



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. XXXX

A Bylaw to Amend Zoning Bylaw No. 2600 Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls

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 Zoning Bylaw No. 2600;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote on each reading of this bylaw, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the representation received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2600;

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

1. **CITATION**

This bylaw may cited for all purposes as "**CVRD Bylaw No. XXXX – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (PID: XXX-XXX-XXX), 2018**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2600, is hereby amended in the following manner:

- a) Part 1 – Section 1.3 is amended by replacing the following definitions:

“Lane” means a Highway that provides a secondary access to a parcel from the side or rear of such parcel and has a travelled surface less than 6.0 metres wide.

“Natural Grade” means the elevation of the undisturbed natural ground, before alterations, as of 2018-January-1. As determined by a B.C. Land Surveyor.

- b) Part 1 – Section 1.3 is amended by adding the following definitions:

“Access driveway” means the area between the highway and required parking spaces which provide an approach to said parking spaces.

“Artist Studio” means a building, or portion thereof, used for the creation, display or sale of arts and crafts.

“Automobile Service Shop” means a building or structure used for periodic, routine servicing of motor vehicles, including minor repairs and replacement of mechanical and other components, but does not include an automobile workshop or automobile salvage or wrecking yard;

“Automobile Workshop” means a building or structure used for all manner of mechanical repairs to motor vehicles and parts thereof, including: engine and transmission tuning, upgrading and rebuilding as well as the rebuilding of other auto components and associated machine shop; and cosmetic and structural repair and restoration of motor vehicle bodies and chassis, including sand and media blasting, painting and metal plating of automobile parts and bodies, and also includes motor vehicle assembly and parts and accessory sales, but does not include motor vehicle manufacturing or automobile salvage or wrecking yard;

“Boat Building and Repair” means the fabrication, assembly and repair of commercial and recreational boats, marine crafts and related marine equipment.

“Commercial Retail Unit” means the place of business of an enterprise.

“Cultural Facility” includes museums and theatres for the performing arts.

“Custom Workshop” means a workshop within a building where the production, sales and servicing of specialized goods or services, including home cabinets, signs, window coverings, and furniture occurs.

“Double fronting parcel” means where both the front and rear parcel lines of the parcel front upon a highway, excluding lanes.

“Duplex” means building other than a single family dwelling with a secondary suite, that contains two dwelling units.

“Emergency works” means emergency procedures to prevent flooding, erosion, or other immediate threats to life and property. Such emergency procedures may include clearing of an obstruction from or repairs to a bridge, culvert, or drainage flow and the removal of tree(s) that are deemed to present a danger to public or private property.

“Equipment / Tools Rentals, Sales & Repair Shop” means a shop at which household items or other small motors or electrical devices may be repaired, but specifically excludes automobile repairs.

“Financial Institution” means a bank, credit union, acceptance corporation, trust company, finance company or similar establishments, but does not include a building or premises normally used for a purpose unrelated to the financial industry, but includes one or more bank machine(s) as an accessory use for the convenience of its patrons or customers.

“Fitness studio” means a facility where persons may use exercise equipment and may include a facility where persons have sport and work related injuries evaluated and treated, and includes accessory offices.

“Finished Grade” means the elevation of the surface of the ground at any point on the site of a completed development.

“Food and Beverage Processing” means the use of land, buildings or structures for the processing, warehousing and distribution of food and beverage products, but specifically excludes the processing of livestock, fish, poultry, and other fowl.

“Floor area” means the aggregate surface area of all horizontal walking surfaces on all storeys measured from the finished exterior plane of a building wall face and includes but is not limited to habitable space, partitions, mezzanines, lofts, porches, patios, decks, stairways and cantilevers but does not include crawlspaces, attics, eaves or cornices.

“Floor Area Ratio” means the figure obtained when the area of the floors of the buildings on a site is divided by the area of the parcel

“Frontage” means that length of a parcel boundary which abuts a highway.

“Group Daycare” means a daycare that holds a license under the Community Care and Assisted Living Act and accommodates not more than 24 children who do not reside on the parcel.

“Laboratory” means the use of buildings or structures for scientific experiments, research, teaching, or testing of products or materials and may include an ancillary office.

“Landscaping” means the physical arrangement and maintenance of landscaping materials on a parcel for the purpose of enhancing the functional and aesthetic qualities of site development.

“Landscape Buffer” means an area of landscaping used to mask or separate uses.

“Landscape Screen” means an area of landscaping used to buffer and visually conceal uses.

“Light Industrial” means an industry use which is wholly enclosed within a building except for parking and loading facilities and outside storage accessory to the permitted use.

“Live/Work Studio” means a dwelling unit which includes space for a professional office, artist studio, repair shop, custom workshop, and the like.

“Manufacturing / Contractors Office” means an office use directly related to the creation, manufacturing, repairing, or servicing of a product and shall include, but not be limited to, the following office uses: architect, general contractor, computer and software developer, computer services and data processing, engineer, surveyor, scientist, geologist, graphic designer, shipping agent, or wholesale broker.

“Perimeter Wall Height” means the vertical distance measured at the outermost building face, excluding open decks, from the finished grade to the top of the wall or top of a shed roof not including gable ends, dormers to a maximum of 25% of the wall length and localized depressions.

“Principal Building” means a building that accommodates the principal use of a site, and may accommodate one or more accessory uses.

“Principal Use” means the main purpose for which land, buildings or structures are used.

