
**Cowichan Valley Regional District
Electoral Area B – Shawnigan Lake**

Zoning Bylaw

No. 985



Cowichan Valley Regional District
Electoral Area B – Shawnigan Lake
Zoning Bylaw No. 985

Amended up to and including Bylaw No. 4349

CONSOLIDATED FOR CONVENIENCE ONLY

Please check with the Land Use Services Department (250.746.2620) for current information on this Bylaw



AMENDING BYLAWS

NOTE: CVRD Land Use Services Department staff have made every effort to provide the most up-to-date version of this consolidated bylaw and the associated maps. Nevertheless, this document may be somewhat out of date, particularly if there are amendments underway. Persons using this consolidated bylaw text and the maps should not rely on them for legal purposes or to make important decisions.

1040	M. Simard, Zoning Amendment	adopted Apr 22, 1987
1064	R. Akhurst, Zoning Amendment	adopted Jun 24, 1987
1066	Mobile Homes, Text Amendment	adopted Jul 22, 1987
1115	Shawnigan Alliance Church, Zoning Amendment	adopted Dec. 16, 1987
1155	Treat, Zoning Amendment	adopted Mar 8, 1989
1177	Mobile Home Zone, Text & Zoning Amendment (R-6)	adopted Jan 25, 1989
1190	Sol Sante Club, Zoning Amendment	adopted Mar 8, 1989
1191	Area B Zoning Amendment	adopted Jan 11, 1989
1206	Text Amendment	adopted May 10, 1989
1213	Shawnigan Alliance Church, Map Amendment	adopted Dec 13, 1989
1225	Black Swan Pub, Text Amendment	adopted Jun 26, 1989
1248	Royal Trust Syndicate, Text and Zoning Amendment	adopted Mar 14, 1990
1267	All Areas Text Amendment – Undersized Parcels	adopted Feb 13, 1991
1274	Thompson/Young, Map Amendment	adopted May 23, 1990
1284	Burnum Financial Corporation, Zoning Amendment	adopted May 27, 1992
1321	P. Penner, Map Amendment	adopted Mar 13, 1991
1357	Text Amendment - Parcel Coverage Definitions	adopted Jun 12, 1991
1373	Koksilah Properties, Zoning Amendment	adopted Nov 27, 1991
1375	Hall, Text Amendment	adopted Dec 11, 1991
1376	Patey, Text Amendment	adopted Sep 25, 1991
1377	Radon Bros. Farm, Text Amendment	adopted Oct 23, 1991
1391	Dougan Park, Zoning Amendment	adopted Nov 27, 1991
1397	Hazelmere Holdings, Zoning Amendment	adopted Nov 27, 1991
1481	B. Ellison, Text and Zoning Amendment	adopted Aug 25, 1993
1513	L. Dzladye, Zoning Amendment	adopted Apr 14, 1993
1514	R. Compton, Zoning Amendment	adopted Apr 14, 1993
1535	Text Amendment – C-4 Zone (minimum parcel size)	adopted Sep 8, 1993
1616	R. Canliffe, Text and Zoning Amendment	adopted Oct 14, 1994
1625	Sandra Cavallin, Text and Zoning Amendment	adopted Apr 12, 1995
1641	Community Sewer Systems Definition, Text Amendment	adopted Feb 8, 1995
1642	Malahat Legion, Zoning Amendment	adopted Apr 12, 1995
1685	Hillbank Rd – North St Zoning Amendment	adopted Jan 10, 1996
1695	Minimum Parcel Size, Text Amendment	adopted Aug 23, 1995
1746	Text and Plan Amendment – P-2 Zone	adopted Apr 22, 1998
1776	Jetski Rentals Text Amendment	adopted Jan 8, 1997
1793	Winkler Devries, Text and Zoning Amendment	adopted Jan 8, 1997
1847	Burnum Mobile Home Park, Zoning Amendment	adopted May 13, 1998
1854	Text Amendment, Home Occupation	adopted Mar 25, 1998
1858	Text Amendment, Definition for In-vessel Composting	adopted Mar 25, 1998
1876	Shawnigan Lake School, Zoning Amendment	adopted Jun 24, 1998
1881	Text Amendment–small suite secondary suite provisions	adopted Jul 22, 1998
1957	Text Amendment – Secondary Suite – A-1 Zone	adopted Jun 23, 1999
1960	Narnia Holdings, Text and Zoning Amendment	adopted Jun 23, 1999

1974	Thompson, Map Amendment	adopted Feb 9, 2000
1975	Legace, Map Amendment	adopted Nov 8, 2000
2025	Shawnigan United Church, Map Amendment	adopted Jan 26, 2000
2170	Weyerhauser, Zoning Amendment	adopted May 22, 2002
2188	R. Pinder, Map Amendment	adopted Mar 28, 2001
2202	Contaminated Soil, Text Amendment	adopted November 24, 2004
2288	Shawnigan Lake School, Map Amendment	adopted April 24, 2002
2307	D. Mauro, Map Amendment	adopted July 24, 2002
2317	Lintaman, text amendment	adopted September 11, 2002
2326	Shawnigan Station Developments, text	adopted October 21, 2003
2337	Brandy McPherson, text	adopted October 9, 2003
2342	Robb/Feltham/Lamont, text amendment	adopted November 27, 2002
2349	Small Suite Floor Area, text	adopted November 27, 2002
2368	Lakweb Ventures, map amendment	adopted January 8, 2003
2399	Shawnigan Lake School, map amendment	adopted June 25, 2003
2362	Railway Transportation Zone	adopted August 27, 2003
2406	Number of Dwellings Per Parcel, text	adopted October 8, 2003
2417	Dwelling Units (text)	adopted July 28/04
2418	Small Suites (text)	adopted July 28/04
2431	Shawn Taylor, map amendment	adopted October 8, 2003
2433	Keycorp Consulting, text amendment	adopted November 26, 2003
2459	C. Korn, map amendment	adopted December 10, 2003
2452	Public Land Dedication	adopted January 28, 2004
2485	Craig Partridge, Map Amendment	adopted March 24, 2004
2505	Fantillo/J.E. Anderson & Associates – Map Amendment	adopted May 26, 2004
2510	Doug Ulmer/Polaris Consulting – Map Amendment	adopted May 26, 2004
2522	Matt Loken – Text and Map Amendment	adopted May 26, 2004
2533	Larry Laban – Map Amendment	adopted June 23, 2004
2566	Keycorp – Map Amendment	adopted August 25, 2004
2569	Patrick Mason – Map Amendment	adopted January 12, 2005
2579	Forestry Dwellings – Text Amendment	adopted March 23, 2005
2588	Robert Mari – Map Amendment	adopted January 12, 2005
2612	Knute Johnson - Text Amendment	adopted January 26, 2005
2616	P-1 Zone Update – Text Amendment	adopted April 27, 2005
2633	Density Averaging Repeal – Text Amendment	adopted September 13, 2006
2639	6559165 B.C. Ltd./Ralph Cleasby	adopted March 23, 2005
2660	Tom and Laura Buss – Text and Map	adopted June 22, 2005
2681	R-2 Zone Mobile Home – Text Amendment	adopted September 14, 2005
2705	Mark Wyatt – Map Amendment	adopted October 12, 2005
2707	Isis Land Corporation/Devin Hawes – Map Amendment	adopted February 8, 2006
2709	Franz and Henrietta Dessombes – Map Amendment	adopted November 9, 2005
2717	I-1A Screening – Text Amendment	adopted November 9, 2005
2718	R-2A Amendment – Text Amendment	adopted November 9, 2005
2770	Height Exceptions Deletion – Text Amendment	adopted April 12, 2006
2835	F-1 Lot Size – Text Amendment	adopted April 11, 2007

2862	Community/Sewer/Water Definitions – Text Amendment	adopted May 9, 2007
2892	D. Tahmasebi – Map Amendment	adopted March 14, 2007
2954	Shaw/Witt/Arndt – Map Amendment	adopted July 11, 2007
3010	Gibson – Map Amendment	adopted February 13, 2008
3051	Boundary Adjustment Regulation Text Amendment	adopted April 9, 2008
3082	Cosby/D. Carrier – Map Amendment	adopted July 9, 2008
3118	Tim McCooey – Map Amendment	adopted July 9, 2008
3121	Perrett – Map Amendment	adopted November 26, 2008
3232	Loken – Map Amendment	adopted March 11, 2009
3239	Malahat Joint Ventures/Lintaman – Text and Map	adopted November 12, 2009
3241	Cottyn Developments Ltd. – Map Amendment	adopted November 12, 2009
3223	Living Forest Planning Consultants/Elkington Estates	adopted August 11, 2010
3584	Creelman – Map Amendment	adopted March 14, 2012
3274	Hayes – Map Amendment	adopted July 11, 2012
3502	Conner – Text and Map Amendment	adopted December 12, 2012
3610	Hornick/Anderson – Map Amendment	adopted March 13, 2013
3667	Living Forest Communities – Text and Map Amendment	adopted March 13, 2013
3756	Kors/Erb – Text Amendment	adopted December 11, 2013
3759	SCOCP Interim Implementation	adopted December 11, 2013
3687	Parshel Holdings Ltd – Text and Map Amendment	adopted January 8, 2014
3758	Medical Marihuana – Text Amendment	adopted December 11, 2013
3789	SCOCP 2 nd Interim Implementation	adopted May 14, 2014
3810	Living Forest (Secondary Suites/duplex) Text Amendment	adopted July 30, 2014
3817	3 rd Interim Amendment – Text and Map Amendment	adopted September 10, 2014
3848	Shawnigan Lake Investments – Text and Map Amendment	adopted November 12, 2014
3855	Swimming Pool Fencing – Text Amendment only	adopted May 13, 2015
3924	Section 946 Regulations – Text Amendment only	adopted September 9, 2015
3936	Subdivision of Separated Parcels – Text Amendment only	adopted September 9, 2015
4031	Peterbrook – Text Amendment only	adopted September 14, 2016
4119	Cannabis Regulations – Text Amendment only	adopted September 26, 2018
4332	Skylar Circle – Text Amendment Only	adopted July 22, 2020
4387	Aquaculture Amendments – Text Amendment Only	adopted July 14, 2021
4397	1770 Shawnigan-Mill Bay Road – Text and Map Amend	adopted January 26, 2022
4360	Height & High Water Mark – Text Amendment Only	adopted July 13, 2022
4330	Zoning Bylaw Harmonization – Text Amendment Only	adopted July 13, 2022
4471	Suites Amendment – Text Amendment Only	adopted April 26, 2023
4349	Cannabis Uses – Text Amendment Only	adopted April 12, 2023

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COWICHAN VALLEY REGIONAL DISTRICT

ZONING BYLAW NO. 985

**A Bylaw to Establish Zones and Regulate
the Use of Land Water Buildings and Structures
Within the Zones**

WHEREAS pursuant to Section 963 of the Municipal Act R.S.B.C. 1979 c. 290 (the “Act”) is empowered to prepare and adopt a zoning bylaw;

AND WHEREAS the Regional Board deems it appropriate to adopt a zoning bylaw respecting those lands within Electoral Area “B” of the Regional District;

AND WHEREAS Section 946(4) of the *Local Government Act* authorizes the Regional Board to establish the minimum size for a parcel that may be subdivided for a relative outside of an Agricultural Land Reserve;

NOW THEREFORE the Regional Board of Cowichan Valley Regional District in open meeting assembled HEREBY ENACTS AS FOLLOWS:

PART ONE

TITLE

1.1 This bylaw may be cited for all purposes as “Electoral Area “B” Zoning Bylaw No. 985 1986”.

PART TWO

ADMINISTRATION

2.1 The Administrator being an Officer; the Manager; Planner; By-law Enforcement Officer; Chief Building Inspector; Senior Building Inspector and Building Inspector being designated to act in the place of the Administrator for the purpose of this by-law are authorized

(a) between 0800 hours and 1700 hours of any day or

(b) at such other time of the day as may be agreed to with the owner of occupier of the land to be inspected

to enter upon any property subject to the regulations of this by-law to ascertain whether such regulations are being obeyed provided that:

(a) consent to inspect the property has been obtained from the owner or occupier of the land or

(b) where such consent has been refused notice of the intent to inspect has been given to the owner not less than 24 hours prior to the time of inspection.

2.2 Every person who:

- (a) violates any of the provisions of this bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any provisions of this bylaw;
- (c) neglects or omits to do anything required under this bylaw;
- (d) carries out causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
- (e) fails to comply with an order direction or notice given under this bylaw; or
- (f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Administrator Manager (Land Use Services) Planner Chief Building Inspector Senior Building Inspector or Building Inspector on property under Section 2.1.

shall be deemed to be guilty upon summary conviction of an offence under this bylaw.

2.3 Each day's continuance of an offence under Section 2.2 constitutes a new and distinct offence.

2.4 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding \$2000 and the costs of prosecution.

3.1 In this bylaw unless the context otherwise requires:

“accessory” means ancillary or subordinate to a principal use;

“Agriculture” means growing, rearing, producing or harvesting livestock or agricultural crops other than cannabis, and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies;

“Agro-forestry” means an intensive land management system that optimizes the benefits from the biological interaction created when trees and shrubs are intentionally combined with crops as an integrated agro-system;

“aisle space” means the area of a parcel which provides space for motor vehicle access and does not include required space for motor vehicle parking;

“alteration” means a structural change to a building and also includes:

- (a) an addition to gross floor area or height;
- (b) the removal of a portion of the building;
- (c) construction of cutting into or removal of any wall partition column beam joist floor or chimney; and
- (d) any change to or closing of any required means of access;

“assembly” means the gathering of persons for charitable civic cultural educational entertainment philanthropic political recreational or religious purposes and may include the establishment of structures for the temporary accommodation of persons on a non-commercial basis;

“bed and breakfast accommodation” means the accessory use of a self-contained dwelling unit for the overnight accommodation of transient paying guests in which only breakfast is served;

“boat shelter” means a roof supported by posts, where the sides of the structure are open, that is used to shelter boats;

“building” means any structure with a gross floor area exceeding 8 square metres used or intended for supporting or sheltering any use or occupancy;

“Cannabis” means cannabis as defined in the *Cannabis Act* (Canada);

“Cannabis – Micro Production and Processing” means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, contained entirely within a building where the gross floor area used for the production and growing of cannabis products does not exceed 200m², and does not include the cultivation of up to four

cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia).

