



## 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 (or Attached Suite)”** 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 detached suite on it.
7. The attached suite shall 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*.

- d. Section 7.1(a) 9. is deleted and replaced with the following:

9. Attached suite on any parcel; or detached 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 detached 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 detached 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 detached suite on parcels 2 ha or larger.

- h. Section 8.1(a) 8. is deleted and replaced with:

8. Attached suite or detached suite.

- i. Section 8.2(a) 7. is deleted and replaced with:

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

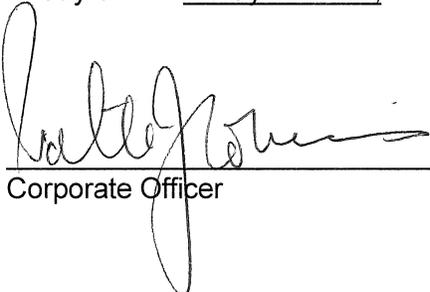
READ A SECOND TIME this 24<sup>th</sup> day of April, 2024.

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

RECEIVED MINISTRY OF 30<sup>th</sup> day of April, 2024.  
TRANSPORTATION &  
INFRASTRUCTURE  
APPROVAL this

ADOPTED this 22<sup>nd</sup> day of May, 2024.

  
\_\_\_\_\_  
Chairperson

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

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

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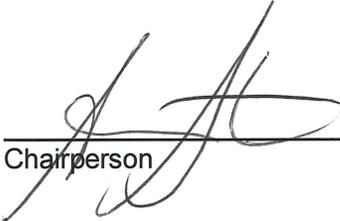
READ A FIRST TIME this 24<sup>th</sup> day of April, 2024.

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

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

  
\_\_\_\_\_  
Chairperson

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

Approved pursuant to section 52(3)(a) of  
the *Transportation Act*

this 30<sup>th</sup> day of April, 2024

Ministry of Transportation and Infrastructure

  
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