“Printing and Publishing Facility” means the use of land, buildings and structures for printing of any kind, engraving, blueprinting, duplicating and publishing newspapers and magazines.

“Production Bakery” means the use of a building for a large scale bakery for the purposes of production of baked goods for retail or wholesale to the final consumer or other retailers.

“Production Studio” means the use of land, buildings and structures for the production of art, motion pictures, videos, television or radio programs or sound recording.

“Public House” mean a licensed establishment pursuant to the *Liquor Control and Licensing Act*, serving primarily alcoholic beverages as well as full lunch and dinner menus, including hot and cold meals, and may include a retail store for beer and wine.

“Quadruplex” means a residential building that contains four dwelling units.

“Retail Store” means a store in which any type of goods or wares are sold or rented to the final consumer, provided that the product may be stored and sold from within a building. This definition specifically includes Personal Service Use, and Pharmacy.

“Restaurant” means a building or structure for the service to customers of food and drink, and if licensed under the *Liquor Control and Licensing Act*, holds a “food primary” license.

“Service Industry” means the use of land or buildings for wholesale sales or the testing, assembling, cleaning, distribution, servicing, printing, repair and maintenance of goods and materials, and the sale or rental of tools, lawnmowers, garden equipment and other similar goods.

“Specialty Food Retail” means a use providing for the retail sale of groceries or prepared food for take away or on-site consumption. This use includes cafes, coffee houses, delicatessens, fish markets, meat markets, ice cream parlours and bakeries, and may be included as an accessory use to a grocery store use.

“Triplex” means a residential building that contains three dwelling units.

“Veterinary Clinic” means a building or part thereof provided for the prevention, treatment, care and alleviation of disease and injury to animals, and includes a shelter that is exclusively for animals during their period of treatment and recovery.

“Warehouse” means the use or intended use of land, buildings or structures for the purpose of receiving and storage of goods for compensation, and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes retail sales from the parcels.

“Wholesale” means the use of land, building, or structures, 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.

- c) Section 3.6 is added after 3.5 – Camping Regulations and the subsequent sections renumbered:

Daycare Regulations

For zones in which unlicensed daycare and group daycare are permitted uses, all of the following regulations apply:

1. A daycare providing care to more than three persons shall be licensed in accordance with the *Community Care and Assisted Living Act*;
 2. No group daycare licensed for between 9 and 16 children shall be located on a parcel that is less than 2000 m² in area;
 3. No group daycare licensed for between 17 and 24 children shall be located on a parcel that is less than 4000 m² in area;
 4. A daycare use shall be clearly subservient and incidental to the use of the dwelling unit for residential purposes and to the residential use of the parcel upon which the dwelling is located;
 5. There shall be no variation from a primarily residential appearance of the land and premises where the daycare is located;
 6. The daycare use shall not produce excessive traffic, or create a nuisance of any kind;
 7. The daycare use shall have no external display or advertisement other than a maximum of one non-illuminated sign, which shall not exceed 0.4 m² in area;
 8. The daycare use shall only be conducted by a person who resides on the parcel;
 9. No off-site parking associated with the daycare use is permitted; and
 10. Any daycare use must also comply with all senior government agency regulations.
- d) Section 3.12 is amended by adding the following wording:

8. Subdivision of Parcels Containing a Waterbody, Watercourse or Wetland

Where a parcel contains all or part of a natural water body, watercourse or wetland, the area that contains the natural water body, watercourse or wetland shall not be included when calculating the minimum parcel size. 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 a Qualified Environmental Professional where the water feature is subject to the Riparian Areas Regulation.

- e) Section 3.14.1 is amended by adding the wording “high-tech industrial uses” to the end of the first list of uses.
- f) Section 3.14.4 is amended by reformatting and adding the following wording:

4. Location and Screening

An owner of land shall ensure that:

- a. A required off-street loading space shall not encroach onto any highway or onto any off-street parking space, parking area, driveway aisle, pedestrian pathway, or landscape buffer;
- b. Access and egress for a loading space shall not interfere with adjacent highway traffic;

- c. Loading bays and docks shall be located away from areas of pedestrian movement and screened from view from driveway entrances, parking areas, adjacent properties, and adjacent highways; and
- d. Unobstructed access and egress from a highway must be provided for each required off-street loading space.
- g) Section 3.15 is amended by adding the following wording to the table:

Category	Use	Parking
Commercial, Institutional, Industrial Uses	Custom Workshop	1 space per 100 m ² of gross floor area
	Food and Beverage Processing	1 space per 100 m ² of gross floor area
	Laboratory	1 space per 20m ² of gross floor area
	Light Industrial	1 space per 100 m ² of gross floor area
	Prefab Home Sales	1 space per 100 m ² of gross floor area
	Production Bakery	1 space per 100 m ² of gross floor area
	Production Bakery	1 space per 100 m ² of gross floor area
	Service Industry	1 space per 100 m ² of gross floor area
	Storage Recreational Vehicles and Boats	1 space per 200 m ² of gross floor area

- h) Section 3.15.1 is amended by replacing the following wording:
 - i) Parking requirements for “Printing and Publishing Facility” are replaced with “1 space per 100 m² of gross floor area”.
 - ii) Parking requirements for “Equipment/Tools Sales, Rentals, Servicing and Repair Shop” are replaced with “with “1 space per 100 m² of gross floor area”.
 - iii) Parking requirements for “Warehouse or Wholesale Use” are replaced with “1 space per 200 m² of gross floor area”.
- i) Section 3.15.8 is amended by reformatting and adding the following wording:

Access to Parking Spaces:

- a. Where a parcel is serviced by a lane, driveway access to the off-street parking spaces shall be from the lane.
- b. Except in the case of a single family or two family residential building, no parking space shall gain direct access to a highway.
- j) The wording in Section 3.15.10 is replaced with the following:

Parking areas shall be dust-free and the use of pervious surfaces such as grasscrete, is encouraged for all outdoor parking areas.
- k) The wording in Section 3.15.11 is replaced with the following:

Parking areas paved with an impervious material shall include one or more oil-water separators, and it shall be the responsibility of the landowner to properly maintain the

oil/water separators in good working order, regularly removing oils for proper disposal.