“Cannabis – Standard Production and Processing” means the commercial cultivation, processing, storage and wholesale distribution of cannabis and products derived from cannabis, and does not include the cultivation of up to four cannabis plants in a dwelling house for personal use in accordance with the *Cannabis Control and Licensing Act* (British Columbia);

“church” means an assembly building used for public worship;

“commerce” means the selling servicing and repair of goods the provision of services and commercial office functions;

“community service facility” means a building or structure or grouping of buildings or structures intended to provide limited recreational and commercial services to comprehensively developed housing projects and may include a swimming pool, health club, craft, hobby or activity rooms, tennis courts, lawn bowling, a refreshment or news stand, an accessory food service facility, personal service use, office, personal care, public assembly area, financial institution, library, restaurant, licensed lounge, retail store with or without an accessory postal outlet, guest house;

“community sewer system” means a system of sewerage works or sewage collection, treatment and disposal which serves 50 residential unit equivalents or more and which is owned, operated and maintained by the Cowichan Valley Regional District or a municipality incorporated under the *Local Government Act*;

“community shopping centre” means a group of retail stores offices and service establishments having a gross floor area equal to or greater than 1400 square metres but less than 9000 square metres;

“community water system” means a system of waterworks which serves 50 residential unit equivalents or more and which is owned, operated and maintained by an Improvement District under the *Water Act* or *Local Government Act*, the Cowichan Valley Regional District, a municipality incorporated under the *Local Government Act*, Lidstech Holdings Ltd. Or Burnum Utility Co. Ltd.;

“conservation covenant” means a legal mechanism for protecting the ecological integrity of natural environments, including their bio-diversity, eco-system services and wildlife habitat;

“convenience store” means a retail sales outlet contained under one roof having a floor area not exceeding 200 square metres and providing for the sale of items regularly used by households including books magazines or household accessories and food and beverage take out service;

“duplex” means a building containing two dwellings, placed one above the other or side by side;

“dwelling” means a self-contained set of habitable rooms with a separate entrance intended for year round occupancy with complete living facilities for one or more persons including permanent provisions for living sleeping cooking and sanitation;

“Eco-forestry” means a system of forest management that manages human activities in such a way that ecological integrity, its composition, structure and function is maintained at all spatial and temporal scales and in accordance with the range of natural variability;

“Eco-forestry covenant” means a legal mechanism for the protection, maintenance and restoration of ecosystem composition, structure and function (process), including biodiversity and ecosystem services, while allowing ecologically determined levels of forest product harvesting;

“equestrian centre” means the use of lands, buildings or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include gaming or gambling establishments, feed lots or auctions;

“exterior side parcel line” means a parcel boundary other than a front parcel line located between a parcel and a highway;

“family” means:

- (a) two or more persons related by blood marriage adoption or foster parenthood sharing one dwelling; or
- (b) not more than five unrelated persons sharing one dwelling;

“Farm Gate Sales” means the accessory sale of farm products that are produced on the farm where the sales take place”

“Farm market” means the use of land, buildings, or structures for the preparation and retail sale of fruit and vegetables, meat and seafood, dairy and poultry products, bakery products, plants and horticultural products, gardening supplies, and locally prepared and ready-to-eat foods; excludes the sale of household goods, farm machinery, implements, tools and durable goods of every kind, other than gardening supplies, and which may include multiple vendors.

“fence” includes arbour archway gate screen trellis and wall;

“floor area” means the space on any storey of a building between exterior walls and required firewalls measured from the outside walls including the space occupied by interior walls and partitions but not including exits vertical service spaces and their enclosing assemblies;

“front parcel line” means a parcel boundary common to a parcel and a highway other than a lane provided that where a parcel is contiguous to the intersection of two highways the front parcel line is the shortest parcel boundary contiguous to a highway other than a lane;

“gas bar” means a premise containing not more than two gasoline pumping stations and which is used solely for the sale of motor vehicle fuel lubricating oil and minor motor vehicle accessories directly to the users of motor vehicles;

“grade” means the lowest of the average levels of ground adjoining each face of a structure;

“gravel processing” means the washing screening grading sorting milling concentration or storage of minerals rocks earth clay sand or gravel;

“gross floor area” means the total floor area of all buildings on a parcel measured to the outer limits of the building including all areas giving access thereto such as corridors hallways landings foyers staircases stairwells enclosed balconies and mezzanines enclosed porches or verandahs and excluding auxiliary parking unenclosed swimming pools balconies or sundecks elevators or ventilating machinery;

“group home” means a residential dwelling for persons with a mental or physical disability;

“height” means the vertical distance between the highest point of the building or structure and the average finished ground level at the perimeter of a building or structure or, in the case of a building or structure that is subject to a bylaw that establishes a minimum flood construction level where finished ground level is below the flood construction level, between the highest point of the building or structure and as applicable,

- (a) the flood construction level designated in the bylaw for the building or structure; or
- (b) the flood construction level specified in an exemption from the bylaw granted pursuant to s. 524(7) of the *Local Government Act*;

“high water mark” means

- a) the high water mark identified on the plan of subdivision or the plan accompanying the instrument conveying Crown land in fee simple which plan was most recently filed in a Land Title Office before the adoption of this bylaw; or, in the case where such information is unavailable, the point where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the watercourse or lake a character distinct from that of the banks thereof in respect to vegetation as well as in respect to the nature of the soil itself, and
- b) in the case of Shawnigan Lake, those points on the shoreline of the lake that area t elevation 116.5 metres referenced to CGVD2013;

“highway” includes a street road lane bridge viaduct and any other way open to public use but does not include a private right-of-way on private property;

“home-based business” means an occupation, business, trade or professional practice which is carried on for remuneration or financial gain within a wholly enclosed building or structure, and which is accessory to the residential use of the property;

“Horticulture” means the practice of growing fruits, vegetables, flowers, non-invasive or ornamental plants and excludes mushroom farming and commercial cannabis production.

“industry” means processing fabricating assembling storing transporting distributing wholesaling testing servicing repairing or salvaging goods materials or things;

“institution” includes an arena armoury cemetery college community centre and community hall court of law fire hall hospital library municipal office park playground police station public art gallery public museum school stadium or public swimming pool;

“interior side parcel line” means a parcel boundary between two parcels other than a front rear or exterior side parcel line;

“in-vessel composting” means intensive aerobic composting of plant and animal material within containers that are enclosed within a building or structure served by an air supply ventilation and leachate control system as per the Composting Regulations of the Waste Management Act.

“jurisdictional boundary” means a line representing a boundary between electoral areas municipalities regional districts and shall include the boundary of the Agricultural Land Reserve;

“kennel” means the use of a parcel building or structure for the boarding or breeding of dogs and cats;

“lane” means a highway which provides a second access to a parcel and is less than 11 metres wide;

“mobile home” means a dwelling unit factory built and factory assembled designed for conveyance after fabrication on streets and highways on its own wheels or on flatbed or other trailers and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor and incidental unpacking and assembly operations such as locating on jacks or other foundation or connection to utilities. Neither a prefabricated home (or structure) nor motor home travel trailer or recreational vehicle shall be included in this definition;

“mobile home park” means land used or occupied by a person for the purpose of providing space for the accommodation of mobile homes either on a rental or ownership basis;

“mollusc” means any of the soft bodied invertebrates usually protected by a calcareous shell of one or more pieces and including clams oysters mussel and scallop;

“motel” means a building which contains sleeping units and may contain auxiliary assembly commerce entertainment indoor recreation or restaurant uses and premises licensed to serve alcoholic beverages;

“multiple family dwelling” means a building or cluster of buildings consisting of three or more dwelling units, and includes a condominium, townhouses, apartment building, and seniors’ congregate care housing;

“neighbourhood shopping centre” means a group of retail stores offices and service establishments having a gross floor area of less than 1400 square metres;

“parcel” means any lot block or other area in which land is held or into which it is subdivided including water lease lots but does not include a highway;

“parcel coverage” means the total horizontal ground floor area as measured from the outermost perimeter of all buildings and structures or part thereof on the parcel expressed as a percentage of the total parcel area;

“parcel width” means the distance between two side parcel lines measured at a point at which a principal building is or is to be established and in no case shall such a dimension be measured within the panhandle portion of a panhandle lot;

“passive recreation” means outdoor recreation activities which do not involve the use of buildings or structures;

“personal service establishment” means a commercial establishment which provides direct personal goods or services to persons such as barber shops hairdressers drug stores doctor and dentist offices laundromats and fitness studios;

“personal watercraft” vessel means an enclosed hull water-jet driven vessel with a maximum length of 4 metres with no cockpit which is designed to be used by a maximum of three people while straddling standing or kneeling for example vessels manufactured by companies such as Yamaha Kawasaki Bombardier and known as jetskis sea-doo's or other brand names;

“principal” with respect to a use or building means primary and chief;

“public park” means public land used or intended for outdoor recreation including lands set aside for archaeological historical or ecological purposes;

“pumphouse” means a building measuring not greater than 9.0 square metres in floor area and used exclusively for housing water pumping equipment;

“rear parcel line” means the parcel boundary which lies the most opposite to and is not connected to the front parcel line;

“rear yard” means the total area of a parcel exclusive of an area bounded by the front parcel line the side parcel lines and a line drawn parallel to the front parcel line at a point 15 metres distant from the front parcel line;

“regional shopping centre” means a group of retail stores offices and service establishments having a gross floor area equal to or greater than 9000 square metres;

“residence” means:

- (a) occupancy or use of a building or part thereof as a dwelling; and
- (b) the dwelling occupied or used.

“retail” means the sale of goods to the general public;

“seasonal cabin” means a building or structure other than a principal residence, that may contain cooking, eating, living and sleeping facilities, that is not serviced by a community water system or community sewer system, that has a self-contained sanitary system and a source of potable water and is only used for temporary accommodation;

“secondary suite” means a self-contained set of habitable rooms capable of being occupied year round with a separate entrance and with living facilities, including provision of sleeping, cooking, sanitation, food storage and preparation, attached to or within a single family dwelling;

“service station” means premises used principally for the retail sale of motor fuels lubricating oils and motor vehicle accessories and the servicing of motor vehicles but not wholesale sales or motor vehicle structural or body repairs or painting;

“setback” means the minimum permitted distance required under this bylaw between a building and a specified parcel line;

“silviculture” means all activities related to the development and care of forests including seedling and tree nursery but specifically excludes the processing of wood or wood products;

“sleeping unit” means a dwelling which may or may not contain cooking facilities;

“small suite” means a dwelling unit with a separate entrance capable of being occupied year round including permanent provisions for living, sleeping, cooking, sanitation, food storage and preparation, not within or attached to a single family dwelling, and which may be part of an accessory building;

“storey” means the portion of a building that is situated between the top of any floor and:

- (a) the top of the next floor above it; or
- (b) the ceiling above it where there is no floor above the ceiling;

“structure” means any construction fixed to supported by or sunk into land or water but not concrete or asphalt paving or similar surfacing of a parcel;

“subdivision” means the division of land into two or more parcels whether by plan apt descriptive words or otherwise; and includes parcels created under the Land Titles Act and the Condominium Act;

“tourist accommodation” means a building or set of buildings used for transient accommodation which contain sleeping units and may contain auxiliary assembly commerce entertainment or restaurant uses premises licensed to serve alcoholic beverages and staff accommodation and includes hotel motel resort lodge and guest cabins;

“utility” means broadcast transmission electrical telephone sewer or water services and facilities established or licensed by a government and includes navigation aids but excludes radio and television broadcast transmission towers;

“watercourse” means a depression with a bed 0.6 metres or more below the natural elevation of surrounding land:

- a) serving to give direction to a current of water for an average of at least six months of a year according to records kept by the Government of British Columbia; or
- b) having a drainage area of two square kilometres or more.

PART FOUR**BASIC PROVISIONS**

- 4.1 Except where otherwise specifically stated this bylaw applies to the entire area of Electoral Area “B” being that certain area of the Regional District defined in Schedule “A”.
- 4.2 Land or the surface of water shall not be used and structures shall not be constructed altered located or used except as specifically permitted by this bylaw.
- 4.3 Notwithstanding any other provision of this bylaw the following uses are permitted in any zone:
- a) utility use;
 - b) public park;
 - c) group home for the mentally and physically handicapped.
- 4.4 Except where otherwise specifically stated all uses permitted by this bylaw include those uses accessory to the permitted principal uses and all buildings or structures include all buildings or structures reasonably auxiliary to buildings or structures constructed located or used with respect to permitted principal uses.
- 4.5 The correct name of each zone provided for in this bylaw is set out in Column I of Section 6.1 of this bylaw. The inclusion of the names contained in Column II of Section 6.1 is for convenience only.
- 4.6 If any section subsection sentence clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

5.1 Applicability

Except as otherwise specified in this bylaw Sections 5.2 to 5.16 apply to all zones established under this bylaw.

5.2 Siting

- (a) The siting regulations of this bylaw apply to parcels and notwithstanding the generality of the foregoing to bare land strata lots.
- (b) The interior side parcel line requirements of this bylaw shall not apply to strata lots under a registered plan pursuant to the Condominium Act where there is a common wall shared by two or more dwellings within a building.

5.3 Setback Exceptions

Except as otherwise provided in particular zones the setback requirements of this bylaw do not apply with respect to:

- a) pumphouses;
- b) gutters cornices sills belt courses bay windows chimneys exterior finish heating or ventilating equipment if the projections do not exceed one metre measured horizontally; and
- c) eaves unenclosed stairwells or balconies canopies and sunshades if the projections measured horizontally do not exceed:
 - (1) 1.5 metres in the case of front and side yards or
 - (2) 2 metres in the case of rear yards

and no other features may project into a required setback area.

5.4 Storage of Wrecks

Unless specifically permitted by this by-law no parcel shall be used for a junk yard or for the storage collection or accumulation of all or part of any automobile wreck or all or part of any motor vehicle which is not:

- a) validly registered and licensed in accordance with the Motor Vehicle Act; or
- b) capable of motivation under its own power.

5.5 Attached Garage

A garage or carport attached to a principal building is deemed to be a portion of the principal building.

5.6 Number of Dwellings Permitted Per Parcel

A maximum of one dwelling unit is permitted per parcel of land, subject to any regulation explicitly to the contrary in this Bylaw, be it contained within an individual zone regulation or in Section 5.18 or Section 5.19.

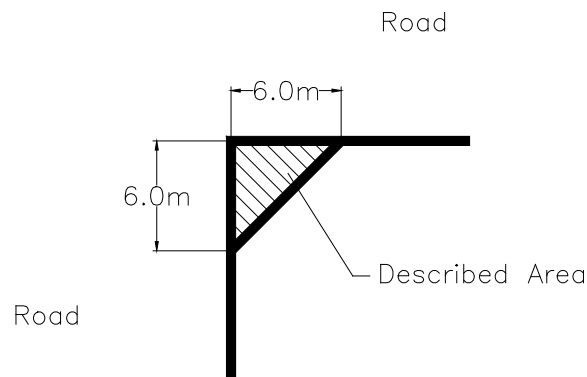
5.7 Accessory Buildings and Structures

- (a) Buildings and structures accessory to principal uses (buildings and structures) are permitted in any zone.
- (b) No accessory building or structure shall be situated on a parcel unless the principal building to which the accessory building is incidental has been erected or will be erected simultaneously with the accessory building on the same parcel.
- (c) Notwithstanding Section 5.7(b) an accessory building may be situated on a parcel contiguous to a parcel on which the principal building is situated.
- (d) An accessory building shall not be used as a dwelling except as otherwise provided for in this bylaw.

5.8 An industrial crane grain elevator tower tank and bunker retaining wall radio or television antenna (excluding satellite dish) church spire belfry and dome monument smoke and fume disposal and dispersing facilities drive-in theatre screen stadium bleacher lighting pole windmill silo or elevator shaft may be of unlimited height.

5.9 On a corner parcel contiguous to a highway intersection no structure shall be allowed at a height greater than 1.0 metre above the established elevation of the centre point of intersecting highways and within an area extending out from the corner of the parcel and bound by a line joining a point on each parcel line a distance of 6.0 metres from the corner of the parcel. For greater certainty a diagram shown as part of this section and labelled "Figure A" depicts the area described in this section.

FIGURE A



5.10 Fences

Except as otherwise specifically stated in this bylaw

- (a) the height of a fence or wall shall be measured to the highest point from and perpendicular to a line representing the average grade level at the base; and
- (b) a fence within a required front yard shall not exceed a height of 1.2 metres and fences in all other parts of a parcel shall not exceed a height of 1.8 metres except within zones in which commercial or industrial use is permitted in which case the maximum height permitted is 2.5 metres.
- (c) fences may be constructed within any required setback area.

