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2.3 General Regulations for Landscaping & Screening

1. Required Landscaping

- (a) The minimum level of landscaping required in each zone within all front, side and rear yards shall be determined in accordance with the following table:

Zone	Land Use	Required Landscaping and Screening
RR1, RR2, CR1, R2, R2A, R3, R3A, MU1	Single detached dwelling	<p>i) A pervious landscape buffer with a minimum width of 1 m is required, measured from the front and exterior side parcel lines except where intersected by a driveway or pathway;</p> <p>ii) For new development on parcels less than 500 m² in area, landscaping may be specified by a Development Permit;</p>
R1	Manufactured home park	<p>iii) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the manufactured home park; landscaping and screening shall also be provided in accordance with the <i>CVRD Mobile Home Park Bylaw</i>;</p>
A1, A1A, A1T, A4, A7	Agritourism Accommodation	<p>iv) A landscape buffer with a minimum width of 7.5 m shall be provided along the perimeter of campsites and tent sites; further landscaping shall be specified by a Development Permit;</p>
	Processing, Cold storage and all other non-residential and non-farm uses	<p>v) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the parcel; further landscaping shall be specified by a Development Permit;</p>
RM2, RM3, RM4, MU1, MU2, MU3, C2, C3, C4, C5, C6, C7, RUR1	Multiple unit dwelling and non-residential uses	<p>vi) A landscape buffer with a minimum width of 1.5 m shall be provided along the perimeter of the parcel, except a landscape buffer with a minimum width of 3 m shall be provided along all parcel lines abutting a principal residential use; further landscaping shall be specified by a Development Permit;</p>
RUR3, RUR3A	All uses	<p>vii) A landscape buffer with a minimum width of 5 m shall be provided along the perimeter of the parcel, except the width of the buffer may be reduced to 0 m along a parcel line abutting another parcel in the RUR3 or RUR3A zone; further landscaping shall be specified by a Development Permit;</p>

- (b) The requirements of this section may be varied through a development permit;
- (c) Landscaping and screening shall be provided and maintained at the sole cost of the parcel owner.

2. Landscaping and Run-off Control Standards

- (a) Required landscape buffers shall be continuous along the affected property boundaries, except they may be interrupted only by pathways and driveways providing access;
- (b) All site grading will direct overland drainage along or away from any landscape buffer to collection points on-site and away from buildings;
- (c) All landscaped areas and lands impacted by development which are not intended to be used for buildings, parking areas, driveways, pathways, patios or recreation, shall be rehabilitated using a selection of plants which are suited to local climatic conditions, and shall not include invasive plants;

4. Development Regulations

- (a) Parcel coverage shall not exceed 20% or 500 m², whichever is less, for all buildings and structures;
- (b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use	Limited Agriculture
Front	7.5 m	7.5 m	15 m
Interior Side	3 m	3 m	15 m
Exterior Side	4.5 m	4.5 m	15 m
Rear	4.5 m	4.5 m	15 m
Adjoining ALR	30 m	30 m	15 m

- (c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures;

~~5.3 CR1 Cluster Residential Zone~~

~~Subject to compliance with Part 2 of this bylaw, the following regulations apply in the CR1 zone:~~

~~1. Permitted Uses~~

~~The following principal uses and no others are permitted:~~

- ~~(a) Single detached dwelling;~~
- ~~(b) Cluster residential development, subject to Subsection 5;~~

~~2. Accessory Uses~~

~~(a) Where the principal use of a parcel is a single detached dwelling, the following accessory uses and no others are permitted:~~

- ~~i) Detached suite or attached suite;~~
- ~~ii) Backyard hen keeping;~~
- ~~iii) Bed and breakfast;~~
- ~~iv) Day care;~~
- ~~v) Farm stand;~~
- ~~vi) Home based business;~~
- ~~vii) Limited agriculture;~~

~~(b) Where the principal use of a parcel is a cluster residential development, the following accessory uses and no others are permitted:~~

- ~~i) Day care;~~
- ~~ii) Home based business;~~

~~3. Subdivision Regulation~~

~~The minimum parcel area for the purpose of subdivision is:~~

- ~~(a) 1 ha for parcels not serviced by a community water system;~~
- ~~(b) 0.4 ha for parcels that are serviced by a community water system.~~

~~4. Development Regulations~~

- ~~(a) The minimum site area for a single detached dwelling is 0.4 ha;~~
- ~~(b) Parcel coverage shall not exceed 20% or 500 m², whichever is less, for all buildings and structures;~~
- ~~(c) The following minimum setbacks for buildings and structures apply:~~