- l) The wording in Section 3.15.13 is replaced with the following:

The parking requirements established in Section 7.1 do not apply to a building or use existing prior to the adoption date of this Bylaw, provided that there is no change, expansion or addition to the building or use that requires more parking spaces than were required for the building or use existing when this Bylaw was adopted. However, if there is an expansion or addition to an existing use or building, then the provisions of Section 7.1 apply to such expansion or addition.

- m) The following section is added after 3.15.14:

15. Curbs and Wheels Stops

The owner of land shall ensure that:

- a. All parking spaces shall be provided with adequate curbs to retain all vehicles within the parking spaces, and to ensure that required fences, screens, walls, hedges or landscape areas, as well as any buildings, are protected from damage during the parking of vehicles;
- b. All parking areas abutting a landscape area, building or pedestrian pathway shall have wheel stops no less than one metre from the end of each parking space, except where parking is parallel; and
- c. Where continuous curbs are used as wheel stops, the measured size of parking spaces shall be reduced one metre in length than otherwise required. In such instances, the parking layout should allow for the vehicle to overhang the curb by one metre and such overhang area must be clear of all obstructions (signs, shrubs, trees, etc.), must be distinguished from the pedestrian pathway using different paving treatment or a physical barrier and may not be regarded as a required landscape area.

16. Drainage and Grading

The owner of land shall ensure that:

- a. All parking and loading areas are graded and drained so as to shed and dispose of all surface water without directing or allowing surface water to flow across highways;
- b. Pedestrian sidewalk ramps shall be installed to provide access from parking areas to the building served for accessibility at a grade not exceeding 8%;
- c. The maximum grade and cross slope for a parking space or parking parcel required by this Bylaw shall not exceed 8%; and
- d. that portion of any parcel used as a driveway from the property line to a required parking space, garage or carport shall not exceed a grade of 20%.

17. Lighting

The owner of land shall ensure that lighting used to illuminate any parking area or parking garage shall be arranged and installed so that all direct rays of light are reflected upon such parking area or parking garage, and not on any adjoining premises.

18. Driveways

The owner of land shall ensure that the width of a driveway shall be sufficient to provide a clear, unobstructed width of not less than:

- a. 5.5 m for double lane driveways or 6.0 m if the driveway is required for fire access; and,
- b. 2.74 m for single lane driveways, or 3.66 m if the driveway is required for fire access.

19. Signs and Markings

The owner of land shall ensure:

- a. The borders of all required off-street parking and loading spaces are marked with durable painted lines at least 100mm wide and extending the length of the space or by curbs or other means approved by the CVRD General Manager of Land Use Services or designate to indicate individual spaces.
- b. Signs or other markers are installed within a parking lot to ensure efficient and safe traffic operation; and
- c. All signs, markers, or any other method used to indicate direction of traffic movement and location of off-street parking and loading spaces are maintained in a clean and legible condition.

20. Visitor Parking

Where a lot is developed for multiple-family residential use, designated visitor parking shall be assigned and identified for this purpose at a ratio of 1 space for every 22 required parking spaces or portion thereof. The number of visitor parking spaces count towards the total number of required off-street parking spaces required.

- n) Section 3.22 is amended by adding the following subsection:
2. Buildings and structures abutting a watercourse or wetland must be setback a minimum of 7.5 metres, measured perpendicularly from the edge of the building envelope.
 3. Driveway crossings over a waterbody, watercourse or wetland are not permitted.
- o) Section 4.1 is amended by adding the following wording to the “category”, “abbreviation” and “zone” table categories:

CATEGORY	ABBREVIATION	ZONE TITLE
Residential	MR-1	Mixed Residential 1 Zone
Residential/Commercial	MCR-1	Mixed Commercial Residential 1 Zone
Industrial	I-3	High-Tech Industrial 3 Zone
Utility	U-2	Public Utility 2 Zone

- p) Section 5.13 is added, and all subsequent zones are renumbered accordingly:

5.13 **MR-1 Mixed Residential 1 Zone**

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the MR-1 Zone:

1. **Permitted Uses**

The following principal uses and no others are permitted in the MR-1 Zone:

- a. Single family dwelling;
- b. Duplex;
- c. Triplex;
- d. Quadruplex;

The following accessory uses are permitted in the MR-1 Zone:

- a. Bed and breakfast accommodation;
- b. Home occupation;
- c. Secondary suite, as limited under subsection (2)(a);
- d. Secondary dwelling unit, as limited under subsection (2)(b);

2. **Conditions of Use**

- a) Notwithstanding Section 3.19, a secondary suite is only permitted where it complies with the following:
- i. Located in or attached to a single family dwelling and not within a duplex, triplex or quadruplex;