5.12A Home-Based Business Regulations

For zones in which home-based business is a permitted use, all of the following regulations apply:

- (a) The home-based business use shall only be conducted within a dwelling unit or within a wholly enclosed permitted accessory building;
- (b) The home-based business 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, and further, and the gross floor area of buildings used for the home-based business shall not exceed the gross floor area of the residence;
- (c) There shall be no variation from a primarily residential appearance of the land and premises where the home-based business is located;
- (d) The home-based business use shall not produce any hazard, offensive odour, noise, dust, smoke, glare, toxic or noxious matter, contaminated site, heat, electrical interference, fire hazard, litter, additional waste, floodlighting, vibration, excessive customer or service traffic, or create a nuisance of any kind;
- (e) The home-based business 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;
- (f) The home-based business use shall not involve exterior storage of any material or equipment used directly or indirectly in the processing, servicing or sale of any product;
- (g) The maximum floor area per parcel used for home-based business use, including office space, storage, processing or sales, shall not exceed the 90 m².
- (h) The home-based business use shall only be conducted by person who is a full-time resident on the parcel.
- (i) The home-based business shall not employ more than two persons who do not reside on the parcel.
- (j) Only if the parcel is 0.4 hectares in area or more, the following applies: the home-based business use may involve the repair of motor vehicles, excluding the painting and bodywork of vehicles, and shall:
 - i. be limited to not more than one fully enclosed service bay with a total area not exceeding 25 m²; and
 - ii. exclusive of the resident's own licensed vehicles, be permitted to park not more than one vehicle out of doors. No work on a vehicle is permitted while it is out of doors;
 - iii. occur in a wholly enclosed building that is set back not less than 20 metres from any parcel line.

- (k) Automobile body shops, machine shops, welding shops, heavy equipment repair and similar uses are not permitted as home-based businesses.
- (l) No off-site parking associated with the home-based business use is permitted.
- (m) No more than one commercial vehicle with a gross vehicle weight of 5,000 kg or more shall be parked or stored outside of a building or structure.
- (n) Home-based business use must comply with all CVRD and senior government agency environmental protection regulations.

5.13 Bed and Breakfast Regulations

In the zones permitted a bed and breakfast use shall:

- (a) Be completely contained within a single family dwelling which is the principal use on the parcel.
- (b) Be conducted by the Principal resident who may employ not more than one person on the premises.
- (c) Not involve the use of more than three rooms at any one time for guest accommodation.
- (d) In the case of commercially zoned premises not involve the use of more than 8 rooms at any one time for guest accommodation.

5.14 Setback from a Watercourse

- (a) Notwithstanding any other provisions of this bylaw, no building or structure that requires a building permit under the CVRD Building Regulation Bylaw, and no structure that is except from the permit requirement by reason only of Section.2.1.3(3) of that Bylaw, shall be located within 50 metres of the high water mark of Koksilah River, or within 15 metres of the high water mark of any other watercourse or a lake.
- (b) Notwithstanding any other provision of this bylaw no building used for the accommodation of livestock shall be located within 30 metres of the high water mark of a watercourse or a lake sandpoint or well.

5.15 Siting of Kennel Buildings

Within a zone in which kennels are a permitted use buildings and structures for the accommodation of dogs including dog runs shall not be located within 45 metres of a parcel line.

5.16 Residential Use in Non-Residential Zones

Notwithstanding the setback requirements of this bylaw where a single family dwelling is permitted in a commercial industrial or institutional zone the following setbacks shall apply:

Front	7.5 metres
Interior Side	10% of the lot width or 3 metres whichever is less
Exterior Side	4.5 metres
Rear	4.5 metres

5.17 Mobile Home Use

A mobile home use shall only be permitted in those zones in which it is specifically listed as a permitted use.

5.18 Small Suites

- (a) The maximum floor area of a small suite shall not exceed 85 m².
- (b) The small suite may be free-standing or attached to a residential accessory building however the small suite shall not be located within or attached to another dwelling.
- (c) One additional on-site parking space shall be provided.
- (d) Prior approval of the jurisdiction having authority for liquid waste disposal shall be obtained before issuance of the building permit.
- (e) Prior approval of the jurisdiction having authority for domestic water supply shall be obtained before issuance of the building permit.
- (f) The small suite may be in the form of a mobile manufactured or modular home (CSAZ240 or CSAA277)
- (g) The small suite may not be in the form of a recreational vehicle nor park model unit.
- (h) The small suite is only permitted if the parcel is at least 0.2 hectare in area if the main residence and small suite are both serviced by a community water system, or the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that 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.
- (i) Only one small suite or one secondary suite shall be permitted per parcel.
- (j) The small suite shall not be located within:
 - i. 60 metres of the high water mark of Shawnigan Lake;
 - ii. 30 metres of the high water mark of Shawnigan Creek;
 - iii. 50 metres of the Koksilah River.
- (k) The small suite shall not be located on any parcel with frontage along Shawnigan Lake.
- (l) An owner of the parcel must occupy either the small suite or the principal dwelling.

- (m) The small suite shall not be subdivided from the parcel upon which it is located, nor shall a strata plan of any type pursuant to the *Strata Property Act* be registered on a parcel which contains a small suite, and the owner(s) of the property shall enter into and register on the State of title Certificate a covenant Agreement to this effect.

5.19 Secondary Suite

- (a) The secondary suite shall be located within the principal dwelling;
- (b) The secondary suite shall have a private access through an entrance on one of the sides or rear of the dwelling;
- (c) The secondary suite shall be built in accordance with the provisions of the BC Building Code and no secondary suite shall have a floor area in excess of 85 m².
- (d) Prior approval of the jurisdiction having authority for liquid waste disposal shall be obtained before issuance of a building permit;
- (e) Prior approval of the jurisdiction having authority for domestic water supply shall be obtained before issuance of a building permit;
- (f) One additional on-site parking space shall be provided.
- (g) The secondary suite shall not be located within:
 - i. 60 metres of the high water mark of Shawnigan Lake;
 - ii. 30 metres of the high water mark of Shawnigan Creek;
 - iii. 50 metres of the Koksilah River.
- (h) The secondary suite shall not be located on any parcel with frontage along Shawnigan Lake.
- (i) The secondary suite is only permitted if the parcel is at least 0.2 hectares in area if the main residence and secondary suite are both serviced by a community water system, or the parcel is at least 0.5 hectare in area if the parcel is not serviced by a community water system and that 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.
- (j) Only one secondary suite or one small suite shall be permitted per parcel.
- (k) The secondary suite shall not be subdivided from the parcel upon which it is located, nor shall a strata plan of any type pursuant to the *Strata Property Act* be registered on a parcel which contains a small suite, and the owner(s) of the property shall enter into and register on the State of title Certificate a covenant Agreement to this effect.
- (l) An owner of the parcel must occupy either the secondary suite or the principle dwelling.

5.20 Contaminated Soil and Waste

Unless explicitly permitted in a zone, no parcel shall be used for the purpose of storing contaminated waste or contaminated soil, if the contaminated material did not originate on the same legal parcel of land that it is being stored on.

5.21 Commercial Cannabis Regulations

- a. Both standard and micro cannabis production and processing are a permitted farm use of all parcels in the Agricultural Land Reserve, to the extent permitted by the Agricultural Land

Reserve Use Regulation, and standard and micro cannabis production and processing may not be conducted concurrently on the same parcel.

- b. Both standard and micro cannabis production and processing shall only be permitted with all required federal and provincial licenses, permits, and approvals.
- c. Cannabis - Standard Production and Processing are subject to the following regulations:
 - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 30 metres from all parcel lines, watercourses and wells, and not less than 100 meters from the foundation of any residential building not within the Agricultural Land Reserve;
 - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 100 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
 - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
 - iv. the total gross floor area of all buildings used for the production of cannabis must not exceed 500 m², and the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 1,000 m².
- d. Cannabis – Micro Production and Processing are subject to the following regulations:
 - i. all buildings, greenhouses and other structures used for either purpose must be located not less than 15 metres from all parcel lines, 30 meters from watercourses, wells, and not less than 75 meters from the foundation of any residential building not within the Agricultural Land Reserve;
 - ii. all parcels used for either purpose shall be located not less than 150 metres from any parcel line of a park zone, a parcel with a school or childcare facility, and any park, and not less than 75 metres from all parcel lines of the following zones: comprehensive development, institutional, mixed-use or residential zone;
 - iii. on industrial-zoned parcels, all production activities must occur within an enclosed structure and no outdoor cultivation, production or storage is permitted; and,
 - iv. the combined gross floor area for all buildings and structures used for cannabis production and processing on any parcel must not exceed 400m².
- e. Farm gate sales of cannabis produced on the farm is a permitted farm use of all parcels in the Agricultural Land Reserve, subject to provincial retail sales licensing requirements.

5.22 Daycare Regulations

For zones in which daycare is a permitted use, 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 daycare licensed for between 9 and 16 children shall be located on a parcel that is less than 2000 m² in area.
3. No 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.
10. Any daycare use must also comply with all senior government agency regulations.

5.23 Subdivision and Density where Additional Parkland is Accepted by CVRD

Where an owner of land being subdivided or stratified under the *Strata Property Act* or the *Land Title Act* dedicates as parkland in fee simple title to the CVRD an amount greater than 5% of land being subdivided, the area of dedicated parkland that is greater than 5%, but not more than 50%, may, for the purposes of calculating minimum parcels sizes or dwelling units per hectare under this Bylaw, be included in the total area of parcels or dwelling unit yield being created in the subdivision, and the dedicated parkland is deemed not to be a parcel or lot. This regulation is subject to all of the following conditions;

- a. Parcel yield shall not be increased over what would be available were no additional parkland being proposed;
- b. The parcels being created shall be of sufficient area to accommodate the area required for a sewage disposal field and well if it is in an unserviced area, and a sufficient building envelope must exist in the absence of any variances to setback requirements in the zones within which the parcels are located;
- c. The parkland proposed must be in a location and condition that is acceptable to the CVRD.

5.24 Swimming Pool Fencing Required

Swimming pools shall be enclosed in a structure or be surrounded by a fence not less than 1.5 metres and not more than 1.8 metres in height, designed to prevent climbing, and where equipped with gates, the gate shall be operated by hinges and a lock and shall be able to be opened freely from the inside only.

5.25 Section 946 Subdivision Regulation

The minimum size for a parcel outside of the Agricultural Land Reserve that may be subdivided under Section 946 of the *Local Government Act* throughout Electoral Area B – Shawnigan Lake is

25 hectares, or the minimum parcel size of the zone within which the parcel of land is located, whichever is larger.

6.1 Creation of Zones

The area of Electoral Area “B” is divided into the zones identified in Column I and each zone is briefly described in Column II.

COLUMN I	COLUMN II
A-1	Primary Agricultural
A-1A	Modified Primary Agricultural
A-2	Secondary Agricultural
A-2A	Small Lot Agricultural (Special)
A-6	Agricultural Institutional
F-1	Primary Forestry
F-1A	Primary Forestry Kennel
F-2	Secondary Forestry
R-1	Rural Residential
R-1A	Limited Rural Residential
RR-3A	Rural Residential 3A
R-2	Suburban Residential
R-2A	Limited Suburban Residential
R-3	Urban Residential
R-4	Rural Community Residential
R-4A	Village Manufactured Home Park Residential 4A
R-6	Mobile Home Residential
RM-2	Low Density Multiple family
RR-2	Rural Residential 2
RR-3A	Rural Residential 3A
RR-4	Rural Manufactured Home Park
RR-5	Rural Manufactured Home Residential
MP-1	Mobile Home Park
C-1	Village Commercial
C-2A	Local Commercial
C-2B	Local Commercial
C-2C	Local Commercial
C-2	Local Commercial
C-3	Service Commercial
C-4	Tourist Recreational Commercial
C-5	Neighbourhood Pub Commercial
P-1	Parks and Institutional
P-2	Parks and Recreation
T-1	Railway Transportation
I-1	Light Industrial
I-1A	Light Industrial

I-1B	Sawmilling
I-1C	Light Industrial
I-3	Medium Industrial
I-4	Aggregate and Mineral Processing Industrial
I-5	Eco Industrial I-5
CLS	Community Land Stewardship
CD-5	Rural Comprehensive Development 5 – Clearwater Resort
CD-6	Rural Comprehensive Development 6 Zone – Renfrew Road
W-1	Water Conservancy
W-2	Water Recreation
W-2(I)	Water Institutional
W-3	Water Marina
W-4	Freshwater Conservation 4

6.2 Definition of Zones

- (a) The area of each zone is defined by Schedule B.
- (b) Where a zone boundary is shown on Schedule B as following a road allowance or a watercourse the centre line of the road allowance or watercourse shall be the zone boundary.

7.0 AGRICULTURAL AND FORESTRY ZONES**7.1 A-1 ZONE - PRIMARY AGRICULTURAL****(a) Permitted Uses**

The following uses and no others are permitted in an A-1 zone:

- (1) agriculture horticulture silviculture turf farm fish farm;
- (2) single family residential dwelling or mobile home;
- (3) one additional single family dwelling accessory to agricultural use;
- (4) sale of products grown or reared on the property;
- (5) horse riding arena boarding stable;
- (6) kennel;
- (7) home based business;
- (8) bed and breakfast accommodation;
- (9) daycare nursery school accessory to a residential use;
- (10) secondary suite.

(b) Conditions of Use

For any parcel in an A-1 zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures with the exception of greenhouses which shall not exceed a parcel coverage of 50 percent;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Use
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

7.2 A-1A ZONE – MODIFIED PRIMARY AGRICULTURAL

(a) Permitted Uses

The following uses and no others are permitted in an A-1A Zone:

- (1) agriculture horticulture silviculture;
- (2) summer recreational camp;
- (3) one single family residential dwelling;
- (4) sale of products grown or reared on the property;
- (5) home based business;
- (6) bed and breakfast accommodation;
- (7) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an A-1A Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures with the exception of greenhouses which shall not exceed a parcel coverage of 50 percent;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for the permitted uses in Columns II and III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

7.3 A-2 ZONE - SECONDARY AGRICULTURAL

(a) Permitted Uses

The following uses and no others are permitted in an A-2 zone:

- (1) agriculture horticulture silviculture turf farm and fish farm;
- (2) single family residential dwelling or mobile home;
- (3) sale of products grown and reared on the property;
- (4) home based business;
- (5) bed and breakfast accommodation;
- (6) daycare nursery school accessory to a dwelling;
- (7) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an A-2 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures with the exception of greenhouses which shall not exceed a parcel coverage of 50 percent;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30metres
Rear	7.5 metres	15 metres

7.3A A-2A ZONE - SMALL LOT AGRICULTURAL (SPECIAL) 2A

- (a) The following principal uses and no others are permitted in the A-2A Zone:
- (1) Agriculture, horticulture, silviculture, turf farm, fish farm, equestrian arena, boarding stable;
 - (2) Single family dwelling;

The following uses are permitted in the A-2A Zone, accessory to a single family dwelling:

- (3) Bed and breakfast accommodation;
- (4) Home-based business;
- (5) Secondary suite or small suite;

The following uses are permitted in the A-2A Zone, only as accessory uses to agriculture, horticulture, equestrian arena and boarding stable:

- (6) Agri-tourism;
- (7) Assembly use;
- (8) Daycare;
- (9) Farm stay accommodation in up to 4 bedrooms that may be located within one or more accessory buildings or an accessory dwelling unit, in addition to any rooms for bed and breakfast accommodation;
- (10) Café, restaurant;
- (11) Farm gate sales;
- (12) Gift shop.

(b) Minimum Parcel Size

The minimum parcel area in the A-2A Zone is 2 hectares.

(c) Number of Dwellings

One single family dwelling is permitted per parcel in the A-2A Zone.

(d) Setbacks

The following minimum setbacks for buildings and structures apply in the A-2A Zone:

Type of Parcel Line	Building or structure for the keeping of animals	Residential, Horticultural and Accessory Uses
Front parcel line	15 metres	7.5 metres
Interior side parcel line	15 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres

(e) Height

In the A-2A Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

(f) Parcel Coverage

The parcel coverage in the A-2A Zone shall not exceed 30 percent for all buildings and structures, and may be increased by an additional 20% of site area for the purpose of constructing greenhouses.

