



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4576

#### **A Bylaw for the Purpose of Amending Zoning Bylaw No. 2600 Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

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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 F – Cowichan Lake South/Skutz Falls, that being “CVRD Zoning Bylaw No. 2600, 2005, Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls”;

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

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

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

#### 1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4576 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Detached Suites & Miscellaneous Amendments), 2024**".

#### 2. **AMENDMENTS**

Bylaw No. 2600 is hereby amended as follows:

a. Section 1.3 – Definitions – is amended by deleting the following definitions:

- i. Accessory
- ii. Accessory Dwelling
- iii. Building
- iv. Duplex
- v. Dwelling or Dwelling Unit
- vi. Family
- vii. Kitchen
- viii. Multiple family residence
- ix. Personal Service Use
- x. Principal Use
- xi. Quadruplex
- xii. Secondary Dwelling Unit
- xiii. Semi-Detached Dwelling

- xiv. Structure
- xv. Triplex

- b. Section 1.3 – Definitions – is further amended by adding the following definitions in alphabetical order:

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

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

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

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

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

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

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

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

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

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

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

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

**"Personal Service"** means use of a building to provide services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects, and includes accessory retail sale of personal care products. Includes: Uses such as barber shop, dry cleaning establishment, fitness studio, hair salon, nail salon, photographer's studio, shoe repair shop, tailor, tattoo parlour;

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

**"Structure"** means anything that is fixed to, or supported by, or sunk into land or water. Includes: swimming pools; retaining walls; fences; signs; and any tank that projects above 0.6m above finished grade, underground commercial or industrial tanks. Excludes: areas of hard surfacing such as concrete, brick or unit pavers, turfstone, asphalt or similar materials; soft landscaping unless otherwise specified in this Bylaw; private residential septic tanks entirely below grade;

**"Suite, Detached"** means a dwelling unit that is itself, or located within, an accessory building on a parcel of land that contains at least one other dwelling unit, and that complies with Section 3.21 of this Bylaw;

- c. Throughout the Bylaw, all remaining occurrences of the phrase "single family dwelling" or "single family residential dwelling" are replaced by the phrase "single detached dwelling".
- d. Throughout the Bylaw, all remaining occurrences of the phrase "multiple family dwelling", "multiple family residence", "multi-family dwelling", and "multifamily dwelling" are replaced by the phrase "dwelling, multi-unit" or "multi-unit dwelling", whichever is contextually appropriate.
- e. Any remaining occurrences of the word "Family" are deleted from the Bylaw.
- f. Section 3.16 (8) (b) – Access to Parking Spaces is amended by replacing "single family" with "single detached dwelling" and replacing "two family residential building" with "duplex".
- g. Section 3.18 is amended by replacing the word "family" with "household".
- h. Section 3.21 is amended by retitling it as "Detached Suites", and the remainder of that Section is deleted and replaced with the following:
  - 1. The maximum floor area of a detached suite shall not exceed 95 square metres;
  - 2. The detached suite shall be freestanding;
  - 3. One additional on-site parking space shall be provided;
  - 4. Approval of the community sewer service provider, or if the parcel is not connected to a community sewer system, 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. Prior approval of the authority having jurisdiction for potable water must be secured for the total density requested;
  - 6. The detached suite shall not be a recreational vehicle nor a park model unit;
  - 7. Only one attached suite or detached suite is permitted per parcel;
  - 8. A detached suite may be incorporated into or attached to an accessory building.
  - 9. The detached suite may be subdivided from the parcel upon which it is located only if:
    - i. it is in a zone which would allow for the proposed lot sizes following subdivision;
    - ii. the principal single detached dwelling and detached suite are so located as to

- allow for setback requirements to be met following subdivision;
- iii. the approval of the Health Authority for sewage disposal has been obtained;
- iv. all other requirements of subdivision are met.

If the parcel upon which the detached suite would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the detached suite, register a covenant on the parcel which would prevent its subdivision or the registration of any form of strata plan under the *Strata Property Act* on the parcel.

