



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4553

#### A Bylaw for the Purpose of Amending Zoning Bylaw No. 1020 Applicable to Electoral Area H – North Oyster/Diamond

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area H – North Oyster/Diamond, that being the Cowichan Valley Regional District Electoral Area "H" Zoning Bylaw No. 1020, 1986;

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

**AND WHEREAS** Section 464(4) of the *Act* requires that a public hearing not be held in respect of zoning bylaw changes to comply with Section 481(3) of the *Act*;

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4553 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (Bill 44 Compliance), 2024**".

#### 2. AMENDMENTS

Bylaw No. 1020 is hereby amended as follows:

- a. Section 3.1 – Definitions – is amended by deleting the definition of secondary suite and replacing it with the following, in alphabetical order as required:

**“Suite, Attached”** means a dwelling unit that is located within a building that also contains a principal dwelling unit, and that complies with Section 5.19 of this Bylaw;

- b. Throughout the Bylaw, all occurrences of the phrase “secondary suite” are deleted and replaced with “attached suite”.
- c. The regulations of Section 5.19 are deleted and replaced with the following:

For zones in which attached suites are permitted, the following regulations apply:

1. The attached suite shall be located within a principal single-family dwelling.
2. The attached suite shall not occupy more than 40% of the gross floor area of the dwelling.
3. The attached suite shall be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval

of the authorities responsible for domestic water supply.

4. The attached suite is only permitted if a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems approves the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density on the parcel.
  5. The attached suite shall not have a gross floor area in excess of 90 m<sup>2</sup>.
  6. The attached suite shall not be located on a parcel of land that has another attached suite or separate suite on it.
  7. The attached suite shall not have, through subdivision or strata plan, a separate title distinct from the one for the parcel of land upon which it is located, and the owner must enter into and register a covenant to this effect on the owner's title in the Land Title Office. Notwithstanding the foregoing, a covenant that would prevent the subdivision is not required for an attached suite 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 otherwise result in a contravention of this Bylaw.
- d. Section 7.1(a) 9. is deleted and replaced with the following:
9. Attached suite on any parcel; or separate suite on parcels 2 ha or larger.
- e. Section 7.2(a) 8. is deleted and replaced with the following:
8. Attached suite on any parcel; or separate suite on parcels 2 ha or larger.
- f. Section 7.3(a) 6. is deleted and replaced with the following:
6. Attached suite on any parcel; or separate suite on parcels 2 ha or larger.
- g. Section 7.4(a) 6. is deleted and replaced with the following:
6. Attached suite on any parcel; or separate suite on parcels 2 ha or larger.
- h. Section 8.1(a) 8. is deleted and replaced with:
8. Attached suite or separate suite.
- i. Section 8.2(a) 7. is deleted and replaced with:
7. Attached suite or separate suite.
- j. The following is added after Section 8.3(a) 5.:
6. Attached suite.
- k. Section 8.6(a) is amended by renumbering the accessory uses to 3 through 6.
- l. The following is added after Section 8.6(a) 6:
6. Attached suite.
- m. Section 9.1(a) 6. is deleted and replaced with the following:
6. Attached suite or separate suite.

- n. Section 9.2(a) 8. is deleted and replaced with the following:
  - 8. Attached suite or separate suite.
- o. Section 9.3(a) 7. is deleted and replaced with the following:
  - 7. Attached suite or separate suite.
- p. Section 9.4(a) 13. is deleted and replaced with the following:
  - 13. Attached suite or separate suite.
- q. Section 9.5(a) 7. is deleted and replaced with the following:
  - 7. Attached suite or separate suite.
- r. Section 10.2(a) 9. is deleted and replaced with the following:
  - 9. Attached suite or separate suite.
- s. Section 10.3(a) 4. is deleted and replaced with the following:
  - 4. Attached suite or separate suite.
- t. Section 11.1(a) 28. is deleted and replaced with the following:
  - 28. Attached suite or separate suite.
- u. Section 11.2(a) 10. is deleted and replaced with the following:
  - 10. Attached suite or separate suite.

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

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

PUBLIC NOTICE GIVEN in ACCORDANCE WITH THE LOCAL GOVERNMENT ACT this	_____	day of	_____.	2024 and
	_____	day of	_____.	2024.
READ A FIRST TIME this	_____	day of	_____.	2024.
READ A SECOND TIME this	_____	day of	_____.	2024.
READ A THIRD TIME this	_____	day of	_____.	2024.
RECEIVED MINISTRY OF TRANSPORTATION & INFRASTRUCTURE APPROVAL this	_____	day of	_____.	2024.
ADOPTED this	_____	day of	_____.	2024.

\_\_\_\_\_  
Chair

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