percent for all buildings and structures.

### 6. Parking and Loading

Off-street parking spaces in the RC-5 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

**5.10 R-1 RURAL RESIDENTIAL 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-1 Zone:

**1. Permitted Uses**

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

- a. Single family dwelling;

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

- b. Agriculture, excluding intensive agriculture;
- c. Bed and breakfast accommodation;
- d. Buildings and structures accessory to a principal permitted use;
- e. Home-based business;
- f. Secondary dwelling unit or secondary suite.

**2. Minimum Parcel Size**

The minimum parcel size in the R-1 Zone is 2 hectares.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned R-1. For parcels zoned R-1 that 0.4 in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

**4. Setbacks**

The following minimum setbacks apply in the R-1 Zone:

Type of Parcel Line	Agricultural (including accessory buildings and structures)	Residential (including accessory buildings and structures)
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	4.5 metres

**5. Height**

In the R-1 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the R-1 Zone shall not exceed 30 percent for all buildings and structures.

**7. Parking**

Off-street parking spaces in the R-1 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

**5.11 R-2 SUBURBAN RESIDENTIAL 2 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-2 Zone:

**1. Permitted Uses**

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

- a. Single family dwelling;

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

- b. Agriculture, excluding intensive agriculture;
- c. Bed and breakfast accommodation;
- d. Buildings and structures accessory to a principal permitted use;
- e. Home-based business;
- f. Secondary dwelling unit or secondary suite.

**2. Minimum Parcel Size**

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

- a. 0.4 hectares if connected to a community water system;
- b. 2 hectares if not connected to a community water system.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned R-2. For parcels zoned R-2 that 0.4 in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

**4. Setbacks**

The following minimum setbacks apply in the R-2 Zone:

Type of Parcel Line	Agricultural (including Accessory Buildings and Structures)	Residential (including Accessory Buildings and Structures)
Front parcel line	30 metres	7.5 metres
Interior side parcel line	15 metres	3.0 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	3.0 metres

**5. Height**

In the R-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the R-2 Zone shall not exceed 30 percent for all buildings and structures.

**7. Parking**

Off-street parking spaces in the R-2 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

**5.12 R-3 URBAN RESIDENTIAL 3 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-3 Zone:

**1. Permitted Uses**

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

- a. Single family dwelling;

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

- b. Bed and breakfast accommodation;
- c. Buildings and structures accessory to a principal permitted use;
- d. Home-based business;
- e. Horticulture
- f. Secondary dwelling unit or secondary suite.

**2. Minimum Parcel Size**

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

- a. 695 m<sup>2</sup> if connected to a community water system and a community sewer system;
- b. 0.2 hectares if connected to a community water system;
- c. 2 hectares if not connected to a community water system.

**3. Number of Dwellings**

In the R-3 Zone, not more than one dwelling is permitted on a parcel, under 0.4 ha in area. For parcels 0.4 ha or more in area, one additional secondary dwelling or secondary suite is permitted.

**4. Setbacks**

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

Type of Parcel Line	Residential Buildings and Structures	Accessory Buildings and Structures
Front parcel line	4.5	4.5
Interior side parcel line	1.0	0
Exterior side parcel line	4.5	4.5
Rear parcel line	3.0	0

**5. Height**

In the R-3 Zone, the height of all principal buildings and structures shall not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 6 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the R-3 Zone shall not exceed 25 percent for all buildings and structures.

**7. Parking**

Off-street parking spaces in the R-3 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

### **5.13 CD-1 ZONE – COMPREHENSIVE DEVELOPMENT 1 ZONE**

Subject to compliance with the general requirements detailed in Part 3 of this Bylaw, the following regulations shall apply in the CD-1 Zone.