7.3B A-6 ZONE – AGRICULTURAL-INSTITUTIONAL 6

(a) The following principal uses and no others are permitted in the A-6 Zone:

- (1) Agriculture, horticulture, silviculture;
- (2) Seasonal recreational camp;
- (3) Single family dwelling;

The following accessory uses are permitted in the A-6 Zone:

- (4) Bed and breakfast accommodation;
- (5) Farm gate sales;
- (6) Home-based business;
- (7) Outdoor recreation;
- (8) Secondary suite;
- (9) Daycare.

(b) Number of Dwellings

Not more than one dwelling is permitted on a parcel in the A-6 Zone.

(c) Minimum Parcel Size

The minimum parcel area in the A-6 Zone is 12 hectares.

(d) Density Provisions

The following density provisions apply in the A-6 Zone:

- a. The maximum density of camping sites will not exceed one site per hectare of camping area;
- b. The maximum number of individuals accommodated in a camping site will not exceed 36;
- c. The maximum number of individuals accommodated in a bunkhouse will not exceed 40;
- d. Where both a bunkhouse and camping spaces are located on the same parcel, the maximum number of individuals accommodated on a parcel will be 70.

(e) Setbacks

The minimum setback in the A-6 Zone for buildings and structures is 6 metres to all parcel lines.

(f) Height

In the A-6 Zone, the height of all buildings and structures shall not exceed:

- a. 10 metres for principal buildings and structures;
- b. 7.5 metres for accessory buildings and structures.

(g) Parcel Coverage

The parcel coverage in the A-6 Zone shall not exceed 20 percent for all buildings and structures.

7.3C RR-2 RURAL RESIDENTIAL 2 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-2 Zone:

(a) Permitted Uses

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

- (1) Agriculture;
- (2) Horticulture;
- (3) Single-family dwelling;

The following accessory uses are permitted in the RR-2 Zone:

- (4) Accessory dwelling unit or secondary suite;
- (5) Bed and breakfast accommodation;
- (6) Farm gate sales;
- (7) Home-based business;
- (8) Daycare.

(b) Parcel Coverage

The parcel coverage in the RR-2 Zone shall not exceed 20 percent of parcel area, or 500 m², whichever is less, for all buildings and structures.

(c) Building Height

The height of buildings and structures in the RR-2 Zone shall not exceed:

- (1) 10 metres for a principal building and structure;
- (2) 7.5 metres for an accessory building and structure.

(d) Setbacks

The following minimum setbacks for buildings and structures apply in the RR-2 Zone:

Type of Parcel Line	Residential and Accessory Uses	Agricultural Use
Front parcel line	7.5 metres	15 metres
Interior side parcel line	3 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres
Parcel line adjoining the Agricultural Resource 1 Zone	15 metres	7.5 metres

(e) Minimum Lake and Ocean Frontage Requirement

No parcel being created by subdivision in the RR-2 Zone that fronts on a lake or the ocean shall have a total water frontage along the waterfront of less than 50 metres or 15% of total lot perimeter, whichever is greater.

(f) Minimum Parcel Size

The minimum parcel size in the RR-2 Zone is 2 hectares for all lands except those located within Blocks 156, 201, 361 and 791 of the Malahat District (commonly known as Goldstream Heights), which are all subject instead to the minimum parcel size and amenity provisions under Section 7.3C(g) below.

(g) Minimum Parcel Size and Amenity Requirement for Goldstream Heights

For any parcels of land in the RR-2 Zone that are located within Blocks 156, 201, 361 and 791 of the Malahat District (commonly known as Goldstream Heights), the following provisions apply:

- (1) The minimum parcel size is 4 hectares.
- (2) Despite Section 7.3C(g)(1) above, the minimum parcel size may be decreased to 2 hectares, only if the conditions in Sections 7.3C(c) through 7.3C(d) are met:
- (3) In respect of any parcel created that is less than 4 hectares in area, a cash amenity contribution of \$10,000 per new parcel created shall be made, at the sole choice of the Board of the Cowichan Valley Regional District, in any proportion that the CVRD deems to be appropriate, to either of the following public amenities: Community Parks Capital Reserve Fund (Area B - Shawnigan Lake), or Shawnigan Lake Recreation Specified Area Capital Projects Reserve Fund, prior to the registration of the new parcel(s).
- (4) In the event that the Community Parks Capital Reserve Fund (Area B - Shawnigan Lake) is chosen in whole or in part as the designated amenity under 7.3C(g)(3), no such contribution shall be considered to have discharged in whole or in part the requirements for park dedication under Section 941 of the *Local Government Act*.

7.3D RR-4 RURAL MANUFACTURED HOME PARK 4 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-4 Zone:

(a) Permitted Uses

The following principal use and no others are permitted in the RR-4 Zone:

- 1) Manufactured home park.

(b) Minimum Parcel Size

The minimum parcel size in the RR-4 Zone is 2 hectares.

(c) Density

In the RR-4 Zone, the maximum density must not exceed 15 dwelling units per hectare of parcel area.

(d) Conditions of Use

A parcel in the RR-4 Zone is subject to the regulations concerning the use and operation of manufactured home parks, as set out in the CVRD Mobile Home Park Bylaw No. 275, as amended.

(e) Standards, Definitions and Setbacks

The setbacks, definitions of mobile home, minimum site area and other standards for the RR-4 Zone are set out in the CVRD Mobile Home Park Bylaw, as amended.

(f) Height

In the RR-4 Zone, the height of all principal buildings and structures must not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

7.3E RR-5 RURAL MANUFACTURED HOME 5 ZONE

(a) Permitted Uses

The following principal uses and no others are permitted in the RR-5 Zone:

- 1) Single family dwelling;
- 2) Community service facility;

The following accessory uses are permitted in the RR-5 Zone:

- 3) Home-based business;
- 4) Daycare.

(b) Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the RR-5 Zone shall not exceed 50%, of which not more than 45% may be parcel coverage.

(c) Community Service Facility

A community service facility is only permitted on a parcel that is at least 1000 m² in area.

(d) Number of Dwellings

Not more than one dwelling unit is permitted on a parcel in the RR-5 Zone.

(e) Setbacks

The following minimum setbacks for buildings and structures apply in the RR-5 Zone:

Type of Parcel Line	Residential and Accessory Use
Front parcel line	4.5 metres with the exception of 6.0 metres for all garage doors and carports directly facing a highway
Interior side parcel lines	1.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	3 metres
Parcel line adjoining the Primary Agricultural Zone (A-1)	15 metres

(f) Servicing

All parcels in the RR-5 Zone shall be serviced by both a community water system and a community sewer system as a condition of use.

(g) Height

In the RR-5 Zone, the height of all principal buildings and structures shall not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

(h) Special Regulations

The following regulations apply in the RR-5 Zone:

- a. Within each RR-5 development, a minimum of 10% of the total land area, in addition to any park dedication, common storage area or riparian areas, shall be set aside for the recreational needs of the zone's residents;
- b. Within each RR-5 development, a minimum of 25 m² per parcel of land within the RR-5 Zone shall be set aside as a common storage area for the needs of the zone's residents, in addition to any park dedication, recreational or riparian areas;
- c. The exterior boundaries of the RR-5 Zone and any parts of a highway which pass through the RR-5 Zone shall be buffered by a continuous 7.5 metre wide vegetated screen (not including any lands dedicated or transferred to the CVRD as park, or a recreational area or outdoor storage area) within which no buildings or structures may be constructed, and a covenant under Section 219 of the *Land Title Act* preserving this buffering function shall be entered into with the CVRD.

(i) Minimum Parcel Size

<i>Level of Service to the Parcel</i>	<i>Minimum Parcel Size for a Residential Dwelling</i>	<i>Minimum Parcel Size for a Community Services Facility</i>
Community water and community sewer	325 m ²	1,000 m ²
Community water only	4 hectares	4 hectares
No community water or sewer	4 hectares	4 hectares

(j) Exemption

Lands that lie within the RR-5 Zone are not subject to the provisions of the CVRD Mobile Home Park Bylaw, as amended.

7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

The following uses and no others are permitted in an F-1 zone:

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home based business;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

7.5 F-1A ZONE – PRIMARY FORESTRY-KENNEL

(a) Permitted Uses

The following uses and no others are permitted in an F-1A zone:

- (1) any use permitted in the F-1 zone;
- (2) kennel.

(b) Conditions of Use

For any parcel in an F-1A Zone:

- (1) the parcel coverage shall not exceed 30 % for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out in Columns II III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses	COLUMN IV Kennel Use
Front	7.5 metres	30 metres	20 metres
Side (Interior)	3.0 metres	15 metres	20 metres
Side (Exterior)	4.5 metres	30 metres	20 metres
Rear	7.5 metres	15 metres	20 metres

7.6 F-2 ZONE - SECONDARY FORESTRY

(a) Permitted Uses

The following uses and no others are permitted in an F-2 Zone:

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) single family residential dwelling or mobile home;
- (3) two single family residential dwellings on parcels 10.0 ha. or larger
- (4) agriculture silviculture horticulture;
- (5) home based business;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite.

(b) Conditions of Use

For any parcel in an F-2 zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

8.0 RESIDENTIAL ZONES**8.1 R-1 ZONE - RURAL RESIDENTIAL****(a) Permitted Uses**

The following uses and no others are permitted in an R-1 Zone:

- (1) agriculture horticulture silviculture;
- (2) single family residential dwelling or mobile home;
- (3) home based business;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residential use;
- (6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for auxiliary buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for residential use in Column II; for agricultural and accessory uses in Column III and for accessory residential uses in Column IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural & Accessory Use	COLUMN IV Accessory Residential Use
Front Side (Interior)	7.5 metres 10% of the parcel width or 3.0 metres whichever is less	30 metres 15 metres	7.5 metres 10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior) Rear	4.5 metres 4.5 metres	15 metres 15 metres	

8.2 R-1A ZONE – LIMITED RURAL RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in a R-1A Zone:

- (1) Single family residential dwelling or mobile home;
- (2) Secondary suite;
- (3) Home based business.

(b) Conditions of Use

For any parcel in a R-1A Zone:

- 1) The parcel coverage shall not exceed 15 percent for all buildings and structures;
- 2) The height for all buildings and structures shall not exceed 10 m. except for accessory buildings which shall not exceed a height of 7.5 metres;
- 3) The setbacks for the types of parcel lines set out in Column 1 of this section are set out for all buildings and structures in column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings and Structures
Front	7.5 metres
Interior Side	3 metres
Exterior Side	4.5 metres
Rear	4.5 metres

8.3 RR-3A ZONE – RURAL RESIDENTIAL

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the RR-3A Zone:

(a) Permitted Uses

The following principal uses and no others are permitted in the RR-3A Zone:

- (1) Single-family dwelling;
- (2) Horticulture;

The following accessory uses are permitted in conjunction with a single-family dwelling in the RR-3A Zone:

- (3) Agriculture;
- (4) Small suite or secondary suite;
- (5) Bed and breakfast accommodation;
- (6) Home based business;
- (7) Unlicensed daycare and group daycare.

(b) Parcel Coverage

Parcel coverage in the RR-3A Zone shall not exceed 20 percent.

(c) Building Height

The height of buildings and structures in the RR-3A Zone shall not exceed:

- (1) 10 metres for a principal building and structure;
- (2) 7.5 metres for an accessory building and structure.

(d) Setbacks

The following minimum setbacks for buildings and structures apply in the RR-3A Zone:

Parcel Line	Principal Use	Accessory Use	Agricultural Use
Front	7.5 metres	7.5 metres	15 metres
Interior Side	3.0 metres	3.0 metres; 1.0 metres if in rear yard	15 metres
Exterior Side	4.5 metres	4.5 metres	4.5 metres
Rear	4.5 metres	4.5 metres	15 metres
Adjoining a Primary Agriculture (A-1) Zone	15 metres	15 metres	4.5 metres

- (e) Minimum Parcel Size
The minimum parcel size in the RR-3A Zone is 1.0 hectare.

8.4 R-2 ZONE - SUBURBAN RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in an R-2 Zone:

- (1) single family dwelling or mobile home;
- (2) agriculture horticulture;
- (3) home based business;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residential use; and
- (6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-2 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for auxiliary buildings which shall not exceed a height of 7.5 metres; and
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural & Accessory Use	COLUMN IV Accessory Residential Use
Front Side (Interior)	7.5 metres 10% of the parcel width or 3 metres whichever is less	30 metres 15 metres	7.5 metres 10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	4.5 metres

8.5 R-2A ZONE – LIMITED SUBURBAN RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in a R-2A Zone:

- (1) Single-family dwelling;
- (2) Equestrian centre;
- (3) Home based business;
- (4) Bed and breakfast accommodation;
- (5) Daycare, nursery school accessory to a residential use and located within the principal dwelling;
- (6) Small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-2A Zone:

- (1) The parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Residential and Accessory Buildings and Structures	Column III Equestrian and Accessory Buildings and Structures
Front parcel line	7.5 metres	30 metres
Interior side parcel line	3.0 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres

(c) Number of Dwelling Units Per Lot

In the R-2A Zone, not more than one dwelling is permitted on a parcel under 0.4 ha in area. For parcels 0.4 ha or more in area, one additional small suite or secondary suite is permitted.

8.6 R-3 ZONE - URBAN RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in an R-3 Zone:

- (1) single family residential dwelling;
- (2) horticulture;
- (3) home based business;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residence; and
- (6) small suite or secondary suite

(b) Conditions of Use

For any parcel in an R-3 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Accessory Residential Use
Front Side (Interior)	7.5 metres 10% of the parcel width or 3 metres whichever is less	7.5 metres 10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	4.5 metres
Rear	4.5 metres	4.5 metres

8.7 R-4 ZONE – RURAL COMMUNITY RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in an R-4 Zone:

- (3) agriculture, horticulture;
- (4) sales of products grown or reared on the subject property, including value-added agricultural products grown or reared on the subject property, accessory to and subordinate to the residential development on the parcel;
- (5) educational use;
- (6) single family dwellings, not to exceed an overall density of one dwelling per hectare;
- (7) accessory residential uses, including a kitchen facility;
- (8) six camping spaces per parcel, accessory to the educational use;
- (9) one home based business - per parcel;
- (10) one bed and breakfast accommodation per parcel.

(b) Conditions of Use

For any parcel in an R-4 Zone:

- 4) the parcel coverage shall not exceed 10 percent for all buildings and structures;
- 5) the height for all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- 6) the floor area of each dwelling shall not exceed 235 m², except in the case of one dwelling, which may have an unlimited floor area and may contain a bed and breakfast accommodation.
- 7) the aggregate total number of bedrooms permitted on the parcel is 25.
- 8) educational activities shall be strictly limited to thirty non-resident people, and be accessory to the residential uses on the parcel;
- 9) Educational activities shall be limited to between the hours of 7:00 a.m. and 9:00 p.m.
- 10) the setbacks for all parcel lines for all buildings and structures in the R-4 Zone is 7.5 metres."

8.8 R-4A VILLAGE MANUFACTURED HOME PARK 4A ZONE

(a) Permitted Uses

The following principal use and no other, is permitted in the R-4A Zone:

- 1) Manufactured home park.

(b) Conditions of Use

A parcel in the R-4A Zone is subject to the regulations concerning the use and operation of manufactured home parks, as set out in the CVRD Mobile Home Park Bylaw No. 275, as amended.

(c) Minimum Parcel Size

The minimum parcel size in the R-4A Zone is 2 hectares, including for strata plans of any type.

(d) Standards, Definitions and Setbacks

The setbacks, definitions of mobile home, minimum site area and other standards for the R-4A Zone are set out in the CVRD Mobile Home Park Bylaw, as amended.

(e) Height

In the R-4A Zone, the height of all principal buildings and structures must not exceed 7.5 metres, and the height of all accessory buildings shall not exceed 4.5 metres.

8.9 R-6 ZONE – URBAN RESIDENTIAL – (MOBILE HOME)

(a) Permitted Uses

The following uses and no others are permitted in an R-6 Zone:

- (1) single family residential dwelling or mobile home;
- (2) horticulture;
- (3) home based business;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residence; and
- (6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-6 Zone:

- (1) the parcel coverage shall not exceed 20 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Accessory Residential Use
Front	7.5 metres	7.5 metres
Side (Interior)	10% of the parcel width or 3 metres whichever is less	10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	4.5 metres
Rear	4.5 metres	4.5 metres

8.10 RM-2 ZONE – LOW DENSITY MULTIPLE FAMILY RESIDENTIAL 2 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5 and 14 of this Bylaw the following regulations apply in the RM-2 Zone:

(a) Permitted Uses

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

- (1) Duplex;
- (2) Multiple family dwelling;
- (3) Single family dwelling;

The following accessory uses are permitted in the RM-2 Zone:

- (4) Bed and breakfast accommodation;
- (5) Home-based business;
- (6) Horticulture.

(b) Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the RM-2 Zone shall not exceed 55% of which not more than 50% may be parcel coverage.

(c) Height

The height of all buildings and structures in the RM-2 Zone shall not exceed 7.5 metres, except for accessory buildings which shall not exceed a height of 6 metres.

(d) Special Parking Regulation

No parking space or driveway in the RM-2 Zone shall be located within 3 metres of windows of habitable rooms.

(e) Setbacks

The following minimum setbacks apply in the RM-2 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.5 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

(f) Servicing

The following servicing requirements apply in the RM-2 Zone as a condition of use:

Level of Service connected to the Parcel	Single Family Dwelling Use	Duplex Use	Multiple Family Dwelling Use
Community sewer system and community water system	Permitted	Permitted	permitted
Community water system	Permitted	Permitted	prohibited
No community water system	Permitted	Prohibited	prohibited

(g) Minimum Parcel Size

The following minimum parcel sizes apply in the RM-2 Zone:

Level of Service available to the Parcel	Parcel for a single family dwelling	Parcel for a duplex	Parcel for a multiple family dwelling
Community water system and community sewer system	900 m ²	900 m ²	2000 m ²
Community water system	2000 m ²	2000 m ²	-
No community water or sewer system	1 hectare	-	-

(h) Density

The maximum permissible density in the RM-2 Zone shall not exceed 20 dwelling units per hectare.

9.1 C-1 ZONE – VILLAGE COMMERCIAL**(a) Permitted Uses**

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

- (1) retail stores, including convenience stores and automotive parts and accessory sales, but excluding the external storage of goods;
- (2) offices, banks, credit unions and other financial institutions;
- (3) restaurants, catering;
- (4) personal service establishments;
- (5) repair and servicing of personal and household goods and power tools, electric and electronic equipment;
- (6) bowling alley, arcade, billiard and games room;
- (7) hardware and camping supply sales, excluding storage yard;
- (8) ancillary wholesale sales and warehousing;
- (9) printing and publishing;
- (10) veterinary clinic;
- (11) parking garages and lots, bus depots;
- (12) commercial plant nurseries, horticulture, retail sales of gardening supplies and produce, ancillary outdoor storage;
- (13) hotel use located above a permitted commercial use;
- (14) residential suites located above a permitted commercial use;
- (15) one single family residential dwelling per parcel accessory to but located in a building separate from a building containing a use permitted in Section 9.1(a)(1) to (14).

(b) Conditions of Use

For any parcel in a C-1 Zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height for all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings and Structures
Front	7.5 metres
Interior Side	0.0 metres where the abutting parcel is zoned Commercial; 4.5 metres where the abutting parcel is not zoned Commercial
Exterior Side	4.5 metres
Rear	6.0 metres

- (4) there shall be no more than two hotel units per hectare.
- (5) there shall be no more than two residential suites per hectare.

9.2 C-2A ZONE– LOCAL COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-2A Zone:

- (1) automotive parts and accessory sales but excluding external storage of goods;
- (2) offices;
- (3) catering;
- (4) personal service establishments;
- (5) repair and servicing of personal and household goods and power tools electric and electronic equipment; but excluding external storage of goods;
- (6) arcade billiard and games room;
- (7) ancillary wholesale sales;
- (8) funeral parlours;
- (9) printing and publishing;
- (10) bed and breakfast accommodation;
- (11) bookstore;
- (12) library; and
- (13) one single family dwelling per parcel.

(b) Conditions of Use

For any parcel in a C-2A Zone:

- (1) The parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Interior & Exterior)	4.5 metres
Rear	6.0 metres

9.3 C-2B ZONE – LOCAL COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-2B Zone:

- (1) Motor vehicle sales, rental, servicing and repair, excluding auto wrecking and storage of wrecked vehicles;
- (2) Retail stores including convenience stores and automotive parts and accessory sales but excluding external storage of goods;
- (3) Offices, banks, credit unions, and other financial establishments;
- (4) Restaurants, catering, including drive-in restaurants;
- (5) Personal service establishments;
- (6) Repair and servicing of personal and household goods, power tools, electric and electronic equipment;
- (7) Bowling alley, arcade, billiard and games room;
- (8) Hardware and camping supply sales, excluding storage yards;
- (9) Ancillary wholesale sales and warehousing;
- (10) Funeral parlours;
- (11) Printing and publishing;
- (12) Veterinary clinic;
- (13) Parking garages and lots, bus depots;
- (14) Commercial plant nurseries, horticulture, retail sales of gardening supplies and produce, ancillary outdoor storage;
- (15) Bed and breakfast accommodation; and
- (16) One single-family residential dwelling per parcel, accessory to a use permitted in Section 9.3(a)(1) to (15) above.

(b) Conditions of Use

For any parcel in a C-2B Zone:

- (1) The parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Interior and Exterior)	4.5 metres
Rear	6.0 metres

9.4 C-2C ZONE – LOCAL COMMERCIAL

(a) Principal Permitted Uses

The following uses and no others are permitted in a C-2C Zone:

- (1) retail stores excluding convenience stores and external storage of goods;
- (2) offices, banks, credit unions, and other financial establishments;
- (3) restaurants, catering, excluding drive-through;
- (4) personal service establishment;
- (5) bed and breakfast;
- (6) one single family dwelling per parcel.

(b) Conditions of Use

For any parcel in a C-2C zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres, except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Interior & Exterior)	4.5 metres
Rear	6.0 metres

9.5 C-2 - LOCAL COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-2 Zone:

- (1) retail stores including convenience stores and automotive parts and accessory sales but excluding external storage of goods;
- (2) offices banks credit unions and other financial establishments;
- (3) restaurants catering including drive-in restaurants;
- (4) personal service establishments;
- (5) repair and servicing of personal and household goods and power tools electric and electronic equipment;
- (6) bowling alley arcade billiard and games room;
- (7) hardware and camping supply sales excluding storage yards;
- (8) ancillary wholesale sales and warehousing;
- (9) funeral parlours;
- (10) printing and publishing;
- (11) veterinary clinic;
- (12) parking garages and lots bus depots;
- (13) commercial plant nurseries horticulture retail sales of gardening supplies and produce ancillary outdoor storage;
- (14) bed and breakfast accommodation;
- (15) group daycare;
- (16) one single family dwelling per parcel; and
- (17) residential suites located above a permitted commercial use, if parcel is serviced by community water and sewer.

(b) Site- Specific Permitted Uses

Notwithstanding Section 9.5 (a) Permitted Uses, the following uses shall be permitted on a site-specific basis:

Use	Permitted Location Address	PID and Legal Description of Permitted Use Location
Retail sales of cannabis <i>(one store only per parcel)</i>	1770 Shawnigan-Mill Bay Road	004-664-531 LOT 1, SECTION 2, RANGE 4, SHAWNIGAN DISTRICT, PLAN 12836, EXCEPT PART IN PLAN 1676 RW

(c) Conditions of Use

For any parcel in a C-2 zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Interior & Exterior)	4.5 metres
Rear	6.0 metres

- (4) there shall be no more than two residential suites per hectare.

9.6 C-3 ZONE - SERVICE COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-3 zone:

- (1) motor vehicle sales rental servicing and repair; service station excluding auto wrecking and storage of wrecked vehicles;
- (2) retail and wholesale sale of motor vehicle parts and accessories;
- (3) retail and wholesale sale of building and camping supplies including ancillary outdoor storage;
- (4) sale rental or servicing of mobile homes recreation vehicles boats motorcycles farm and industrial equipment power tools and household equipment but excluding the rental of personal watercraft vessels;
- (5) parking garage and parking lot bus depot;
- (6) commercial plant nurseries horticulture retail sales of gardening supplies and produce accessory outdoor storage;
- (7) restaurants catering including drive-in restaurants;
- (8) office wholesale sales and warehousing accessory to a use permitted in Section 9.6 (a)(1) to (7); and
- (9) one single family residential dwelling per parcel accessory to but located in a building separate from a building containing a use permitted in Section 9.6(a)(1) to (7).

(b) Conditions of Use

For any parcel in a C-3 Zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Interior)	6.0 metres
Side (Exterior)	4.5 metres
Rear	6.0 metres

9.7 C-4 ZONE - TOURIST RECREATIONAL COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-4 Zone:

- (1) restaurant drive-in restaurant;
- (2) golf driving range and mini-golf facility;
- (3) tourist accommodation and campground;
- (4) marina operations including accessory boat sales rental and servicing but excluding boat building and the rental of personal watercraft vessels;
- (5) recreation facility;
- (6) accessory retail sales gift shop; and
- (7) one single family residential dwelling per parcel accessory to a use permitted in Section 9.7(a)(1) to (6).

(b) Conditions of Use

For any parcel in a C-4 zone:

- (1) the parcel coverage shall not exceed 20 percent for any buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Exterior or Interior)	6.0 metres
Rear	6.0 metres

9.8 C-5 ZONE – NEIGHBOURHOOD PUB COMMERCIAL

(a) Permitted Uses

The following uses and no others are permitted in a C-5 Zone:

- (1) neighbourhood public house licensed under Provincial regulations;
- (2) one single family residential dwelling or duplex per parcel accessory to a neighbourhood public house.

(a) Conditions of Use

For any parcel in a C-5 Zone:

- (1) the parcel coverage shall not exceed 40 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10.0 metres;
- (3) the minimum setbacks for the type of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	7.5 metres
Side (Exterior or Interior)	6.0 metres
Rear	6.0 metres

9.9 C-6 RURAL FARM MARKET COMMERCIAL 1 ZONE

Subject to compliance with the general regulations set out in Parts 3, 4, and 5 of this Bylaw, the following regulations apply in the C-6 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the C-6 Zone:

- a. Agriculture;
- b. Agri-tourism;
- c. Artist studio;
- d. Bakery, restaurant, delicatessen, catering;
- e. Farm market;
- f. Miniature golf.

The following accessory uses are permitted in the C-6 Zone:

- g. Retail sales;
- h. Food processing and distribution;
- i. Residential suites above a principal permitted use;
- j. Home occupation.

2. Conditions of Use

- a. The number of residential suites per parcel shall not exceed two;
- b. Impervious surface coverage of a parcel in the C-1A Zone shall not exceed 60% of which not more than 50% may be parcel coverage.

3. Height

The height of all buildings and structures in the C-6 Zone shall not exceed 10 metres.

4. Setbacks

The following minimum setbacks apply in the C-6 Zone:

Type of Parcel Line	Buildings and Structures
Front parcel line	7.5 metres
Interior & exterior side parcel line	4.5 metres
Rear parcel line	6 metres

5. Minimum Parcel Size

The minimum parcel size in the C-6 zone is 1 hectare.

10.1 P-1 ZONE - PARKS AND INSTITUTIONAL**(a) Permitted Uses**

The following uses and no others are permitted in a P-1 Zone:

- (1) institution;
- (2) assembly use;
- (3) civic use transportation facility including airport;
- (4) ecological reserve public park greenbelt;
- (5) public botanical garden;
- (6) personal care facility;
- (7) public school private school including boarding facilities ;
- (8) one single family dwelling or mobile home per parcel, accessory to a use permitted in Section 10.1(a)(1) to (7) inclusive.

(b) Conditions of Use

For any parcel in a P-1 Zone:

- (1) the parcel coverage shall not exceed 40 percent for all buildings and structures;
- (2) the height for all buildings and structures shall not exceed 12.0 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II.

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front Yard	6.0 metres
Side Yard	6.0 metres
Rear Yard	6.0 metres

10.2 P-2 ZONE – PARKS AND RECREATION

(a) Permitted Uses

The following uses and no others are permitted in a P-2 Zone:

- (1) ecological reserve wildlife sanctuary;
- (2) firehall;
- (3) park park reserve and greenbelt;
- (4) playground;
- (5) public botanical garden;
- (6) one single family residential dwelling per parcel accessory to a use permitted in Section 10.2(a)(1) to (5).

(b) Conditions of Use

For any parcel in a P-2 Zone:

- (1) the parcel coverage shall not exceed 15% for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings and Structures
Front	6.0 metres
Side Interior	6.0 metres
Side Exterior	6.0 metres
Rear	6.0 metres

11.0 INDUSTRIAL ZONES**11.1 I-1 ZONE - LIGHT INDUSTRIAL****(a) Permitted Uses**

The following uses and no others are permitted in an I-1 Zone:

- (1) autobody repair and painting;
- (2) automotive repair wrecking storage and sales;
- (3) boat building repair and storage;
- (4) book binding publishing and storage;
- (5) building supplies sale and storage;
- (6) clothing cleaning manufacture repair and storage;
- (7) equipment repair sales storage and rental;
- (8) feed seed and agricultural supplies sales and storage;
- (9) food processing storage and packaging excluding fish cannery and slaughter-house;
- (10) industrial processing manufacturing repair storage and packaging enclosed within a building;
- (11) laboratory kennel and animal hospital;
- (12) lumber yards storage yards auction grounds;
- (13) retail and wholesale sale of petroleum products and ancillary storage of petroleum products not exceeding 455000 litres;
- (14) secondary processing and manufacturing of wood products including the making of plywood lath particleboard and similar products; the manufacturing of modular or pre-fabricated homes and structures; but excluding sawmills pulp and paper mills and log storage and sorting;
- (15) warehousing mini-warehousing freight handling and storage;
- (16) wholesale sales;
- (17) café restaurant take-out service and catering;
- (18) recycling sorting and storage of any substance or material including paper wood and metal but excluding external storage of any type of septage animal material or animal substance;
- (19) the following uses are permitted provided that they are accessory to a use permitted in Section 11.1(a)(1) to (18): office retail sales; and
- (20) one single family residential dwelling unit or mobile home accessory to a use permitted in Section 11.1(a)(1) to (18).