- ii. the single family dwelling and secondary suite shall both be connected to a community water and community sewer system;
 - iii. maximum size of 90 m²;
 - iv. notwithstanding Subsection 3.19(7), one additional off-street parking space located on-site must be provided with a minimum space length of 5.0 m;
 - v. constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw;
 - vi. not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*; and
 - vii. only one secondary suite or one secondary dwelling unit is permitted per parcel.
- b) Notwithstanding Section 3.20, a secondary dwelling unit is only permitted where it complies with the following:
- i. On the same parcel as a single family dwelling and not a duplex, triplex or quadruplex;
 - ii. Must be serviced by a community water and community sewer system;
 - iii. maximum floor area of 50 m² except that, the maximum floor area may be increased by up to 4.6 m² for the purpose of storage, located at grade, and with no access from the interior of the building;
 - iv. located in the rear yard, either free-standing or attached to an accessory building that does not contain another dwelling;
 - v. may not be a mobile home, recreational vehicle or park model recreation vehicle;
 - vi. notwithstanding Subsection 3.20(8), shall have one additional off-street parking space located on-site with a minimum space length of 5.0 m;
 - vii. legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw;
 - viii. not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*; and,
 - ix. only one secondary dwelling unit or secondary suite is permitted per parcel.

3. Parcel Size and Dimensions

The following parcel sizes apply in the MR-1 Zone:

- a. A single family dwelling:
 - i. is not permitted on a parcel having an area less than 600 m²;
 - ii. must have a minimum parcel frontage of 15.0 m and a minimum parcel depth of 30.0 m;
 - iii. notwithstanding Subsection (3)(a)(ii), the minimum parcel frontage for a parcel with an exterior parcel corner is 17.0 m and a minimum parcel depth of 30.0 m; and
 - iv. notwithstanding Subsection (3)(a)(ii), the minimum parcel frontage for a parcel located within a cul-de-sac is 12.5 m.
- b. A single family dwelling with a secondary dwelling unit:
 - i. is not permitted on a parcel having an area less than 800 m²;
 - ii. must have a minimum parcel frontage of 18.0 m and a minimum parcel depth of 30.0 m; and
 - iii. notwithstanding Subsections 3(b)(i) and (ii), for a a corner parcel, or a parcel that has an accessible lane along the side or rear of the parcel, the minimum parcel area is 700 m², the minimum parcel frontage is 17.0 m and the minimum parcel depth is 30.0 m.

- c. A duplex:
 - i. is not permitted on a parcel having an area less than 800 m²;
 - ii. must have a minimum parcel frontage of 18.0 m and a minimum parcel depth of 30.0 m; and
 - i. notwithstanding Subsection (3)(c)(ii), the minimum parcel frontage for a parcel with an exterior parcel corner is 20.0 m and the minimum parcel depth is 30.0 m.
- d. A triplex:
 - i. is not permitted on a parcel having an area less than 1000 m²; and
 - ii. must have a minimum parcel frontage of 21.0 m and a minimum parcel depth of 30.0 m.
- e. A quadruplex:
 - i. is not permitted on a parcel having an area less than 1200 m²;
 - ii. is only permitted on a corner parcel or internal parcel with a lane; and
 - iii. must have a minimum parcel frontage of 24.0 m and a minimum parcel depth of 30.0 m.

4. Servicing

All parcels in the MR-1 Zone shall be serviced by both a community water system and a community sewer system as a condition of use. Parcels that are not so connected cannot be subdivided or occupied.

5. Density

The following number of dwellings are permitted in the MR-1 Zone:

- a. Single Family Dwelling and Duplex:
 - i. the maximum number of residential units per parcel is two.
 - ii. the maximum floor area of a single family dwelling is 210 m²;
 - iii. the maximum floor area of a duplex is 420 m²; and
 - iv. notwithstanding Subsections (5)(a)(ii) and (iii), the maximum floor area of a single family dwelling or duplex is increased by 42 m² for an attached garage.
- b. Triplex and Quadruplex:
 - i. the maximum floor area of a triplex is 0.60 times the parcel area; and
 - ii. the maximum floor area of a quadruplex is 0.65 times the parcel area.
 - iii. notwithstanding Subsections (5)(b)(i), the maximum floor area of a triplex is increased by 63 m² for an attached garage.
 - iv. notwithstanding Subsections (5)(b)(ii), the maximum floor area of a quadruplex is increased by 84 m² for an attached garage.

6. Buildings Per Parcel

One principal building, and where permitted, one secondary dwelling unit is permitted per parcel.

7. Setbacks

The following minimum setbacks apply in the MR-1 Zone:

a. Single Family Dwelling, Duplex and Secondary Dwelling Unit

Use	Front Parcel Line	Interior Parcel Line	Exterior Side Parcel Line	Rear Parcel Line
Single Family Dwelling; Duplex;	4.5 m	2.0 m	4.5 m	6.2 m
Secondary Dwelling Unit	See Subsections (7)(g), (7)(h) and (10)(a)(v)	2.0 m	4.5 m	2.0 m
Accessory buildings and structures attached to or sited less than 1.6 metres from a building for residential use	5.5 m	2.0 m	4.5 m	6.2 m
Accessory off-street parking buildings and structures attached to or sited less than 1.6 metres from a building for residential use	6.0 m See Subsection (10)(a)(ii)	2.0 m	4.5 m	6.2 m
Detached accessory and accessory off-street parking buildings and structures where sited 1.6 metres or more from a building for residential use	See Subsections (7)(g), (10)(a)(i) and (10)(b)(ii)	2.0 m	4.5 m	2.0 m

b. Triplex and Quadraplex

Use	Front Parcel Line	Interior Parcel Line	Exterior Side Parcel Line	Rear Parcel Line
Triplex and Quadruplex;	7.5 m	2.0 m	4.5 m	7.6 m
Accessory and accessory off-street parking buildings and structures attached to or sited less than 1.6 metres from a building for residential use	7.5 m	2.0 m	7.6 m	7.6 m
Detached accessory and accessory off-street parking buildings and structures where sited 1.6 metres or more from a building for residential use	7.5 m	2.0 m	4.5 m	2.0 m

