Cowichan Valley Regional District

Electoral Area D – Cowichan Bay

Zoning Bylaw

No. 3705

Cowichan Valley Regional District

Electoral Area D – Cowichan Bay (Upland) Zoning Bylaw No. 3705

Amended up to and including Bylaw No. 4349

CONSOLIDATED FOR CONVENIENCE ONLY

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

CVRD

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 Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway.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:

3799 Edgewater Terrace Manufactured Home Park, May 14, 2014 (map only)
3822 General File, July 9, 2014 (text only)
3995 Island Farmhouse (text and map)
4015 General File Housekeeping, October 12, 2016 (text and map)
4089 5301 Chaster Road (Addition of Distillery, Brewery to C7 Village Business Park Commercial (text)
4109 Whippletree, September 21, 2017 (text and map)
4120 Cannabis Regulations – September 26, 2018 (text only)
4272 4831 Trans-Canada Highway – June 26, 2019 (text and map)
4366 4715 Trans Canada Highway – April 28, 2021 (text and map)
4384 1500 Cowichan Bay Road/PID: 005-490-227 – July 28, 2021 (text and map)
4349 Cannabis Uses – April 12, 2023 (text)

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COWICHAN VALLEY REGIONAL DISTRICT
BYLAW NO. 3705

A Bylaw to Establish Zones and Regulate the Use of
Land, Buildings and Structures Within the Upland Areas
of Electoral Area D – Cowichan Bay

WHEREAS Division 7 of Part 26 of the *Local Government Act* of the Province of British Columbia authorizes a local government to enact zoning and other development regulations including:

(a) Pursuant to Section 903 of the *Local Government Act*, to regulate the use of land, buildings and structures;
(b) Pursuant to Section 903 of the *Local Government Act,* to regulate the density of the use of land, buildings and structures, and the siting, size and dimensions of buildings and structures and the uses that are permitted on the land;
(c) Pursuant to Section 903 of the *Local Government Act*, to regulate the shape, dimension and area, including minimum and maximum sizes, of all parcels of land that may be created by subdivision;
(d) Pursuant to Section 904 of the *Local Government Act*, to establish different density regulations for certain zones including those generally applicable for the zone and others which apply subject to conditions including the provision of amenities;
(e) Pursuant to Section 906 of the *Local Government Act*, to regulate the provision of off-street parking and loading spaces;
(f) Pursuant to Section 907 of the *Local Government Act*, to regulate the maximum percentage of the area of land that may be covered by impervious material;
(g) Pursuant to Section 908 of the *Local Government Act*, to regulate the number, size, type, form, appearance and location of any signs;
(h) Pursuant to Section 909 of the *Local Government Act*, to set standards for and regulate the provision of screening and landscaping to mask or separate certain land uses; and
(i) Pursuant to Section 946 of the *Local Government Act*, to establish minimum parcel areas for parcels that may be subdivided under that Section;

AND WHEREAS Division 1 of Part 22 of the *Local Government Act* authorizes the Cowichan Valley Regional District Board of Directors to enact regulations respecting the keeping of animals;

AND WHEREAS Division 3 of Part 22 of the *Local Government Act* authorizes the Cowichan Valley Regional District Board of Directors to enact regulations respecting nuisances and disturbances;

AND WHEREAS the Cowichan Valley Regional District Board of Directors considers it to be in the public interest to enact zoning and other development regulations pursuant to the *Local Government Act*;

AND WHEREAS the Cowichan Valley Regional District Board of Directors, having previously enacted Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605, wishes to enact consistent zoning and other development regulations to give effect to Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605 for the upland areas of Electoral Area D (Cowichan Bay);

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

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

Part 1 Administration

1.1 Title, Applicability and Administration

1. Title

This bylaw may be cited for all purposes as "CVRD Electoral Area D - Cowichan Bay Upland Zoning Bylaw No. 3705, 2013".

2. Amendment of Previous Zoning Bylaw

Electoral Area D Zoning Bylaw No. 1015, 1986 has been amended by CVRD Bylaw No. 3805, 2014 to exclude the upland areas of Electoral Area D (Cowichan Bay) which are now subject to this bylaw.

3. Consistency with the Official Community Plan

This bylaw is consistent with and gives effect to the policies of the Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605. No amendment to this bylaw shall be made which deviates from the policies of the Official Community Plan without the prior amendment of Bylaw No. 3605.

4. Applicability

This bylaw applies to all lands, including the surface of water, and all uses, buildings and other structures located within the boundaries of Electoral Area D – Cowichan Bay, as shown on Schedule "A", the Zoning Map, which is attached to and forms part of this bylaw.

5. Bylaw Amendment

Any application for amendment to this bylaw is subject to:

(a) The provisions of the *Local Government Act*;
(b) Requirements of Cowichan Valley Regional District Development Application Procedures and Fees Bylaw No. 3275, as amended, or replaced.

6. Severability

If any section, subsection, paragraph, sentence, clause, phrase or schedule of this bylaw is for any reason found invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this bylaw or the validity of the Bylaw as a whole.

1.2 Compliance and Enforcement

1. Compliance

(a) Land, buildings and structures within a zone shall be only for uses permitted in that zone, with any applicable conditions, under this bylaw and for no other uses.
(b) No person shall use, occupy, subdivide or permit any person to use, occupy or subdivide any land, building or other structure in contravention of this bylaw.
(c) Land that is subject to this bylaw must not be used, and such land must not be subdivided, and buildings and other structures on such land must not be constructed, altered, or sited except in accordance with this bylaw.

(d) Every use of land, buildings and structures permitted in each zone shall conform to all of the regulations of the applicable zone and all other regulations of this bylaw.

(e) Nothing contained within this bylaw shall relieve any person from the responsibility to apply for and obtain any other permit or approval, and to comply with any other statute, regulation or bylaw including the approvals, statutes and regulations of the Government of Canada or the Government of British Columbia, applicable to a use, activity or other matter regulated under this bylaw.

(f) No land may be subdivided; no building, structure or land may be used; and no building or other structure may be sited in a manner which renders any existing use, building or other structure on the same parcel non-conforming with respect to the provisions of this bylaw, unless another regulation in this bylaw specifically permits it.

2. Non-Conforming Buildings, Uses and Structures

A continuation of a non-conforming use, building or structure shall be subject to the provisions of Section 911 of the *Local Government Act.*

3. Prohibition

Any use of land, or of a building or structure not expressly permitted in this bylaw, or in the regulations applicable to a specific zone under this bylaw, is prohibited.

4. Enforcement

The Administrator and a Bylaw Enforcement Official may enter any parcel, building, or premises at all reasonable times, and in accordance with Section 314.1 of the *Local Government Act*, to ascertain whether the regulations of this bylaw are being obeyed.

5. Violation

(a) Any person who:

i) Violates any of the provisions of this bylaw;
ii) Causes or permits any act or thing to be done in contravention or violation of any provision of this bylaw;
iii) Neglects to do or refrains from doing any act or thing which is required to be done by any provisions of this bylaw;
iv) Carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this bylaw;
v) Fails to comply with an order, direction or notice given under this bylaw; or
vi) Prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Administrator or a Bylaw Enforcement Official;

commits an offence against this bylaw and is liable to the penalties imposed under this bylaw;

(b) Each day that an offence of this bylaw is caused to continue, allowed to continue, constitutes a separate offence.

6. Penalty

Any person guilty of an offence is punishable in accordance with the *Offence Act* of British Columbia.

7. Covenants against Building, Subdivision or Use

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

8. Application
Except as otherwise specified in the bylaw, all provisions of Parts 1, 2 and 3 apply to all of the zones established under this bylaw.

9. Reference to other Bylaws and Regulations
A reference in this Bylaw to any bylaw, policy or form of the Cowichan Valley Regional District is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

1.3 Interpretation

1. Explanatory Notes and Figures
All text in this bylaw which is italicized, except titles of legislative acts, statutes and regulations, and explanatory figures are included for clarification purposes only and have no legal effect. Where a conflict between explanatory notes and figures and a regulation in this bylaw occurs, the regulation shall be taken as correct.

2. Conflicting Regulations
Where this bylaw contains two or more regulations that could apply to a situation, the most restrictive regulation shall apply to the extent of any conflict.

3. General and Specific Regulations
Where this bylaw contains both general and specific regulations that could apply to a situation, the more specific regulation shall apply.

4. Measurements and Calculations
(a) All dimensions and measurements in this bylaw are expressed in the Standard International Units (metric) system.
(b) For the purposes of this bylaw, the following units of measure shall be abbreviated as specified in brackets:
   i. metre (m);
   ii. cubic metre (m^3);
   iii. square metre (m^2);
   iv. hectare (ha);
   v. units per hectare (u/ha);
   vi. per cent (%).

5. Bylaw Format
The format of this bylaw follows a simple layout intended to facilitate its use. Major divisions within the bylaw are called “Parts” and major divisions within Parts are called “Sections”. The divisions are as described below.

1.4 Definitions

The following terms, words and phrases when used in this bylaw have the meanings set forth in this Part, whether appearing in capital or lowercase form. If not defined below or by a Province of BC statute, the words and phrases used in this bylaw have their common and ordinary meanings to the degree consistent with the technical subjects in this bylaw:

“Academic School” means an institution with no residential component or temporary accommodation, providing a curriculum, for academic instruction up to completion of Grade 12, and which consists of a body of students, organized as a unit for educational purposes, where students attending the school have an opportunity to earn a diploma provided by the British Columbia Ministry of Education;

"Accessible" means conducive to approach, enter, pass to and from and make use of an area and its facilities by a person with disabilities without assistance from another person;

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

"Accommodation Unit" means a self-contained housekeeping unit comprised of one or more rooms including sleeping and sanitary facilities, and which may including cooking facilities;

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

"Adult" means a person who has reached 19 years of age;

"Adult-Oriented Entertainment" means live performances, or the showing of motion pictures, videos, or other electronic or photographic reproductions other than magazines, the central feature of which is the visual representation of a person's genitals, anus or pubic area, or physical contact with a person's genitals, anus or pubic area, including strip shows, exotic dancing and other adult-oriented performances;

"Agricultural and Horticultural Supply Sales" means the sale of agricultural supplies, landscaping supplies, seeds, trees, plants, flowers; and includes plant nurseries;

"Agricultural Service" means services sold to farm businesses to support agricultural productivity including, but not limited to: soil preparation services such as plowing, application of fertilizer, seed bed preparation; crop services such as crop planting, cultivation services, crop disease control, entomological services, irrigation system operation services, orchard cultivation services, pruning services, weed control; crop harvesting by machine; crop preparation services for market such as sorting, grading, packing of fruits and vegetables, grain cleaning, drying of corn, fruits and vegetables; veterinary services for horses and livestock; agricultural equipment services; and farm labour and management services; includes accessory office uses but excludes retail sales;

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

"Agri-tourism" means a tourist activity, service or facility accessory to land that is classified as a farm under the *Assessment Act*;

"Agri-tourism Accommodation" means temporary accommodation of campsites, cabins, or bed and breakfast accommodation, or a combination thereof, which is accessory to land that is classified as a farm under the *Assessment Act*;

"Agro-forestry" means a land use that involves deliberate retention, introduction or mixing of trees or other plants in crop and animal production systems to provide an economic return;

"ALC" means the Agricultural Land Commission as constituted by the *Agricultural Land Commission Act*;

"ALC Act" means the *Agricultural Land Commission Act;*

"ALR" means the provincial Agricultural Land Reserve, established pursuant to the *Agricultural Land*

Commission Act;

"Alteration" means a structural change to a building, including: an addition to gross floor area or height; the removal of a portion of a building; construction of cutting into, or removal of any wall, partition, column, beam, joist, floor or chimney; and any change to or closing of any required means of access;

"Animal Shelter" means a facility providing temporary care to domestic animals;

"Artist studio" means the use of a building for the creation, display and sale of arts and crafts, including photography;

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

"Assisted Living Residence" has the same meaning as under the *Community Care and Assisted Living Act*;

"Auction" means the offering for sale of new and used goods by means of a request or invitation for bids, which may involve an assembly use, but does not include retail sales;

"Automobile Body Shop" means the use of a building or structure for the rebuilding or reconditioning of engines or vehicles, including collision service, body repair, frame straightening, sandblasting, painting, upholstering, cleaning, undercoating, welding, and which may include Automobile Service does not include Automobile Salvage or Wrecking Yard;

"Automobile Service" means the use of a building or structure for period, routine servicing of motor vehicles and recreational vehicles, including minor repairs and replacement of mechanical and other components, but does not include Automobile Body Shop or Automobile Salvage or Wrecking Yard;

"Automobile Salvage or Wrecking Yard" means an area of land where motor vehicles are wholly or partially disassembled, dismantled, or crushed, or where vehicles not in operable condition or used parts of motor vehicles are stored;

"Bachelor Suite" means a dwelling with combined living and sleeping areas and no separate bedrooms;

"Bakery" means a building within which baked goods are produced and sold at retail, and which may include a retail store or café;

"Bare Land Strata Lot" has the same meaning as under the *Strata Property Act*;

"Basement" means any part of a building between two floors that is partially or completely below grade and has a finished ceiling that is no more than 1.2 m above grade;

"Bed and Breakfast" means the accessory use of a parcel for temporary accommodation in sleeping units within a principal single detached dwelling or within an accessory building, and where guests are provided one daily breakfast meal, and no other served meals, on the premises;

"Big Box Store" means a retail store with a gross floor area that exceeds 1,800 m^2;

"Brewery or Distillery" means a process plant used for the brewing or distilling of beverage alcohols and includes facilities on the same site where the beverage alcohols may be blended, mixed, stored or packaged, and may include accessory sales, tours, and customer seating areas.

