

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3500

**A BYLAW TO AMEND BY-LAW NO. 189 "SOOKE ELECTORAL AREA, PLANNING AREA
NO.1, SUBDIVISION BY-LAW NO.2, 1974"**

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. By-law No. 189, the "Sooke Electoral Area, Planning Area No.1, Subdivision By-law No.2, 1974" is amended as follows:
 1. By adding a new recital after the existing recital to read as follows:

“AND WHEREAS the Board of the Capital Regional District wishes to regulate the density of the use of land within that part of the Juan de Fuca Electoral Area that is not governed by another applicable bylaw enacted under Part 26 of the *Local Government Act*;”
 2. By amending Section 3 by deleting the following words:

“Notwithstanding Section (1) the minimum parcel size into which land may be subdivided shall be one hundred and twenty (120) hectares except:”

and replacing them with the following:

“The minimum parcel size into which land may be subdivided within that part of the Juan de Fuca Electoral Area to which this Bylaw applies shall be one hundred and twenty (120) hectares with the exception of the following:”
 3. By removing Section 3 (1) and 3 (2) in their entirety.
 4. By deleting Section 3 (4) in its entirety and replacing it with the following:

“Remainder of Lot 1, Section 2 & 4, Renfrew District, Plan VIP68644 and Lots 1-25 Section 2 & 4, Renfrew District, Plan VIP83339 which shall be an average minimum parcel size of 1.0 hectare.”
 5. By renumbering sub-sections 3 (3) and 3(4) as 3(1) and 3(2).
 6. By renumbering sections 4 and 5 as sections 6 and 7.
 7. By adding the following as a new section 4:

“4. (a) Residential use of a parcel to which this By-law applies is limited to a single dwelling unit per parcel.
(b) Section 4 (a) does not include those lands referred to Section 3 (3) except those identified as:

- Proposed subdivision of Section 4, Renfrew District, except those parts in Plans 427R, 23879 and VIP68644 (13 lot phased subdivision) as shown on Schedule 5; and
- Proposed subdivision of Section 4, Renfrew District, except parts in Plans 427R, 23879, VIP68644, VIP79213, and VIP80549 (11 lot strata subdivision) as shown on Schedule 8;

(c) For the purposes of this By-law the following definitions apply:

DWELLING UNIT means a self-contained set of rooms capable of occupancy by one or more persons, including provisions for living, sleeping, cooking and sanitation; containing not more than one kitchen; and the principal use of such dwelling unit is or is capable of being a permanent residence; includes a mobile home meeting CAN/CSA-Z240 MH Series standards, and a modular home or prefabricated dwelling meeting CSA-A277 standards or equivalent, but not a recreation vehicle, tent, bus, travel trailer, or other vehicle;

PARCEL means a lot, block or other area in which land is held or into which land is subdivided;”

8. By adding the following as a new Section 5:

- “5. This By-law does not apply to those lands covered by:
- (a) Capital Regional District Bylaw No. 3109 “Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003”; and
 - (b) Capital Regional District Bylaw No. 2040 "Sooke Land Use Bylaw 1992"

2. This Bylaw may be cited as "Juan de Fuca Subdivision By-law No. 189, Amendment Bylaw No. 6, 2007".

INTRODUCED AND READ A FIRST TIME THIS	day of	November	2007
READ A SECOND TIME THIS	day of		2007
PUBLIC HEARING HELD THIS	day of		2007
READ A THIRD TIME THIS	day of		2007
ADOPTED THIS	day of		2007

Chair

Corporate Secretary