For parcels that meet the requirements of 9.i., ii., iii., and iv., following the subdivision, the dwelling that was formerly considered to be the detached suite will no longer be subject to the regulations of Section 3.21 of this Bylaw.

- i. All remaining occurrences of the phrase “secondary dwelling unit” throughout the Bylaw are replaced with the phrase “detached suite”.
- j. The following accessory use is added after 5.1.1.g:
  - h. Attached Suite or detached Suite.
- k. Section 5.13 is amended by:
  - i. Deleting (c) Triplex and (d) Quadruplex from 1 – Permitted Uses and replacing it with “(c) Multi-unit dwelling”;
  - ii. In 2 – Conditions of Use (a) (i) and (b) (i), replacing the phrase “duplex, triplex or quadruplex” with “duplex or multi-unit dwelling”;
  - iii. In 3 – Parcel Size and Dimensions amending the Table by replacing “Triplex” with “Multi-Unit Dwelling (3 units)” and replacing “quadruplex” with “Multi-Unit Dwelling (4+ units)”;
  - iv. Retitling (5) (b) from “Triplex and Quadruplex” to “Multi-Unit Dwelling”
  - v. In (5) (b) (i) and (iii), replacing “triplex” with “multi-unit dwelling (3 units)”;
  - vi. In (5) (b) (ii) and (iv), replacing “quadruplex” with “multi-unit dwelling (4+ units)”
  - vii. In 7 – Setbacks, retitling (b) to “Multi-Unit Dwelling” and in the corresponding table, replacing “Triplex; Quadruplex” with “Multi-Unit Dwelling”;
  - viii. In Section (7) (i) replacing “duplex, triplex or quadruplex” with “duplex or multi-unit dwelling”;
  - ix. In 8 – Height, replacing “Triplexes and quadruplexes” in (c) with “Multi-unit dwellings”;
  - x. In 9 – Impervious Surface and Parcel Coverage Limit, replacing “Triplex or Quadruplex” in (b) with “Multi-Unit Dwelling”;
  - xi. In 10 – Location of Uses, retitling (b) to “Multi-Unit Dwelling”;
  - xii. In 11 – Building Size, replacing “triple or quadruplex” in (b) (iii) with “multi-unit dwelling”
  - xiii. Retitling (13) to “Refuse Receptacles for Multi-Unit Dwellings”
  - xiv. In 14 – Private Open Space, replacing “duplex, triplex, and quadruplex” with “duplex or multi-unit dwelling” and replacing “triplex or quadruplex” in (c) with “multi-unit dwelling”.
- l. The following is added after Section 5.7.1.f:
  - g. Attached suite or detached suite.
- m. Section 5.9.1.h is deleted and replaced with the following:
  - h. Attached suite or detached suite.

n. Section 5.14.5 is deleted and replaced with the following:

5. The Paldi Comprehensive Development Designation will allow for a maximum of 500 principal dwelling units, plus one Attached Suite for each Single Detached Dwelling unit. A minimum of 20% and a maximum of 60% of all dwelling units will be single detached dwellings on small lots (not more than 1,000 m<sup>2</sup>) or residential units above commercial uses in mixed-use buildings. A minimum of 40% will be single detached dwelling units on lots larger than 1,000 m<sup>2</sup>.

o. Section 5.14.5.b is amended by:

- a. Deleting (iii) and (iv) and replacing it with "iii. Multiple unit dwelling" and renumbering subsequent uses.
- b. Deleting (viii) "Secondary Suites, for up to 50% of single family dwellings" and replacing it with "Attached suite for each single detached dwelling"

p. Section 5.15.1.a) i., is deleted and replaced with the following:

i. Single detached dwelling plus one attached suite.

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

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

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

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

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

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

RECEIVED MINISTRY OF 1<sup>st</sup> day of May, 2024.  
TRANSPORTATION &  
INFRASTRUCTURE  
APPROVAL this

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

\_\_\_\_\_  
Chairperson

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