"Buffer Area" means a landscaped area intended to provide visual and physical separation along parcel boundaries to screen land use from adjacent parcels and public roads, and to mask or separate outdoor storage, refuse site and utility kiosks;

"Building" has the same meaning as under the *BC Building Code*;

"Building Supply Sales" means the sale of building supplies including materials customarily incidental to the construction and maintenance of buildings such as paints, plumbing and electrical supplies, building components, or prefabricated buildings;

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

"Campground" means an area comprised of individual campsites intended or used for the temporary accommodation of persons for vacation or recreational purposes in recreational vehicles or tents, which do not serve as dwellings, and accessory washroom and shower facilities, laundry, retail sales, restaurant, café, office and recreational facilities, but excluding a manufactured home park;

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

"Cannabis – Micro Production and Processing" means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m², and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

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

"Catering Service" means the use of a building or structure for the preparation of food for immediate consumption, which will be delivered to a customer off the premises;

"Centre Line" means an imaginary line drawn between the boundaries of a highway so that the line is always equidistant from either boundary;

"Civic Use" means the use of land, buildings or structures by the Cowichan Valley Regional District, a municipality, government agency or improvement district to provide government functions and services, including government offices, public education facilities, public health facilities, public emergency response facilities, community centres, libraries, museums, parks, cemeteries, courts of law, community water facilities, community sewer facilities, and excluding public works yards;

"Closed Fence" means a fence that is constructed so that not more than 20% of the total area of the fence permits visibility;

"Cluster Residential Development" means a form of land development in which principal buildings and structures, including residential dwelling units, are grouped together on a site, thus preserving the remaining land area as open space for conservation, recreation, agriculture or other public uses;

"Cold Storage Facility" means a fully enclosed and refrigerated building intended for the storage of perishable goods;

"Commercial Recreation and Entertainment" means the use of land, buildings or structures for the

purpose of operating a commercial recreation and entertainment business including bowling alleys, arcades, indoor and outdoor rock climbing facilities, dance halls, pools, skating rinks, and uses of a similar nature;

"Community Care Facility" has the same meaning as under the *Community Care and Assisted Living Act*;

"Community Garden" means the use of public or private land for the growing of food, flowers, native and ornamental plants, edible berries and food perennials;

"Community Recreation Facility" means the use of land, buildings or structures for the conduct of health, wellness, sports and leisure activities, including gymnasiums, indoor or outdoor racquet courts, curling rinks, skating rinks, swimming pools, and similar public recreation uses, which may include accessory civic, office, health and wellness studio, assembly, retail store, catering, restaurant and café uses;

"Community Service" means the use of land, buildings, and structures to provide social, cultural, health, recreation and education services to the public by a government or non-profit agency but excludes community care facility, residential uses, and assembly;

"Community Sewer System" means a liquid waste treatment and disposal service owned and operated by the Cowichan Valley Regional District, a municipality, or an Improvement District under the *Local Government Act*;

"Community Water System" means a potable water distribution system owned and operated by the Cowichan Valley Regional District, a municipality, or an Improvement District under the *Local Government Act;*

"Concrete Batch Plant" means a facility and related equipment used for the production of concrete;

"Construct or Construction" means to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, upgrade, remove or excavate;

"Crown Land" has the same meaning as under the *Land Act*;

"Cultural Facility" means a museum, maritime centre or nature centre, or theatre for the performing arts, which is operated by a government agency or non-profit organization and which may include accessory retail sales, restaurant, café, educational programs and tours, and assembly uses;

"CVRD" means the Cowichan Valley Regional District;

"CVRD Board" means the Board of Directors of the Cowichan Valley Regional District;

"Day Care" means the use of a building or part thereof including any other premised or part of such premises for the purpose of providing care to eight or fewer persons, including members of the household occupying the premises;

"Day Care, Group" means a licensed Community Care Facility in which nine or more persons, including members of the household occupying the premises, receive daytime care;

"Derelict Motor Vehicle" means all or part of any wrecked vehicle or motor vehicle which is not capable of operating under its own power and not validly registered and licensed in accordance with the *Motor Vehicle Act*, *RSBC 1979*;

"Development" means the construction, re-construction, erection or placing of one or more buildings

or structures on land or the making of any material change in the use or intensity of the use of any building or land or any activity referred to in Section 920(1) of the *Local Government Act*;

"Drive-through" means a facility for the provision of food, drink or other commercial services to persons within a motor vehicle without the need for such persons to exit the motor vehicle;

"Duplex" means a building containing two dwelling units, neither of which is a secondary suite;

"Dwelling" means a self-contained housekeeping unit comprised of one or more rooms including one kitchen and living, sleeping and sanitary facilities, having direct access to the outdoors or common hall without passing through any other similar unit, intended to be used as the principal residence of one household, and not available for temporary accommodation unless explicitly permitted under this bylaw, and does not include a recreational vehicle or floating home;

"Dwelling, Accessory" means a dwelling which is accessory to a principal residential use located on the same parcel, and which is physically detached from and not located within another dwelling on the same parcel;

"Dwelling, Multiple" means a building, or portion of a building, containing three or more dwelling units or sleeping units or combination thereof;

"Dwelling, Semi-detached" means a dwelling unit contained with a duplex.

"Dwelling, Single Detached" means a building containing a dwelling unit, which may also contain a secondary suite;

"Equestrian Centre" means the use of land, buildings, or structures for the boarding of horses, the training of horses and riders and the staging of equestrian events, but does not include race tracks, gaming or gambling establishments, feed lots or auctions;

"Equipment Sales" means the sale of heavy equipment machines and vehicles including forklifts, excavators, loaders, bulldozers, lawnmowers, and similar items;

"Farm Stand" means a structure housing a seasonal roadside business for the sale of food or produce of which at least 50% originates on the premises;

"Fence" means a structure used as a screen or enclosure around all or part of a parcel or site, and includes an arbor, archway, gate, screen, trellis and wall;

"Financial Institution" means a bank, credit union, acceptance corporation, trust company, finance company or other establishment providing similar services;

"Fish Processing" means the use of land, buildings or structures for the processing of fish, shellfish, or other forms of sea life;

"Floor Area" means the space on any storey of a building between interior walls and required firewalls, measured from the inside walls, but not including exits, vertical service spaces and their enclosing assemblies;

"Floor Area, Gross (GFA)" means the total horizontal floor area of all buildings on a parcel measured between the interior face of exterior walls and required firewalls, including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, and enclosed balconies, mezzanines, porches and verandas, and excluding auxiliary parking, unenclosed swimming pools, balconies, sundecks, elevators and mechanical heating, cooling and ventilation equipment;

"Food Concession" means the use of a building, mobile cart, mobile trailer or vehicle for the preparation and sale of food and non-alcoholic beverages to pedestrians located outside;

"Food processing" means the use of land, buildings or structures for the processing, warehousing and distribution of food and beverage products but specifically excludes fish, livestock, poultry and cannabis processing, breweries and distilleries;

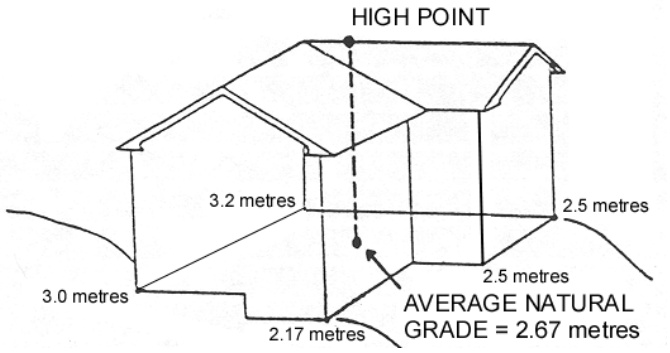
"Fully-Shielded" means a type of light fixture which results in illumination from an artificial light source being directed below the horizontal plane toward the ground and only illuminating the object that is intended to be illuminated, rather than illuminating the night sky;

"Gravel Processing" means the washing, screening, grading, sorting, milling, concentration or storage of minerals, rocks, earth, clay, sand or gravel;

"Golf Course" means the use of land, buildings or structures for the purpose of playing golf, which may include accessory driving range, office, retail store, restaurant, café, lounge, and assembly uses;

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

"Height" means the vertical distance from the average natural grade or the 200 year flood construction level at the perimeter of a building or structure, to the high point of the building or structure, as generally illustrated below;



"Highly Visible" means irrespective of a permitted sign associated with a home-based business, it is evident to passersby that non-residential use is being made of a property in a residential zone;

"Highway" has the same meaning as under the *Community Charter*;

"Home-Based Business" means an occupation, business, trade or professional practice which is carried on for remuneration or financial gain within a wholly enclosed building or structure so that the use is not highly visible, and which is accessory to the principal residential use of the property;

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

"Hospital" means the use of land and buildings as a hospital, as defined by the *Hospital Act*;

"Hotel" means the use of a building or part thereof, for temporary accommodation, which includes accommodation units and may include accessory restaurant, neighbourhood pub, café, catering, market, assembly, office, retail store, artist studio, fitness studio, office, personal service, education,

and recreation uses;

"Household" means a person or group of persons who occupy the same dwelling as their usual place of residence; it may consist of a family with or without other persons, of two or more families sharing a dwelling, of up to five unrelated persons, or of one person living alone;

"Impervious Surface Coverage" means the total area of a parcel that is incapable of allowing precipitation to penetrate to underlying soils due to the presence of buildings, structures or other impermeable surfaces, except impermeable surfaces that are naturally occurring on the parcel;

"Infill" means the development of vacant sites and sites with development potential within existing developed areas;

"Infrastructure" means physical structures that form the foundation for development; Infrastructure includes wastewater and water works, electric power, communications, transit and transportation facilities, and oil and gas pipelines and associated facilities;

"Intensive Agriculture" has the same meaning as under the *Local Government Act*;

"Kennel" means the use of a parcel, building or structure for the keeping, boarding, exercising or breeding of dogs or cats for remuneration or financial gain, and may include accessory office, retail sales, grooming and training facilities;

"Kitchen" means a room used for the preparation, cooking or eating of food and which contains cooking, washing and food cold storage facilities, a sink, cabinetry and ventilation for the cooking facilities;

"Landscaping" means the physical arrangement and maintenance of landscaping materials for the purpose of enhancing the functional and aesthetic qualities of site development;

"Landscape Buffer" means a contiguous area of land planted with a combination of non-invasive plants, shrubs and trees, which is interrupted only by driveways and walkways;

"Landscape Screen" means a visual barrier composed of either: a continuous evergreen hedge; or a continuous evergreen hedge in combination with a wood fence or masonry wall, installed or planted so that no person is able to see through it, and which is interrupted only by driveways and walkways;

"Limited Agriculture" means any agricultural activities carried on in accordance with Section 2.1.19 of this Bylaw.

"Liquor Retail Sales" means the sale of liquor from a liquor store as defined by the *Liquor Control and Licensing Act*;

"Livestock" means cattle, goats, horses, sheep, swine, game, and similar farmed or fur bearing animals;

"Livestock Processing" means the use of land, buildings or structures for the processing of livestock;

"Lot" means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the *Land Title Office*;

"Lounge" means a limited scale establishment licensed to serve liquor in conjunction with live entertainment and/or dancing as a Liquor-Primary establishment under the *Liquor Control and Licensing Act*; this use shall not include any form of adult-oriented entertainment including, without limitation, exotic dancing or stripping;

"Manufactured Home" means a mobile home or modular home normally built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of it manufacture;

"Manufactured Home Park" means the use of land, which is subject to the Cowichan Valley Regional District Mobile Home Park Bylaw 275, as amended, for the purpose of providing two or more sites for the accommodation of manufactured homes;

"Market" means the use of land, a building, or a structure by multiple vendors for the purpose of selling produce, fish, meat, cheese, seafood, flowers and crafts;

"Medical Health Officer" means a medical health officer designated under the *Public Health Act*;

"Medical Service" means the use of a building or part thereof for the provision of medical services by a licensed practitioner including but not limited to medical clinic, dentist, chiropractor, physiotherapist, massage therapist, acupuncturist, holistic medical practitioner, optometrist, and medical lab, excluding any cremation facilities;

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

"Mobile Home" means a manufactured home which is certified as being constructed to the *Canadian Standards Association Z240 Mobile Home Series Standard*;

"Modular Home" means a manufactured home which is certified as being constructed to the *Canadian Standards Association* A277 Standard;

"Motor Vehicle Sales" means the sale of new or used motor vehicles that are capable of being licensed under the *Motor Vehicle Act*, and including motor vehicle rental and motor vehicle part sales;

"Natural Boundary" has the same meaning as under the *Land Act*;

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

"Nature Park" means a public park established for the purpose of protecting and enhancing significant natural areas and features, and ancillary, passive, non-vehicular recreational activities including walking, hiking, nature interpretation, wildlife viewing, and bird watching;

"Non-Profit" means not established for the purpose of making a profit;

"OCP" means the CVRD Electoral Area D – Cowichan Bay Official Community Plan Bylaw 3605, as amended;

"Open Fence" means a fence that is constructed so that at least 80% of the total area of the fence permits visibility;

"Open Space" means land that provides outdoor space for unstructured or structured leisure activities, recreation, ecological habitat, cultural activities, or aesthetic enjoyment that is generally accessible to the public;

"Panhandle Driveway" means a strip of land that is used principally as a driveway, the end of which

forms the boundary between the parcel of which that strip of land is a part of and (a) a street; (b) a right-of-way easement giving access to the parcel if there is no street abutting that boundary; or (c) the nearest public highway if there is no street or right-of-way easement abutting that boundary;

"Panhandle Parcel" means a parcel that has less than 10% of its perimeter adjoining a street or highway, and/or in part consists of a panhandle driveway;

"Parcel" has the same meaning as under the *Community Charter*;

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

"Parcel Coverage" means the total area of land covered by buildings and structures, as measured from the outermost perimeter, expressed as a percentage of the parcel area;

"Parcel Line, Exterior Side" means a parcel boundary, other than a front parcel line or a rear parcel line, which abuts a highway;

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

"Parcel Line, Interior Side" means a parcel boundary between two parcels, other than a front parcel line, exterior side parcel line or a rear parcel line, which does not run along a highway;

"Parcel Line, Rear" means a parcel boundary that lies most opposite to and is not connected to the front parcel line;

"Parcel Yield" means the number of parcels that may be created by subdivision of any other parcel, determined by dividing the total developable area of a parcel (gross area, minus any area required to be dedicated for highway or park purposes) by the minimum parcel area for the zone within which the parcel is located;

"Parking Lot" means an area of land used for the parking of motor vehicles registered and licensed under the *Motor Vehicle Act*;

"Party Wall" has the same meaning as under the *Land Title Act*;

"Passive Recreation" means outdoor recreation activities which do not involve the use of buildings, structures, motor vehicles or motorized equipment;

"Permitted Use" means a permissible purpose for which land, buildings, or structures may be used;

"Personal Service" means the use of an enclosed building or structure to provide professional services to a person for remuneration or financial compensation, including barber shop, hair salon, esthetician, tailor, shoe repair, training and picture framing shop;

"Plan Area" means lands, including water surfaces, within the area affected by Electoral Area D – Cowichan Bay Official Community Plan Bylaw 3605;

"Poultry" means any bird normally raised for food or egg production, but does not include bantams and without limiting the generality of the foregoing includes: chickens, turkeys, geese, ducks, artificially reared grouse, partridge, quail, pheasant or ptarmigan;

"Poultry Processing" means the use of land, buildings or structures for the processing of poultry;

"Principal Use" means the primary purpose for which a parcel, building or structure is used, designed or intended to be used;

"Printing and Publishing" means the use of an enclosed building or structure for printing, engraving, blueprinting, duplicating and publishing or newspapers, books and magazines;

"Private Outdoor Amenity Area" means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular dwelling and which is immediately adjacent to and directly accessible from the dwelling it is to serve;

"Process Plant" has the same meaning as under the *BC Building Code*;

"Pub" means an establishment licensed to serve liquor in conjunction with live entertainment and/or dancing as a Liquor-Primary establishment pursuant to the *Liquor Control and Licensing Act*, which also offers full lunch and dinner menus complete with hot and cold meals;

"Public Park" means land and watercourses, which are publicly owned or under the control of a government agency, and used or intended to be used for recreational, archaeological, historical, educational or ecological purposes, and which may also include ancillary buildings, structures and infrastructure including but not limited to boat launch facilities, cultural facilities, offices, interpretative and directional signage, seating areas, viewing platforms and information kiosks;

"Public Utility" means a use and associated works which provide for essential services such as community water, community sewer, heat, electricity, navigation and telecommunications, where such use is established by the CVRD Board, a municipality, an improvement district, is licensed by a senior government, or is operated by a body that is subject to the *Utility Commission Act*, and includes utility kiosk, but excludes exterior storage, recycling bins, recycling depots, recycling plants, refundable container depots, offices, vehicle or equipment repair facilities and power generation facilities;

"Pumphouse" means a building not exceeding one storey in height, measuring not more than 9 m^2 in gross floor area and used exclusively for housing water-pumping and treatment equipment;

"Qualified Environmental Professional (QEP)" has the same meaning as under the *Riparian Areas Regulation;*

"Recreational Vehicle (RV)" means a bus, motor home, trailer, or vehicle designed or intended to be used for the temporary accommodation of people;

"Recreational Vehicle (RV) and Boat Sales" means the sale of new or used recreational vehicles (RVs) or boats that capable of being licensed under the *Motor Vehicle Act* or *Shipping Act*, including RV and boat rental;

"Recycling Depot" means a collection facility for recyclable material to be sorted and stored within a building, but does not include processing except assembling or packaging for shipping, and does not include an automobile salvage and wrecking yard;

"Refundable Container Depot" means a collection and distribution facility enclosed within a building for bottles, cans, and other refundable containers to be reused or recycled, but does not include processing except assembly or packaging for shipping;

"Repair Services" means the use of a fully enclosed building or structure for the repair of consumer household products, but specifically excludes automobile service and the repair of automobile parts, and automobile body shop;

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

"Residential Shelter" means a dwelling used for the purpose of providing temporary residence for persons displaced from their usual place of residence in the case of an emergency;

"Residential Use" means a use providing for the accommodation of a household, including activities customarily incidental to the accommodation of a household, where such accommodation is the usual place of residence to which the household intends to return if absent, and if such premises are rented, where the minimum rental and occupancy period is 30 consecutive days;