(b) Conditions of Use

For any parcel in an I-1 Zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height for all buildings and structures shall not exceed 10.0 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Side Yard (Interior)	9.0 metres from one side parcel line and 0 metres from any other side parcel line
Side Yard (Exterior)	4.5 metres
Rear Yard	9.0 metres

11.2 I-1A – ZONE – LIGHT INDUSTRIAL

(a) Permitted Uses

The following uses and no others are permitted in the I-1A Zone:

- 1) auto body repair and painting;
- 2) automotive repair, storage and sales;
- 3) boat building, repair and storage;
- 4) book binding, publishing, and storage;
- 5) building supplies, sale and storage;
- 6) cannabis – micro production and processing;
- 7) cannabis – standard production and processing;
- 8) retail sales of cannabis;
- 9) clothing cleaning, manufacture, repair and storage;
- 10) equipment repair, sales, storage and rental;
- 11) feed, seed and agricultural supplies, sales and storage;
- 12) food processing, storage and packaging, excluding fish cannery and abattoir;
- 13) industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- 14) laboratory, kennel and animal hospital;
- 15) lumber yards, storage yards, auction grounds;
- 16) recycling, sorting and storage of any substance or material, including paper, wood, and metal but excluding any type of septage, animal material, or animal substance;
- 17) restaurant, take out service and catering;
- 18) secondary processing and manufacturing of wood products, including the making of plywood, lath, particleboard and similar products, and the manufacturing of modular or pre-fabricated homes and structures, but excluding sawmills, pulp and paper mills and log storage and sorting;
- 19) storage of propane not exceeding 160,000 litres, excluding wholesale and retail sales;
- 20) warehousing, mini-warehousing, freight handling and storage;
- 21) wholesale sales, excluding hazardous materials, pesticides, explosives, and petroleum products;
- 22) office, retail sales, accessory to a use permitted in 11.2(a)1 to 21;
- 23) one single-family dwelling unit or mobile home accessory to a use permitted in 11.2(a)1 to 21.

(b) Conditions of Use

For any parcel in the I-1A Zone:

1. The parcel coverage shall not exceed 50 percent for all building and structures;
2. The height for all buildings and structures shall not exceed 10 metres;
3. The setbacks for all types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Side (exterior)	4.5 metres
Side (interior)	0 metres where the abutting parcel is zoned Industrial; 9.0 metres where the abutting parcel is not zoned Industrial
Rear	9.0 metres

4. A vegetative screen in the I-1A Zone shall be located and maintained along the entire length of parcel lines contiguous to a road or highway, shall be a minimum of 2 metres wide, and shall consist of mature coniferous trees not less than 2 metres high when planted and shall be located in at least two offsetting rows and spaced not more than 5 metres apart.

11.3 I-1B ZONE – SAWMILLING

(a) Permitted Uses

The following uses and no others are permitted in an I-1B Zone:

- (1) Management and harvesting of primary forestry products;
- (2) Dry land log sorting;
- (3) Forest products milling, processing and storage, excluding pulp and paper mill;
- (4) Secondary processing and manufacturing of wood products, including the making of plywood, lath, particle board, and similar products;
- (5) Wholesale lumber sales, accessory to a principal use permitted in Section 11.3(a)(1) to (4);
- (6) Office, accessory to a principal use permitted in Section 11.3(a)(1) to (4);
- (7) One single-family dwelling or mobile home accessory to a principal use permitted in Section 11.3(a)(1) to (4).

(b) Conditions of Use

For any parcel in an I-1B Zone:

- (1) The parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres;
- (3) A vegetative screen in the I-1B Zone shall be located and maintained along the entire length of parcel lines contiguous to a road or highway, and along interior parcel lines where the abutting parcel is not zoned Industrial. This vegetative screen shall consist of mature coniferous trees not less than 2 metres high when planted and shall be located in at least two offsetting rows and spaced not more than 5 metres apart;
- (4) No building or structure shall be located within 30 metres of the high water mark of any watercourse;
- (5) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front parcel line	10.0 metres
Interior side parcel line	1.0 metre where the abutting parcel is zoned Industrial; 10.0 metres where the abutting parcel is not zoned Industrial
Exterior side parcel line	10.0 metres
Rear parcel line	1.0 metre

- (6) Notwithstanding the provisions of Section 5.3 (Setback Exceptions), no features may project into a required setback area.

11.4 I-1C ZONE –LIGHT INDUSTRIAL

(a) Permitted Uses

The following uses and no others are permitted in a I-1C Zone:

- (1) Auto body repair and painting;
- (2) Automotive repair, storage and sales;
- (3) Boat building, repair and storage;
- (4) Book binding, publishing and storage;
- (5) Building supplies, sale and storage;
- (6) Cannabis – micro production and processing;
- (7) Cannabis – standard production and processing;
- (8) Retail sales of cannabis;
- (9) Clothing cleaning, manufacture, repair and storage;
- (10) Equipment repair, sales, storage and rental;
- (11) Feed, seed and agricultural supplies, sales and storage;
- (12) Food processing, storage and packaging, excluding fish cannery and abattoir;
- (13) Industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- (14) Laboratory, kennel and animal hospital;
- (15) Lumber yards, storage yards, auction grounds;
- (16) Recycling, sorting and storage of any substance or material, including paper, wood, and metal but excluding any type of septage, animal material or animal substance;
- (17) Restaurant, take out service and catering;
- (18) Secondary processing and manufacturing of wood products, including the making of plywood, lath, particleboard and similar products, and the manufacturing of modular or pre-fabricated homes and structures, but excluding sawmills, pulp and paper mills, and log storage and sorting;
- (19) Storage of propane not exceeding 160,000 litres, excluding wholesale and retail sales;
- (20) Warehousing, mini-warehousing, freight handling and storage;
- (21) Wholesale sales, excluding hazardous materials, pesticides, explosives, and petroleum products;
- (22) Office, retail sales, accessory to a use permitted in 11.4(a) 1 to 21;
- (23) One single-family dwelling unit or mobile home accessory to a use permitted in 11.4(a) 1 to 21.

(b) Conditions of Use

For any parcel in a I-1C Zone:

- (1) The parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres;
- (3) The setbacks for all types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front	9.0 metres
Side (Exterior)	4.5 metres
Side (Interior)	0 metres where the abutting parcel is zoned Industrial; 9.0 metres where the abutting parcel is not zoned Industrial
Rear	9.0 metres

- (4) Notwithstanding the setback requirements listed in Section 11.4(b)(3), no building or structure shall be located within 15 metres of the high water mark of any watercourse or lake.
- (5) A vegetative screen in the I-1C Zone shall be located and maintained along the entire length of parcel lines contiguous to a road or highway, and along interior parcel lines where the abutting parcel is not zoned Industrial. This vegetative screen shall consist of mature coniferous trees not less than 2 metres high when planted and shall be located in at least two offsetting rows and spaced not more than 5 metres apart.

11.5 I-1D – RURAL TRANSITION LIGHT INDUSTRIAL

Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1D Zone:

1. **Permitted Uses**

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

- a. Auto workshop, auto service shop excluding auto wrecking;
- b. Contractor's workshop, yard and storage;
- c. Equipment rental, repair and storage;
- d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
- e. Gardening and landscaping supplies and sales;
- f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
- g. Offices;
- h. Research and development, high technology centre, education centre;
- i. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood, particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
- j. Warehouse, including mini-warehouse, freight handling and storage, excluding outdoor storage of vehicles, recreational vehicles, and boats;
- k. Welding shop;

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

- l. Retail sales;
- m. Fuel storage ;
- n. One single family dwelling per parcel of land.

2. **Impervious Surfaces and Parcel Coverage Limit**

Impervious surface coverage of a parcel in the I-1D Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

3. **Height**

The height of all buildings and structures in the I-1D Zone shall not exceed 10 metres.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the I-1D Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

5. Minimum Parcel Size

The minimum parcel size in the I-1D Zone is:

- a. 0.2 hectares for parcels connected to a community water and sewer system;
- b. 0.4 hectares for parcels connected to a community water system only;
- c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

6. Special Regulation

- a. 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.
- b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
- c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
- d. Outdoor storage ancillary to a permitted use shall not exceed in area of the building used by the business on the property to perform its operations.
- e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.

11.6 I-3 ZONE – MEDIUM INDUSTRIAL

(a) Permitted Uses

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

- (1) Gravel processing;
- (2) Concrete batch plant and accessory pre-cast concrete products manufacturing;
- (3) Boat building repair and storage;
- (4) Building supplies sale and storage;
- (5) Equipment repair, sales, storage and rental;
- (6) Feed, seed, and agricultural supplies sales and storage;
- (7) Food processing, storage and packaging excluding fish cannery and slaughter-house;
- (8) Industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- (9) Lumber yards, storage yards, auction grounds;
- (10) Secondary processing and manufacturing of wood products including the making of plywood lath particleboard and similar products; the manufacturing of modular or prefabricated homes and structures; but excluding sawmills, pulp and paper mills, and log storage and sorting;
- (11) Warehousing and mini-warehousing, freight handling and storage;
- (12) Wholesale sales;
- (13) Café, restaurant, take-out service and catering;
- (14) Recycling, sorting, and storage of any substance or material including paper, wood and metal but excluding external storage of any type of septage animal material or animal substance.

The following accessory uses are permitted in an I-3 Zone:

- (1) Ancillary storage of petroleum products not exceeding 2000 litres;
- (2) Autobody repair, painting, and mechanical;
- (3) Office and retail sales;
- (4) One single-family dwelling or mobile home accessory to a use permitted in Section 11.6(a)(1) to (12).

(b) Conditions of Use

For any parcel in an I-3 Zone:

- (1) The parcel coverage for buildings and structures shall not exceed 50 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Residential and Accessory Buildings and Structures
Front parcel line	15 metres
Side parcel line (exterior or interior)	15 metres
Rear parcel line	15 metres

(c) Number of Dwelling Units Per Lot

Not more than one dwelling shall be permitted on a parcel that is zoned I-3.”

11.7 I-4 ZONE – AGGREGATE AND MINERAL PROCESSING INDUSTRIAL

(a) Permitted Uses

The following uses and no others are permitted in an I-4 Zone:

- (1) gravel processing;
- (2) asphalt batch plant concrete batch plant and accessory pre-cast concrete products manufacturing; and
- (3) one single family dwelling or mobile home per parcel accessory to a use permitted in Section 11.7 (a)(1) to (2).

(b) Conditions of Use

In an I-4 Zone:

- (1) the parcel coverage shall not exceed 20 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 20 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II.

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front Yard	15.0 metres
Side Yard (exterior or interior)	15.0 metres
Rear Yard	15.0 metres

11.8 I-5 ZONE – ECO - INDUSTRIAL ZONE

(a) Permitted Uses

The following uses and no others are permitted in an I-5 Zone:

- 1) secondary processing and manufacturing of wood products, including the making of plywood, lath, particleboard and similar products, and the manufacturing of modular or pre-fabricated homes and structures, excluding sawmills, pulp and paper mills and log storage and sorting;
- 2) boat building, repair and storage;
- 3) book binding, publishing, and storage;
- 4) building supplies, sale and storage;
- 5) cannabis – micro production and processing
- 6) cannabis – standard production and processing;
- 7) retail sales of cannabis;
- 8) clothing cleaning, manufacture, repair and storage;
- 9) equipment repair, sales, storage and rental;
- 10) feed, seed and agricultural supplies, sales and storage;
- 11) food processing, storage, packaging, and catering, excluding fish cannery and abattoir;
- 12) industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- 13) laboratory, kennel and animal hospital;
- 14) lumber yards, storage yards, auction grounds;
- 15) recycling facility for bottles, wood, metal and/or paper, excluding automobile parts and any type of septage, animal material, or animal substance;
- 16) warehousing, mini-warehousing, freight handling and storage;
- 17) research and development education centre;
- 18) micro brewing outlet, excluding neighbourhood pub;
- 19) restaurant, excluding drive through;
- 20) research, development, incubation and high technology facilities;
- 21) incubator mall concept;
- 22) office, retail sales, accessory to a principal use;
- 23) one single-family dwelling unit or mobile home accessory to a use permitted in 11.8(a)1 to 22.

(b) Conditions of Use

For any parcel in an I-5 Zone:

- 1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- 2) the height for all buildings and structures shall not exceed 10 metres;
- 3) the setbacks for the types of parcel lines set out in Column 1 of this section are set out for all buildings and structures in column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front	9.0 metres
Interior Side	0 metres where the abutting parcel is zoned Industrial; 9.0 metres where the abutting parcel is not zoned Industrial
Exterior Side	4.5 metres
Rear	9.0 metres

12.0 Comprehensive Zones

12.1 Community Land Stewardship Zone

Within the CD-1 Zone, there are four sub-zones: Conservation/Eco-Forestry CD-1A, Rural Residential CD-1B, Rural Residential CD-1C and Mixed Use CD-1D.

12.2 Conservation/Eco-Forestry CD-1A Sub-Zone

Subject to compliance with the provisions and general regulations set out in Parts 4 and 5, the following regulations apply in the CD-1A Sub-Zone:

1. Permitted Uses

The following uses are permitted in the CD-1A Sub-Zone:

- a. Ecological conservation, including ecological education;
- b. Eco-forestry based silviculture, including portable sawmills not in a building;
- c. Agro-forestry, agriculture, horticulture;

2. Setbacks

All buildings and structures in the CD-1A Sub-Zone shall be set back a minimum of 15 metres from any parcel line.

3. Minimum Parcel Size

The minimum parcel size in the CD-1A Sub-Zone 80 hectares.

4. Height of Building and Structures

No building or structure in the CD-1A Sub-Zone shall be greater than 12 metres in height.

5. Maximum Building Size

No ecological education structure shall exceed a gross floor area of 40 m².

The total floor area of ecological education structures shall not exceed a gross floor area of 160 m².

6. Covenant Required

When any parcel in the CD-1A Sub-Zone is subdivided, a conservation covenant or eco-forestry covenant will be registered against the title of the new parcels and any remainders to ensure that the requirements of this zone are complied with.

12.3 Rural Residential CD-1B Sub-Zone

Subject to compliance with the provisions and general regulations set out in Parts 4 and 5, the following regulations apply in the CD-1B Sub-Zone:

1. Permitted Uses

The following uses are permitted in the CD-1B Sub-Zone:

- a. Ecological conservation, including ecological education;
- b. Eco-forestry, including sawmills not in a building;
- c. Agro-forestry, agriculture, horticulture;
- d. Single family dwelling;
- e. Wood products processing and manufacturing;

The following are permitted as an accessory use to a single family dwelling in the CD-1B Sub-Zone:

- f. Bed and breakfast;
- g. Home based business;
- h. Small suite or secondary suite.

2. Setbacks

All buildings and structures in the CD-1B Sub-Zone shall be set back a minimum of 5.0 metres from any parcel line.

3. Density

The following density provisions apply in the CD-1B Sub Zone:

- a. Not more than five single family dwellings, not including secondary suites or small suites, may be constructed within the CD-1B Sub-Zone;
- b. Not more than one single family dwelling and one accessory dwelling may be located on a single parcel of land;
- c. Not more than five parcels may be created for residential purposes in the CD-1B Sub-Zone.

4. Minimum and Maximum Parcel Size

The minimum parcel size in the CD-1B zone is 1.0 hectare.

The maximum parcel size in the CD-1B zone for parcels where single family dwelling use is permitted is 1.5 hectares.

5. Maximum Building Size

- a. No single family dwelling shall have a gross floor area greater than 400 m².
- b. Not more than 500 m² of total gross floor area on all parcels may be used for agricultural processing and wood products processing and manufacturing.

6. Maximum Building Height

No building or structure in the CD-1B Sub-Zone shall exceed 12 metres in height.

7. Covenant Required

When any parcel in the CD-1B Sub-Zone is subdivided, a Covenant shall be registered against the title of the new parcels and any remainders to ensure that the use, density and building size requirements of this Zone are complied with.

12.4 Rural Residential CD-1C Sub-Zone

Subject to compliance with the general regulations set out in parts 4 and 5, the following regulations apply in the CD-1C Sub-Zone:

1. Permitted Uses

The following and uses are permitted in the CD-1C Sub-Zone

- a. Ecological conservation;
- b. Eco-forestry, including sawmills not in a building;
- c. Agro-forestry, agriculture, horticulture;
- d. Single family dwelling;
- e. Wood product processing and manufacturing;

The following are permitted as an accessory use to a single family dwelling in the CD-1C Sub-Zone:

- f. Bed and breakfast;
- g. Home based business;
- h. Secondary suite or small suite.