- c. The siting distance is measured from the outermost limit of the building excluding eaves;
- d. The setbacks may be reduced by 0.6 m from one interior parcel line for chimneys, bay windows, heating or venting equipment, ornamental features, unglazed alcoves; however, no such unglazed projections into the setback other than chimneys may extend beyond a single storey in height.
- e. The setbacks may be reduced by 0.6 m from front, exterior side and rear parcel lines for awnings, balconies, canopies, porches, steps and support columns that project beyond the face of the building.
- f. Notwithstanding Subsection (8)(e), covered porches are permitted to project by up to 1.7 metres into the front yard setback provided that:
 - (i) the porch has a usable floor space with dimensions that are no less than 1.5 m by 3.0 m;
 - (ii) the porch is open on at least two sides or protected by guard rails the height of which does not exceed the minimum specified in the *BC Building Code*;
 - (iii) the porch is located at the basement or first storey;
 - (iv) the porch is limited to a single storey in height, and its height does not exceed 4.0 m, measured from the porch floor to the underside of the porch ceiling; and
 - (v) approval of the Ministry of Transportation and Infrastructure has been obtained in cases where a covered porch projects more than 4.5 m into the front yard setback.
- g. A minimum separation distance of 6.0 m is required between the outermost projection of any single family dwelling or duplex and any detached accessory building or accessory off-street parking building or structure.
- h. A minimum separation of 8.0 m is required between the outermost projection of the rear face of any single family dwelling, excluding sun decks or stairs, and a building that contains a secondary dwelling unit.
- i. A minimum separation distance of 6.0 m is required between any duplex, triplex or quadruplex and any detached accessory building or accessory off-street parking building or structure.

8. Height

- a. Single family dwellings and duplexes must not exceed a height, measured from natural grade, of:
 - i. 7.3 m; or
 - ii. 11.0 m for buildings and structures having a roof slope with a pitch of 3 in 12 or greater for an area of at least 80% of all roof surfaces.
- b. Buildings with secondary dwelling units must not exceed a height, measured from natural grade, of:
 - i. 5.5 m; or
 - ii. 7.0 m for buildings having a roof slope with a pitch of 3 in 12 or greater for an area of at least 80% of all roof surfaces.
- c. Triplexes and quadruplexes must not exceed a height, measured from natural grade, of:
 - i. 7.3 m; or
 - ii. 11.0 m for buildings and structures having a roof slope with a pitch of 3 in 12 or greater for an area of at least 80% of all roof surfaces.
- d. Notwithstanding Subsection 8(a), (b) and (c), the building wall below the first storey may be exposed on one side of the building where it is located on a sloping parcel.

- e. Detached buildings and structures for accessory uses or accessory off-street parking must not exceed a height, measured from natural grade, of:
 - i. 3.7 m; or
 - ii. 4.6 m for an accessory building that has a roof with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.

9. Impervious Surface and Parcel Coverage Limit

- a. Parcels on which the principal use is Single Family or Duplex:
 - i. Impervious surface coverage of a parcel in the MR-1 Zone shall not exceed 50%, of which not more than 45% may be parcel coverage.
- b. Parcels on which the principal use is Triplex or Quadruplex:
 - ii. Impervious surface coverage of a parcel in the MR-1 Zone shall not exceed 55%, of which not more than 50% may be parcel coverage.

10. Location of Uses

- a. Single Family and Duplex:
 - i. All detached accessory buildings shall be located in the rear yard.
 - ii. Where a lane is provided, all accessory off-street parking buildings or structures shall be located in the rear yard and access to accessory off-street parking spaces shall be from the lane.
 - iii. The first storey of the principal building (including covered porches meeting the requirements under Subsection (7)(f) and attached to the main front door entrance) must be:
 - 1. a minimum of 35% of the width of the buildings and structures facing the front parcel line; and
 - 2. located at least 1.0 m nearer the front parcel line than of any garage door(s);
 - iv. No more than two accessory off-street parking spaces may be contained within the principal building.
 - v. Accessory off-street parking spaces are not permitted within an exterior side parcel line setback, access driveway or front yard, except for unenclosed parking for a secondary suite, which must not be within 6.0 m of the exterior parcel corner.
 - vi. A secondary dwelling unit must be located in the rear yard.
- b. Triplex & Quadruplex:
 - i. All detached and accessory off-street parking buildings and structures must be located in the rear yard.
 - ii. For parcels where a lane is provided, access to off-street parking spaces shall be from the lane.
 - iii. Where a lane is not provided, all buildings or structures, or portions thereof, used for accessory off-street parking must be located not less than 10.0 m from the front parcel line and not less than 5.0 m from an exterior parcel line.

11. Building Size

- a. The uppermost storey of the principal building must be set back from the main floor front exterior wall so that the floor area of the uppermost storey is no more than 85% of the floor area of the storey immediately below the uppermost storey, and
 - i. if the storey immediately below the uppermost storey is the first storey, and includes a front covered porch, the floor area of the front covered porch, measured to the outside edge of posts supporting the covered porch roof is added to the first storey floor area for this calculation; and

- ii. if the storey immediately below the uppermost storey is the first storey, and includes an enclosed garage, the floor area of the garage is added to the first storey floor area for this calculation.
- b. The maximum length of any wall of a building or structure for an accessory use and an accessory off-street parking use, including a secondary dwelling unit is:
 - i. 9.2 m where the principal use is single family dwelling;
 - ii. 12.4 m where the principal use is a duplex; and
 - iii. 10.0 m where the principal use is a triplex or quadruplex.

12. Parking

- a. Off-street parking spaces in the MR-1 Zone shall be provided in accordance with Section 3.15 of this Bylaw.
- b. Notwithstanding Subsection 3.19(7) and 3.20(8), one additional off-street parking space must be provided for secondary suites and secondary dwelling units, with a minimum space length of 5.0 m.
- c. Notwithstanding Section 3.28 (Recreational Vehicle Parking), no recreational vehicles, boats or boat trailers shall be parked or stored on any parcel.

13. Refuse Receptacles for Triplexes and Quadruplexes

Garbage, recycling and composting receptacles must be fenced and screened as to provide a visual and physical separation between adjacent parcel and highways.

- f. The following Section is added before the C-1 Local Commercial Zone, and renumbering all subsequent zones as appropriate:

5.16 MCR-1 Mixed Commercial Residential 1 Zone

This zones provides for a mix of small scale commercial, community services and multi-family residential. Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the MCR-1 Zone:

1. Permitted Uses

- a. Artist studio;
- b. Financial institution;
- c. Community centre;
- d. Cultural facility;
- e. Group daycare;
- f. Fitness studio;
- g. Live/Work Studio
- h. Medical / Dental Office;
- i. Multiple family dwelling;
- j. Office;
- k. Public House;
- l. Restaurant
- m. Retail;
- n. Specialty Food Retail;
- o. Veterinary Clinic;

The following accessory uses and no others are permitted in the MCR-1 Zone:

- p. Bed and Breakfast;
- q. Home Based Business;

2. Conditions of Use

- a. Except for live/work studio, office and home based business uses, non-residential uses are prohibited above the ground floor and no floor may contain a mix of residential and non-residential uses. Live/work studios are permitted on all storeys.
- b. The maximum combined gross floor area for all commercial uses shall not exceed 2,700 m². Only one commercial rental unit shall have a gross floor area of up to 1,000 m². All other commercial rental units shall be limited to 325 m².
- c. All principal ground floor uses must be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.

3. Parcel Size and Dimensions

The following parcel sizes apply in the MCR-1 Zone:

- a. The minimum parcel area is 1,000 m²; and,
- b. The parcel must have a minimum parcel frontage of 12.0 m and a minimum parcel depth of 25 m.

4. Servicing

All parcels in the MCR-1 Zone shall be serviced by both a community water system and a community sewer system as a condition of use. Parcels that are not so connected cannot be subdivided or occupied.

5. Density

The following number of dwellings are permitted in the MCR-1 Zone:

- a. Where a parcel includes both commercial and residential uses, the maximum floor area ratio is 0.45.
- b. Where the use of a parcel is solely for a residential use, the maximum floor area ratio is 0.35.
- c. Notwithstanding Subsection 5(b), the maximum density on a lot used for only residential purposes shall not exceed 20 units per gross hectare.

6. Setbacks

- a. The following minimum setbacks apply in the MCR-1 Zone:

Type of Parcel Line	For all uses where the adjacent parcel is zoned other than Industrial
Front Parcel Line	Minimum 4.5 metres Maximum 7.5 metres
Interior Side Parcel Line	3.0 metres
Exterior Side Parcel Line	4.0 metres
Rear Parcel Line	4.5 metres

- b. Notwithstanding Subsection 6(a), for all uses where adjacent parcel is zoned residential, all buildings must be setback at least 7.5 metres from all property lines which directly abut a residential use.
- c. Notwithstanding Subsection 6(a), where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.

- d. Notwithstanding Subsection 6(a), where more than one principal building exists on the lot at least 50% of the property frontage must include a building front face within the maximum front yard setback area.
- e. All buildings and structures in the MCR-1 Zone shall be setback not less than 7.5 metres from a Streamside Protection and Enhancement Area (SPEA) as designated in a Riparian Assessment Report.

7. Height

- a. Where the use of a parcel is for both commercial and residential uses:
 - i. all principal buildings must not exceed a height, measured from natural grade of 9.0 m; or 12.0 m for buildings and structures having a roof slope with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.
 - ii. All accessory residential buildings shall not exceed a height, measured from natural grade of 3.7 m; or 4.6 m for an accessory building that has a roof with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.
- b. Where the use of a parcel is solely for commercial use, the maximum height of a buildings must not exceed a height, measured from natural grade of 7.0 m; or 10.0 m for buildings and structures having a roof slope with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.
- c. Where the use of a parcel is solely for a residential use:
 - i. All principal buildings must not exceed a height, measured from natural grade of 7.0 m or 10.0 m for buildings and structures having a roof slope with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.
 - ii. All accessory residential buildings shall not exceed a height, measured from natural grade of 3.7 m; or 4.6 m for an accessory building that has a roof with a pitch of 4 in 12 or greater for an area of at least 80% of all roof surfaces.