"Restaurant" means the use of a building as a food services establishment which provides seating for customers to consume food on the premises, where food is not sold from a walk-up counter and which does not include a drive through;

"Retail Sales" means the use of an enclosed building or structure to sell goods or wares to a final consumer, excluding sales of liquor, RVs, motor vehicles, boats, building supplies, agricultural and horticultural supplies, equipment, and wholesale goods;

"Retaining Wall" means a structure intended to hold back, stabilize, or support an earthen bank;

"Secondary Suite" means one or more habitable rooms, containing cooking facilities, constituting a self-contained dwelling for the residential accommodation of one household, located within a building containing a principal single detached dwelling;

"Senior Government" means either or both of the Government of British Columbia and Government of Canada;

"Service Industry" means the processing, manufacturing, testing, assembling, cleaning, distribution, servicing, printing, repair and maintenance of goods and materials;

"Service Station" means the use of land, buildings and structures for the retail sale of petroleum products, motor fuels, and electric vehicle recharges, and includes accessory retail store, office, and automobile minor service, but excludes automobile major service, and automobile salvage and wrecking yard;

"Setback" means the minimum required horizontal distance between a building or structure and a specified parcel line or other described feature;

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

"Sleeping Unit" means a room or group of rooms to be used for sleeping and living purposes only, which may include sanitary facilities but excludes a kitchen;

"Spectator Entertainment" means the use of land, buildings or structures for the screening of films, live theatre, performing arts, and musical or artistic performance, excluding adult-oriented entertainment;

"Storey" has the same meaning as under the *BC Building Code*;

"Storey, First" means the lowest storey of a building having its floor not more than 2 m above grade;

"Storey, Half" means the uppermost level of a building where the floor area, existing, proposed or as

may be extended over open-to-below space, and having a minimum ceiling height of 1.2 m, does not exceed 50% of the storey immediately below;

"Stream" has the same meaning as under the *Riparian Areas Regulation*;

"Structure" means any construction fixed to, supported by, or sunk into land or water, but no concrete paving or asphalt paving or similar surfacing of a parcel;

"Subdivision" has the same meaning as under the *Local Government Act;*

"Supportive Housing" means a residential facility, which is also licensed as a community care facility under the *Community Care and Assisted Living Act*, for the shelter and care of persons with physical or mental disabilities, persons recovering from addiction, or persons at risk of homelessness or previously homeless, where supports are provided, either by on-site staff or through outreach;

"Temporary Accommodation" means the accommodation of transient, paying guests for a period of time which is less than thirty days;

"Transit Exchange" means the use of land, buildings and structures for the purpose of accommodating transit services operated by a government, government contractor or non-profit agency;

"Utility Kiosk" means a building or structured, associated with a utility, that is intended to aid in the distribution of electricity or telecommunications;

"Veterinary Service" means the use of a building or part thereof for the provision of veterinary services by a licensed veterinarian, excluding any cremation facilities;

"Walkway" has the same meaning as under the *BC Building Code*;

"Wholesale Sales" means the use of a building or structure, by establishments or businesses engaged in selling merchandise to retail dealers or to other wholesale dealers, or to contractors or to manufacturers, for resale or for use in their business but not directly to a final consumer;

"Warehousing" means the use of a building or structure for the purpose of receiving and storing goods in exchange for financial compensation or remuneration, and includes freight storage and distribution, the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes mini-storage and retail sales from the parcel;

"Watercourse" means a stream, wetland or other natural body of water;

"Wetland" has the same meaning as under the *Riparian Areas Regulation;*

"Wood Products Processing" means the use of land, buildings or structures for the processing, warehousing and distribution of wood products, which may include the production of plywood, lath, particle board, wood pellets and similar products, but specifically excluding pulp and paper processing and similar processes involving the chemical treatment of wood products or byproducts;

"Yard, Front" means the area of a parcel extending across the full width of the parcel from the front parcel line to the face of the nearest exterior wall of the principal building on the parcel;

"Yard, Rear" means the area of a parcel extending across the full width of the parcel from the rear parcel line to the face of the nearest exterior wall of the principal building on the parcel;

"Yard, Side" means the area of a parcel extending from the front yard to the rear yard and lying

between the side parcel line and the face of the nearest exterior wall of the principal building on the parcel;

"Zone" means an area of CVRD Electoral Area D that is designated as a zone under Part 3 of this bylaw, for which specific regulations are hereinafter outlined in this bylaw and its schedules.

Part 2 General Regulations

2.1 General Regulations for Uses, Buildings and Structures

1. Uses Permitted in All Zones

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

(a) Accessory buildings, structures, uses or works customarily incidental to a principal permitted use, provided they are located on the same parcel or within the same strata plan as the principal use;
(b) Community garden, horticulture;
(c) Environmental protection, restoration and enhancement;
(d) Flood control works undertaken by a government agency;
(e) Highway;
(f) Landscaping, landscape buffer, landscape screen, fence;
(g) Public park;
(h) Public utility, excluding offices, maintenance garages and storage areas;
(i) 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 storage areas are removed within 30 days of the completion of the project;
(j) Temporary occupancy of a mobile home or recreational vehicle by an owner of a parcel of land during construction of a permitted dwelling on the same parcel;
(k) Trail (subject to approval of the ALC if located in the ALR).

2. Prohibited in All Zones

The following uses are prohibited in all zones except as explicitly permitted otherwise in this bylaw.

(a) Big Box Store;
(b) Disposal of any waste matter on land or to a watercourse, except as lawfully permitted under the *Sewage Disposal Regulation*, *Agricultural Waste Control Regulation* or *Waste Management Act;*
(c) Drive-through;
(d) Exterior storage of building materials except where building materials are stored temporarily for use in construction or improvements on the same parcel.
(e) Exterior storage or salvage of more than one motor vehicle which is not currently registered and licensed under the *Motor Vehicle Act* or capable of motivation under its own power or exterior storage or salvage of motor vehicle parts;
(f) Gaming and gambling establishments, other than charity gaming;
(g) Keeping of roosters in any zone that does not permit Agriculture or Limited Agriculture;
(h) Keeping of more than a total of 5 cats or dogs on a parcel except in zones where a kennel is permitted;
(i) Parking more than one commercial or industrial vehicle with a gross vehicle weight in excess of 5,000 kg on a parcel not zoned for commercial, industrial or agricultural use;
(j) Residential use of float homes, houseboats, floats, piles, docks, wharves and similar structures;
(k) Residential use of a recreational vehicle;
(l) Storage of any wastes or contaminated soils or fill not originating on the same parcel;
(m) Storage of portable containers, other than during a construction project with an active building permit;

(n) Temporary accommodation;
(o) Treatment of contaminated soils or fill on a parcel other than that upon which the contamination arose.

3. Uses Not Expressly Permitted are Prohibited

Any use not expressly permitted in this bylaw is prohibited in every zone, and where a particular use is expressly permitted in one zone, such use is prohibited in every zone where it is not expressly permitted.

4. Uses Permitted and Prohibited in Agricultural Zones

(a) Activities explicitly designated as farm uses pursuant to the *Agricultural Land Use*, *Subdivision and Procedure Regulation* are permitted in all Agricultural Zones within the ALR;
(b) Unless an activity is explicitly designated a farm use, or permitted by this bylaw pursuant to the *Agricultural Land Use, Subdivision and Procedure Regulation*, the use is prohibited unless approval has been granted by the ALC for a non-farm use or is subject to Section 23(1) of the *ALC Act*, and the non-farm use is permitted by this bylaw;
(c) Activities permitted by this bylaw pursuant to the *Agricultural Land Use, Subdivision and Procedure Regulation* are explicitly identified as permitted uses within individual agricultural zones; for such activities, conditions of use apply in accordance with this bylaw.

5. Residential Use and Density

(a) Not more than one dwelling shall be located on any one parcel, except as specifically permitted in this bylaw;
(b) Where more than one detached dwelling is permitted on a parcel of land that is not within a community water service area, either:
    i) Each dwelling shall have its own well for domestic water use; or
    ii) If a shared well is used, the shared well must be approved and the purveyor certified pursuant to the *Drinking Water Protection Act*.

(c) No dwelling shall be used or occupied by more than one household;
(d) All rooms of a dwelling shall be accessible from within that dwelling;
(e) Not more than one kitchen shall be contained within a dwelling;
(f) No part of an accessory building shall be used as a dwelling;
(g) No tent, park model unit certified to the CSA Z241 standard, recreational vehicle, boat, houseboat, float home, dock, float, motor vehicle, shipping container, or other structure shall be used for sleeping or residential purposes except as specifically permitted in this bylaw;
(h) A Crown lease shall not be used for residential purposes unless specifically permitted by the zone;
(i) The permitted maximum residential density on a parcel that is partially in two or more zones will in all cases be determined by the zone with the highest permitted residential density.
(j) A single detached dwelling, mobile home or accessory dwelling which is permitted as an accessory use in a non-residential zone must be located to the rear of the principal non-residential use.

6. Use of Single Detached Dwellings as Community Care Facilities

(a) A single detached dwelling, which is permitted under this Bylaw, may be used as a community care facility, licensed under the *Community Care and Assisted Living Act*, for the purpose of providing:
    i) A day care for no more than eight (8) persons;
    ii) A residence for no more than 10 persons, not more than 6 of whom are persons

in care.

7. Split-Zoned Parcels

Where a parcel contains more than one zone:

(a) Each zoned area shall be treated as a separate parcel for the purpose of determining compliance with the provisions of its zone; and

(b) All uses, buildings or structures that are accessory to a principal use, building or structure are permitted only within the area of the parcel zoned for the principal use, building or structure to which the uses, buildings or structures are accessory.

8. Accessory Buildings, Structures and Works

Accessory building, structure or works shall comply with the following:

(a) No accessory building or structure shall be situated on a parcel unless the principal building, to which the accessory building or structure 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^2 of gross floor area, used only for storage purposes;

(b) On residential parcels that are less than 0.4 ha in area, the combined area of greenhouses shall not exceed 25% of parcel area;

(c) Greenhouses associated with agriculture or limited agriculture use shall comply with required parcel line setbacks for agriculture and limited agriculture uses;

(d) A garage or carport attached to a principal building, by an enclosed, heated area that is not more than 5 m in length, is deemed to be a portion of the principal building;

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

(f) No part of an accessory building shall be used as a dwelling unit or sleeping unit, except as otherwise provided for in this bylaw.

9. Accessory Dwellings and Secondary Suites

(a) For zones within which it is a permitted use, an accessory dwelling shall only be permitted if:

i) The parcel upon which the accessory dwelling is located complies with the minimum parcel area requirement in relation to the level of servicing provided as described in the following table:

Minimum Parcel Area	Level of Servicing
No minimum	The principal dwelling and accessory dwelling are serviced by both a community water system and a community sewer system
0.4 ha	The principal dwelling and accessory dwelling are serviced by a community water system
1.0 ha	The principal dwelling and accessory dwelling are not serviced by a community water system

ii) The gross floor area of the accessory dwelling is not less than 37 m^2;

iii) The gross floor area of the accessory dwelling is not more than 74 m^2 on a parcel that is less than 0.4 ha in area; and not more than 90 m^2 on a parcel that is 0.4 ha or greater in area;

iv) The accessory dwelling is legally constructed and inspected in accordance with the *BC Building Code* and the *CVRD Building Bylaw*, and has the approval of the authorities responsible for domestic sewage disposal and domestic water supply;

v) The owner of the parcel resides on the same parcel;

vi) No other accessory dwelling, secondary suite or bed and breakfast use is located

on the parcel.

(b) For zones within which it is a permitted use, a secondary suite shall only be permitted if:

i) The parcel upon which the secondary suite is located complies with the minimum parcel area requirement in relation to the level of servicing provided as described in the following table:

Minimum Parcel Area	Level of Servicing
No minimum	The principal dwelling and secondary suite are serviced by both a community water system and a community sewer system
0.4 ha	The principal dwelling and secondary suite are serviced by a community water system
1.0 ha	The principal dwelling and secondary suite are not serviced by a community water system

ii) The gross floor area of the accessory dwelling is not less than 37 m^2;
iii) The gross floor area of the secondary suite is not more than 90 m^2 or 40% of the gross floor area of the principal dwelling, whichever is less;
iv) The secondary suite has a private access which is not visible from a public roadway;
v) The secondary suite is legally constructed and inspected in accordance with the *BC Building Code* and the *CVRD Building Bylaw*, and has the approval of the authorities responsible for domestic sewage disposal and domestic water supply;
vi) The owner of the parcel resides on the same parcel;
vii) No other secondary suite, accessory dwelling or bed and breakfast use is located on the parcel.

(c) Neither an accessory dwelling nor a secondary suite shall be located on a parcel unless the owner of such parcel has, prior to the issuance of an occupancy permit by the CVRD, registered a restrictive covenant under Section 219 of the *Land Title Act*:

i) Prohibiting subdivision or the registration of a strata plan under the *Strata Property Act* or *Land Title Act*;
ii) Limiting the number of dwellings permitted on the parcel to two, including the principal dwelling;
iii) Requiring the owner of the parcel to permanently reside on the same parcel;

(d) Notwithstanding Paragraph (c), a restrictive covenant is not required for an accessory dwelling on a parcel of land which may be subdivided in accordance with this bylaw, provided the resulting parcels would meet the minimum parcel area and other regulations for the zone in which each dwelling would be located, and the subdivision would not result in a non-conforming use, building or structure in accordance with this bylaw;
(e) Parcels upon which a single detached dwelling and either a secondary suite or an accessory dwelling were legally authorized by the CVRD as of the date of adoption of this bylaw, are considered to be legal and conforming under this bylaw.

10. Agri-tourism Accommodation

For zones within which it is a permitted use, agri-tourism accommodation shall:

(a) Be clearly ancillary to a principal agricultural use on the parcel;
(b) Only be permitted on a parcel that is at least 2 ha in area;

(c) Only be permitted on a parcel that has been assessed as a farm under the *Assessment Act* for at least five consecutive years prior to establishing the agri-tourism accommodation use;
(d) Be limited to a combined total of 10 accommodation or sleeping units in total, which may be comprised of seasonal campsites or cabins or bed and breakfast units or a combination thereof;
(e) Not occupy more than 2,500 m^2 or 10% of the parcel, whichever is less, including building floor area, campsites, service buildings, indoor or outdoor amenity areas, driveway areas and landscaped areas;
(f) Comply with all CVRD bylaws including bylaws regulating campsites;
(g) Not have, through subdivision or strata plan, a separate title distinct from the one for the parcel of land upon which the agri-tourism accommodation is located;
(h) Not be located on a parcel unless the owner of such parcel has, prior to the issuance of a building permit for the agri-tourism accommodation, registered a covenant under Section 219 of the *Land Title Act* to prevent subdivision or the registration of any form of strata plan under the *Strata Property Act* or *Land Title Act*;
(i) Not involve any external display or advertisement of the business other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m^2 in area.

11. Bed and Breakfasts

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

(a) Be accessory to a principal single detached dwelling where not more than one principal dwelling exists on a parcel;
(b) Be contained entirely within a single detached dwelling, except on a parcel that is 0.4 ha or greater in area, where sleeping units may be contained within one accessory building which has a gross floor area that is not more than 40% of the gross floor area of the principal single detached dwelling on the parcel;
(c) Not be located on a parcel of land that has a secondary suite or accessory dwelling;
(d) Not involve more than three sleeping units on parcels that are less than 0.4 ha in area; or more than four sleeping units on parcels that are 0.4 ha or larger;
(e) Not involve any external display or advertisement of the business other than a maximum of one non- illuminated sign, which shall not exceed 0.4 m^2 in area;
(f) Only be conducted by residents on the parcel;
(g) Be clearly identified on plans associated with a building permit application to legally accommodate the use;
(h) Be limited to serving one breakfast meal per day to guests;
(i) Not produce excessive traffic, or create a nuisance of any kind;
(j) Comply with applicable senior government regulations.

12. Backyard Hen Keeping

For zones within which backyard hen keeping is a permitted use, the following regulations apply:

(a) Backyard hen keeping is permitted on parcels greater than 700 m^2 and less than 0.4 ha in area; on parcels that are 0.4 ha or greater, backyard hen keeping shall comply with regulations and conditions of use for limited agriculture;
(b) A maximum of five hens is permitted;
(c) An enclosure for the keeping of hens must be provided, which is fenced and secured;
(d) Buildings, structures and enclosures used for the keeping of hens shall:

i) Not be located within a front yard and within 6 m of a side or rear parcel line;
ii) Shall not occupy a parcel area in excess of 10 m^2;
iii) Shall not exceed a height of 2.5 m;

(e) Backyard hen keeping shall not create a nuisance of any kind;
(f) Backyard hen keeping shall comply with all CVRD bylaws including applicable animal control bylaws.

13. Day Cares and Group Day Cares

For zones within which a day care or group day care is permitted, the following regulations apply:

(a) Day cares and group day cares shall be operated and licensed in accordance with the *Community Care and Assisted Living Act;*
(b) A group day care for more than eight persons shall not be located on a parcel that is less than 0.2 ha in area except in zones where group day care is a principal permitted use;
(c) A group day care for more than 16 persons shall not be located on a parcel that is less than 0.4 ha in area except in zones where group day care is a principal permitted use;
(d) A day care use shall be clearly subservient and incidental to a principal dwelling and residential use of the parcel upon which the dwelling is located except in zones where group day care is a principal permitted use;
(e) There shall be no variation from a primarily residential appearance of the land and premises where a day care is located;
(f) A day care or group day care use shall not produce excessive traffic, or create a nuisance of any kind;
(g) A day care or group day care use shall have no external display or advertisement other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m^2 in area;
(h) No off-site parking associated with a day care or group day care use is permitted.

14. Equestrian Centres

For zones within which equestrian centre is a permitted use, the following regulations apply:

(a) The parcel upon which the equestrian centre is located is not less than 4 ha in size;
(b) No more than 40 stalls shall be provided for the accommodation or keeping of horses;
(c) The equestrian centre, including buildings and structures for the accommodation or keeping of horses and outdoor areas for horses, shall not be located within 45 m of a parcel line;
(d) Parking required in conjunction with the equestrian centre use shall be provided on the premises;
(e) Not involve any external display or advertisement of the business other than a maximum of one non- illuminated sign, which shall not exceed 0.4 m^2 in area.

15. Farm Stands

For zones within which it is a permitted use, farm stands shall:

(a) Only offer for sale food products grown and produced on the premises, except on parcels located within the ALR in accordance with Section 2 of the *Agricultural Land Use, Subdivision and Procedure Regulation ;*

(b) Comply with applicable senior government regulations including regulations respecting food premises;

(c) Not be located within 4.5 m of a parcel line abutting a highway unless the CVRD has received written confirmation of authorization from the Ministry of Transportation and Infrastructure;

(d) Not occupy a parcel area in excess of 10 m^2, except on parcels located within the ALR in accordance with Section 2 of the *Agricultural Land Use, Subdivision and Procedure Regulation;*

(e) Not exceed 2.5 m in height;

(f) Not involve any external display or advertisement of the business other than a maximum of one non- illuminated sign, which shall not exceed 0.4 m^2 in area.

16. Food Premises & Liquor Licensing

(a) For zones within which it is a permitted use, a bakery, café, catering service, farm stand, market, restaurant or other food premises shall only be conducted in accordance with the *Food Premises Regulation*;

(b) For zones within which it is a permitted use, a brewery or distillery, liquor retail sales, lounge or pub use shall only be conducted with a valid license pursuant to the *Liquor Control and Licensing Act.*

17. Home-Based Businesses

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

(a) The home-based business shall only be conducted within a dwelling or a wholly enclosed accessory building;

(b) The home-based business shall be clearly subservient and incidental to a principal dwelling and residential use of the parcel upon which the dwelling is located;

(c) The home-based business shall not have a gross floor area that exceeds 100 m^2 or 40% of the gross floor area of the principal dwelling in which the home-based business use is located, whichever is less;

(d) There shall be no variation from a primarily residential appearance of the land and premises where the home-based business is located;

(e) The home-based business shall not create excessive traffic or a nuisance of any kind;

(f) The home-based business shall not discharge wastewater to a watercourse, groundwater or septic field, except as permitted pursuant to the *Environmental Management Act or Public Health Act;*

(g) The home-based business shall not involve any external display or advertisement of the business other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m^2 in area;

(h) The home-based business shall not involve exterior storage of any material or equipment used directly or indirectly in the processing, servicing or sale of any product;

(i) The home-based business shall not involve the parking or storage of more than one commercial vehicle and trailer, with a gross vehicle weight in excess of 5,000 kg, on the parcel or an adjacent parcel or roadway;

(j) The home-based business shall only be conducted by persons residing on the parcel, except:

i) A maximum of one additional person who does not reside on the parcel may be employed; or
ii) A maximum of two additional people who do not reside on the parcel may be employed on a parcel that is 0.4 ha or larger;

(k) The home-based business shall comply with all applicable provincial and federal regulations;
(l) Automobile body shop, automobile service, boat service, automobile salvage or wrecking yard, brewery, distillery, and process plant are not permitted as home-based businesses;
(m) Except as permitted in accordance with the *Agricultural Land Commission Act*, fish, livestock, cannabis, or poultry processing are not permitted as home-based businesses;
(n) No off-site parking associated with the home-based business use is permitted;
(o) Notwithstanding Paragraph (l), a home-based business involving automobile service that was legally authorized as of the date of adoption of this bylaw is considered to be legal and conforming under this bylaw provided:

i) The use is located within the A1 zone;
ii) The use is limited to three enclosed service bays;
iii) Not more than three vehicles having been serviced or scheduled to undergo service are parked outdoors at any given time; and no such vehicles are located within 6 m of a front parcel line or 1.5 m of a side or rear parcel line;
iv) Oil-water separators are provided for each service bay and parking area and cleaned and maintained in accordance with applicable environmental regulations;
v) Off-street parking areas are screened in accordance with Section 2.3 of this bylaw.

18. Kennels

For zones within which kennel is a permitted use, the following regulations apply:

(a) A kennel shall only be permitted with prior authorization through the issuance of a kennel permit by the CVRD;
(b) A kennel shall not be permitted on a parcel less than 2 ha in size;
(c) All buildings, structures and areas used for the operation of a kennel shall not be located within 45 m of a parcel boundary;
(d) Not involve any external display or advertisement of the business other than a maximum of one non- illuminated sign, which shall not exceed 0.4 m^2 in area.

19. Limited Agriculture

For zones within which it is a permitted use, limited agriculture shall:

(a) Not be permitted on any portion of a parcel or on one or more contiguous parcels with a site area that is less than 0.4 ha;
(b) Be contained by fencing or housed within a building that does not otherwise contain a dwelling;
(c) Not be located closer than 15 m from any parcel line;
(d) Not produce excessive traffic, or create a nuisance of any kind;
(e) Not involve any external display or advertisement of the business other than a maximum of one non- illuminated sign, which shall not exceed 0.4 m^2 in area.

20. Commercial Cannabis Regulations

a. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.
b. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
c. Cannabis - Standard Production and Processing are subject to the following regulations:
    i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
    ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
    iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
    iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m², and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m².
d. Cannabis – Micro Production and Processing are subject to the following regulations:
    i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
    ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
    iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
    iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m².
e. Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

21. Retail Sales

For zones within which it is a permitted use, retail sales shall comply with all of the following regulations:

(a) Retail sales shall be conducted from entirely within an enclosed building;
(b) Except as permitted by special regulation within a zone, the total gross floor area used for retail sales within a single building shall not exceed 1,800 m^2;
(c) Notwithstanding Paragraph (a), a retail sales use may involve the exterior display of products provided the area occupied for exterior display is less than 10 m^2, the exterior display does not occur within 4.5 m of a highway, and the exterior display only occurs while the business is open to the public.

22. Swimming Pools

(a) Swimming pools shall be enclosed in a structure or surrounded by a fence not less than

1.5 m and not more than 1.8 m in height, designed to prevent climbing, and where equipped with gates, be operated by hinges and a lock and be able to be opened freely only from the inside;

(b) Swimming pools shall not be located within 15 m of a front parcel line or within a required side or rear parcel line setback.

23. Temporary Occupancy during Construction

(a) An owner of a parcel of land may occupy a mobile home or recreational vehicle (RV) while in the process of constructing a permanent dwelling on the same parcel, provided that the following conditions are met:

i) The mobile home or RV occupancy shall not commence until a building permit has been issued for the construction of a principal dwelling on the parcel;
ii) The period of mobile home or RV occupancy shall not extend beyond twelve (12) months from the issuance of the building permit to construct the principal dwelling;
iii) Occupancy of the mobile home or RV shall cease within 30 days of the date upon which occupancy is granted for the newly constructed principal dwelling;
iv) Sewage shall be disposed of at approved off-site locations, or if it is disposed of on-site, in a location and manner that is permitted by the jurisdiction having authority;
v) The mobile home or RV shall be located no closer than 4.5 m to any parcel line.

(b) Despite a restriction under this bylaw on the number of dwellings permitted on a parcel, an owner of a parcel which already has an existing dwelling located on it, while in the process of constructing a new principal dwelling on the same parcel, may continue to occupy the existing dwelling during construction of the new principal dwelling, provided that the following conditions are met:

i) 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, unless the existing dwelling would conform with the regulations of the Zone in which the construction is occurring following completion of the new principal dwelling;
ii) When a covenant is required in accordance with Subparagraph (i), the covenant shall specify that an irrevocable letter of credit or other security satisfactory to the CVRD, in the amount of $5,000, shall be issued in favour of the CVRD by the owner, to be forfeited to the CVRD in the event that the other terms of the covenant are not complied with, in which case the CVRD shall use the $5,000 to offset any costs of legal action to obtain compliance;
iii) That the actions required by covenant under Subparagraph (i) must be completed within a maximum time period of 2 years from the date of issuance of the building permit to completion and occupancy of the new principal dwelling, and that this time period be specified in the covenant.

2.2 General Regulations for Siting & Height

1. Height Limit Exceptions

(a) Notwithstanding other height restrictions in this bylaw, the following parts of buildings and structures may be of an unlimited height: agricultural buildings; belfries, domes, spires and steeples of buildings for public worship; chimneys; flag poles; cranes; federally regulated telecommunications towers; radio antennas; stair towers; elevator

towers; street light standards with fully-shielded light fixtures; roof-top mechanical equipment provided the equipment is screened from public view; and tanks associated with public utilities;

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

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

2. Setback Exceptions

(a) Except as otherwise provided in particular zones, the setback requirements of this bylaw do not apply to:

i) Bay windows without habitable floor area; chimneys; exterior finishes; heating, ventilation and air conditioning equipment, sills; sunlight control projections including sunshades; unenclosed stairwells, if the projections do not exceed 1 m measured horizontally into the setback area and are not within 1 m of a parcel boundary;

ii) Eaves, canopies, cornices, gutters, sunshades, signs, cantilevered decks, and unenclosed stairwells and above-ground stairways if the projections, measured horizontally, do not exceed 2 m from a rear parcel line and 1 m from a front or side parcel line;

iii) Farm stands located within a front setback, provided they are not located within 4.5 m of a parcel boundary;

iv) Signs;

v) Closed fences, retaining walls, landscape buffers and landscape screens;

vi) Pump houses and utility kiosks;

vii) Open fences.

(b) Notwithstanding any other provision of this bylaw, the consent of the Ministry of Transportation and Infrastructure is required to place any building or structure including closer than 4.5 m to a property line adjacent to a highway;

(c) Features not specifically mentioned in Paragraph (a) shall not project into a required setback.

3. Setbacks from a Watercourse

(a) Notwithstanding any other provision of this bylaw, no building or structure shall be located:

i) Within 30 m of the natural boundary of the Cowichan or Koksilah River;

ii) Within 15 m of the natural boundary of any watercourse or the sea.

(b) Notwithstanding any other provision of this bylaw, no building or structure used for the keeping of animals, poultry or livestock shall be located within 30 m of a watercourse or well;

(c) Notwithstanding any other provision of this bylaw, a vegetated buffer, of not less than 15 m measured horizontally from the natural boundary, shall be maintained along all watercourses unless otherwise determined by a *Riparian Areas Regulation* Development Permit;

(d) All buildings and structures shall be elevated at least:

i) 3 m above the natural boundary of the Cowichan River or the Koksilah River;

ii) 1.5 m above the natural boundary of any watercourse, lake or the sea.

(e) All buildings and structures shall conform to a Floodplain Management Bylaw, if one is in effect, and any potential natural hazards that the Building Official believes may be present shall be dealt with in accordance with Section 56 of the *Community Charter*.

4. Fences and Retaining Walls

(a) Except as otherwise specifically stated in this bylaw,

i) 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, including where a fence or wall is constructed above a retaining wall;

ii) The maximum height of a fence shall not exceed 1.2 m in a front yard and not more than 2 m on all other parts of a parcel in a residential zone;

iii) Notwithstanding Subparagraph (ii), fence height may be increased to 2 m in a front yard provided transparent mesh is used for the portion of fence that is more than 1.2 m in height;

iv) The maximum height of a fence shall not exceed 2.5 m in an agricultural, commercial, institutional, industrial or parks zone;

v) Fences used in association with recreational uses, such as playing fields, golf courses, driving ranges and tennis courts shall not be limited in height, provided such fences are constructed of materials that permit visibility, such as transparent mesh;

vi) Fences may be constructed on any portion of a parcel, including within a required setback area, except closed fences and landscape screens shall be less than 2.5 m height when sited in a required setback area from a parcel line adjoining a residential use;

vii) The use of barbed wire, razor wire, electric current, or any hazardous material for fencing is prohibited within all zones designated by this bylaw, except where such fencing is required in conjunction with activities explicitly designated as farm uses pursuant to the *Agricultural Land Use*, *Subdivision and Procedure Regulation.*

(b) In a residential zone, a single retaining wall must:

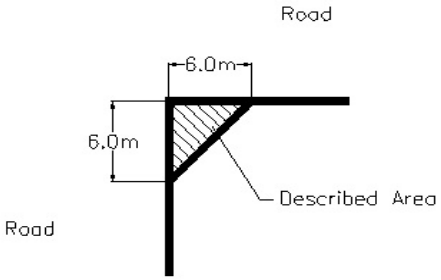
i) Not exceed a height of 1.2 m measured from the average natural grade level at its base;

ii) Not be located within 0.6 m, measured horizontally, of any other retaining wall;

(c) No fence or retaining wall may be constructed within a Riparian Assessment Area except where such construction has been authorized by a development permit issued by the CVRD.

5. Visual Clearance at Intersections (Sight Triangle)

No person being the owner, occupier or lessee of any land located at the intersection of any two streets, shall place or establish, or permit to be placed or established, a fence, building, structure, or vegetation that is greater than 1 m in height within a sight triangle bounded by the intersecting parcel lines at a street corner and a line joining points along said parcel lines 6 m from their point of intersection.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Described Area
Road

2.3 General Regulations for Landscaping & Screening

1. Required Landscaping

(a) The minimum level of landscaping required in each zone within all front, side and rear yards shall be determined in accordance with the following table:

Zone	Land Use	Required Landscaping and Screening
RR1, RR2, CR1, R2, R2A, R3, R3A, MU1	Single detached dwelling	i) A pervious landscape buffer with a minimum width of 1 m is required, measured from the front and exterior side parcel lines except where intersected by a driveway or pathway; ii) For new development on parcels less than 500 m^2 in area, landscaping may be specified by a Development Permit;
R1	Manufactured home park	iii) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the manufactured home park; landscaping and screening shall also be provided in accordance with the *CVRD Mobile Home Park Bylaw;*
A1, A1A, A1T, A4, A7	Agritourism Accommodation	iv) A landscape buffer with a minimum width of 7.5 m shall be provided along the perimeter of campsites and tent sites; further landscaping shall be specified by a Development Permit;
	Processing, Cold storage and all other non-residential and non-farm uses	v) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the parcel; further landscaping shall be specified by a Development Permit;
RM2, RM3, RM4, MU1, MU2, MU3, C2, C3, C4, C5, C6, C7, RUR1	Multiple dwelling and non-residential uses	vi) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the parcel, except a landscape buffer with a minimum width of 3 m shall be provided along all parcel lines abutting a principal residential use; further landscaping shall be specified by a Development Permit;
RUR3, RUR3A	All uses	vii) A landscape buffer with a minimum width of 5 m shall be provided along the perimeter of the parcel, except the width of the buffer may be reduced to 0 m along a parcel line abutting another parcel in the RUR3 or RUR3A zone; further landscaping shall be specified by a Development Permit;

(b) The requirements of this section may be varied through a development permit;

(c) Landscaping and screening shall be provided and maintained at the sole cost of the parcel owner.

2. Landscaping and Run-off Control Standards

(a) Required landscape buffers shall be continuous along the affected property boundaries, except they may be interrupted only by pathways and driveways providing access;

(b) All site grading will direct overland drainage along or away from any landscape buffer to collection points on-site and away from buildings;

(c) All landscaped areas and lands impacted by development which are not intended to be used for buildings, parking areas, driveways, pathways, patios or recreation, shall be rehabilitated using a selection of plants which are suited to local climatic conditions, and shall not include invasive plants;

(d) New trees and shrubs shall be set back a minimum of 1 m from all underground utilities;
(e) Prior to and during construction, temporary silt fencing shall be provided as an erosion control to prevent the pollution, degradation, or siltation of natural areas and watercourses;
(f) Run-off from irrigation systems onto highways or parking areas is not permitted.

3. Exterior Storage Areas

For zones within which it is a permitted use, exterior storage shall:

(a) Not be located within a required landscape buffer or within 1.5 m of a parcel line abutting a highway, whichever has a greater width;
(b) Be masked by a landscape screen, which is at least 2 m in height, to provide a visual barrier between the exterior storage and adjacent highways and lands, except where exterior storage is ancillary to farm uses pursuant to the *Agricultural Land Use, Subdivision and Procedure Regulation.*

4. Screening of Garbage & Recycling Facilities

(a) When any development is proposed, provision shall be made for garbage and recycling facilities on the same parcel as the development; such facilities are not permitted to be located within a required setback to a front or exterior side parcel line;
(b) A landscape screen, which is at least 2 m in height, shall be used to provide a visual barrier between garbage and recycling facilities and adjacent highways and lands, except where such facilities are ancillary to farm uses pursuant to the *Agricultural Land Use, Subdivision and Procedure Regulation;*

5. Off-street Parking & Loading Areas

A landscape screen, which is at least 1.2 m in height, measured from finished grade, shall be installed or planted to provide a visual barrier between required off-street parking and loading spaces and adjacent highways and lands, where the off-street parking and loading spaces are required for a commercial, multiple residential, mixed use, institutional or industrial development or for a home-based business involving automotive service.

6. Utility Kiosks

(a) A landscape screen, which is at least 1.2 m in height measured from finished grade, shall be used to provide a visual and noise barrier between a utility kiosk and adjacent highways and lands;
(b) A landscape screen intended to provide a visual barrier from a utility kiosk shall be at least 2.5 m from a utility kiosk door or access panel and at least 0.3 m from another other part of the utility kiosk.

7. Mechanical, Electrical & Service Equipment

All mechanical, electrical or other service equipment located at the exterior or on the roof of a building shall be screened from adjacent highways and lands where the equipment is required for a commercial, industrial, or multiple residential development,

8. Exterior Lighting

Exterior lighting fixtures shall be directed downward so as to prevent illumination above a horizontal plane from a light source, adjacent lands or highways, or watercourses including the ocean.

2.4 General Regulations for Parking & Loading

1. Off-street Parking Requirements

(a) Minimum off-street parking spaces and facilities shall be provided in accordance with the following table and the requirements of this section. Where a specific use is not identified, a similar use to one listed in the following table shall be selected as an applicable standard.

Use	Minimum Required Parking Spaces
Agritourism accommodation	1 per guest sleeping unit
Art gallery, Artist studio, Cultural Facility, Library	1 per 100 m^2 of gross floor area
Assembly	1 per 15 m^2 of gross floor area
Automotive service or body shop	2 per service bay
Campground	1 per campsite
Community recreation facility, Fire hall, Police station	1 per 40 m^2 of gross floor area
Commercial recreation and entertainment	1 per 30 m^2 of gross floor area
Bakery (retail), Cafe	1 per 20 m^2 of gross floor area
Brewery, Distillery	1 per 100 m^2 of gross floor area
Bed and breakfast	1 per guest sleeping unit
Day Care	1 per 4 people in care
Dwelling, Accessory or Secondary suite	1 per dwelling
Dwelling, Multiple	1 per dwelling plus 0.25 per dwelling for visitors
Dwelling, Single detached or Semi-detached	1 per 100 m^2 of gross floor area (to a maximum of 2 spaces)
Equestrian Centre	1 per 6 horse stalls
Exterior storage and sales (commercial or industrial)	1 per 100 m^2 of site area
Float home	0.5 per float home
Food Concession Vehicle	1 per concession vehicle
Funeral parlor	1 per 40 m^2 of gross floor area
Golf course, Golf driving range	4 per hole plus 1 per driving range tee
Health and wellness studio	1 per 15 m^2 of gross floor area
Home-based business	1 per visitor
Hospital, Licensed Community Care Facility	1 per 4 beds
Hotel	1 per accommodation unit
Laundromat	1 per 40 m^2 of gross floor area
Live-aboard vessel	0.5 per live-aboard vessel
Manufactured home park	1 per manufactured home plus 0.25 per manufactured home for visitors
Manufacturing, Boat building and repair, Equipment repair, Processing (animal, fish, food, gravel, livestock, poultry, wood, value-added, cannabis), Welding	1 per 100 m^2 of gross floor area
Marina Moorage (non-residential)	1 per 6 berths
Medical service, Personal service	1 per 40 m^2 of gross floor area
Office, Financial institution	1 per 40 m^2 of gross floor area

Place of Worship	1 per 5 seats
Restaurant, Pub, Lounge	1 per 5 seats
Recycling depot (household consumer goods)	1 per 40 m^2 of gross floor area
Recycling, wrecking or storage (automobiles, boats, equipment)	1 per 100 m^2 of gross floor area
Sales (retail, liquor, motor vehicle parts)	1 per 20 m^2 of gross floor area
Sales (building supply)	1 per 40 m^2 of gross floor area
Sales (wholesale, RV, motor vehicle, boat, agricultural/horticultural supply, furniture, appliance, equipment)	1 per 100 m^2 of gross floor area
Service station	1 per 40 m^2 plus 2 per pump station
School, elementary	1 per classroom
School, secondary or post-secondary	4 per classroom
Veterinary clinic, kennel	1 per 40 m^2 of gross floor area
Warehouse, Cold storage facility	1 per 200 m^2 of gross floor area

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

(c) 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.

(d) At least one parking space shall be provided for each parcel unless no building or structure is located on such parcel.

(e) Where seating accommodation is the basis for a unit of measurement and consists of benches, pews, booths or similar seating accommodation, each 0.5 m^2 of seating area shall be deemed to be one seat.

(f) All multiple unit residential, mixed use and commercial developments shall provide bicycle parking at a rate of 20% of the required vehicle parking.

(g) All multiple unit residential, mixed use and commercial developments requiring at least 10 parking spaces shall provide at least one electric vehicle charging outlet, which is readily accessible for charging a vehicle in a required parking space.

(h) For any use required to be accessible to persons with a disability by the *BC Building Code*, a minimum of one parking space for a person with a disability shall be provided.

(i) Where 10 or more parking spaces are required by this bylaw, a minimum of 10% of all required spaces shall be accessible to persons with a disability.

(j) The parking requirements established in this section do not apply to a building or use existing prior to the adoption date of this bylaw, provided there is no change, expansion or addition to the building or use that requires more parking spaces than were required for the existing building or use when this bylaw was adopted. If there is an expansion or addition to an existing use or building, then the provisions of this section apply to the expansion or addition.

2. Off-Street Parking Design, Development and Maintenance

(a) The minimum required dimensions for parking spaces and drive aisles shall be in accordance with the following table and requirements of this section.

Angel of Parking	Parking Space Width	Standard Parking Space Length	Drive Aisle Width
30 degrees	2.75 m	5.8 m	3.5 m
45 degrees	2.75 m	5.8 m	4 m
60 degrees	2.75 m	5.8 m	5.5 m
90 degrees	2.75 m	5.8 m	7 m
Parallel	2.5 m	7 m	3.5 m

(b) Despite the minimum required dimensions for parking spaces in Paragraph (a), where three or more parking spaces are required, 33% of required parking spaces may be reduced to 4.6 m in length provided that such spaces are clearly marked “small vehicle only” within the parking space or on the facing wall or fence, if available.

(c) Despite the minimum required dimensions for parking spaces in Paragraph (a), all parking spaces for persons with a disability shall be a minimum of 3.7 m in width.

(d) All parking spaces for persons with a disability shall be:

i) Surfaced with material conducive to providing access for wheelchairs;
ii) Located in the most accessible and convenient location available within the parking areas;
iii) Marked or otherwise designated for sole use by persons with a disability.

(e) Where any required parking space abuts, along its length any portion of a fence or structure, the minimum parking space width shall be increased by 0.3 m for that space only.

(f) A driveway shall not be wider than 7 m for the first 1.5 m inside a property line adjoining a highway.

(g) Street access or egress from parking areas shall be not less than 15 m from the nearest point of intersection of two highways.

(h) Required parking spaces are not permitted to be located within 1 m of a parcel line adjoining a highway.

(i) All parking areas shall be provided with adequate curbs to retain all vehicles within such permitted parking area and to ensure that adjacent buildings, fences, walkways and landscaped areas are protected from parked vehicles.

(j) All parking areas required for commercial, multiple dwelling, and industrial uses shall be surfaced with asphalt, concrete, permeable pavers or similar pavement so as to provide a surface that is durable and dust-free.

(k) All parking areas required for commercial, multiple dwelling, and industrial uses shall include one or more oil-water separators, and it shall be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal.

(l) All lighting used to illuminate any parking area shall be so arranged to direct light upon such parking area and not any adjoining lands.

(m) The maximum grade and cross slope for a parking space or parking area required by this bylaw shall not exceed 8%.

(n) That portion of any parcel used as a driveway from the property line to a required parking area shall not exceed a grade of 20%.

(o) Required parking spaces for all uses shall be located on the same parcel as the uses they serve.

3. Off-street Loading Requirements

(a) Minimum off-street loading spaces and facilities shall be provided in accordance with the following table and the requirements of this section. Where a specific use is not identified, a similar use to one listed in the following table shall be selected as an applicable standard.

Use	Minimum Required Loading Spaces
Commercial, industrial and institutional excluding places of worship	1 per 3,000 m^2 or fraction thereof

(b) A minimum of one off-street loading space shall be provided on each parcel in a Commercial, Mixed Use, Industrial or Institutional Zone.

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

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

(e) Each off-street loading space shall have at all times access to an aisle that intersects with a highway.

(f) Loading areas shall be surfaced with asphalt, concrete, pavers or similar pavement so as to provide a surface that is durable and dust-free.

(g) All lighting used to illuminate any loading area shall be so arranged to direct light upon such parking area and not any adjoining lands.

(h) Loading areas shall include one or more oil-water separators, and it shall be the responsibility of the owner to properly maintain the oil-water separators in good working order, regularly removing oils for proper disposal.

(i) The loading 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 this section apply to such expansion or addition.

4. Off-site Parking

(a) As an alternative to meeting the parking standards of this bylaw for a change to an existing use or new development that would result in an increase in the number of required parking spaces, required off-street parking spaces may be located on a parcel other than that upon which the building, structure or uses intended to be served are located, provided the off-site parking is secured by an agreement in accordance with the following:

i) The agreement shall state (1) the location and number of parking spaces provided off-site, (2) the terms of any lease or rental agreement between the owner of the off-site parking area and the owner of the building, structure or use requiring off-site parking spaces, and (3) terms for the maintenance and where applicable the construction of the off-site parking area;

ii) The agreement shall require the approval of the CVRD and the CVRD shall be a co-signatory; and

iii) All costs associated with preparing the agreement shall be paid by the owner of the building, structure or use that the off-site parking spaces are intended to serve.

5. **Cash-in-Lieu of Parking**

(a) As an alternative to meeting the parking standards of this bylaw for a change to an existing use or new development that would result in an increase in the number of required parking spaces, cash in lieu may be paid to the CVRD by the owner or occupier of the land subject to the following requirements:

i) The cash-in-lieu of parking payments collected will be placed into the Electoral Area D – Cowichan Bay Parking Reserve Fund;

ii) Cash-in-lieu shall be provided in accordance with the following table, which represents 2014 dollars, and adjusted in accordance with Subparagraph (iii):

Use	Cash-in-lieu Amount per Required Parking Space
Commercial	$4,000
Office	$4,000
Restaurant, Pub	$3,500
Marina Moorage	$4,000
Dwelling	$3,500
Floating Home	$3,500
All other uses	$3,500

iii) The cash-in-lieu amount shall be adjusted for inflation each year beginning in 2014, according to the British Columbia Consumer Price Index, annual average for “all items”, as published by BC Stats each January.

2.5 General Regulations for Subdivision

1. **Subdivision of Parcels within Two or More Zones**
Where any parcel subject to this bylaw is partially located in two or more zones, each portion that lies within a single zone may be subdivided in accordance with that zone’s regulations, notwithstanding the land area remaining on the other portion, following subdivision.

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

3. **Subdivision of Panhandle Parcels**
Where a parcel or a proposed parcel is in a panhandle configuration, the panhandle driveway shall not be calculated as part of the minimum parcel area for the purpose of subdivision.

4. **Subdivision using Density Averaging**
Unless explicitly permitted in a zone under this bylaw, density averaging for non-strata parcels is not permitted. Provincial regulations address density averaging in strata development.

5. Subdivision Following Dedication for Public Use

A parcel which is reduced in size by not more than 10% as a result of a dedication for a public use by the regional district, a municipality, the provincial government, the federal government, an improvement district, the board of school trustees, or a public utility, by donation, expropriation or purchase, shall be deemed, for the purpose of further subdivision under this bylaw, to be of the same size as it was prior to the dedication for public use. If this deemed size would permit further subdivision, then such subdivision may occur pursuant to the general regulations of this bylaw and the regulations of the zone within which the parcel is located.

6. Section 946 Subdivision to Provide Residence for a Relative

The minimum size for a parcel that may be subdivided under Section 946 of the *Local Government Act* throughout Electoral Area D – Cowichan Bay is 25 ha.

7. Subdivision with Additional Parkland Dedication

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

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

8. Subdivision of Parcels Separated by Roads or another Parcel

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

(a) The public road or other parcel is used as the subdivision boundary;
(b) If the parcel lies in the ALR, the approval of the ALC has first been obtained;
(c) No parcel created pursuant to this section shall be less than 1 ha in area where connection to a community water system is not available and 0.4 ha in area where community water connections are made to each parcel.

9. Subdivision of Parcels Separated by a Jurisdictional Boundary Line

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

(a) The jurisdictional boundary is used as the subdivision boundary;
(b) No parcel created pursuant to this section shall be less than 1 ha in area where connection to a community water system is not available and 0.4 ha in area where community water system connections are made to each parcel;
(c) If the parcel lies in the ALR, the approval of the ALC has first been obtained.

10. Subdivision of Parcels for Public Parks or Public Utility Uses

The minimum parcel area 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) Community water system;
(c) Community sewer system;
(d) Community gas distribution system;
(e) Community radio or television broadcasting antenna;
(f) Radio or television relay broadcasting antenna;
(g) Telecommunication relay station;
(h) Automatic telephone exchange, excluding mobile telephone towers;
(i) Air or marine navigation aid;
(j) Solid waste transfer station or recycling depot;
(k) Public park;
(l) Rest stop for a Provincial or National highway.

