



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4587

A Bylaw to Amend CVRD Bylaw No. 4483 – Development Application Procedures Bylaw, 2023

WHEREAS the Board of the Cowichan Valley Regional District has adopted an official community plan and zoning bylaw and must, in accordance with the *Local Government Act*, establish procedures under which an owner of land may apply for an amendment to a bylaw, or a permit;

WHEREAS the *Liquor Control and Licensing Act* and the *Cannabis Control and Licensing Act* provide for the referral of license applications to the Cowichan Valley Regional District for comments and recommendations;

WHEREAS pursuant to the *Community Charter*, the Board may adopt a Bylaw to provide an alternative means of publishing a public notice;

WHEREAS the Board considers the means of publication set by this Bylaw to be reliable, suitable for providing notices, and accessible;

WHEREAS the Board may impose fees in relation to processing applications and associated costs of administration, advertising and inspections, and may recover the costs of its services by various methods;

AND WHEREAS the Board wishes to delegate certain powers, duties and functions in relation to its land use authority;

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

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4587 – Development Application Procedures Amendment Bylaw, 2024**".

2. AMENDMENT

Bylaw No. 4483 is hereby amended as follows:

- a. By adding the following Whereas clause as the sixth Whereas clause:

WHEREAS the Cowichan Valle Regional District may, pursuant to Part 12 of the *Local Government Act*, enforce bylaws including by imposing fines, penalties and costs;

- b. Part 8 Repeal is relabeled Part 9 Repeal;

c. Part 8 Offences and Enforcement is added with the following sections:

60. Every person who:

- a) commences construction of, an addition to, or alteration of a building or other structure within a Development Permit Area designated by the Cowichan Valley Regional District under s. 488(1) of the *Local Government Act*;
- b) alters land within a Development Permit Area designated by the Cowichan Valley Regional District under section 488 (1) (a) or (b) of the *Local Government Act*; or
- c) alters land or a building or other structure on land within a Development Permit Area designated by the Cowichan Valley Regional District under section 488 (1) (d), (h), (i) or (j) of the *Local Government Act*;

shall first obtain a development permit, unless an exemption applies.

61. Every person who obtains a Land Use Permit or any other approval under this bylaw shall strictly comply with the terms and conditions of the approval and shall develop land strictly in accordance with the Land Use Permit.

62. Every person who:

- a) violates a provision of this bylaw;
- b) permits, suffers or allows any act to be done in violation of any provision of this bylaw;
- c) neglects to do anything required to be done under any provision of this bylaw; or
- d) allows a violation of this bylaw to continue;

commits an offence and, upon conviction, shall be liable to a fine or penalty up to \$50,000, plus the cost of prosecution.

63. Each day a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

64. The provisions of this Bylaw may be enforced by any and all of the following Cowichan Valley Regional District staff or employees: Bylaw Enforcement Officer, Manager of Bylaw Enforcement, Manager of Development Services (or their designate), and Environmental Planner, and for that purpose, any of these employees or staff members may enter on any property within the Regional District at all reasonable times to ascertain whether the provisions of this Bylaw are being complied with.

65. Nothing in this Part 8 shall prevent the Regional District or an authorized person acting on behalf of the Regional District from issuing and enforcing a ticket under the Regional District's Bylaw Offence Notice Enforcement Bylaw and/or the Municipal Ticket Information Authorization Bylaw.

d. Section 60 is renumbered as Section 66.

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2024.

READ A SECOND TIME this _____ day of _____, 2024.

READ A THIRD TIME this _____ day of _____, 2024.

ADOPTED this _____ day of _____, 2024.

Chair

Corporate Officer