1. Within the Paldi Comprehensive Development Zone, there are High Density Residential Areas, Low Density Residential Areas, Parkland Areas, Commercial Areas, Institutional Areas Community Service Areas and Green Space. The exact locations of these will be determined through a development permit process.
2. Within the Paldi Comprehensive Development Zone, a minimum of 7 percent of the lands will be dedicated as parkland to the CVRD (not including trail corridors), and an additional minimum 7 percent of the land, including all streamside protection and enhancement areas, will be dedicated as environmental protection areas to the CVRD. The exact locations of these will be determined through a development permit process.
3. Within the Paldi Comprehensive Development Zone there will be a future community amenity site, with a minimum land area of 0.2 ha, used as a firehall, school, neighbourhood police station or other community facility.
4. The CD-1 Comprehensive Development Zone shall allow for one contiguous commercial development area whereby the following regulations apply:
  - a) Commercial development shall be permitted on a maximum site area of 7.4 ha. The exact locations of these will be determined through a development permit process.
  - b) Commercial development shall be located on contiguous parcels of land, forming a pedestrian oriented village centre concept, rather than being fragmented throughout the site.
  - c) The following commercial uses, and no other commercial uses, are permitted:
    - a. Retail stores and convenience stores;
    - b. Grocery store;
    - c. Mixed-use (residential over commercial/retail/office/services);
    - d. Tourist accommodation units, including hotel, motel, guest house, with a maximum of 50 units for the entire site;
    - e. Meeting rooms;
    - f. Neighbourhood public house;
    - g. Restaurants, dining rooms, cafés and coffee shops;
    - h. Bakery;
    - i. Offices;
    - j. Medical and dental clinics;
    - k. Financial establishment;
    - l. Personal service use;
    - m. Laundromat, dry-cleaning drop-off/pick-up;
    - n. Public uses, including library;
    - o. Community service or civic use, including fire hall, police station, post office;
    - p. Public assembly, places of worship;
    - q. Day-care facility;
    - r. Public parks;
    - s. Recreation facilities and uses;
    - t. One automobile fuelling station;
    - u. Equestrian tack, supplies and feed store.

d) Within the commercial development area:

- i. The parcel coverage shall not exceed 50 percent for all buildings and structures;
- ii. All commercial development is required to have community sewer and water servicing;
- iii. The maximum floor area for commercial businesses, including outdoor storage areas, is 1000 m<sup>2</sup> for grocery stores, 700 m<sup>2</sup> for other retail outlets, and 1000 m<sup>2</sup> for a neighbourhood pub.
- iv. The total commercial floor area for the entire Comprehensive Development 1 Zone shall not exceed 10,000 m<sup>2</sup>.
- v. No more than 50 tourist commercial overnight accommodation units will be permitted.
- vi. The height of all retail commercial buildings and structures shall not exceed 10 m;
- vii. The hotel/motel shall not exceed three stories, with a maximum height of 15 m;
- viii. The height of the neighbourhood pub shall not exceed 12 m;
- ix. The following setbacks shall apply:

Type of Parcel Line	Commercial and Mixed-Use Buildings and Structures
Front	0 metres where the abutting parcel is commercial; 6 metres where the abutting or adjacent parcel is residential
Interior Side	0 metres where the abutting parcel is commercial; 6 metres where the abutting or adjacent parcel is residential
Exterior Side	4.5 metres
Rear	0 metres where the abutting parcel is commercial; 6 metres where the abutting or adjacent parcel is residential

5. The Paldi Comprehensive Development Designation will allow for a maximum of 500 dwelling units, plus secondary suites on up to half of the single family residential units. A minimum of 20% and a maximum of 60% of all dwelling units will be attached dwellings, single-family on small lots (not more than 1,000 m<sup>2</sup>) or mixed-use residential units above commercial uses. A minimum of 40% will be single family dwelling units on lots larger than 1,000 m<sup>2</sup>.
  - a. Not more than one dwelling is permitted on a parcel under 1,000 metres<sup>2</sup>. For parcels 1,000 metres<sup>2</sup> or greater, one additional secondary suite is permitted.
  - b. The following residential uses and no other residential uses shall be permitted:
    - i. Single Family Dwelling
    - ii. Duplex
    - iii. Triplexes
    - iv. Four unit dwelling
    - v. Bed and Breakfast Accommodation
    - vi. Daycare, Nursery School accessory to a Residential Use
    - vii. Home Occupation
    - viii. Secondary Suites, for up to 50% of single family dwellings
    - ix. Equestrian Centre

- c. The minimum parcel sizes for residential development shall be:
  - ii) 4,000 metres<sup>2</sup> if connected to only a community water system;
  - iii) 2 hectares if not connected to a community water nor sewer system.
- d. The parcel coverage on a parcel with residential dwellings shall not exceed:
  - i 40 percent for small lot (patio home) single family dwellings and accessory buildings and structures;
  - ii 40 percent for duplexes and accessory buildings and structures;
  - iii 40 percent for multi family dwellings and accessory buildings and structures.
- e. The parcel coverage on a parcel with single family residential dwellings shall not exceed:

Parcel Size	Parcel Coverage
Less than 1,000 m <sup>2</sup>	40 percent
1,000 m <sup>2</sup> to 4,000 m <sup>2</sup>	25 percent
Greater than 4,000 m <sup>2</sup>	15 percent

- f. The height of all buildings and structures shall not exceed:
  - i 10 m for single family dwellings on parcels over 1000 m<sup>2</sup>;
  - ii 7.5 m for single family dwellings on parcels up to and including 1000 m<sup>2</sup>;
  - iii 10 m for duplexes;
  - iv 12 m for multi family dwellings;
  - v 7.5 m for accessory buildings and structures;
  - vi 10 m for agricultural buildings.
- g. For residential development, the following minimum setbacks shall apply:

