



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4575

#### **A Bylaw for the Purpose of Amending Zoning Bylaw No. 1840 Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora**

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**WHEREAS** the *Local Government Act* as amended, empowers the Regional Board to adopt and amend zoning bylaws;

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being “CVRD Electoral Area “E” - Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998”;

**AND WHEREAS** the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

**AND WHEREAS** the Board has directed that, pursuant to Section 464(2) of the *Local Government Act*, a hearing not be held because the proposed amendments are consistent with Bylaw 4270 – Official Community Plan for the Electoral Areas;

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

#### 1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4575 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Miscellaneous Amendments) 2024**".

#### 2. **AMENDMENTS**

Bylaw No. 1840 is hereby amended as follows:

a. Section 3.1 – Definitions – is amended by deleting the following definitions:

- i. Accessory
- ii. Building
- iii. Dwelling;
- iv. Dwelling Unit;
- v. Family;
- vi. Multiple Family Residence;
- vii. Personal Service Use;
- viii. Principal;
- ix. Small Suite;
- x. Structure.

- b. Section 3.1 Definitions is further amended by adding the following definitions in alphabetical order as required:

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

**“Building”** means any structure, wholly or partially enclosed by a roof or roofs, supported by walls, columns or posts and used or intended for supporting or sheltering any use or occupancy;

**“Congregate Housing”** means a residential or institutional facility which provides sleeping units or dwelling units, one or more meals per day, housekeeping services, and contains a common dining area sufficient to accommodate all residents of the residential facility. Includes: accessory personal service; accessory convenience store;

**“Dwelling”** and **“Dwelling Unit”** means one or more attached habitable rooms in a building used and occupied or intended to be used and occupied as the permanent home or residence of one household, that together contain or provide for the installation of:

- (a) not more than one kitchen;
- (b) not more than one kitchenette;
- (c) one or more washrooms;
- (d) one or more sleeping areas;

Excludes: Temporary accommodation or tourist accommodation unless expressly permitted in this Bylaw;

**“Dwelling, Duplex (or Duplex)”** means a building containing two dwelling units that share a common wall or floor system, neither of which is an attached suite;

**“Dwelling, Multiple-Unit (or Multi-Unit Dwelling)”** means a building or cluster of buildings consisting of three or more dwelling units. Includes: Congregate Housing; Excludes: Tourist accommodation unless expressly permitted in this Bylaw;

**“Dwelling, Single Detached (or Single Detached Dwelling)”** means a building containing one dwelling unit or, where permitted by this bylaw, one dwelling unit and one attached suite;

**“Kitchen”** means any area in a building that is equipped with any of the following:

- (a) Any equipment, device or appliance used to prepare, heat or cook food;
- (b) Services for energy supply to any equipment, device or appliance used to heat or cook food;
- (c) Appliances or plumbing associated with food preparation or cleaning of cooking equipment, dishes or utensils;
- (d) Services for ventilation associated with any equipment, device or appliance used to heat or cook food; or
- (e) Food storage and preparation areas such as pantries, cupboards, cabinets and counter tops;

**“Kitchenette”** means any portion of a room used for the preparation of beverages and limited meals and may contain a raised counter and one each of the following: sink, refrigerator, microwave oven, and coffeemaker;

**“Personal Service”** means use of a building to provide services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects, and includes accessory retail sale of personal care products;

Includes: Uses such as barber shop, dry cleaning establishment, fitness studio, hair salon, nail salon, photographer's studio, shoe repair shop, tailor, tattoo parlour;

**“Principal Use (or Principal Use)”** means the primary purpose for which land, buildings or structures are ordinarily used, or designed to be used;

**“Structure”** means anything that is fixed to, or supported by, or sunk into land or water.

Includes: swimming pools; retaining walls; fences; signs; and any tank that projects above 0.6m above finished grade; underground commercial or industrial tanks.

Excludes: areas of hard surfacing such as concrete, brick or unit pavers, turfstone, asphalt or similar materials; soft landscaping unless otherwise specified in this Bylaw; private residential septic tanks entirely below grade;

**"Suite, Detached (or Detached Suite)"** means a dwelling unit that is itself, or located within, an accessory building on a parcel of land that contains at least one other dwelling unit, and that complies with Section 5.23 of this Bylaw;

- c. Throughout the Bylaw, all remaining occurrences of the phrase “multiple family residence” are changed to “multiple unit dwelling”.
- d. Throughout the Bylaw, all occurrences of the phrase “single family dwelling” are changed to “single detached dwelling”.
- e. Section 5.13.1 (b) and (c) are both deleted.
- f. Section 5.23 is amended by retitling it as “Detached Suites”, and the remainder of that Section is deleted and replaced with the following:
  - (a) The floor area of a detached suite shall not exceed 90 square metres;
  - (b) Two additional on-site parking spaces shall be provided;
  - (c) A detached suite is not permitted without approval of the community sewer service provider, or if the parcel is not connected to a community sewer system, unless a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel;
  - (d) Prior approval of the authority having jurisdiction for potable water must be secured for the total density requested;
  - (e) The detached suite shall not be a recreational vehicle nor a park model recreational vehicle;
  - (f) The detached suite may be in the form of a mobile, manufactured or modular home but may not exceed a length of 13 m;
  - (g) Only one attached suite or detached suite is permitted per parcel;
  - (h) The detached suite is subject to Section 5.27 of this Bylaw;
  - (i) The detached suite may be subdivided from the parcel upon which it is located only if:
    - i. it is in a zone which would allow for the proposed lot sizes following subdivision;
    - ii. the principal single detached dwelling and detached suite are so located as to allow for setback requirements to be met following subdivision;
    - iii. the approval of the Health Authority for sewage disposal has been obtained;
    - iv. all other requirements of subdivision are met.

If the parcel upon which the detached suite would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the detached suite, register a 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.

- g. All remaining occurrences of the phrase “small suite” throughout the Bylaw are replaced with the phrase “detached suite”.
- h. Section 5.27 is amended by changing the cross-reference from Section 5.23(l) to 5.23(k).
- i. Section 5.28 is amended by changing the references to Section 946 with Section 514 in both the title and the regulation.
- j. Section 6.1 – List of Zones – is amended by replacing all references to Multi-family to Multiple unit in both the RM-1 and RM-2 Zones.
- k. Section 8.4(a)(2) is deleted and replaced with “Duplex”.
- l. The term “Family” in the titles of Section 8.5 and 8.6 are replaced with “Unit”.
- m. Section 9.5(a)(17) is deleted and replaced with “Duplex”.
- n. Section 9.5(a)(18) is deleted and replaced with “Multiple Unit Dwelling”.

### 3. **FORCE AND EFFECT**

PUBLIC NOTICE GIVEN in 18<sup>th</sup> day of April, 2024.  
ACCORDANCE WITH THE  
LOCAL GOVERNMENT ACT  
this

READ A FIRST TIME this 24<sup>th</sup> day of April, 2024.

READ A SECOND TIME this 24<sup>th</sup> day of April, 2024.

READ A THIRD TIME this 24<sup>th</sup> day of April, 2024.

RECEIVED MINISTRY OF  
TRANSPORTATION &  
INFRASTRUCTURE  
APPROVAL this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer