



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4546

#### **A Bylaw for the Purpose of Amending Zoning Bylaw No. 3520 Applicable to Electoral Areas A – Mill Bay/Malahat and C – Cobble Hill**

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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 Areas A – Mill Bay/Malahat and C – Cobble Hill, that being “the Cowichan Valley Regional District South Cowichan Zoning Bylaw No. 3520, 2012”;

**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. 4546 – South Cowichan Zoning Amendment Bylaw (Bill 44 Compliance), 2024**”.

#### 2. **AMENDMENTS**

Bylaw No. 3520 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 (or Attached Suite)**” means a dwelling unit that is located within a building that also contains a principal dwelling unit, and complies with Section 4.16 of this Bylaw.

- b. Section 4.9 is deleted and replaced by the following:

#### **4.9 Number of Dwellings Permitted Per Parcel**

For all zones under this Bylaw, the maximum permitted residential density is specified within each zone.

- c. Section 4.16 is retitled from “Secondary Suite” to “Attached Suite”, and Section 4.16.2 is deleted and all subsequent subsections are renumbered sequentially.
- d. Section 4.16 is further amended by deleting subsections 9, 11, 12 and 13 (10, 11 and 12 as renumbered by c above) and replacing them with the following:
  - 10. is not permitted if the parcel is not connected to a community sewer system, unless a report prepared by a Registered Onsite Wastewater Practitioner or a professional engineer with experience in wastewater systems certifies the appropriate level of sewage treatment – Type 1, 2, or 3 – that would permit the requested total density of residential development on the parcel.
  - 11. shall not have, through subdivision or strata plan, a separate title distinct from the title of the single detached dwelling for the parcel of land upon which it is located, and the owner shall, prior to the issuance of a building permit, register a covenant pursuant to Section 219 of the *Land Title Act* in favour of the CVRD against the title to the parcel which would prevent the subdivision or the registration of any form of strata plan under the *Strata Property Act*.
- e. Section 11.1.1 is amended by adding this after 11.1.1.c:

The following accessory use and no other is permitted in the CD-1 Zone:

  - d. Attached suite accessory to a single detached dwelling.
- f. Section 11.1.7 is deleted and replaced with the following:
  - 7. Notwithstanding the minimum parcel size in Section 11.1.6 above, the total number of parcels for residential use and total number of single detached dwelling units in the entire CD-1 Zone shall not be greater than 646, plus a maximum of one attached suite per parcel.
- g. Section 11.8.4 is deleted and replaced by the following:

Only one attached suite is permitted in a single detached dwelling or duplex (one unit only).
- h. Sections 11.9B.1.f and 11.9B.1.g are deleted and replaced with the following:
  - f. Attached suite in a single detached dwelling or duplex (one unit only).
- i. Section 11.9B 4. is deleted and replaced with the following:
  - 4. Only one attached suite is permitted in a single detached dwelling or duplex (one unit only).

**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        \_\_\_\_\_  day of        \_\_\_\_\_,    2024.

READ A SECOND TIME this    \_\_\_\_\_  day of        \_\_\_\_\_,    2024.

READ A THIRD TIME this     \_\_\_\_\_  day of        \_\_\_\_\_,    2024.

RECEIVED MINISTRY OF        \_\_\_\_\_  day of        \_\_\_\_\_,    2024.  
TRANSPORTATION &  
INFRASTRUCTURE  
APPROVAL this

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

\_\_\_\_\_  
Chair

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