Column 1 Type of Parcel Line	Column 2 Single Family Dwelling	Column 3 Duplex and Four Family Dwellings	Column 4 Accessory Buildings and Structures	Column 5 Agricultural Buildings
Front	4.5 metres	4.0 metres	7.5 metres	15 metres
Interior Side	1.8 metres	3.0 metres	1.8 metres	15 metres
Exterior Side	4.5 metres	3.0 metres	3.0 metres	15 metres
Rear	3.0 metres	4.0 metres	1.5 metres	15 metres



## **5.14 C-1 LOCAL COMMERCIAL 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-1 Zone:

### **1. Permitted Uses**

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

- a. Retail stores and Convenience stores;
- b. Single family dwelling, which may be attached to or above the store unit;

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

- c. Buildings and structures accessory to a principal permitted use.

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

The minimum parcel size in the C-1 Zone is:

- a. 0.1 hectares for parcels served by a community water system and community sewer system.
- b. 0.3 hectares for parcels served by a community water system only;
- c. 1 hectare for parcels served neither by a community water or sewer system.

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

Not more than one dwelling is permitted on a parcel in the C-1 Zone.

### **4. Setbacks**

- a. The minimum setbacks for buildings and structures in the C-1 Zone is 4.5 metres from all parcel lines.
- b. The interior side parcel line requirements of this bylaw shall not apply to parcels under a registered plan where there is a common wall shared by two or more parcels within a building.

### **5. Height**

In the C-1 Zone, the height of all principal buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### **6. Parcel Coverage**

The parcel coverage in the C-1 Zone shall not exceed 50 percent for all buildings and structures.

### **7. Parking and Loading**

Off-street parking and loading spaces in the C-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.15 **C-2 GENERAL COMMERCIAL 2 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-2 Zone:

### 1. **Permitted Uses**

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

- a. Animal hospital;
- b. Arcade, billiard room, games room, bowling alley;
- c. Bakery;
- d. Bus depot, transportation facility;
- e. Business or commercial private school;
- f. Car wash;
- g. Clinic;
- h. Convenience store;
- i. Day care facility;
- j. Equipment sales, servicing and repair, excluding external storage of goods;
- k. Financial establishment;
- l. Funeral parlour;
- m. Laundromat, dry cleaner;
- n. Nursery, with outdoor storage;
- o. Office;
- p. Parking garage and parking lot;
- q. Personal service use;
- r. Printing and publishing, library;
- s. Recreational use;
- t. Restaurants;
- u. Retail stores, including automotive parts and accessory sales, but excluding external storage of goods;
- v. Single family dwelling;

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

- w. Buildings and structures accessory to a principal permitted use.

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

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

- a. 0.1 hectares for parcels served by a community water system and a community sewer system;
- b. 0.3 hectares for parcels served by a community water system;
- c. 1 hectare for parcels served neither by a community water system or a community sewer system.

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

Not more than one dwelling per hectare of parcel area is permitted on a parcel in the C-2 Zone.

### 4. **Setbacks**

- a. The minimum setbacks for buildings and structures in the C-2 Zone is 4.5 metres from all parcel lines.
- b. The interior side parcel line requirements of this Bylaw does not apply to parcels under a registered plan where there is a common wall shared by two or more parcels within a building.

**5. Height**

In the C-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the C-2 Zone shall not exceed 50 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking and loading spaces in the C-2 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## **5.16 C-3 SERVICE COMMERCIAL 3 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-3 Zone:

### **1. Permitted Uses**

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

- a. Automobile retail sales, rental, servicing, parts and accessories sales and motor vehicle repair, excluding automobile wrecking and outdoor storage.
- b. Bus depot;
- c. Convenience store;
- d. Laundromat;
- e. Mobile home, recreational vehicle, boat, motorcycle, snowmobile/all terrain vehicle sales, service and repair;
- f. Nursery, including accessory outdoor storage;
- g. Office;
- h. Restaurant;
- i. Retail and wholesale sale of building and camping, fishing and hunting supplies, including accessory outdoor storage;
- j. Service station, excluding the wrecking and storage of vehicles;
- k. Single family dwelling;

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

- l. Buildings and structures accessory to a principal permitted use.

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

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

- a. 0.1 hectares for parcels served by a community water system and a community sewer system;
- b. 0.3 hectares for parcels served by a community water system only;
- c. 1 hectare for parcels served neither by a community water system or a community sewer system.