Type of Parcel Line	Principal Single Detached Dwelling	Principal Cluster Dwelling	Accessory Residential Use	Limited Agriculture
Front	7.5 m	4.5 m	4.5 m	15 m
Interior Side	3 m	3.0 m	3 m	15 m
Exterior Side	4.5 m	4.5 m	4.5 m	15 m
Rear	4.5 m	4.5 m	4.5 m	15 m
Adjoining ALR	30 m	30 m	30 m	15 m

- ~~(d) Notwithstanding Paragraph (c), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain a detached suite, accommodation unit or sleeping unit, day care or home based business use;~~
- ~~(e) A principal single detached dwelling may not exceed 10 m in height;~~
- ~~(f) An accessory building or structure may not exceed 4.5 m in height.~~

~~5. Density Bonus and Amenity Contribution~~

- ~~(a) Notwithstanding Subsection 3 and subject to the approval of the CVRD Board, the minimum parcel area for the purpose of subdivision may be reduced to a minimum of 250 m² and the density of dwellings increased to a maximum of 15 u/ha to permit a cluster residential development, including single detached dwellings, provided that:~~
 - ~~i) In accordance with the density bonus and amenity contribution provisions of Section 904 of the *Local Government Act*, the density of dwellings within the cluster residential development may only be increased in proportion to the amount of protected open space, based on the entire area of the site prior to subdivision, as follows:~~

Required Open Space	Maximum Density of Dwellings
30%	5 u/ha
40%	10 u/ha
50%	15 u/ha

- ~~ii) Open space shall be dedicated to the CVRD as parkland under a separate title, or protected by a conservation covenant under Section 219 of the *Land Title Act*, at the discretion of the CVRD;~~
- ~~iii) Open space shall contain natural features such as streams, wetlands, ravines, stands of mature trees, environmentally sensitive habitat, or marine riparian area, where such features are present;~~
- ~~iv) Where a parcel includes a stream, wetlands, ravine or marine riparian area, these features must be preserved as open space and formally dedicated or protected;~~
- ~~v) Open space shall include a strip of land not less than 5 m in width along all parcel lines abutting highways, excluding that portion required for a driveway to serve the development;~~
- ~~vi) Open space shall be accessible by the public from a highway, including a trail, unless it is determined by a Registered Professional Biologist that such access~~

~~would result in damage to ecologically sensitive features or habitat;~~

- ~~(b) Notwithstanding Subsection 4, the following development regulations shall apply to a cluster residential development in accordance with Paragraph (a):~~
- ~~i) Each dwelling shall be serviced by both community water and community sewer systems;~~
 - ~~ii) No dwelling shall have a gross floor area that is less than 40 m² or more than 180 m²;~~
 - ~~iii) At least 50% of dwellings shall have a maximum gross floor area of 120 m²;~~
 - ~~iv) Parcel coverage shall not exceed 30% for all buildings and structures, based on the size of the parcel prior to subdivision;~~
 - ~~v) The maximum height of a dwelling shall be 7.5 m and one and one half (1.5) storeys;~~
 - ~~vi) The maximum height of all accessory buildings and structures shall be 4.5 m;~~
 - ~~vii) Each dwelling shall have a private outdoor amenity area of at least 10 m² in area;~~
 - ~~viii) No fewer than four and no more than twelve dwellings shall share a common outdoor amenity area of not less than 400 m² in area, which is exclusive of the open space required in accordance with Paragraph (a);~~
 - ~~ix) The minimum setback for buildings and structures is 6 m from all parcel lines abutting land that is not zoned CR1, except it is 15 m from any parcel line adjoining land within the ALR;~~
 - ~~x) A minimum separation of 3 m shall be provided between all principal buildings and structures within the CR1 zone;~~
 - ~~xi) The clustered residential development shall be subject to an approved development permit, in accordance with the Cluster Residential Guidelines specified for the Rural Character Development Permit Area designated by Electoral Area D – Cowichan Bay Official Community Plan Bylaw No. 3605.~~

5.4 R1 – Rural Village Manufactured Home Park Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **R1** zone:

1. Permitted Uses

The following principal uses and no others are permitted:

- (a) Manufactured home park;

The following accessory uses and no others are permitted:

- (b) Day care;
- (c) Farm stand;
- (d) Home-based business.

2. Density

The density of dwellings shall not exceed 15 u/ha.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision, including for strata plans, is 2 ha.

4. Development Regulations

- (a) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
- (b) The maximum height of all buildings and structures is 7.5 m, except it is 4.5 m for accessory buildings and structures.

