



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4539

A Bylaw for the Purpose of Amending Zoning Bylaw No. 985 Applicable to Electoral Area B – Shawnigan Lake

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake that being Zoning Bylaw No. 985;

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 after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 985;

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. 4539 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Suite Covenant Amendment), 2023**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

- a) By deleting Section 5.18(m), and replacing with the following:
- (m) An accessory dwelling unit may be subdivided from the parcel upon which it is located if:
 - i. It is in a zone which would allow for the proposed parcel sizes following subdivision;
 - ii. The principal dwelling and accessory dwelling unit are so located as to allow for setback requirements to be met following subdivision, with each being on a separate parcel following subdivision;
 - iii. The approval of the Health Authority for sewage disposal has been obtained.
- (n) If the parcel upon which the accessory dwelling unit would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the accessory dwelling unit, register a covenant under Section 219 of the *Land Title Act* in favour of the CVRD against the title to the parcel which prohibits its subdivision or the registration of any form of strata plan under the *Strata Property Act*.

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2023.

READ A SECOND TIME this _____ day of _____, 2023.

READ A THIRD TIME this _____ day of _____, 2023.

ADOPTED this _____ day of _____, 2023.

Chair

Corporate Officer