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

Not more than one dwelling is permitted on a parcel in the C-3 Zone.

### **4. Setbacks**

The minimum setback for buildings and structures in the C-3 Zone is 4.5 metres from all parcel lines.

### **5. Height**

In the C-3 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### **6. Parcel Coverage**

The parcel coverage in the C-3 Zone shall not exceed 50 percent for all buildings and structures.

### **7. Parking and Loading**

Off-street parking and loading spaces in the C-3 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.17 **C-4 TOURIST COMMERCIAL 4 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-4 Zone:

### 1. **Permitted Uses**

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

- a. Convention facility;
- b. Golf course, pitch-and-putt course and driving range, including clubhouses, pro shops and similar ancillary facilities customarily incidental to golf course operation;
- c. Hotel, motel, campground (subject to CVRD Campsite Standards Bylaw No. 1520), resort;
- d. Marina operations, including accessory boat sales, rental and servicing, but excluding boat building and the rental of personal water craft vessels;
- e. Recreational facility;
- f. Restaurant;

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

- g. Buildings and structures accessory to a principal permitted use;
- h. Gift shop, accessory retail sales;
- i. Single family dwelling.

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

The minimum parcel size in the C-4 Zone is:

- g. 0.2 hectares for parcels served by a community water and sewer system;
- h. 0.4 hectares for parcels served by a community water system only;
- i. 1 hectare for parcels served neither by a community water system or a community sewer system.

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

Not more than one dwelling unit is permitted on a parcel in the C-4 Zone, in association with a permitted principal use.

### 4. **Setbacks**

The minimum setbacks for buildings and structures in the C-4 Zone is 4.5 metres from all parcel lines.

### 5. **Height**

In the C-4 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### 6. **Parcel Coverage**

The parcel coverage in the C-4 Zone shall not exceed 20 percent for all buildings and structures.

### 7. **Parking and Loading**

Off-street parking and loading spaces in the C-4 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.18 C-4A RESORT COMMERCIAL 4A ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-4A Zone:

**1. Permitted Uses**

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

- b. Hotel, motel, cottages, resort;

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

- b. Buildings and structures accessory to a principal permitted use;
- c. Gift shop, accessory retail sales;
- d. One single family dwelling.

**2. Minimum Parcel Size**

The minimum parcel size in the C-4A Zone is:

- a. 0.11 hectares for parcels served by a community water and sewer system;
- b. 0.2 hectares for parcels served by a community water system only;
- c. 1 hectare for parcels served neither by a community water system or a community sewer system.

**3. Number of Dwellings**

Not more than one dwelling unit is permitted on a parcel in the C-4A Zone, in association with a permitted principal use.

**4. Cottage Floor Area**

For the purposes of the C-4A Zone only, maximum cottage floor area is 150 m<sup>2</sup>.

**5. Setbacks**

The following minimum setbacks apply in the C-4A Zone:

Type of Parcel Line	Commercial and Residential Buildings and Structures
Front parcel line	6.0 metres
Interior side parcel line	4.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	4.5 metres

**5. Height**

In the C-4A Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

The parcel coverage in the C-4A Zone shall not exceed 20 percent for all buildings and structures.

**7. Parking and Loading**

Off-street parking and loading spaces in the C-4A Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## **5.19 C-5 RURAL VILLAGE COMMERCIAL 5 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this bylaw, the following regulations apply in the C-5 Zone:

### **1. Permitted Uses**

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

- a. Bed and Breakfast accommodation;
- b. Bus Depot;
- c. Business or commercial private school;
- d. Convenience Store;
- e. Food processing, excluding fish processing and abattoirs;
- f. Hostel, hotel, motel;
- g. Laundromat;
- h. Nursery, including accessory outdoor storage;
- i. Office;
- j. Pub;
- k. Restaurant, catering;
- l. Retail sales;
- m. Single family dwelling.

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

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

- a. 0.1 hectares for parcels served by a community water system and a community sewer system;
- b. 0.3 hectares for parcels served by a community water system only;
- c. 1 hectare for parcels served neither by a community water system or a community sewer system.

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

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

### **4. Setbacks**

The minimum setbacks for buildings and structures in the C-5 Zone is 6 metres from all parcel lines.

### **5. Height**

In the C-5 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### **6. Parcel Coverage**

The parcel coverage in the C-5 Zone shall not exceed 40 percent of all buildings and structures.

### **7. Parking and Loading**

Off-street parking and loading spaces in the C-5 Zone shall be provided for in accordance with Section 3.14 and 3.15 of this Bylaw.