2. Setbacks

All buildings and structures in the CD-1C Sub-zone shall be set back a minimum of five metres from any parcel line.

3. Density

The following density provisions apply in the CD-1C Sub-Zone:

- a. Not more than eight single family dwellings, not including secondary suites or small suites, may be constructed within the entirety of the CD-1C Sub-Zone;
- b. Not more than one single family dwelling and one accessory dwelling may be located on a single parcel of land.

4. Minimum and Maximum Parcel Size

The minimum parcel size in the CD-1C zone is 1.0 hectare.

The maximum parcel size in the CD-1C zone for parcels where single family dwelling use is permitted is 1.5 hectares.

5. Maximum Building Size

The following maximum building size limits apply in the CD-1C Sub-Zone:

- a. No single family dwelling shall have a gross floor area greater than 400 m².
- b. Not more than 500 m² of total gross floor area on all parcels may be used for agricultural processing and wood products processing and manufacturing.

6. Maximum Building Height

No building or structure in the CD-1C Sub-Zone shall exceed 12 metre in height.

7. Covenant Required

When any parcel in the CD-1C Sub-Zone is subdivided, a Covenant shall be registered against the title of the new parcels and any remainders to ensure that the use, density and building size requirements of this Zone are complied with.

12.5 Mixed Use CD-1D Sub-Zone

Subject to compliance with the general regulations set out in Parts 4 and 5, the following regulations apply in the CD-1D Sub-Zone.

1. Permitted Uses

The following and no others are permitted in the CD-1D sub-Zone:

- a. Ecological conservation;
- b. Eco-forestry, including portable sawmill not in a building;
- c. Agro-forestry, agriculture, horticulture;
- d. Wood product processing and manufacturing;
- e. Single family dwelling
- f. Multiple family dwelling;
- g. Community centre
- h. Equestrian centre
- i. Guest house, including tree top canopy suites and accessory spa/wellness centre;
- j. Convenience store;
- k. Duplex;
- l. Daycare, nursery school;
- m. School.

The following are permitted as an accessory use to a single family dwelling in the CD-1D Sub-Zone:

- n. Bed and breakfast;
- o. Home based business;
- p. Secondary suite or small suite;

2. Setbacks

All buildings and structures in the CD-1D Sub-Zone shall be set back a minimum of 4.5 metres from a front or exterior side parcel line and a minimum of 1.5 metres from any parcel line.

3. Density

- a. Not more than ninety-seven (97) dwellings, not including secondary suites or small suites, may be constructed within the entirety of the CD-1D Sub-Zone.
- b. A minimum of 8 dwellings must be duplex or multiple family dwelling units.
- c. Notwithstanding Sections 5.18(h)(Small Suites) and Section 5.19(i)(Secondary Suites), a small suite or a secondary suite is permitted on

parcels of lands in the CD-1D Zone that are serviced by community sewer and water systems.

- d. A small suite or secondary suite is not permitted on the same parcel as a duplex or multiple family dwelling.

4. Parcel Coverage

Parcel coverage shall not exceed 30 percent for all buildings and structures.

5. Minimum and Maximum Parcel Size

The following parcel size provisions apply in the CD-1D Sub-Zone:

- a. **Residential Use:** The minimum parcel size is 1.0 hectare for parcels that are not connected to both a community water and sewer system and 500 m² for parcels that are connected to both a community water and sewer system. The maximum parcel size is 1.5 hectares.
- b. **Wood Products Processing and Manufacturing:** The minimum parcel size is 1.0 hectare for parcels that are not connected to both a community water and sewer system and 1500 m² for parcels that are connected to both a community water and sewer system.
- c. **Horticulture and Agriculture:** The minimum parcel size is 1000 m²
- d. **Guest House:** The minimum parcel size is 1.0 hectare for a parcel connected to both a community water and sewer system and 20 hectares for a parcel that is not connected to both a community water and sewer system.

6. Maximum Number of Parcels

- a. Single family dwelling, duplex or multiple family dwelling: 97
- b. Guest house: 1
- c. Multiple family dwelling: 1
- d. Convenience store: 1
- e. Equestrian centre: 1
- f. Wood products processing and manufacturing: 10
- g. Community centre: 2

7. Maximum Building Sizes

The following limitations to the total gross floor area for specific uses apply in the CD-1D Sub-Zone.

- a. The total gross floor area of all buildings and structures associated with wood products processing and manufacturing, eco-forestry, agro forestry and ecological conservation shall not exceed 3000 m².

- b. The total gross floor area for the guest house use, including all tree top canopy suites, spa and wellness centre and other accessory uses shall not exceed 2500 m².
- c. The total gross floor area for the convenience store use shall not exceed 100 m².

The following maximum gross floor area limits of buildings and structures apply to each parcel within the CD-1D Sub-Zone, unless otherwise specified by a covenant:

- d. Single family dwelling, single family dwelling with secondary suite: 400m², of which not more than 200 m² may be the building's footprint;
- e. Duplex: 400m², of which not more than 300 m² may be the building's footprint.
- f. Horticulture and Agriculture: 100 m² or 50% of the parcel area, whichever is larger;

8. Maximum Building Height

No building or structure in the CD-1D Sub-Zone shall exceed 12 metre in height.

9. Covenants Required:

When any parcel in the CD-1D Sub-Zone is subdivided, a Covenant shall be registered against the title of the new parcels and any remainders to ensure that the use, density and building size requirements of this Zone are complied with.

10. Special Regulations:

The following regulations apply within the CD-1D Sub-Zone:

- a. No tree top canopy suite shall have any kitchen facilities;
- b. No treetop canopy suites on parcels under 1 hectare in area shall be connected to a community water and community sewer system.

12.6 CD-5 RURAL COMPREHENSIVE DEVELOPMENT 5 – CLEARWATER RESORT

Subject to compliance with the general regulations set out in Parts 4, 5 and 14 of this Bylaw, the following regulations apply in the CD-5 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the CD-5 Zone:

- a) Seasonal Cabin;
- b) Restaurant, cafeteria

2. Parcel Coverage and Impervious Surfaces Limit

Impervious surface coverage of a parcel in the CD-5 Zone shall not exceed 30%, of which not more than 20% may be parcel coverage.

3. Size of Seasonal Cabins

No seasonal cabin in the CD-5 Zone shall have a gross floor area larger than 74m².

4. Density of Seasonal Cabins

Not more than 25 seasonal cabins per hectare are permitted in the CD-5 Zone.

5. Setbacks

Buildings and structures in the CD-5 Zone shall be set back a minimum of 4.5 metres from all parcel lines, and in addition to that, shall be set back not less than 15 metres from the natural boundary of a lake or the sea.

6. Height

In the CD-5 Zone, the height of all principal buildings and structures shall not exceed 6 metres, and the height of all accessory buildings shall not exceed 4.5 metres

7. Minimum Parcel Size

The minimum parcel size in the CD-5 Zone is 1 hectare

12.7 **CD-6 RURAL COMPREHENSIVE DEVELOPMENT 6 ZONE – RENFREW ROAD**

Subject to compliance with the general regulations set out in parts 4, 5 and 14 of this Bylaw, the following regulations apply in the CD-6 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the CD-6 Zone:

- a) One single family dwelling;
- b) Agriculture, horticulture;
- c) Silviculture;

The following accessory uses are permitted in the CD-6 Zone:

- d) Bed and breakfast accommodation;
- e) Farm Gate Sales;
- f) Daycare, nursery accessory to a residential use
- g) Home based business;
- h) Secondary suite

2. Parcel Coverage

The parcel coverage in the CD-6 Zone shall not exceed 20 percent of parcel area, or 500m², whichever is less, for all buildings and structures.

3. Building Height

The height of buildings and structures in the CD-6 Zone shall not exceed:

- a) 10 metres for a principal building and structures;
- b) 7.5 metres for an accessory building and structure

4. Setbacks

The following minimum setbacks for buildings and structures apply in the CD-6 Zone:

Type of Parcel Line	Residential and Accessory Uses	Agricultural Uses
Front parcel line	7.5 metres	15 metres
Interior side parcel line	3.0 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres

5. Minimum Parcel Size

The minimum parcel size in the CD-6 Zone is 1 hectare.

6. Special Regulations

In the CD-6 Zone, the following, the following special regulations apply:

1. The number of parcels that may be created by subdivision on the subject lands must not exceed 28.
2. The minimum parcel area for the purpose of S 946(4) of the *Local Government Act* is 25 hectares.

13.0 WATER USE ZONES**13.1 W-1 - WATER CONSERVANCY ZONE****(a) Permitted Uses**

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

- (1) activities directed towards environmental protection and habitat enhancement;
- (2) passive recreational activities;
- (3) management of a waterbody lake or reservoir by an improvement district municipality or regional district for use as a community water supply; and
- (4) non-commercial private wharf dock or float.

(b) Conditions of Use

For any parcel in the W-1 Zone:

- (1) no building or structure shall exceed a height of 4.0 metres;
- (2) no residential use of floats piles or vessels of any kind is permitted.

13.2 W-2 ZONE - WATER RECREATION

(a) Permitted Uses

The following uses and no others are permitted in a W-2 Zone:

- (1) any use permitted in the W-1 zone;
- (2) private and public wharf use dock or float use;
- (3) boat house for the sole and exclusive use of fire, rescue, police, ambulance and bylaw/law enforcement services;
- (4) boat shelter;
- (5) breakwater ramp; and
- (6) passive recreation (private and public).

(b) Conditions of Use

For any parcel in the W-2 zone:

- (1) no building or structure shall exceed a height of 4.5 metres;
- (2) houseboats, float homes, live-aboard vessels and similar uses are all prohibited;
- (3) no residential use of any building or structure is permitted;
- (4) no wharf, dock, boat shelter, float or part thereof shall be located further than 15 metres from the natural boundary of the lakeshore;
- (5) the following regulations apply to boat shelters in the W-2 Zone:
 - (i) No boat shelter shall have a roof area greater than 40 m² in area as measured from within the supporting posts;
 - (ii) No boat shelter shall have any walls;
 - (iii) No boat shelter shall be used for any purpose other than the storage of boats and related equipment
- (6) All structures built in the W-2 Zone shall comply with the federal *Fisheries Act* and the provincial *Water Act* and any other applicable senior government regulations. The following excerpts of senior government regulations in the shaded box below are provided for convenience only; please consult the original regulations and the agency concerned before proceeding:

Fisheries and Oceans Canada Policies

A dock, wharf, boathouse and float are permitted without application to the Department of Fisheries and Oceans (DFO) if all of the following conditions are met:

- *Any new, repaired or rebuilt floating, cantilever or post dock or boathouse and combination thereof has a total combined footprint no greater than 24 m²;*
- *The structure does not occur over or adjacent to a location involving know fish spawning habitat;*
- *The structure does not require any dredging, blasting or infilling in the water body; and*
- *Measures to protect fish and fish habitat are followed during the construction of the structure, in accordance with the Operational Statement for Dock and Boathouse Construction in Freshwater Systems.*

BC Ministry of Forests, Lands and Natural Resource Operations Policies

A dock, wharf or float – including any attached dock fingers – is permitted without application to the BC Ministry of Forests, Lands and Natural Resource Operations provided all the following conditions are met:

- *The structure must fit in a 80 m² rectangular area or envelope adjacent to the shore;*
- *A maximum of two float fingers may extend from the main structure;*
- *A combined maximum surface area of main structure and fingers is 46 m²; and*
- *The first 3 m of structure adjacent to the shore is open span, to accommodate water circulation and exchange and fish movement.*

13.3 W-2 (I) WATER INSTITUTIONAL

(a) Permitted Uses

The following uses and no others are permitted in a W-2(I) Zone:

- (1) any use permitted in the W-2 Zone;
- (2) private and public wharf use dock or float use including enclosed boat and marine equipment storage and ancillary change room washroom and training facilities; and
- (3) breakwater ramp.

(b) Conditions of Use

For any parcel in the W-2(I) Zone:

- (1) no building or structures shall exceed a height of 6.5 m above the elevation of an adjacent road surface;
- (2) no enclosed structure or residential use shall be permitted on floats or docks

13.4 W-3 ZONE - WATER MARINA

- (a) The following uses and no others are permitted in a W-3 Zone:
- (1) any use permitted in the W-2 Zone;
 - (2) sales and rentals of boats and sporting equipment but excluding the rental of personal watercraft vessels;
 - (3) marina;
 - (4) yacht club;
 - (5) boat shed or boat shelter;
 - (6) moorage facilities for water taxi ferry fishing boats float planes or similar commercial use;
 - (7) restaurants café take-out service;
 - (8) marina fueling station and storage of petroleum products up to a 23000 litre capacity;
 - (9) slips docks breakwaters ramps dolphins and pilings necessary for the establishment and/or maintenance of the principal uses permitted in Section 13.4(a)(1) to (8); and
 - (10) offices and retail sales accessory to a principal use permitted in Section 13.4(a)(1) to (8).

(b) Conditions of Use

For any parcel in a W-3 Zone buildings shall not exceed 7.5 metres in height.

13.4A W4 FRESHWATER CONSERVATION 4 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5 and 14 of this Bylaw, the following regulations apply in the W-4 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the W-4 Zone:

- a) Activities directed towards environmental protection and habitat enhancement;
- b) Passive recreation

2. Interpretation

The W-4 Zone, where shown on Schedule A (Zoning Map) on the surface of Shawnigan Lake, reaches lakeward for 30 metres from any public road end.

3. Prohibited Uses

Privately owned floats, piles, docks, wharves and similar moorage structures are not permitted in the W-4 Zone.

13.5 T-1 ZONE – RAILWAY TRANSPORTATION

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations shall apply in the T-1 Zone:

(a) Permitted Uses

The following uses and no others are permitted in a T-1 Zone:

- (1) Railways, including passenger and freight services and light rail transit;
- (2) Terminal facilities for passenger and freight rail services;
- (3) Railway stations and railway depots;
- (4) Roundhouses, engine sheds and railway vehicle maintenance facilities;
- (5) Other uses customarily incidental to the operation of a railway.

(b) Condition of Use

Notwithstanding Section 4.3 of this Bylaw, no parcel in a T-1 Zone shall be used for the burial of public utilities or pipelines if these would interfere with the use of the T-1 zoned transportation corridor for railway use.

PART FOURTEEN**AREA SHAPE AND DIMENSIONS OF PARCELS**

- 14.1 With respect to the zones identified in Column I of Section 6.1 and briefly described in Column II the minimum parcel size shall except to the extent as varied by the provisions of Sections 14.2, 14.11, and 14.12 be in accordance with the following table based on the method of sewage disposal and water supply:

Zoning Classification Under Zoning Bylaw	Parcels Served by Community Water and Sewer Systems	Parcels Served by Community Water System Only	Parcels Neither Served By Community Water or Sewer
A-1 Primary Agricultural	12 ha	12 ha	12 ha
A-1A Modified Primary Agricultural	12 ha	12ha	12 ha
A-2 Secondary Agricultural	2 ha	2 ha	2 ha
A-2A Small Lot Agricultural (Special)	2 ha.	2 ha.	2 ha.
A-6 Agricultural Institutional	12 ha.	12 ha.	12 ha.
F-1 Primary Forestry	80 ha	80 ha	80 ha
F-1A Primary Forestry – Kennel	20 ha	20 ha	20 ha
F-2 Secondary Forestry	4.0 ha	4.0 ha	4.0 ha
R-1 Rural Residential	2 ha	2 ha	2 ha
R-1A Limited Rural Residential	2 ha.	2 ha.	2 ha.
R-2 Suburban Residential	0.4 ha	0.4 ha	1.0 ha
R-2A Limited Suburban Residential	1.0 ha	1.0 ha	1.0 ha
R-3 Urban Residential	0.2 ha	0.2 ha	1.0 ha
R-4 Rural Community Residential	8 ha.	8 ha.	8 ha.
R-4A Village Manufactured Home Park Residential 4A	2 ha.	2 ha.	2 ha.
R-6 Urban Residential (Mobile Home)	0.8 ha	0.8 ha	1.0 ha
RR-2 Rural Residential 2	2 ha. ¹	2 ha. ¹	2 ha. ¹
RR-4 Rural Manufactured Home Park 4	2 ha.	2 ha.	2 ha.
RR-5 Rural Manufactured Home 5	See Section 7.3(E)(i) in RR-5 Zone Regulation		
C-1 Village Commercial	1100 sq.m.	1675 sq.m.	1.0 ha.
C-2A Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-2B Local Commercial	1100 sq. m.	1675 sq. m.	0.8 ha.
C-2C Local Commercial	1100 sq. m	1675 sq. m	0.8 ha
C-2 Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-3 Service Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-4 Tourist Recreation Commercial	0.8 ha	0.8 ha	0.8 ha
C-5 Neighbourhood Pub	1100 sq. m.	1675 sq. m	0.8 ha
C-6 Rural Farm Market Comercial 1	1 ha.	1 ha.	1 ha.