8. Impervious Surface and Parcel Coverage Limit

Impervious surface coverage of a parcel in the MCR-1 Zone shall not exceed 70%, of which not more than 60% may be parcel coverage.

9. Parking

- a. Off-street parking spaces in the MCR-1 Zone shall be provided in accordance with Section 3.15 of this Bylaw.
- b. Notwithstanding Section 3.28 (Recreational Vehicle Parking), no recreational vehicles, boats or boat trailers shall be parked or stored on any parcel.

10. Screening and Buffering

- a. All parcels or portions of a parcel that abut a residential zone, must have a natural vegetation strip area of at least 10 metres in width, within which a landscape buffer shall be established and maintained. A mixture of native deciduous and evergreen species of varying ages and heights are required to replicate natural layered plant communities.
- b. As per Subsection 10(a), the landscape buffer may include and incorporate existing healthy trees and shrubs that are protected during construction.
- c. Where existing trees and shrubs are retained, they must be protected during construction to the furthest extent of the drip line and the finished grade of the parcel shall not vary from the natural grade around the drip line more than 20 centimetres vertically, unless an arborist report indicates to the satisfaction of the CVRD that a greater variance will not harm the trees and shrubs.

- d. A landscape buffer shall only be broken for openings to accommodate access drives, lanes and walkways.
- e. All trees provided in a landscape buffer shall be protected on all sides with a minimum of 1 metre of clearance between the tree and an adjacent barrier curb, wheel stop or other protection from vehicle overhangs, if any.
- f. No fence shall be constructed using electrified wire, razor wire, ribbon wire, barbed wire, ultra-barrier wire, or any other material intended to produce any sensation or injury to any person or animal having contact with the fence.
- g. Chain linked fences are to be covered in a black vinyl coating.

11. Refuse Receptacles and Utility Kiosks

Refuse receptacles and utility kiosks must meet the following requirements:

- a. Fenced and landscaped to provide a visual and physical separation between adjacent parcel and highways.
 - b. Fully screened from view on three sides. The fourth side shall consist of a solid gate. The walls and gate shall be a minimum of 1.8 m in height, but shall be no higher than 0.6 m above the receptacle where the receptacle is more than 1.8m in height.
 - c. Setback a minimum of 3 m from any parcel line adjoining a property not zoned industrial.
 - d. Be animal and insect proof.
- g. The following Section is added after the I-2 Zone, and all subsequent zones are renumbered as appropriate:

5.26 I-3 LIGHT INDUSTRIAL ZONE

This zone provides for light industrial uses and supporting commercial uses. Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the I-3 Zone:

1. Permitted Uses

- a. Automobile service shop;
- b. Automobile workshop;
- c. Boat building and repair;
- d. Custom workshop;
- e. Equipment / tools rentals and sales;
- f. Food and beverage processing;
- g. Laboratory;
- h. Light industry;
- i. Prefab home sales;
- j. Printing and publishing facility;
- k. Production bakery;
- l. Production studio;
- m. Manufacturing/contractors office;
- n. Repair shop;
- o. Service industry;
- p. Storage recreational vehicles and boats;
- q. Warehouse;
- r. Wholesale;

The following accessory uses and no others are permitted in the I-3 Zone:

- s. Retail sales;

- t. Office;
- u. Caretaker dwelling.

2. Conditions of Use

- a. All outdoor storage accessory to a permitted use must be located at the rear of the property and screened from view from driveway entrances, parking areas, adjacent properties, and adjacent highways;
- b. Outdoor storage of recreation vehicles and boats must entirely be screened from view from all adjacent properties and highways;
- c. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
- d. Automobile service shop, automobile workshop, boat building and repair and custom workshop - all assembly, fabrication, processing of materials, repair and servicing must occur within a building.
- e. Food and beverage processing - All processing of materials must occur within a building. An odor abatement plan shall be required for all food processing uses.
- f. Manufacturing / contractor's office - The gross floor area of the office area shall not exceed 929 m².
- g. Caretaker dwelling use is limited to one dwelling unit per parcel and is only to be located on the second storey, except that the entrance to the caretaker dwelling may be located within the first storey.
- h. Office: The total gross floor area of an accessory office located on a property shall not exceed 20% of the total gross floor area on the parcel.
- i. Retail – Retail sale and display of goods shall be permitted, provided the total gross floor area ratio devoted to retail and display does not exceed 25% of the total gross floor area of the principal use.

3. Parcel Size and Dimensions

The following parcel sizes and frontage requirements apply in the I-3 Zone:

- a. The minimum parcel area is 1,500 m²; and
- b. The parcel must have a minimum parcel frontage of 15.0 m and a minimum parcel depth of 30 m.

4. Servicing

All parcels in the I-3 Zone shall be serviced by both a community water system and a community sewer system as a condition of use. Parcels that are not so connected cannot be subdivided or occupied.

5. Setbacks

- a. The following minimum setbacks apply in the I-3 Zone:

Type of Parcel Line	For all uses where the adjacent parcel is zoned other than Industrial
Front Parcel Line	4.5 metres
Interior Side Parcel Line	1.5 metres for one parcel line and 3 metres for the other parcel line
Exterior Side Parcel Line	4.5 metres
Rear Parcel Line	6.0 metres

- b. Notwithstanding Subsection (5)(a), for all uses where adjacent parcel is zoned other than Industrial, all buildings must be set back at least 7.5 metres from all property lines which directly abut a non-industrial zoned property.
- c. All buildings and structures in the I-3 Zone shall be setback not less than 7.5 metres from a Streamside Protection and Enhancement Area (SPEA) as designated in a Riparian Assessment Report.