**5.20 C-6 GUEST HOUSE COMMERCIAL 6 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the C-6 Zone:

**1. Permitted Uses**

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

- a. Agriculture, excluding intensive agriculture; horticulture;
- b. Dining room;
- c. Guest sleeping units without individual cooking facilities but not exceeding 12 sleeping units;
- d. Single family dwelling;

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

- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business;
- g. Secondary dwelling unit or secondary suite.

**2. Minimum Parcel Size**

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

- a. 0.1 hectares for parcels served by a community water system and a community sewer system;
- b. 0.3 hectares for parcels served by a community water system only;
- c. 1 hectare for parcels served neither by a community water system or a community sewer system.

**3. Number of Dwellings**

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area that is zoned C-6. For parcels zoned C-6 that are 0.4 ha in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

**4. Setbacks**

The minimum setbacks for buildings and structures in the C-6 Zone is 6 metres from all parcel lines.

**5. Height**

In the C-6 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

**6. Parcel Coverage**

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

**7. Parking and Loading**

Off-street parking and loading spaces in the C-6 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.



## 5.21 I-1 LIGHT INDUSTRIAL 1 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the I-1 Zone:

### 1. Permitted Uses

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

- a. Auto body repair, restoration and painting;
- b. Automotive repair, wrecking, storage and parts sales;
- c. Boat building, repair and storage;
- d. Building supply retailing and wholesale, including associated storage;
- e. Café, restaurant, catering;
- f. Cannabis-related business;
- g. Cannabis production (commercial - medical);
- h. Cannabis production (commercial – non-medical);
- i. Cannabis storefront retailing;
- j. Equipment sales, rental, repair and storage;
- k. Feed, seed and agricultural supplies, sales and storage;
- l. Food processing, storage and packaging, excluding fish cannery and abattoir;
- m. Manufacturing and sales of modular log or pre-fabricated homes and structures;
- n. Manufacturing, repair, treatment, storage and packaging of products or materials;
- o. Recycling, sorting and storage of any substance or material, including paper, wood and metal;
- p. Retailing and wholesale of petroleum products, limited to an on-site storage capacity of 500,000 L;
- q. Secondary processing and manufacturing of wood products, including the making of plywood, lath, particle board, oriented strand board and similar products, but excluding sawmills, pulp and paper mills and log storage and sorting areas;
- r. Warehousing, mini-warehousing including outdoor storage of boats, travel trailers, and recreational vehicles, freight handling and storage;

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

- s. Buildings and structures accessory to a principal permitted use;
- t. Single family dwelling or manufactured home.

### 2. Minimum Parcel Size

The minimum parcel size in the I-1 Zone is:

- a. 0.2 hectares for parcels served by a community water and sewer system;
- b. 0.4 hectares for parcels served by a community water system only;
- c. 2 hectares for parcels served neither by a community water system or a community sewer system.

### 3. Number of Dwellings

Not more than one dwelling is permitted on a parcel in the I-1 Zone.

### 4. Setbacks

The minimum setbacks for buildings and structures in the I-1 Zone is 9 metres from all parcel lines.

### 5. Height

In the I-1 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### 6. Parcel Coverage

The parcel coverage in the I-1 Zone shall not exceed 50 percent for all buildings and structures.

### 7. Parking and Loading

Off-street parking and loading spaces in the I-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw

## 5.22 I-2 HEAVY INDUSTRIAL 2 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the I-2 Zone:

### 1. Permitted Uses

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

- a. Any use permitted in the I-1 Zone;
- b. Dry land log sorting;
- c. Forest products milling, processing and storage, excluding pulp and paper mill.;
- d. Manufacturing, repair, treatment and storage of previously prepared or unprepared materials or substances, fabrics or compounds;

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

- e. Buildings and structures accessory to a principal permitted use;
- f. Office accessory to a principal permitted use;
- g. Single family dwelling;
- h. Slips, docks, breakwaters, ramps, dolphins, and pilings necessary for the establishment and/or maintenance of a principal use.

### 2. Minimum Parcel Size

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

- a. 0.2 hectares for parcels served by a community water and sewer system;
- d. 0.4 hectares for parcels served by a community water system only;
- e. 2 hectares for parcels served neither by a community water system or a community sewer system.

### 3. Number of Dwellings per Parcel

Not more than one single family dwelling is permitted a parcel in the I-2 Zone.

### 4. Setbacks

The minimum setbacks for buildings and structures in the I-2 Zone is 9 metres from all parcel lines.

### 5. Height

In the I-2 Zone, the height of all buildings and structures shall not exceed 25 metres, except in accordance with Section 3.9 of this Bylaw.

### 6. Parcel Coverage

The parcel coverage in the I-2 Zone shall not exceed 50 percent for all buildings and structures.

