



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4622

#### A Bylaw for the Purpose of Amending Zoning Bylaw No. 1840 Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora

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**WHEREAS** the *Local Government Act*, hereafter referred to as the "Act", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora that being Zoning Bylaw No. 1840;

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

**AND WHEREAS** after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4622 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Appaloosa Way: PIDs: 009-845-119, 009-849-581 & 009-849-637), 2024.**"

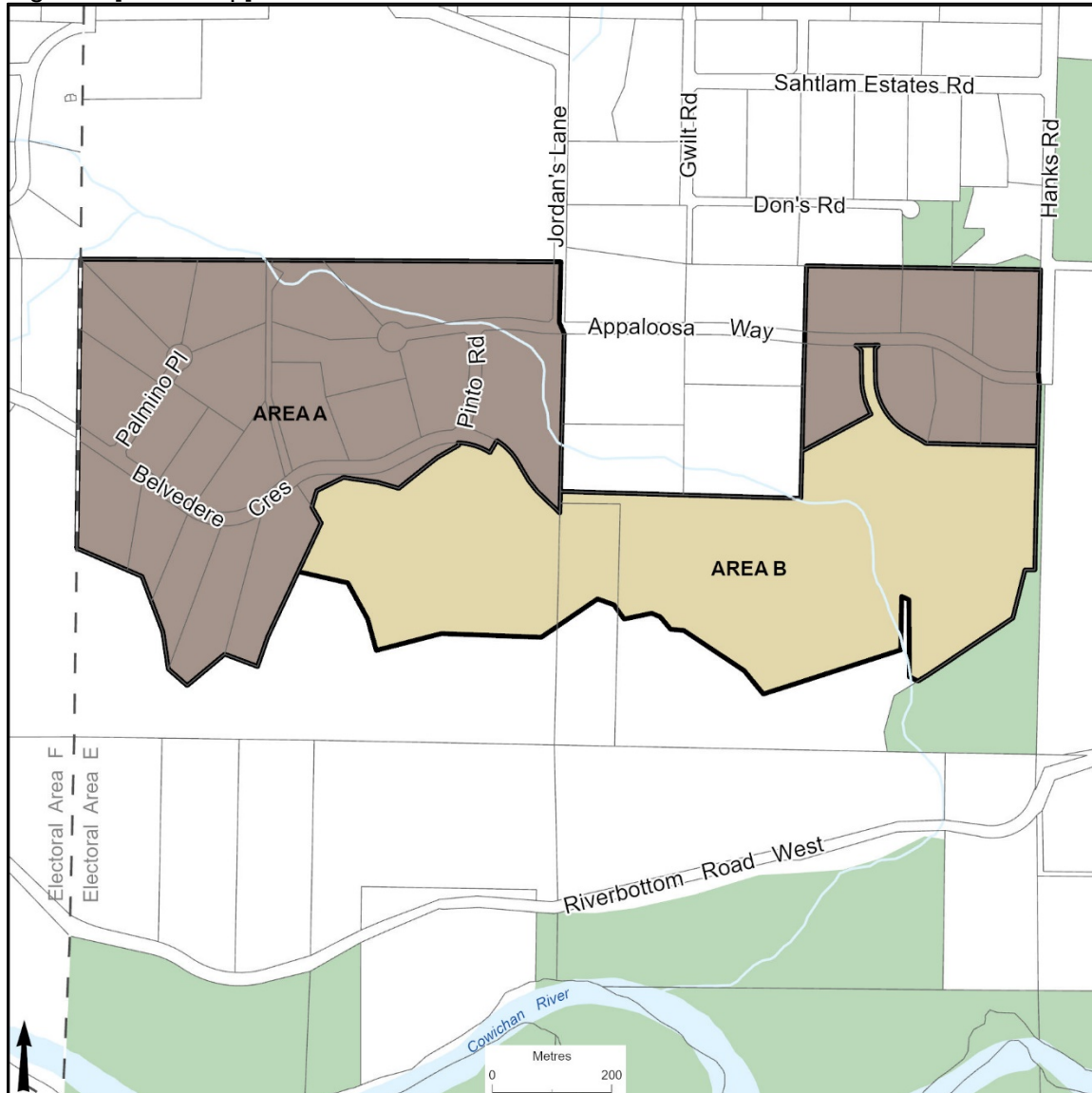
#### 2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