6. Height

The height of all buildings and structures in the I-3 Zone shall not exceed 10 metres.

7. Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the I-3 Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

8. Screening and Buffering

- a. All parcels or portions of a parcel that abut a major road, must have a natural vegetation strip area of at least 10 metres in width, within which a landscape buffer shall be established and maintained. A mixture of native deciduous and evergreen species of varying ages and heights are required to replicate natural layered plant communities.
- b. As per Subsection 8(a), the landscape buffer may include and incorporate existing healthy trees and shrubs that are protected during construction.
- c. Where existing trees and shrubs are retained, they must be protected during construction to the furthest extent of the drip line and the finished grade of the parcel shall not vary from the natural grade around the drip line more than 20 centimetres vertically, unless an arborist report indicates to the satisfaction of the CVRD that a greater variance will not harm the trees and shrubs.
- d. A landscape buffer shall only be broken for openings to accommodate access drives, lanes and walkways.
- e. All trees provided in a landscape buffer shall be protected on all sides with a minimum of 1 metre of clearance between the tree and an adjacent barrier curb, wheel stop or other protection from vehicle overhangs, if any.
- f. No fence shall be constructed using electrified wire, razor wire, ribbon wire, barbed wire, ultra-barrier wire, or any other material intended to produce any sensation or injury to any person or animal having contact with the fence.
- g. Chain linked fences are to be covered in a black vinyl coating.

9. Refuse Receptacles and Utility Kiosks

Refuse receptacles and utility kiosks must meet the following requirements:

- a. Fenced and landscaped to provide a visual and physical separation between adjacent parcel and highways.
- b. Fully screened from view on three sides. The fourth side shall consist of a solid gate. The walls and gate shall be a minimum of 1.8 m in height, but shall be no higher than 0.6 m above the receptacle where the receptacle is more than 1.8 m in height.
- c. Setback a minimum of 3 m from any parcel line adjoining a property not zoned industrial.
- d. Be animal and insect proof.

10. Parking

Off-street parking spaces in the I-3 Zone shall be provided in accordance with Section 3.15 of this Bylaw. Off-street loading requirements in the I-3 zone shall be provided in accordance with Section 3.14 of this Bylaw.

- h. The following Section is added after the U-1 Private Utility Zone, and all subsequent zones as renumbered as appropriate:

5.35 U-2 PUBLIC UTILITY 2 ZONE

The public utility zone allows for community servicing infrastructure and utilities, specifically related the provisions of potable water and sanitary sewer servicing and stormwater management. Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the U-2 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the U-2 Zone:

- a. Public Utility

The following accessory uses and no others are permitted in the I-3 Zone:

- b. Buildings and structures accessory to a public utility.

2. Conditions of Use

- a. All outdoor storage must be located at the rear of the property and screened from view from driveway entrances, parking areas, adjacent properties, and adjacent highways.
- b. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.

3. Parcel Coverage

The parcel coverage in the U-2 Zone must not exceed 20% for all buildings and structures.

4. Height

The height of all buildings in the U-2 Zone must not exceed 10 metres except for accessory buildings, which must not exceed a height of 7.5 metres.

5. Setbacks

- a. All buildings and structures shall be setback 20 m from all parcel lines.
- b. All buildings and structures in the U-2 Zone shall be setback not less than 30 metres from a Streamside Protection and Enhancement Area (SPEA) as designated in a Riparian Assessment Report.

6. Screening and Buffering

- a. No fence shall be constructed using electrified wire, razor wire, ribbon wire, barbed wire, ultra-barrier wire, or any other material intended to produce any sensation or injury to any person or animal having contact with the fence.
- b. Chain linked fences are to be covered in a black vinyl coating.

7. Refuse Receptacles and Utility Kiosks

Refuse receptacles and utility kiosks must meet the following requirements:

- a. Fenced and landscaped to provide a visual and physical separation between adjacent parcel and highways.
- b. Fully screened from view on three sides. The fourth side shall consist of a solid gate. The walls and gate shall be a minimum of 1.8 m in height, but shall be no higher than 0.6 m above the receptacle where the receptacle is more than 1.8m in height.
- c. Setback a minimum of 3 m from any parcel line adjoining a property not zoned industrial.
- d. Be animal and insect proof.
- e. That Schedule A to Bylaw No. XXXX (Zoning Map) be amended by rezoning Lot A, Section 34, Renfrew District, (Situate in Cowichan Lake District, Plan VIP54256); Lot 1, Section 34, Renfrew District, (Situate in Cowichan Lake District) Plan 48657; Lot 2, Section 38, Renfrew District (Situate in Cowichan Lake District) Plan VIP59274; as shown in the various crosshatches on Schedule B attached hereto and forming part of this bylaw, number Z-XXXX from:
 1. I-2 (Heavy Industrial) to MCR-1 (Mixed Commercial/Residential);
 2. I-2 (Heavy Industrial) and F-1 (Forest Resource) to MR-1 (Mixed Residential);
 3. F-1 (Forestry Resource) to P-1 (Parks);
 4. F-1 (Forestry Resource) to I-3 (Light Industrial); and
 5. F-1 (Forestry Resource) and A-1 (Agricultural Resource) to U-2 Public Utility.

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2018.

READ A SECOND TIME this _____ day of _____, 2018.

READ A THIRD TIME this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Chairperson

Corporate Secretary

PLAN NO. Z-XXXX**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT**XXXX