### 7. Parking and Loading

Off-street parking and loading spaces in the I-2 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.23 P-1 PARKS 1 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the P-1 Zone:

### 1. **Permitted Uses**

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

- a. Public park;

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

- b. Buildings and structures directly related to the park use;
- c. Park caretaker's residence.

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

Not more than one single family dwelling is permitted on a parcel in the P-1 Zone.

### 3. **Setbacks**

The minimum setbacks in the P-1 Zone is 6.0 metres from all parcel lines, for all buildings and structures.

### 4. **Height**

In the P-1 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### 5. **Parking and Loading**

Off-street parking and loading spaces in the P-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.24 **P-2 INSTITUTIONAL 2 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the P-2 Zone:

### 1. **Permitted Uses**

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

a. Institutional use;

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

- b. Buildings and structures accessory to a principal permitted use;
- c. Temporary stay accommodation accessory to a principal permitted use;
- d. Camping accessory to a principal permitted use;
- e. Single family dwelling or caretaker's residence.

### 2. **Prohibited Uses**

Notwithstanding the definition of "institutional use", no parcel, building or structure in the P-2 Zone shall be used:

- a. as a treatment facility for drug or alcohol addicted persons;
- b. as a halfway house or detention facility for recently-released prisoners or young offenders.

### 3. **Minimum Parcel size**

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

- a. 0.2 ha for parcels served by a community water system and a community sewer system;
- b. 0.4 ha for parcels served by a community water system only;
- c. 1.0 ha for parcels not served by community water or community sewer systems.

### 4. **Density**

The following density limits apply in the P-2 Zone:

- a. Not more than one single family dwelling or caretaker's residence is permitted per parcel;
- b. Not more than 40 temporary stay accommodation units (other than campsites) are permitted in a P-2 Zone;
- c. In addition to the density permitted above, non-commercial camping sites accessory to a principal permitted use are permitted in a P-2 Zone, in addition to the 40 temporary stay accommodation units in (b), provided appropriately-sized and VIHA-approved sewage disposal methods are in place for the total density on the parcel.

### 5. **Setbacks**

The minimum setbacks in the P-2 Zone is 6.0 metres from all parcel lines, for all buildings and structures.

### 6. **Height**

In the P-2 Zone, the height of all buildings and structures shall not exceed 10 metres, except in accordance with Section 3.9 of this Bylaw.

### 7. **Parcel Coverage**

The parcel coverage in the P-2 zone shall not exceed 40% for all buildings and structures.

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

Off-street parking and loading spaces in the P-2 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

## 5.25 **W-1 WATER CONSERVATION 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the W-1 Zone:

### 1. **Permitted Uses**

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

- a. Activities directed towards environmental protection and habitat enhancement;
- b. Non-commercial private wharf, dock or float;
- c. Passive recreation.

### 2. **Height**

In the W-1 Zone, the height of all buildings and structures shall not exceed 4 metres above the high water mark.

### 3. **Prohibited Uses**

No residential use of floats, piles or vessels of any kind is permitted in the W-1 Zone.

## 5.26 **W-3 WATER MARINA 3 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the W-3 Zone:

### 1. **Permitted Uses**

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

- a. Any use permitted in the W-1 Zone;
- b. Boat shed or boat shelter;
- c. Marina;
- d. Yacht club;
- e. Moorage facilities for water taxi, ferry, fishing boats, or similar commercial use;
- f. Sales and rental of boats and sporting equipment;

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

- g. Marina fuelling station and storage of petroleum products up to 23,000 litre capacity;
- h. Marine pub;
- i. Restaurant;
- j. Sewage pump-out station;
- k. Slips, docks, breakwaters, ramps, dolphins, and pilings necessary for the establishment and/or maintenance of a principal use;
- l. Offices and retail sales.

### 2. **Height**

In the W-3 Zone, the height of all buildings and structures shall not exceed 7.5 metres above the high water mark.

### 3. **Prohibited Uses**

No residential use of floats, piles or vessels of any kind is permitted in the W-3 Zone.

### 4. **Parking and Loading Spaces**

Parking and loading spaces in the W-3 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw, where an upland area is zoned as W-3. If the W-3 zoned area is only on a foreshore area, parking and loading areas shall be provided on the upland parcel of land that is related to the marina.

## 5.27 **W-5 LAKEFRONT RECREATIONAL 5 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the W-5 Zone:

### 1. **Permitted Uses**

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

- a. Activities directed towards environmental protection and habitat enhancement;
- b. Management of aquaculture facilities;
- c. Management of a body of water, lake or reservoir by an improvement district, municipality or regional district for use as a community water supply;
- d. Private and public (non-commercial) wharf, dock or float;
- e. Passive recreation use.