- a) That Section 8.9 of Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by deleting Section (c) [Density and Density Bonus] and replacing it with the following:

(c) R-5 Zone Map

Figure 1 [Zone Map]:



(d) Density and Density Bonus: R-5 Zone, Area A:

Subject to Part 12, the following regulations apply in Area A of the R-5 Zone:

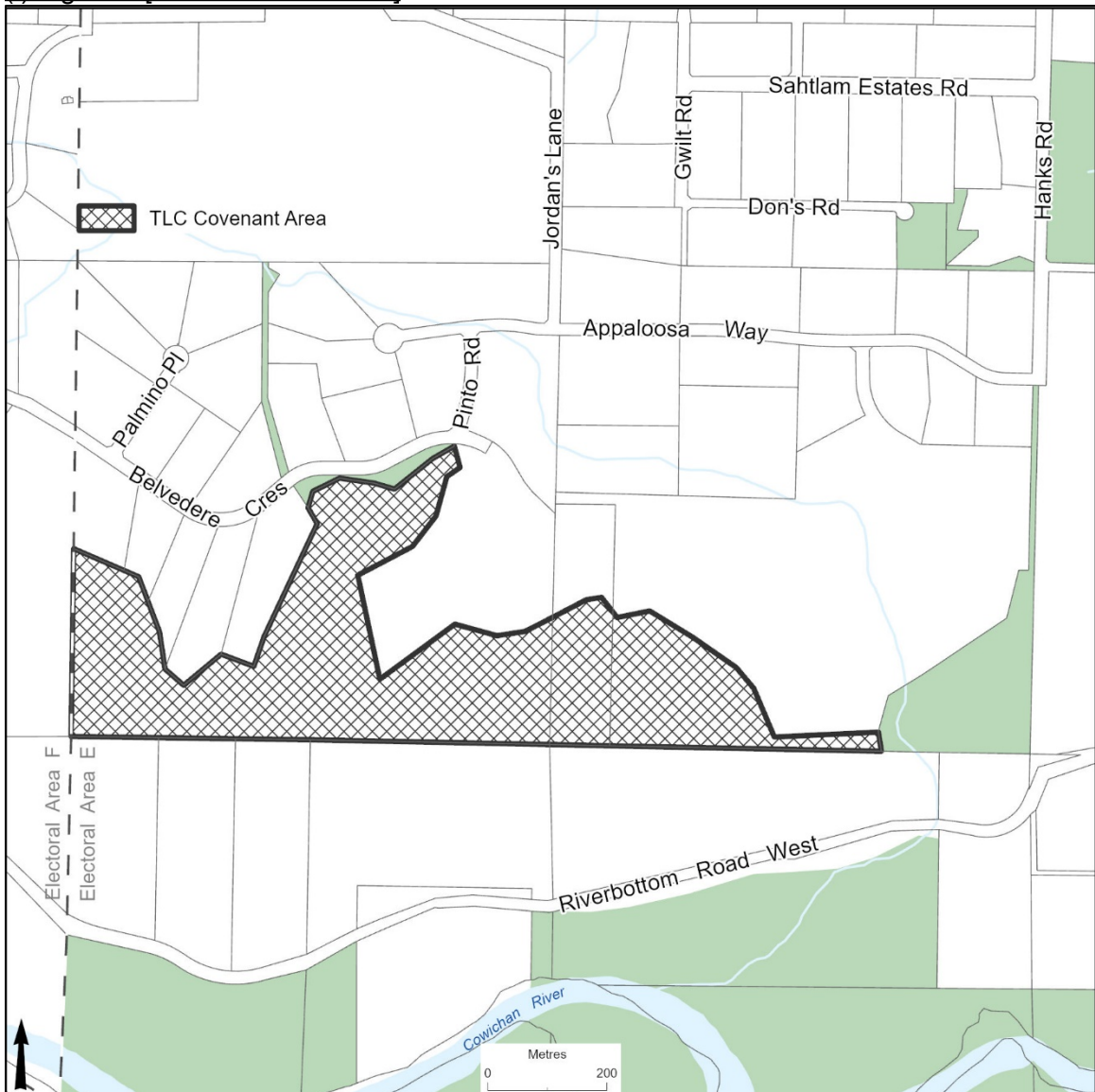
- (1) The number of parcels that may be created by subdivision in Area A of the R-5 zone must not exceed 22, including any remainder parcel.
- (2) Despite Section 8.9(d)(1), the number of parcels that may be created by subdivision in Area A of the R-5 zone may be increased to 29 if the conditions in Sections 8.9(d)(6) through (8) are met.
- (3) Density averaging for the purposes of Section 2 of the *Strata Property Act: Bare Land Strata Regulations* is permitted, provided that the average density in any subdivision, excluding any remainder parcel, does not exceed one parcel per 1.6 hectares of gross land area.