P-1 Parks and Institutional	0.2 ha	0.4 ha	1.0 ha
P-2 Parks and Recreation	1.0 ha	1.0 ha	1.0 ha
I-1 Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1A Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1B (Sawmilling)	1.0 ha	1.0 ha	1.0 ha
I-1C (Light Industrial)	0.2 ha	0.4 ha	0.8 ha
I-1D (Rural Transition Industrial)	0.2 ha	0.4 ha	0.8 ha
I-3 Medium Industrial	0.2 ha	0.4 ha	1.0 ha
I-5 Eco-Industrial	1 ha	1 ha	1 ha

Note: ha. = hectares; sq. m. = square metres

¹Except in Goldstream Heights, which is subject to Section 7.3C(g)

14.2 (a) The minimum parcel size provisions specified in Section 14.1 may be decreased by as much as five (5%) in a case where due to:

- (i) unusual terrain
- (ii) the size or configuration of the parcel; or
- (iii) additional highway dedication being required above and beyond what is necessary to serve the parcels to be created; the parcel size as stated in Section 50 cannot be achieved and therefore subdivision would be precluded provided that at the decreased size all other requirements of this and any other relevant bylaws may be met.

(b) the provisions of Section 14.2(a) shall apply to not more than one parcel to be created

(c) **Undersized Parcels:**

Parcels that exist as separate and titled parcels in the records of the Land Titles Office at the time of the passage of this bylaw or;

Parcels that have been reduced to a size that is less than the allowable minimum parcel size as a result of highway widening by the Ministry of Transportation and Highways or;

Parcels that have been created under the authority of a statute of the Province of BC;

May be occupied for the uses permitted in the zone in which they are located subject to all other regulations of this or any other bylaw regulation or statute.”)

(d) **Dedication for Public Use:**

A parcel which is reduced in size by not more than ten (10) percent as a result of a dedication for a public use by:

- a. the Regional District;

- b. a municipality;
- c. the Provincial Government;
- d. the Federal Government;
- e. an Improvement District;
- f. the Board of School Trustees; or
- g. a Public utility.

by expropriation or purchase, shall be considered to have the same size as it did prior to the dedication for public use. If this deemed size would permit further subdivision, then such subdivision may occur pursuant to the general regulations of this Bylaw and the regulations of this zone in which the parcel is located. All such new parcels and remainder(s) of the original parcel shall be of the same size following the subdivision.

14.3 The alteration of one or more interior lot lines between two or more parcels is permitted, provided that:

- (a) no additional parcels are created upon completion of the alteration;
- (b) the alteration does not infringe upon the required setbacks for an existing building or structure located on the parcels;
- (c) the alteration does not reduce the site area required for a sewage disposal system or reserve area for a sewage disposal system on any parcel being consolidated.

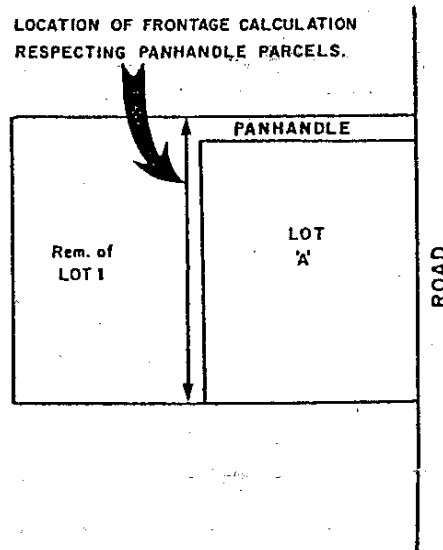
14.4 Notwithstanding the requirement of Section 14.1:

- (a) where a portion of a parcel is physically separated from the remainder of the parcel by a public road or another parcel, which separation was in existence as of the date of adoption of this Bylaw, the physically separated portion may be subdivided from the remainder of the parcel provided that:
 - i) the public road or other parcel is used as the subdivision boundary;
 - ii) if the parcel lies in the Agricultural Land Reserve, the approval of the Agricultural Land Commission has firstly been obtained; and
 - iii) no parcel created pursuant to this Section shall be less than one hectare in area where there is no community water service connection, and 2000 m² in area where community water service connections are made to each parcel.
- (b) where a parcel a parcel is cut in two by a jurisdictional boundary line between a municipality and the electoral area, the parcel may be subdivided along the jurisdictional boundary line provided that:
 - i) the jurisdictional boundary line is used as the subdivision boundary;

- ii) if the parcel lies in the Agricultural Land Reserve, the approval of the Agricultural Land Commission has firstly been obtained; and
- iii) no parcel created pursuant to this Section shall be less than one hectare in area where there is no community water service connection, and 2000 m² in area where community water service connections are made to each parcel.

- 14.5 Notwithstanding the minimum parcel size requirements of Section 14.1, parcels upon which there are located two or more legally-constructed dwelling units in existence as of September 10, 1986 are deemed to be in conformity with the provisions of this Bylaw and may be reconstructed, maintained, and altered in accordance with the provisions of the zone within which they are located and the general provisions in Part Five of this Bylaw. The conversion to strata of such buildings may be approved, subject to all lands remaining common property of the strata corporation.
- 14.6 No subdivision shall be created which creates new severed parcels unless a covenant is registered in the name of the Cowichan Valley Regional District prohibiting the further subdivision of the newly created severed parcel prior to subdivision approval.
- 14.7 The minimum frontage of a parcel shall be ten (10) percent of the perimeter of that parcel.
- 14.8 Notwithstanding the provisions of Section 14.7 the minimum frontage may be reduced for lots on a road curve with a radius of 80 metres or less subject to the required frontage being attained at the required front yard setback as stated for the zone in which the parcel is situated.
- 14.9 Panhandle Lots: When panhandles are created as an integral part of a parcel the frontage requirement as specified in Section 14.7 shall not be calculated for the panhandle portion fronting on the highway but for the width of the lot area fronting on the extension of the panhandle as shown in Figure B.

Figure B



- 14.10 Where a parcel is a panhandle lot the access strip (or panhandle) shall not be calculated as part of the parcel area for purposes of determining minimum parcel size.
- 14.11 (a) where a parcel is a panhandle lot capable of further subdivision the panhandle shall be of adequate width to provide a future road in the event the parcel undergoes further subdivision.
- (b) the further subdivision of a panhandle lot shall be conditional upon the dedication of the panhandle as a public road (highway).
- 14.12 The minimum parcel size provisions as specified in section 14.1 shall not apply:
- b) where the parcel being created is to be used solely for the unattended equipment necessary for the operation of:
- i) a bus shelter railway station public transit station excluding airports;
 - ii) a community water system;
 - iii) a community sewer system;
 - iv) a community gas distribution system;
 - v) a community radio or television receiving antenna;
 - vi) a radio or television broadcasting antenna;
 - vii) a telecommunication relay station;
 - viii) an automatic telephone exchange;

- ix) an air or marine navigational aid;
- x) other public utilities not specifically listed but considered to be similar in nature to those uses listed in i) through ix) above;
- b) to parks; and
- c) where the owner agrees in writing to registering a condition or covenant pursuant to Section 215 of the Land Title Act in favour of the Regional District at the time the subdivision is registered and shall restrict or prohibit the construction of buildings or structures on and/or the use of any parcel.

14.13 Density Averaging Formula

This section and Section 14.14 ONLY apply to the following lands:
Section 6, Range 2, Shawnigan District, Except Part in Plan VIP77354.

The minimum parcel size provisions of this bylaw as specified in Section 14.1 may be varied with respect to parcels created by means of density averaging, provided that:

- (a) the total area of the land to be subdivided (exclusive of those lands intended for highway) divided by the number of parcels to be created is not less than the equivalent minimum parcel size permitted under this bylaw;
- (b) the parcel configurations and sizes are adequate to accommodate buildings and structures appropriate to the intended use to be constructed on each parcel in compliance with this bylaw;
- (c) no more than 50 percent of the parcels created by means of this Section are less than the minimum parcel size as specified in Section 14.1;
- (d) the smallest parcel so created is not less than 40 percent of the minimum parcel size as specified in Section 14.1.

- 14.14 Where a subdivision is created by means of density averaging it shall be necessary for a restrictive covenant to be registered in the name of the Regional District against the title of the land at the time of registration of the subdivision prohibiting the further subdivision of any lot created from the original parcel where the aggregate average of all lot sizes does not permit further subdivision of the original parcel.

- 15.1 Cowichan Valley Regional District Zoning Bylaws No. 162 1975 and all amendments thereto are hereby repealed.
- 15.2 Section 8.0 through 8.2 and Section 8.6 through 8.11 of the Subdivision Bylaw of the Cowichan Valley Regional District no. 160 1974 as amended are hereby repealed.

READ A FIRST TIME this 14th day of May 1986.

READ A SECOND TIME this 14th day of May 1986

READ A THIRD TIME this 25th day of June 1986.

RECONSIDERED AND ADOPTED this 10th day of September 1986.

B.D. Harrison
CHAIRMAN

F. Raimondo
SECRETARY

SCHEDULE “A”

AREA OF ELECTORAL AREA “B” OF THE COWICHAN VALLEY REGIONAL DISTRICT

Commencing at the most northerly north west corner of Block 453 Malahat Land District thence southerly along the westerly boundary of Block 453 to the northerly boundary of Lot 85; thence westerly along said boundary to the easterly boundary of Lot 38; thence northerly along the easterly boundaries of Lots 38 and 57 to the southerly boundary of Block 281; thence westerly and northerly along the boundaries of Block 281 to the south east corner of Block 287; thence westerly and northerly along the boundaries of Block 287 to the southerly boundary of Block 323: thence westerly along said boundary to the easterly boundary of Block 159; thence northerly along said boundary to the southerly boundary of Lot 6; thence easterly and northerly along the boundaries of Lot 6 to the north west corner of Lot 90; thence northerly and westerly along the boundaries of Block 159 to the southeast corner of Block 160; thence northerly westerly and southerly along the boundaries of Block 160 to the northerly boundary of Block 159; thence westerly and southerly along said northerly boundary to the northerly boundary of Block 1255; thence westerly and southerly and easterly and southerly along the northerly and westerly boundaries of Block 1255 to the northerly boundary of Block 1068; thence westerly along the northerly boundary of said block to the north west corner thereof; thence westerly and northerly along the northerly and easterly boundaries of Block 1273 to the southerly boundary of Block 889; thence northerly easterly northerly and westerly along the southerly easterly and northerly boundaries of Block 889 to the easterly boundary of Block 773; thence northerly along the easterly boundaries of Blocks 773 and 766 to the north east corner of Block 766; thence westerly along the northerly boundaries of Blocks 766 and 9 to the westerly boundary of Block 842 – all the lots and blocks herein above mentioned beginning with Block 453 being in the Malahat Land District; thence northerly along the westerly boundary of Block 842 Malahat and Helmcken Land Districts to the south east corner of Section 3 Helmcken Land District: thence westerly along the southerly boundaries of Sections 3 and 2 to the south west corner of said Section 2; thence northerly along the westerly boundaries of Sections 2 5 and 6 all being in Helmcken Land District to the north west corner of said Section 6; thence easterly along the northerly boundary of said Section 6 to the easterly boundary of Block 7A; Cowichan Lake Land District; thence northerly and westerly along said boundary to the westerly boundary of Helmcken Land District; thence north to the south west corner of Section 1 Range 1 Sahtlam Land District; thence easterly along the northerly boundaries of Section 1 in Ranges 1 2 3 4 5 6 7 8 9 and 10 Sahtlam Land District Ranges 1 2 3 4 5 6 7 and 8 Quamichan Land District and Section 1 Range 1 Cowichan Land District to the south east corner of said Section 1 Range 1; thence northerly along the westerly boundary of Sections 1 and 2 Range 2 to the point of intersection with the south westerly limit of the Esquimalt and Nanaimo Railway Company’s right-of-way; thence south easterly along said south westerly limit to the point of intersection with the westerly boundary of Section 20

Range 3 Shawnigan Land District; thence northerly and easterly along the westerly and northerly boundaries of said Section 20 Range 3 to the westerly boundary of Lot 1 of Section 20 Range 3 Shawnigan Land District and Section 1 Range 3 Cowichan Land District as shown on Registered Plan 2127 on deposit in the Land Registry Office Victoria; thence northerly and easterly along the westerly and northerly boundaries of said Lot 1 to the north east corner thereof; thence north to the centre line of Trans Canada Highway as shown on Registered Plan 1115 RW; thence south easterly along said centre line to the point of intersection with the westerly boundary of Section 20 Range 5 Shawnigan Land District; thence southerly along the westerly boundaries of Sections 20 19 18 17 16 15 14 13 12 11 and 10 in Range 5 to the south west corner of said Section 10 Range 5; thence easterly along the northerly boundaries of Section 9 in Ranges 5 6 and 7 to the north east corner of Section 9 Range 7; thence southerly along the westerly boundaries of Sections 9 and 8 Range 7 to the south east corner of said Section 8 Range 7; thence westerly along the northerly boundary of Section 7 Range 7 to the north west corner thereof; thence southerly along the westerly boundaries of Sections 7 6 5 4 3 2 and 1 Range 7 Shawnigan Lake District and continuing southerly along the westerly boundaries of Lots 17 107 and 113 Malahat Land District to the south west corner of said Lot 113; thence easterly along the northerly boundaries of Lots 456 and 241 to the north east corner of Block 241; thence southerly and easterly along the westerly and southerly boundaries of Block 176 to the north east corner of Block 391; thence southerly and westerly along the easterly and southerly boundaries of said Block 391 to the north east corner of Block 478; thence southerly along the easterly boundary of Block 478 to the most northerly south east corner thereof; thence easterly and southerly along the northerly and easterly boundaries of Lot 128 to the south east corner thereof; thence westerly and southerly along the northerly and westerly boundaries of Lot 68 to the most westerly north east corner of Block 1240; thence westerly and southerly along the northerly and westerly boundaries of said Block 1240 to the south west corner thereof; thence southerly in the same straight line to the point of intersection with the south westerly limit of the Esquimalt and Nanaimo Railway Company's right-of-way; thence south easterly along the said south westerly limit to the south east corner of Lot 132; thence westerly along the southerly boundary of Lot 132 to the north east corner of Lot 98; thence southerly along the easterly boundary of said Lot 98 the westerly boundary of Lot 76 and the easterly boundary of Block 361 to the aforesaid most northerly north west corner of Block 453 Malahat Land District being the point of commencement save and except thereout any lands foreshore or land covered by water lying within the corporate limits of any city district town or village municipality or any land foreshore or land covered by water that may be hereafter incorporated therein.