### 2. **Special Prohibitions**

For any parcel in the W-5 zone:

- a. No buildings or structures are permitted on wharves, docks, or floats;
- e. No residential use of floats or vessels of any kind is permitted;
- f. For water surfaces zoned W-5 that front lands zoned for residential use, the following applies:
  - i. In the event that one wharf, dock, or float is shared between two landowners and adjoining both parcels, the total dock area must not exceed 30 m<sup>2</sup>;
  - ii. In the event that one landowner constructs a wharf, dock, or float on their side of an extension of the shared parcel line, the total dock area must not exceed 15 m<sup>2</sup>.
- g. For water surfaces zoned W-5 that front lands zoned for commercial use, the total wharf, dock or float area must not exceed 80 m<sup>2</sup>;
- h. Pilings must not be used to anchor wharves or docks to the lakebed;
- i. A corridor not to exceed 1.5 metres in width may be cleared (with a Development Permit being firstly obtained from the CVRD) as access to a dock or wharf.

### 3. **Dock Size and Orientation**

For water surfaces zoned W-5 that front lands zoned for residential use, the following regulations apply:

- a. In the event that one wharf, dock, or float is shared between two landowners and adjoining both parcels, the total dock area must not exceed 30 m<sup>2</sup>;
- b. In the event that one landowner constructs a wharf, dock, or float on their side of an extension of the shared parcel line, the total dock area must not exceed 15 m<sup>2</sup>;
- c. Docks or wharves that are parallel to the shore and do not project more than 5 metres from the natural boundary of the lake, may be located anywhere along the natural boundary directly opposite the land;

Docks or wharves that are perpendicular to the shore and project more than 5 metres from the natural boundary of the lake may only be located immediately adjacent to the projection of the interior side lot line into the lake.

**5.28 W-6 RIPARIAN CONSERVANCY 6 ZONE**

**1. Permitted Uses**

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

- a. Activities directed towards environmental protection and habitat enhancement;
- b. Passive recreational activities.



## **5.29 ORP-1 OUTDOOR RECREATION PARK 1 ZONE**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations shall apply in the ORP-1 Zone:

### **1. Permitted Uses**

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

- a. Animal trials centre;
- b. Camping;
- c. Equestrian centre;
- d. Motorsports facility;
- e. Public assembly;

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

- f. Buildings and structures accessory to a principal permitted use;
- g. Light manufacturing and fabrication;
- h. Automotive parts sales, service and repair;
- i. Single family dwelling.

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

The minimum parcel size in the ORP-1 Zone is 40 hectares.

### **3. Dwelling Density**

Not more than one dwelling is permitted per 10 hectares of land in the ORP-1 Zone.

### **4. Setbacks**

The minimum setbacks for buildings and structures in the ORP-1 Zone shall be 20 metres from all parcel lines.

### **5. Height**

In the ORP-1 Zone, the height of all principal buildings and structures shall not exceed 20 metres, except in accordance with Section 3.9 of this Bylaw.

### **6. Parcel Coverage**

The parcel coverage in the ORP-1 Zone shall not exceed 20 percent for all buildings and structures.

### **7. Parking and Loading**

Off-street parking and loading spaces in the ORP-1 Zone shall be provided in accordance with Sections 3.14 and 3.15 of this Bylaw.

**5.30 U-1 PRIVATE UTILITY 1 ZONE**

**1. Permitted Uses**

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

- a. Private utility.

**2. Parcel Coverage**

The parcel coverage in the U-1 Zone must not exceed 50 percent for all buildings and structures.

**3. Height**

The height of all buildings in the U-1 Zone must not exceed 10 metres except for accessory buildings, which must not exceed a height of 7.5 metres.

**4. Setbacks**

The minimum setbacks in the U-1 Zone are as follows:

<b>Type of Parcel Line</b>	<b>All Buildings, Equipment and Structures</b>
Front parcel line	20 metres
Side parcel line	20 metres
Rear parcel line	20 metres

6.1 This bylaw shall take effect upon its adoption by the Regional Board.

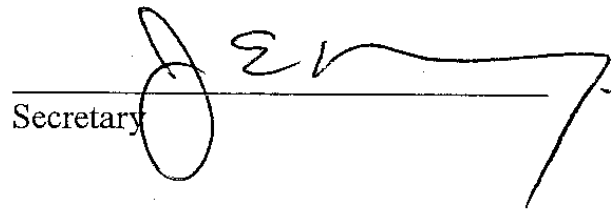
READ A FIRST TIME this 27<sup>th</sup> day of July, 2005

READ A SECOND TIME this 27<sup>th</sup> day of July, 2005.