11. Parcel Realignment and Amalgamation

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

(a) The subject parcels are adjoining;
(b) No additional parcels are created;
(c) Where the proposed parcels are under 1 ha in area, the boundary change does not result in the reduction of any parcel by 20% or more of its original size;
(d) The new parcels comply with the requirements of this bylaw respecting setbacks and siting of buildings.

12. Parcel Consolidation and Addition of Roads

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

13. Undersized Parcels

Parcels that do not meet the minimum parcel area provisions of this bylaw that:

(a) Exist as separate and titled parcels in the records of the Land Title Office, at the time of adoption of this bylaw;
(b) Have been created pursuant to the provisions of this bylaw; or
(c) Have been created under the authority of a statute of the Province of BC;

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

14. Subdivision of a Parcel with an Accessory Dwelling

For zones within which it is a permitted use, an accessory dwelling may be subdivided from the parcel upon which it is located only if:

(a) It is in a zone which would allow for the proposed parcel areas following subdivision;
(b) The principal dwelling and accessory dwelling are so located as to allow for setback requirements to be met following subdivision, with each being on a separate parcel following subdivision;
(c) The approval of the authorities responsible for sewage disposal has been obtained;
(d) If the parcel upon which the accessory dwelling would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit

for the accessory dwelling, register a covenant under Section 219 of the *Land Title Act* in favour of the CVRD, against title to the parcel which prohibits its subdivision or the registration of any form of strata plan under the *Strata Property Act*.

Part 3 Establishment of Zones

1. **Establishment of Zones**
   For the purposes of this bylaw, Electoral Area D – Cowichan Bay is divided into the following Zones:

Part 4 – Agricultural Zones

OCP Designation	Zone	Code	Zone Purpose
Agricultural Resource	Agricultural Resource	A1	*To accommodate primary agricultural activities.*
	Agricultural Processing	A1A	*To accommodate agricultural processing in the in the ALR where more than 50% of the product processed on a parcel originates offsite.*
	Agritourism Accommodation	A1T	*To accommodate the provision of tourist accommodation in association with agritourism on bonafide farms.*
	Agricultural Recreation	A4	*To accommodate pre-existing recreation activities including the Cowichan Golf Course and Cowichan Lawn Tennis Courts.*
	Agricultural Service	A7	*To accommodate services activities that support primary agriculture on parcels less than 2 ha in size.*

Part 5 – Residential Zones

OCP Designation	Zone Name	Code	Zone Purpose
Rural Residential	Rural Residential 1	RR1	*To accommodate low density, rural residential development of single detached dwellings on parcels that are 1 ha or larger.*
	Rural Residential 2	RR2	*To accommodate low density development of single detached dwellings on serviced parcels that are 0.4 ha or larger.*
Cluster Residential	Cluster Residential 1	CR1	*To accommodate development of single detached dwellings on fully-serviced parcels with shared amenities, services and parking, with a maximum density of 15 u/ha based on an amenity contribution where up to 50% of a site is dedicated as parkland prior to development.*
Rural Village Residential; Four Ways Rural Village	Manufactured Home Park 1	R1	*To accommodate manufactured home parks with a maximum density of 15 u/ha on fully-serviced parcels that are 2 ha or larger.*
	Rural Village Residential	R2	*To accommodate moderate density, residential development of single detached dwellings, on fully-serviced parcels that are 0.2 ha or larger.*
Four Ways Rural Village	Rural Village Residential Semi-detached	R2A	*To accommodate semi-detached dwellings on fully-serviced parcels that are 0.2 ha and larger.*
Rural Village	Village Residential	R3	*To accommodate single detached dwellings on fully-*

Residential; Four Ways Rural Village; Village Residential			*serviced parcels within the Cowichan Bay Sewer Service Area that are 700 m^2 or larger.*
	Village Residential Semi-detached	R3A	*To accommodate semi-detached dwellings on fully-serviced parcels that are 500 m^2 or larger.*
	Village Residential 3B	R3B	*To accommodate single detached dwellings on fully-serviced parcels within the Cowichan Bay Sewer Service Area that are 700m^2 or larger, as well as day cares or group day cares*
Village Residential	Village Residential Townhouse 2	RM2	*To accommodate townhouse development with a maximum density of 35 u/ha.*
	Village Residential Townhouse 3	RM3	*To accommodate limited height townhouse development with a maximum density of 90 u/ha.*
	Village Residential Apartment 4	RM4	*To accommodate multiple unit residential development with a maximum density of 90 u/ha.*
	Village Cluster Residential 2	CR2	*To accommodate development of single detached or multiple dwellings on fully-serviced parcels with shared amenities, services and parking, with a maximum density of 25 u/ha based on an amenity contribution.*

Part 6 – Commercial & Mixed Use Zones

OCP Designation	Zone Name	Code	Zone Purpose
Rural Commercial	Rural Commercial 2	C2	*To accommodate rural commercial uses.*
	Rural Service Commercial 3	C3	*To accommodate rural service commercial uses.*
Four Ways Rural Village; Koksilah Village; Mixed Use	Village Commercial Accommodation 4	C4	*To accommodate hotels and complementary accessory uses.*
	Village Commercial 5	C5	*To accommodate village commercial uses in the South Chaster Road area.*
	Village Service Commercial 6	C6	*To accommodate village service commercial uses in the North Chaster Road area.*
	Village Business Park Commercial 7	C7	*To accommodate a mixed-use business park with complementary accessory residential uses.*
Four Ways Rural Village; Mixed Use	Mixed Use Commercial Residential 1	MU1	*To accommodate mixed use development with accessory residential above first storey commercial or institutional uses.*
	Mixed Use Commercial Residential 2	MU2	*To accommodate multiple unit residential development with the option of first storey commercial or institutional uses.*
	Mixed Use Commercial Residential 3	MU3	*To accommodate mixed use development of commercial and residential uses including manufactured home park.*

Part 7 – Comprehensive Development Zones

Part 8 – Industrial Zones

OCP Designation	Zone Name	Code	Zone Description
Rural Resource	Rural Resource 1	RUR1	*To accommodate light industrial uses, including food and wood products processing and storage.*

	Rural Resource Quarry/Aggregate 3	RUR3	*To accommodate gravel extraction and processing and production of concrete and concrete products.*
	Rural Resource Quarry/Aggregate 3A	RUR3A	*To accommodate gravel extraction and production of concrete and concrete products.*

Part 9 – Parks & Institutional Zones

OCP Designation	Zone	Code	Zone Description
Parks	Park Conservation 1	P1	*To accommodate public nature parks and preservation areas to protect and preserve natural systems and features such as watercourses, plant communities, ravines, habitat, significant flora, and other unique natural elements.*
	Park Recreation 2	P2	*To accommodate community, neighbourhood, special purpose, and other classifications of parks intended primarily for public recreation use and enjoyment, and trails.*
Community Institutional	Community Institutional 3	P3	*To accommodate institutional facilities operated by a government or non-profit agency including fire halls, academic schools, utilities, civic uses, and accessory uses, in addition to farm uses permitted within the ALR.*

2. **Location of Zones**
   (a) The location of each Zone is shown on Schedule A.
   (b) 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.

Part 4 Agricultural Zones

4.1 A1 – Agricultural Resource Zone

Subject to compliance with **Part 2** of this bylaw, and the ***ALC Act***, the following regulations apply in the **A1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Agriculture;
   (b) Farm uses designated by statute or regulation by the *ALC Act*;
   (c) Single detached dwelling;

   The following accessory uses and no others are permitted:

   (a) Agri-tourism;
   (b) Bed and breakfast;
   (c) Day care;
   (d) Home-based business;

(e) Kennel;
(f) Secondary suite.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite permitted per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 30 ha.

4. **Development Regulations**
(a) Parcel coverage shall not exceed 30% for all buildings and structures, provided however that parcel coverage may be increased by an additional 20% to accommodate greenhouses;

(b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Kennel Use
Front	30 m	7.5 m	45 m
Interior Side	15 m	3 m	45 m
Exterior Side	30 m	4.5 m	45 m
Rear	15 m	7.5 m	45 m
Adjoining ALR	15 m	15 m	45 m

(c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
In addition to the permitted uses listed in Subsection 1, one non-illuminated sign with a maximum area of 1 m^2 is permitted on a parcel for the purpose of advertising a farm use designated by statute or regulation by the *ALC Act.*

4.2 A1A – Agricultural Processing Zone

Subject to compliance with **Part 2** of this bylaw and the ***ALC Act***, the following regulations apply in the **A1A** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

(a) Agriculture;
(b) Farm uses designated by statute or regulation by the *ALC Act*;
(c) Single detached dwelling;
(d) Poultry processing;

The following accessory uses and no others are permitted:

(e) Home-based business;
(f) Secondary suite.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite permitted per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is:

(a) 0.5 ha for parcels serviced by a community water system;
(b) 1 ha for parcels not serviced by both a community water system and community sewer system.

4. **Development Regulations**
(a) Parcel coverage shall not exceed 30% for all buildings and structures, provided however that parcel coverage may be increased by an additional 20% to accommodate greenhouses;

(b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Poultry Processing
Front	30 m	7.5 m	30 m
Interior Side	15 m	3 m	8 m
Exterior Side	30 m	4.5 m	30 m
Rear	15 m	7.5 m	15 m
Adjoining ALR	15 m	15 m	15 m

(c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
The annual average daily limit for processing of fowl is 5,000 birds per calendar year.

4.3 A1T – Agritourism Accommodation Zone

Subject to compliance with **Part 2** of this bylaw and the ***ALC Act***, the following regulations apply in the **A1T** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

(a) Agriculture;
(b) Farm uses designated by statute or regulation under the *ALC Act;*
(c) Single detached dwelling;

The following accessory uses and no others are permitted:
(d) Agri-tourism;
(e) Agri-tourism accommodation;
(f) Bed and breakfast;
(g) Home-based business;
(h) Kennel;
(i) Secondary suite.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite permitted per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 30 ha.

4. **Development Regulations**
(a) Parcel coverage shall not exceed:

i) 30% for all buildings and structures, provided however that parcel coverage may be increased by an additional 20% to accommodate greenhouses;
ii) 5% for all buildings, structures, landscaping and areas associated with agritourism accommodation use;

(b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Kennel Use	Agritourism Accommodation
Front	30 m	7.5 m	45 m	7.5 m
Interior Side	15 m	3 m	45 m	7.5 m
Exterior Side	30 m	4.5 m	45 m	7.5 m
Rear	15 m	7.5 m	45 m	7.5 m
Adjoining ALR	15 m	15 m	45 m	15 m

(c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
(a) Agritourism accommodation involving campsites shall comply with the CVRD Campsite Bylaw;
(b) Agritourism accommodation is permitted subject to the approval of authorities responsible for domestic waste disposal and water supply;

4.4 A4 – Agricultural Recreation Zone

Subject to compliance with **Part 2** of this bylaw and the ***ALC Act***, the following regulations apply in the **A4** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

(a) Agriculture;
(b) Farm uses designated by statute or regulation under the *ALC Act*;
(c) Single detached dwelling;
(d) Golf course;
(e) Tennis courts;

The following accessory uses and no others are permitted:
(f) Agri-tourism;
(g) Agri-tourism accommodation;
(h) Bed and breakfast;
(i) Home-based business;
(j) Secondary suite.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite permitted per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 30 ha.

4. **Development Regulations**
   (a) Parcel coverage shall not exceed 30% for all buildings and structures, provided however that parcel coverage may be increased by an additional 20% to accommodate greenhouses;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Golf Course and Tennis	Agritourism Accommodation
Front	30 m	7.5 m	7.5 m	7.5 m
Interior Side	15 m	3 m	3 m	7.5 m
Exterior Side	30 m	4.5 m	4.5 m	7.5 m
Rear	15 m	7.5 m	7.5 m	7.5 m
Adjoining ALR	15 m	15 m	15 m	15 m

   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

4.5 A7 – Agricultural Service Zone

Subject to compliance with **Part 2** of this bylaw and the ***ALC Act***, the following regulations apply in the **A7** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

   (a) Agriculture;
   (b) Retail sales of cannabis;
   (c) Farm uses designated by statute or regulation under the *ALC Act;*
   (d) Single detached dwelling;
   (e) Agricultural service;
   (f) Cold storage facility;
   (g) Food processing.

The following accessory uses and no others are permitted:

   (h) Home-based business;
   (i) Kennel;
   (j) Secondary suite.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite are permitted per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 1 ha.

4. **Development Regulations**
   (a) Parcel coverage shall not exceed 30% for all buildings and structures, provided however that parcel coverage may be increased by an additional 20% to accommodate greenhouses;

   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Agricultural Service	Cold Storage
Front	30 m	7.5 m	7.5 m	7.5 m
Interior Side	15 m	3 m	15 m	15 m
Exterior Side	30 m	4.5 m	7.5 m	7.5 m
Rear	15 m	7.5 m	15 m	15 m
Adjoining ALR	15 m	15 m	15 m	15 m

   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures;

5. **Special Regulations**
   (a) The approval of the ALC is required unless the use is permitted under the *ALC Act* or the parcel is subject to Section 23(1) of the *ALC Act*;
(b) In addition to the permitted uses listed in Subsection 1, cannabis processing is a permitted use on amended Parcel A (DD 168307-I), of Lot 3, Section 13, Range 7, Quamichan District, Plan 2298.

Part 5 Residential Zones

5.1 RR1 – Rural Residential 1 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RR1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Single detached dwelling;
   (b) Limited agriculture;

   The following accessory uses and no others are permitted:

   (c) Accessory dwelling or Secondary suite;
   (d) Bed and breakfast;
   (e) Day care;
   (f) Equestrian centre;
   (g) Farm Stand;
   (h) Group day care;
   (i) Home-based business;
   (j) Kennel.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite per parcel, or one single detached dwelling and one accessory dwelling per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 1 ha.

4. **Development Regulations**
   (a) Parcel coverage shall not exceed 20% or 500 m^2, whichever is less, for all buildings and structures;

   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use	Limited Agriculture	Kennel Use
Front	7.5 m	7.5 m	15 m	45 m
Interior Side	3 m	3 m	15 m	45 m
Exterior Side	4.5 m	4.5 m	15 m	45 m
Rear	4.5 m	4.5 m	15 m	45 m
Adjoining ALR	30 m	30 m	15 m	45 m

   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5.2 RR2 – Rural Residential 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RR2** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

   (a) Single detached dwelling;

   The following accessory uses and no others are permitted:

   (b) Limited agriculture;
   (c) Accessory dwelling or Secondary suite;
   (d) Backyard hen keeping;
   (e) Bed and breakfast;
   (f) Day care;
   (g) Farm stand;
   (h) Group day care;
   (i) Home-based business.

2. **Density**
Residential use is limited to one single detached dwelling and one secondary suite per parcel, or one single detached dwelling and one accessory dwelling per parcel.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is:
   (a) 1 ha for parcels not serviced by a community water system;
   (b) 0.4 ha for parcels that are serviced by a community water system.

4. **Development Regulations**
   (a) Parcel coverage shall not exceed 20% or 500 m^2, whichever is less, for all buildings and structures;

   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use	Limited Agriculture
Front	7.5 m	7.5 m	15 m
Interior Side	3 m	3 m	15 m
Exterior Side	4.5 m	4.5 m	15 m
Rear	4.5 m	4.5 m	15 m
Adjoining ALR	30 m	30 m	15 m

   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures;

5.3 CR1 – Cluster Residential Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **CR1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Single detached dwelling;
   (b) Cluster residential development, subject to Subsection 5;

2. **Accessory Uses**
   (a) Where the principal use of a parcel is a single detached dwelling, the following accessory uses and no others are permitted:

      i) Accessory dwelling or Secondary suite;
      ii) Backyard hen keeping;
      iii) Bed and breakfast;
      iv) Day care;
      v) Farm stand;
      vi) Home-based business;
      vii) Limited agriculture;

   (b) Where the principal use of a parcel is a cluster residential development, the following accessory uses and no others are permitted:

      i) Day care;
      ii) Home-based business;

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   (a) 1 ha for parcels not serviced by a community water system;
   (b) 0.4 ha for parcels that are serviced by a community water system.