5.12 CR2 – Village Cluster Residential 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **CR2** zone:

1. Permitted Uses

The following principal uses and no others are permitted:

- (a) Single detached dwelling;
- (b) Any combination of single detached, dwelling, duplex or multiple unit dwellings, subject to Subsection 5;

2. Accessory Uses

(a) Where the principal use of a parcel is a single detached dwelling, the following accessory uses and no others are permitted:

- i) Detached suite or attached suite;
- ii) Backyard hen keeping;
- iii) Bed and breakfast;
- iv) Day care;
- v) Farm stand;
- vi) Home-based business;

(b) Where the principal use of a parcel is a cluster residential development, the following accessory uses and no others are permitted:

- i) Day care;
- ii) Home-based business;

3. Subdivision Regulation

~~The minimum parcel area for the purpose of subdivision is:~~

- ~~(a) 1 hectare for parcels not serviced by a community water system;~~
- ~~(b) 0.4 ha for parcels that are serviced by a community water system.~~

4. Development Regulations

- (a) The minimum site area for a single detached dwelling is 0.4 ha;
- (b) Impervious surface coverage shall not exceed 35%, of which not more than 30% may be parcel coverage;
- (c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Residential Use	Accessory Residential Use
Front	7.5 m	4.5 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	30 m

- (d) Notwithstanding Paragraph (c), an accessory building may be located up to 1 m from an interior side parcel line or a rear parcel line provided the building does not contain an detached suite, accommodation unit or sleeping unit, day care or home-based business use;

- (e) A principal single detached dwelling may not exceed 7.5 m in height;
- (f) An accessory building or structure may not exceed 4.5 m in height.

5. Density Bonus and Amenity Contribution

- (a) ~~Notwithstanding Subsection 3 and subject to the approval of the CVRD Board, the minimum parcel area for the purpose of subdivision may be reduced to a minimum of 250 m² and the density of dwellings increased to a maximum of 25 u/ha to permit a cluster residential development, which may include any combination of single detached, dwelling, duplex and multiple unit dwellings, provided that:~~
 - i) ~~The density of dwellings may only be increased in proportion to a cash contribution, in accordance with the density bonus and amenity contribution provisions of Section 904 of the Local Government Act and Subparagraphs (ii), (iii) and (iv) as follows:~~

Dwelling Type	Maximum Gross Floor Area of Dwelling	Cash Contribution (based on Gross Floor Area)
Single Detached Dwelling	120 m²	\$35/m²
	120 m² or more	\$45/m²
Dwelling, duplex	120 m²	\$30/m²
	120 m² or more	\$40/m²
e	90 m²	\$25/m²
	90 m² or more	\$35/m²

- i) ~~The cash contribution in accordance with Subparagraph (i), will be placed into the Electoral Area D Cowichan Bay Community Facility Reserve Fund;~~
 - ii) ~~The cash contribution shall be based on the table in Subparagraph (ii) and adjusted for inflation each year beginning in 2014, according to the British Columbia Consumer Price Index, annual average for “all items”, as published by BC Stats each January;~~
 - iii) ~~In addition to the cash contribution specified in Subparagraph (ii), prior to subdivision of the parcel a strip of land not less than 5 m in width along all parcel lines abutting highways, excluding that portion required for a driveway to serve the development, shall be dedicated to the CVRD as parkland for the purpose of providing off road walking paths.~~
- (b) ~~Notwithstanding Subsection 4, the following development regulations shall apply to a cluster residential development in accordance with Paragraph (a):~~
 - i) ~~Each dwelling shall be serviced by both community water and community sewer systems;~~
 - ii) ~~No dwelling shall have a gross floor area that is less than 40 m² or more than 180 m²;~~
 - iii) ~~At least 50% of dwellings shall have a maximum gross floor area of 120 m²;~~
 - iv) ~~Impervious surface coverage shall not exceed 50%, of which not more than 45% may be parcel coverage;~~
 - v) ~~The maximum height of a single detached dwelling shall be 7.5 m and one and one half (1.5) storeys;~~
 - vi) ~~The maximum height of a duplex shall be 7.5 m;~~
 - vii) ~~The maximum height of a building containing multiple unit dwellings shall be 7.5 m;~~
 - viii) ~~The maximum height of all accessory buildings and structures shall be 4.5 m;~~
 - ix) ~~Each dwelling shall have a private outdoor amenity area of at least 5 m² in area;~~
 - x) ~~The minimum setback for all buildings and structures is 6 m from parcel lines abutting land that is not zoned CR2, except it is 15 m from any parcel line adjoining land within the ALR;~~
 - xi) ~~A minimum separation of 3 m shall be provided between all principal buildings and~~

- ~~structures within the CR2 zone;~~
- xii) ~~The development shall be subject to an approved development permit, in accordance with the Rural Character Development Permit Area, including guidelines for Intensive Residential Development and Cluster Residential Development, designated by Electoral Area D Cowichan Bay Official Community Plan Bylaw No. 3605.~~