- (4) The minimum parcel area for the purposes of section 514 of the *Local Government Act* is 25 hectares.
  - (5) The minimum parcel area is 1 hectare.
  - (6) In respect of parcels created in excess of 22, three parcels must be transferred to the Regional District in accordance with Section 8.9(d)(9), in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District, to be used for the purposes set out in Section 8.9(d)(10), and the costs of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.
  - (7) Each parcel transferred to the regional district must be selected by the Regional District on the basis of the proposed plan of subdivision, being neither the most valuable nor the least valuable of the lots in the proposed subdivision.
  - (8) Each parcel section 514 to the Regional District must be fully provided with hydro, cable and telephone service and highway frontage improvements to the standard provided in the rest of the subdivision, as well as a driveway to the property line, all as determined by an inspection of the parcel by the Regional District prior to the transfer. The subdivider must also provide to the Regional District proof of potable water and on-site sewage disposal capability, each as required by the local health authority or the subdivision approving officer. No parcel transferred to the Regional District may be a strata lot.
  - (9) The total number of parcels transferred to the Regional District under this Section will not exceed 2:
    - i. The first parcel is to be transferred to the Regional District concurrently with the subdivision that creates the 23<sup>rd</sup> lot in Area A; and
    - ii. The second parcel is to be transferred to the Regional District concurrently with the subdivision that creates the 27<sup>th</sup> lot in Area A;
  - (10) The parcels transferred to the Regional District under Section 8.9(d)(6) must be used for:
    - i. The provision of fire protection services, including the sale of one or more of the parcels and the deposit of the proceeds into the Sahtlam Fire Protection Service Area statutory reserve fund; or
    - ii. Community park purposes, including the sale of one or more of the parcels and the deposit of the proceeds into an Electoral Area E or Electoral Area F community parks statutory reserve fund.
- (e) Density and Density Bonus: R-5 Zone, Area B:  
Subject to Part 12, the following regulations apply in Area B of the R-5 Zone:
- (1) The number of parcels that may be created by subdivision in the R-5 zone must not exceed 3, including any remainder parcel.
  - (2) Despite Section 8.9(e)(1), the number of parcels that may be created by subdivision in Area B of the R-5 zone may be increased to 21 if the conditions in Sections 8.9(e)(6) are met.
  - (3) Density averaging for the purposes of Section 2 of the *Strata Property Act: Bare Land Strata Regulations* is permitted, provided that the average density in any subdivision, excluding any remainder parcel, does not exceed one parcel per 1.6 hectares of gross land area.
  - (4) The minimum parcel area for the purposes of section 514 of the *Local Government Act* is 25 hectares.
  - (5) The minimum parcel area is 1 hectare.
  - (6) Prior to any subdivision within Area B of the R-5, the 23 hectares of land shown in Section 8.9 (f) Figure 2, that is subject to a Land Conservancy (TLC) Covenant

(No. FB208158) as shown via dashed line on Plan EPP18482, is to be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District.

- (7) The parcel transferred to the Regional District pursuant to Section 8.9(e)(6) is to be used for park- and/or park reserve- purposes, and the costs of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.

(f) Figure 2 [TLC Covenant Area]



**3. FORCE AND EFFECT**

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

PUBLIC NOTICE GIVEN in  
ACCORDANCE WITH THE  
*LOCAL GOVERNMENT ACT* this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chair

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