4. Development Regulations

(a) The minimum site area for a single detached dwelling is 0.4 ha;

(b) Parcel coverage shall not exceed 20% or 500 m^2, whichever is less, for all buildings and structures;

(c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Single Detached Dwelling	Principal Cluster Dwelling	Accessory Residential Use	Limited Agriculture
Front	7.5 m	4.5 m	4.5 m	15 m
Interior Side	3 m	3.0 m	3 m	15 m
Exterior Side	4.5 m	4.5 m	4.5 m	15 m
Rear	4.5 m	4.5 m	4.5 m	15 m
Adjoining ALR	30 m	30 m	30 m	15 m

(d) Notwithstanding Paragraph (c), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;

(e) A principal single detached dwelling may not exceed 10 m in height;

(f) An accessory building or structure may not exceed 4.5 m in height.

5. Density Bonus and Amenity Contribution

(a) Notwithstanding Subsection 3 and subject to the approval of the CVRD Board, the minimum parcel area for the purpose of subdivision may be reduced to a minimum of 250 m^2 and the density of dwellings increased to a maximum of 15 u/ha to permit a cluster residential development, including single detached dwellings, provided that:

i) In accordance with the density bonus and amenity contribution provisions of Section 904 of the *Local Government Act,* the density of dwellings within the cluster residential development may only be increased in proportion to the amount of protected open space, based on the entire area of the site prior to subdivision, as follows:

Required Open Space	Maximum Density of Dwellings
30%	5 u/ha
40%	10 u/ha
50%	15 u/ha

ii) Open space shall be dedicated to the CVRD as parkland under a separate title, or protected by a conservation covenant under Section 219 of the *Land Title Act*, at the discretion of the CVRD;

iii) Open space shall contain natural features such as streams, wetlands, ravines, stands of mature trees, environmentally sensitive habitat, or marine riparian area, where such features are present;

iv) Where a parcel includes a stream, wetlands, ravine or marine riparian area, these features must be preserved as open space and formally dedicated or protected;

v) Open space shall include a strip of land not less than 5 m in width along all parcel lines abutting highways, excluding that portion required for a driveway to serve the development;

vi) Open space shall be accessible by the public from a highway, including a trail, unless it is determined by a Registered Professional Biologist that such access

would result in damage to ecologically sensitive features or habitat;

(b) Notwithstanding Subsection 4, the following development regulations shall apply to a cluster residential development in accordance with Paragraph (a):

i) Each dwelling shall be serviced by both community water and community sewer systems;
ii) No dwelling shall have a gross floor area that is less than 40 m^2 or more than 180 m^2;
iii) At least 50% of dwellings shall have a maximum gross floor area of 120 m^2;
iv) Parcel coverage shall not exceed 30% for all buildings and structures, based on the size of the parcel prior to subdivision;
v) The maximum height of a dwelling shall be 7.5 m and one and one half (1.5) storeys;
vi) The maximum height of all accessory buildings and structures shall be 4.5 m;
vii) Each dwelling shall have a private outdoor amenity area of at least 10 m^2 in area;
viii) No fewer than four and no more than twelve dwellings shall share a common outdoor amenity area of not less than 400 m^2 in area, which is exclusive of the open space required in accordance with Paragraph (a);
ix) The minimum setback for buildings and structures is 6 m from all parcel lines abutting land that is not zoned CR1, except it is 15 m from any parcel line adjoining land within the ALR;
x) A minimum separation of 3 m shall be provided between all principal buildings and structures within the CR1 zone;
xi) The clustered residential development shall be subject to an approved development permit, in accordance with the Cluster Residential Guidelines specified for the Rural Character Development Permit Area designated by Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605.

5.4 R1 – Rural Village Manufactured Home Park Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R1** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

(a) Manufactured home park;

The following accessory uses and no others are permitted:

(b) Day care;
(c) Farm stand;
(d) Home-based business.

2. **Density**
The density of dwellings shall not exceed 15 u/ha.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision, including for strata plans, is 2 ha.

4. **Development Regulations**
(a) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
(b) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) Setbacks, siting, requirements for outdoor amenity areas, and other standards for the zone are set out in *CVRD Mobile Home Park Bylaw No. 275*;
   (b) All parcels are required to be serviced by community water and sewer services;
   (c) All manufactured homes are required to be serviced by community water and sewer services.

5.5 R2 – Rural Village Residential Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Single detached dwelling;

   The following accessory uses and no others are permitted:
   (b) Accessory dwelling or Secondary suite;
   (c) Backyard hen keeping;
   (d) Bed and breakfast;
   (e) Day care;
   (f) Farm stand;
   (g) Home-based business;
   (h) Limited agriculture.

2. **Density**
   Residential use is limited to one single detached dwelling and one secondary suite per parcel, or one single detached dwelling and one accessory dwelling per parcel.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   (a) 0.2 ha for parcels served by both community water and community sewer systems;
   (b) 0.4 ha for parcels served by a community water system;
   (c) 1 ha for parcels not served by both a community water system and a community sewer system.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 25%, of which not more than 20% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	10% of the parcel width or 3 metres, whichever is less	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

(c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;
(d) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5.6 R2A – Rural Village Residential Semi Detached Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R2A** zone:

1. Permitted Uses
The following principal uses and no others are permitted:
(a) Semi-detached dwelling;
(b) Single detached dwelling;

The following accessory uses and no others are permitted:

(c) Day care;
(d) Home-based business.

2. Density
Residential use is limited to either one single detached dwelling or two semi-detached dwellings per parcel.

3. Subdivision Regulation
The minimum parcel area for the purpose of subdivision is 0.2 ha.

4. Development Regulations
(a) The minimum site area for a duplex is 0.1 ha;
(b) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
(c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	3 m	1 m
Interior Side with Party Wall	0 m	0 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	3 m
Adjoining ALR	15 m	15 m

(d) The maximum height of all buildings and structures is 10 m, except it is 4.5 m for accessory buildings and structures.

5. Special Regulations
All parcels are required to be serviced by community water and sewer services.

5.7 R3 – Village Residential Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R3** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   (a) Single detached dwelling;

   The following accessory uses and no others are permitted:

   (b) Accessory dwelling or Secondary suite;
   (c) Backyard hen keeping;
   (d) Bed and breakfast;
   (e) Day care;
   (f) Farm stand;
   (g) Home-based business.

2. **Density**
   Residential use is limited to one single detached dwelling and one secondary suite per parcel, or one single detached dwelling and one accessory dwelling per parcel.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:
   (a) 700 m^2 for parcels served by both community water and community sewer systems;
   (b) 1 ha for parcels not served by a community sewer system.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	10% of the parcel width or 3 metres, whichever is less	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;
   (d) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   In addition to the uses listed in Subsection 1, agriculture is a permitted use on Lots A and B, Section 4, Range 5, Cowichan Land District, Plan 29962 (PID: 029-076-986 and 029-076-994).

5.7.1 R3B – Village Residential 3B Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R3B** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   (a) Single detached dwelling;
   (b) Day care or group day care;

   The following accessory uses and no others are permitted:
   (c) Accessory dwelling or Secondary suite;
   (d) Backyard hen keeping;
   (e) Bed and breakfast;
   (f) Farm stand;
   (g) Home-based business.

2. **Density**
   Residential use is limited to one single detached dwelling and one secondary suite per parcel, or one single detached dwelling and one accessory dwelling per parcel.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:
   (a) 700 m^2 for parcels served by both community water and community sewer systems;
   (b) 1 ha for parcels not served by a community sewer system

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	10% of the parcel width or 3 m, whichever is less	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care, or home-based business use;
   (d) The maximum height of all buildings and structures is 7.5m, except it is 4.5 m for accessory buildings and structures.

5.8 R3A – Village Residential Semi Detached Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R3A** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Semi-detached dwelling;
   (b) Single detached dwelling;

   The following accessory uses and no others are permitted:

   (c) Day care;
   (d) Home-based business.

2. **Density**
   Residential use is limited to either one single detached dwelling per parcel or two semi-detached dwellings per parcel.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.1 ha.

4. **Development Regulations**
   (a) The minimum site area for a duplex is 500 m^2;
   (b) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
   (c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	3 m	3 m
Interior Side with Party Wall	0 m	0 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (a) Notwithstanding Paragraph (c), a principal building may be located within 1.2 m of a side parcel line on Lots A and B, Range 4, Section 6, Cowichan Land District, Plan EPP 13784 (PID: 028-810-147 and 028-810-112);
   (b) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   All parcels are required to be serviced by community water and sewer services.

5.9 RM2 – Village Residential Multiple 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RM2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Multiple dwelling;

   The following accessory uses and no others are permitted:

   (b) Day care;
   (c) Home-based business.

2. **Density**
   The maximum density of dwellings shall not exceed 35 dwelling u/ha of parcel area.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.2 ha.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 45%, of which not more than 40% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	6 m	7.5 m
Interior Side	0 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, daycare or home-based business use;
   (d) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) No parking space or driveway shall be located within 3 m of windows of habitable rooms or within 1.5 m of a property line;
   (b) All parcels are required to be serviced by community water and sewer services;

5.10 RM3 – Village Residential Townhouse 3 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RM3** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Multiple dwelling;

   The following accessory uses and no others are permitted:

   (b) Day care;
   (c) Home-based business.

2. **Density**
   The maximum density of dwellings shall not exceed 90 dwelling u/ha of parcel area.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.2 ha.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	3.5 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	7.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;
   (d) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) No parking space or driveway shall be located within 3 m of windows of habitable rooms or within 1.5 m of a property line;
   (b) All parcels are required to be serviced by community water and sewer services.

5.11 RM4 – Village Residential Apartment 4 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RM4** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   (a) Multiple dwelling;

   The following accessory uses and no others are permitted:

   (a) Day care;
   (b) Home-based business.

2. **Density**
   The maximum density of dwellings shall not exceed 90 dwelling u/ha of parcel area.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.2 ha.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 70%, of which not more than 65% may be parcel coverage;

   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	7.5 m
Interior Side	3.5 m	3.5 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   (c) Notwithstanding Paragraph (b), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;
   (d) The maximum height of all buildings and structures is 10 m, except it is 4.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) No parking space or driveway shall be located within 3 m of windows of habitable rooms or within 1.5 m of a property line;
   (b) All parcels are required to be serviced by community water and sewer services.

5.12 CR2 – Village Cluster Residential 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **CR2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Single detached dwelling;
   (b) Any combination of single detached, semi-detached or multiple dwellings, subject to Subsection 5;

2. **Accessory Uses**
   (a) Where the principal use of a parcel is a single detached dwelling, the following accessory uses and no others are permitted:

      i) Accessory dwelling or Secondary suite;
      ii) Backyard hen keeping;
      iii) Bed and breakfast;
      iv) Day care;
      v) Farm stand;
      vi) Home-based business;

   (b) Where the principal use of a parcel is a cluster residential development, the following accessory uses and no others are permitted:

      i) Day care;
      ii) Home-based business;

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   (a) 1 hectare for parcels not serviced by a community water system;
   (b) 0.4 ha for parcels that are serviced by a community water system.

4. **Development Regulations**
   (a) The minimum site area for a single detached dwelling is 0.4 ha;
   (b) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
   (c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	4.5 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	30 m

   (d) Notwithstanding Paragraph (c), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an accessory dwelling, accommodation unit or sleeping unit, day care or home-based business use;

(e) A principal single detached dwelling may not exceed 7.5 m in height;
(f) An accessory building or structure may not exceed 4.5 m in height.

5. Density Bonus and Amenity Contribution

(a) Notwithstanding Subsection 3 and subject to the approval of the CVRD Board, the minimum parcel area for the purpose of subdivision may be reduced to a minimum of 250 m^2 and the density of dwellings increased to a maximum of 25 u/ha to permit a cluster residential development, which may include any combination of single detached, semi-detached and multiple dwellings, provided that:

i) The density of dwellings may only be increased in proportion to a cash contribution, in accordance with the density bonus and amenity contribution provisions of Section 904 of the *Local Government Act* and Subparagraphs (ii), (iii) and (iv) as follows:

Dwelling Type	Maximum Gross Floor Area of Dwelling	Cash Contribution (based on Gross Floor Area)
Single Detached Dwelling	120 m^2	\$35/m^2
	120 m^2 or more	\$45/m^2
Semi-detached Dwelling	120 m^2	\$30/m^2
	120 m^2 or more	\$40/m^2
Multiple Dwelling	90 m^2	\$25/m^2
	90 m^2 or more	\$35/m^2

i) The cash contribution in accordance with Subparagraph (i), will be placed into the Electoral Area D – Cowichan Bay Community Facility Reserve Fund;
ii) The cash contribution shall be based on the table in Subparagraph (ii) and adjusted for inflation each year beginning in 2014, according to the British Columbia Consumer Price Index, annual average for "all items", as published by BC Stats each January;
iii) In addition to the cash contribution specified in Subparagraph (ii), prior to subdivision of the parcel a strip of land not less than 5 m in width along all parcel lines abutting highways, excluding that portion required for a driveway to serve the development, shall be dedicated to the CVRD as parkland for the purpose of providing off-road walking paths.

(b) Notwithstanding Subsection 4, the following development regulations shall apply to a cluster residential development in accordance with Paragraph (a):
i) Each dwelling shall be serviced by both community water and community sewer systems;
ii) No dwelling shall have a gross floor area that is less than 40 m^2 or more than 180 m^2;
iii) At least 50% of dwellings shall have a maximum gross floor area of 120 m^2;
iv) Impervious surface coverage shall not exceed 50%, of which not more than 45% may be parcel coverage;
v) The maximum height of a single detached dwelling shall be 7.5 m and one and one half (1.5) storeys;
vi) The maximum height of a duplex shall be 7.5 m;
vii) The maximum height of a building containing multiple dwellings shall be 7.5 m;
viii) The maximum height of all accessory buildings and structures shall be 4.5 m;
ix) Each dwelling shall have a private outdoor amenity area of at least 5 m^2 in area;
x) The minimum setback for all buildings and structures is 6 m from parcel lines abutting land that is not zoned CR2, except it is 15 m from any parcel line adjoining land within the ALR;
xi) A minimum separation of 3 m shall be provided between all principal buildings and

structures within the CR2 zone;

xii) The development shall be subject to an approved development permit, in accordance with the Rural Character Development Permit Area, including guidelines for Intensive Residential Development and Cluster Residential Development, designated by Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605.

Part 6 Comprehensive Development Zones

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Part 7 Commercial & Mixed Use Zones

7.1 C2 – Rural Commercial 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   a) Agricultural and horticultural supply sales;
   b) Artist studio;
   c) Auction;
   d) Bakery;
   e) Building supply sales;
   f) Café;
   g) Catering service;
   h) Equipment repair;
   i) Financial institution;
   j) Health studio;
   k) Market;
   l) Office;
   m) Personal service;
   n) Printing and publishing;
   o) Repair services;
   p) Restaurant;
   q) Retail sales;
   r) Veterinary services
   s) Wholesale sales;

   The following accessory uses and no others are permitted:
   t) Dwelling;
   u) Exterior storage.

2. **Density**
   Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   a) 0.4 ha for parcels served by a community water system;
   b) 1 ha for parcels not served by both a community water system and a community sewer system.

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;

   b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. Special Regulations

a) All parcels less than 1 ha in area are required to be serviced by community water services;
b) Exterior storage is limited to 10% of the total gross floor area of the parcel;
c) In addition to the permitted uses listed in Subsection 1, warehousing is a permitted principal use on Lot 17, Section 8, Range 1, Cowichan District, Plan 6495 (4831 Trans-Canada Highway) (PID: 005-849-098);
d) Notwithstanding the permitted uses listed in Subsection 1, the following principal uses are not permitted on Lot 17, Section 8, Range 1, Cowichan District, Plan 6495 (4831 Trans-Canada Highway) (PID: 005-849-098): Auction; Building supply sales; Wholesale sales.