READ A THIRD TIME this 12<sup>th</sup> day of July, 2006.

ADOPTED this 27<sup>th</sup> day of September, 2006.

  
Chairperson

  
Secretary

## APPENDIX ONE

### Minimum Parcel Size Summary

(Provided for Convenience Purposes Only)

<b>ZONE</b>	<b>Parcels Neither Served by Community Water Nor Sewer Systems</b>	<b>Parcels Served by Community Water System Only</b>	<b>Parcels Served By Community Water and Community Sewer System</b>
A-1 Agricultural Resource	12 ha	12 ha	12 ha
A-3 Golf Course/Agricultural	12 ha	12 ha	12 ha
F-1 Forest Resource	80 ha	80 ha	80 ha
F-2 Secondary Forest Resource	4 ha	4 ha	4 ha
LR-1 Lakefront Residential	1 ha	2500 m <sup>2</sup>	2500 m <sup>2</sup>
RC-3 River Corridor	20 ha	20 ha	20 ha
RC-4 River Corridor*	12 ha*	12 ha*	12 ha*
RC-5 River Corridor	0.4 ha	0.4 ha	0.4 ha
R-1 Rural Residential	2 ha	2 ha	2 ha
R-2 Suburban Residential	2 ha	4000 m <sup>2</sup>	4000 m <sup>2</sup>
R-3 Urban Residential	2 ha	2000 m <sup>2</sup>	695 m <sup>2</sup>
C-1 Local Commercial	1 ha	3000 m <sup>2</sup>	1000 m <sup>2</sup>
C-2 General Commercial	1 ha	3000 m <sup>2</sup>	1000 m <sup>2</sup>
C-3 Service Commercial	1 ha	3000 m <sup>2</sup>	1000 m <sup>2</sup>
C-4 Tourist Commercial	1 ha	4000 m <sup>2</sup>	2000 m <sup>2</sup>
C-4A Resort Commercial	1 ha	2000 m <sup>2</sup>	1100 m <sup>2</sup>
C-5 Rural Village Commercial	1 ha	3000 m <sup>2</sup>	1000 m <sup>2</sup>
C-6 Guest House Commercial	1 ha	3000 m <sup>2</sup>	1000 m <sup>2</sup>
I-1 Light Industrial	2 ha	4000 m <sup>2</sup>	2000 m <sup>2</sup>
I-2 Heavy Industrial	2 ha	4000 m <sup>2</sup>	2000 m <sup>2</sup>
P-1 Parks	None	None	None
P-2 Institutional	1 ha	4000 m <sup>2</sup>	2000 m <sup>2</sup>
Water Zones (all)	None	None	None
U-1 Private Utility	None	None	None

Notes: \* see Section 5.7.2.b for details; ha = hectares; m<sup>2</sup> = sq. m. (square metres)

## APPENDIX TWO

### Metric Conversion Table

(Provided for Convenience Purposes Only; metric measurements prevail in all cases of interpretation)

<i>Metric</i>	<i>Imperial (approximate)</i>	<i>Metric</i>	<i>Imperial (approximate)</i>
20 ha	49.42 acres	12 ha	29.65 acres
8 ha	19.77 acres	4 ha	9.88 acres
2 ha	4.94 acres	1 ha (10,000 m <sup>2</sup> )	2.47 acres
0.4 ha (4000 m <sup>2</sup> )	0.99 acre	0.2 ha (2000 m <sup>2</sup> )	0.49 acre
0.3 ha (3000 m <sup>2</sup> )	0.74 acre	0.1 ha (1000 m <sup>2</sup> )	0.24 acre
600 m <sup>2</sup>	0/14 acre	460 m <sup>2</sup>	0.1 acre
325 m <sup>2</sup>	0.08 acre	250 m <sup>2</sup>	2691 sq. ft.
90 m <sup>2</sup>	968 sq. ft.	74 m <sup>2</sup>	796 sq. ft.
60 m <sup>2</sup>	645 sq. ft.	25 m <sup>2</sup>	269 sq. ft.
0.27 m <sup>2</sup>	2.9 sq. ft.	4.546 L (litres)	1 gallon (Imperial)

<i>Metric</i>	<i>Imperial (approximate)</i>	<i>Metric</i>	<i>Imperial (approximate)</i>
7.5 m	24' 6"	4.5 m	14' 7"
6 m	19' 6"	3 m	9' 8"
1 m	3' 2"	9 m	29' 5"
10 m	32' 8"	30 m	98' 4"
15 m	49' 2"	50 m	164'
45 m	147' 6"	4 m	13'
2 m	6' 5"	1.2 m	3' 9"
2.5 m	8' 2"	0.6 m	1' 9"