7.2 C-2A – Rural Commercial 2A Zone

Subject to compliance with **Part 2** of this Bylaw, the following regulations apply in the C-2A Zone:

1. Permitted Uses

The following principal uses and no others are permitted:

a) Agricultural and horticultural supply sales;
b) Artist studio;
c) Auction;
d) Bakery;
e) Building supply sales;
f) Café;
g) Catering service;
h) Commercial recreation and entertainment;
i) Distillery, brewery;
j) Equipment repair;
k) Financial institution;
l) Food processing;
m) Health studio;
n) Market;
o) Office;
p) Personal service;
q) Printing and publishing;
r) Repair services;
s) Restaurant;
t) Retail sales;
u) Veterinary services; and
v) Wholesale sales.

The following accessory uses and no others are permitted:

w) Dwelling; and
x) Exterior storage.

2. Density

a) Two dwellings per parcel accessory to a principal permitted use for parcels not served by a community water system; and
b) One dwelling per 0.4 ha accessory to a principal permitted use for parcels served by a community water system.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:
   a) 0.4 ha for parcels served by a community water system; and
   b) 2 ha for parcels not served by both a community water system and a community sewer system.

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 60%;
   b) Parcel coverage shall not exceed 50%;
   c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

   d) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
   a) All parcels less than 1 ha in area are required to be serviced by community water services; and
   b) Exterior storage is limited to 10% of the total gross floor area of the parcel.

6. Notwithstanding Section 7.1.1 – Permitted Uses, the following uses shall be permitted on a site-specific basis:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Retail sales of cannabis *(one store only per parcel)*	4715 Trans Canada Highway	005-376-289 LOT 1, SECTION 6, RANGE 2, COWICHAN DISTRICT, PLAN 9697, EXCEPT PART IN PLAN 2844 RW

7.3 C3 – Rural Service Commercial 3 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C3** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   a) Agricultural and horticultural supply sales;
   b) Agricultural service;
   c) Café;
   d) Catering service;
   e) Equipment repair, services and sales;
   f) Market;
   g) Repair services;
   h) Restaurant;
   i) Retail sales;

j) Service station;

The following accessory uses and no others are permitted:
a) Dwelling;
b) Exterior storage;
c) Office.

2. **Density**
Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is:
a) 0.4 ha for parcels served by a community water system;
b) 1 ha for parcels not served by both a community water system and a community sewer system.

4. **Development Regulations**
a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;
b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	6 m	6 m
Exterior Side	4.5 m	4.5 m
Rear	6 m	6 m
Adjoining ALR	15 m	15 m

c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
Exterior storage shall not exceed 10% of the total gross floor area.

7.4 C4 – Village Commercial Accommodation 4 Zone

Subject to compliance with Part 2 of this bylaw, the following regulations apply in the C4 zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:
a) Hotel;

The following accessory uses and no others are permitted:
b) Artist studio;
c) Bakery;
d) Café;
e) Catering service;
f) Dwelling;
g) Financial institution;
h) Health studio;
i) Liquor retail sales;
j) Lounge;
k) Market;
l) Pub;
m) Office;
n) Personal service;
o) Restaurant;

p) Retail sales.

2. **Density**
   Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 1,100 m^2:

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 50%, of which not more than 30% may be parcel coverage;
   b) The minimum setback for buildings and structures is 6 m from any parcel line, except it is 15 m from any parcel line adjoining land within the ALR;
   c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
   All parcels are required to be serviced by community water and sewer services;

7.5 C5 – Village Commercial 5 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C5** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   a) Agricultural and horticultural supply sales;
   b) Artist studio;
   c) Bakery;
   d) Café;
   e) Catering service;
   f) Financial institution;
   g) Health studio;
   h) Market;
   i) Office;
   j) Personal service;
   k) Restaurant;
   l) Retail sales;

   The following accessory uses and no others are permitted:

   m) Dwelling.

2. **Density**
   Residential use is limited to two dwellings per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 1,100 m^2.

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 45%, of which not more than 35% may be parcel coverage;

b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	6 m
Exterior Side	4.5 m	6 m
Rear	6 m	6 m
Adjoining ALR	15 m	15 m

c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. Special Regulations

a) All parcels are required to be serviced by community water and sewer services;
b) In addition to the permitted uses listed in Subsection 1, motor vehicle sales, including exterior storage of motor vehicles, is a permitted use on Lots 5 and 6, Block 4, Section 12, Range 7, Quamichan District, Plan VIP 77750 (PID: 004-170-687).

7.6 C6 – Village Service Commercial 6 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C6** zone:

1. Permitted Uses

The following principal uses and no others are permitted:

a) Agricultural and horticultural supply sales;
b) Artist studio;
c) Bakery;
d) Brewery, distillery;
e) Building supply sales;
f) Catering service;
g) Commercial recreation and entertainment
h) Food processing;
i) Health studio;
j) Market;
k) Motor vehicle sales; motor vehicle part sales;
l) Personal service;
m) Repair services;
n) Restaurant;
o) Retail sales;
p) Warehousing;
q) Wholesale sales;

The following accessory uses and no others are permitted:

r) Dwelling;
s) Exterior Storage;
t) Office.

2. Density

Residential use is limited to two dwellings per parcel accessory to a principal permitted use.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision is 1,100 m^2.

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;

   b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	4.5 m	4.5 m
Exterior Side	4.5 m	4.5 m
Rear	6 m	6 m
Adjoining ALR	15 m	15 m

   c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
   a) All parcels are required to be serviced by community water and sewer services;
   b) All principal permitted uses must take place within a fully enclosed building;
   c) Exterior storage shall not exceed 10% of the total gross non-residential floor area.

7.7 C7 – Village Business Park Commercial 7 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C7** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   a) Agricultural and horticultural supply sales;
   b) Artist studio;
   c) Auction;
   d) Automobile body shop;
   e) Automobile service;
   f) Boat building & repair;
   g) Building component manufacturing;
   h) Building supply sales;
   i) Café, catering, restaurant;
   j) Distillery, brewery;
   k) Dry cleaning, Laundromat;
   l) Equipment repair, sales, storage and rental;
   m) Financial institution;
   n) Food processing;
   o) Laboratory;
   p) Medical service;
   q) Office;
   r) Personal service;
   s) Printing and publishing;
   t) Repair services;
   u) Retail and wholesale sales;
   v) Service industry;
   w) Veterinary services;
   x) Warehousing;

   The following accessory uses and no others are permitted:
   y) Dwelling;
   z) Exterior Storage.

2. **Density**
   a) The maximum density of dwellings shall not exceed 5 u/ha;
   b) The gross floor area of each dwelling shall not exceed 100 m^2.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.2 ha.

4. **Development Regulations**
   a) Impervious surface coverage shall not exceed 55%, of which not more than 45% may be parcel coverage;

   b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	4 m	6 m
Interior Side	0 m	3 m
Exterior Side	6 m	6 m
Rear	6 m	6 m
Adjoining ALR	9 m	9 m

   c) The maximum height of all buildings and structures is 10 m.

5. **Special Regulations**
   a) All principal permitted uses must take place within a fully enclosed building;
   b) Exterior storage shall not exceed 10% of the total gross non-residential floor area;
   c) All parcels are required to be serviced by community water and sewer services.

7.8 MU1 – Mixed Use Commercial Residential 1 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **MU1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   (a) Artist studio;
   (b) Bakery;
   (c) Café, Catering service;
   (d) Health studio;
   (e) Multiple dwelling;
   (f) Office;
   (g) Personal service;
   (h) Retail sales;

   The following accessory uses and no others are permitted:

   (i) Home-based business.

2. **Density**
   The maximum density of dwellings shall not exceed 25 u/ha of parcel area.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   (a) 0.2 ha for parcels served by both community water and community sewer systems;
   (b) 0.4 ha for parcels served by a community water system;
   (c) 1 ha for parcels not served by both a community water system and a community sewer system.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 45%, of which not more than 35% may be parcel coverage;
   (b) The minimum setback for buildings and structures is 6 m from any parcel line, except it is 15 m from any parcel line adjoining land within the ALR;
   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) In addition to the permitted uses in Subsection 1, a single detached dwelling that was a legally conforming use prior to adoption of this bylaw continues to be a legally conforming use with respect this bylaw;
   (b) A non-residential use may only occur within the first storey of a building;
   (c) All parcels are required to be serviced by community water and sewer services;
   (d) Each multiple dwelling shall have a private outdoor amenity area of not less than 5 m^2;
   (e) No parking space or driveway shall be located within 3 m of windows of habitable rooms or within 1.5 m of a property line.

7.9 MU2 – Mixed Use Commercial Residential 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **MU2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:
   (a) Artist studio;
   (b) Bakery;
   (c) Café;
   (d) Catering service;
   (e) Health studio;
   (f) Market;
   (g) Multiple dwelling;
   (h) Office;
   (i) Personal service;
   (j) Retail sales;

   The following accessory uses and no others are permitted:

   (k) Home-based business.

2. **Density**
   The maximum density of dwellings shall not exceed 70 u/ha of parcel area, except in no case shall the maximum number of dwellings per parcel exceed 25.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 0.4 ha.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 40%, of which not more than 30% may be parcel coverage;

(b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3.5 m	3.5 m
Exterior Side	6 m	6 m
Rear	7.5 m	7.5 m
Adjoining ALR	15 m	15 m

(c) The maximum height of all buildings and structures is 14 m, except it is 4 m for accessory buildings and structures.

5. Special Regulations

(a) A non-residential use may only occur within the first storey of a building;
(b) Each dwelling shall have a private outdoor amenity area of not less than 5 m^2;
(c) All parcels are required to be serviced by community water and sewer services;
(d) No parking space or driveway shall be located within 3 m of windows of habitable rooms or within 1.5 m of a property line.

7.10 MU3 – Mixed Use Commercial Residential 3 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **MU3** zone:

1. Permitted Uses

The following principal uses and no others are permitted:

(a) Agricultural and horticultural supply sales;
(b) Artist studio;
(c) Bakery;
(d) Café;
(e) Catering service;
(f) Financial institution;
(g) Health studio;
(h) Market;
(i) Manufactured home park;
(j) Multiple dwelling;
(k) Office;
(l) Personal service;
(m) Restaurant;
(n) Retail sales;

The following accessory uses and no others are permitted:

(o) Home-based business;
(p) Day care.

2. Density

Residential use is limited to 15 u/ha.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision is 1,100 m^2.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 45%, of which not more than 35% may be parcel coverage;
   (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	6 m
Exterior Side	4.5 m	6 m
Rear	6 m	6 m
Adjoining ALR	15 m	15 m

   (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. **Special Regulations**
   (a) All parcels are required to be serviced by community water and sewer services;
   (b) All manufactured homes are required to be serviced by community water and sewer services;
   (c) Each dwelling shall have a private outdoor amenity area of not less than 5 m^2;
   (d) No parking shall be permitted within the minimum required setback from the front parcel line.

Part 8 Industrial Zones

8.1 RUR1 – Rural Resource Light Industrial 1 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RUR1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Agricultural and horticultural supply sales;
   (b) Agricultural service;
   (c) Auction;
   (d) Automobile service;
   (e) Automobile body shop;
   (f) Boat building, repair and storage;
   (g) Building component manufacturing;
   (h) Building supply sales;
   (i) Cold storage facility;
   (j) Equipment repair, storage and rental;
   (k) Food processing;
   (l) Kennel;
   (m) Pet crematorium;
   (n) Printing and publishing;
   (o) Recycling depot;
   (p) Refundable container depot;
   (q) Veterinary services;
   (r) Warehousing;
   (s) Wholesale sales;
   (t) Wood processing;
   (u) Café, catering service;

The following accessory uses and no others are permitted:

(v) Dwelling;
(w) Exterior storage;
(x) Office.

2. **Density**
Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 1 ha.

4. **Development Regulations**
(a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;
(b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	9 m
Interior Side	15 m	15 m
Exterior Side	4.5 m	4.5 m
Rear	15 m	15 m
Adjoining ALR	15 m	15 m

(c) Notwithstanding Paragraph (b), the interior side parcel line setback may be reduced to 3 m where the adjacent parcel is zoned RUR1;
(d) The maximum height of all buildings and structures is 10 m.

8.2 RUR3 – Rural Resource Quarry/Aggregate 3 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RUR3** zone:

1. **Permitted Uses**
The following principal uses and no others are permitted:

(a) Gravel processing;
(b) Concrete batch plant;

The following accessory uses and no others are permitted:

(c) Dwelling;
(d) Exterior storage;
(e) Office;
(f) Pre-cast concrete products manufacturing.

2. **Density**
Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
The minimum parcel area for the purpose of subdivision is 30 ha.

4. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 30%, of which not more than 20% may be parcel coverage;
   (b) The minimum setback for buildings and structures is 15 m from any parcel line;
   (c) The maximum height of all buildings and structures is 10 m.

8.3 RUR3A – Rural Resource Quarry/Aggregate 3A Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **RUR3A** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Concrete batch plant;

   The following accessory uses and no others are permitted:

   (b) Dwelling;
   (c) Exterior storage;
   (d) Office;
   (e) Pre-cast concrete products manufacturing.

2. **Density**
   Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is 30 ha.

4. **Development Regulations**
   (a) Impervious surface coverage of a parcel in the RUR3A Zone shall not exceed 30%, of which not more than 20% may be parcel coverage;
   (b) The minimum setback for buildings and structures is 30 m from any parcel line;
   (c) The maximum height of all buildings and structures is 10 m.

Part 9 Parks & Institutional Zones

9.1 P1 – Park Conservation 1 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **P1** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Environmental protection, restoration and enhancement;
   (b) Nature park;

   The following accessory uses and no other are permitted:

   (c) Interpretive and directional signage;
   (d) Information kiosk.

2. **Development Regulations**
   (a) The minimum setback for buildings and structures is 4.5 m from any parcel line, except it is 15 m from any parcel line abutting the ALR;
   (b) The height of all buildings and structures shall not exceed 4.5 m.

9.2 P2 – Park Recreation 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **P2** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Public park;

   The following accessory uses and no others are permitted:

   (b) Dwelling;
   (c) Interpretive and directional signage;
   (d) Information kiosk.

2. **Density**
   Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. **Development Regulations**
   (a) The minimum setback for buildings and structures is 4.5 m from any parcel line, except it is 15 m from any parcel line abutting the ALR;
   (b) The height of all buildings and structures shall not exceed 10 m.

9.3 P3 – Community Institutional 3 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **P3** zone:

1. **Permitted Uses**
   The following principal uses and no others are permitted:

   (a) Academic school;
   (b) Assembly;
   (c) Civic use;
   (d) Cultural facility;
   (e) Public park;
   (f) Recycling depot;
   (g) Residential shelter;
   (h) Supportive housing;

   The following accessory uses and no others are permitted:

   (i) Dwelling;

2. **Subdivision Regulation**
   The minimum parcel area for the purpose of subdivision is:

   (a) 0.2 ha for parcels served by both community water and community sewer systems;
   (b) 0.4 ha for parcels served by a community water system;
   (c) 1 ha for parcels not served by both a community water system and a community sewer system.

3. **Development Regulations**
   (a) Impervious surface coverage shall not exceed 45%, of which not more than 40% may be parcel coverage;
   (b) The minimum setback for buildings and structures is 6 m from any parcel line, except it is 15 m from any parcel line abutting the ALR;
   (c) The height of all buildings and structures shall not exceed 10 m.

Part 10 Force and Effect

10.1 Force and Effect

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

READ A FIRST TIME this 12th day of March , 2014.

READ A SECOND TIME this 12th day of March , 2014.

READ A THIRD TIME this 23rd day of April , 2014.

ADOPTED this 14th day of May , 2014.

Director R. Hutchins
Chairperson

Joe Barry
Corporate Secretary