

Memo

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DATE: June 4, 2019

TO: Advisory Planning Commission
Baynes Sound – Denman/Hornby Islands (Electoral Area A)

FROM: Planning and Development Services Branch

RE: Comprehensive Zoning Bylaw Review

The draft Rural Comox Valley Zoning Bylaw No. 520, 2019 is for commission members' review and comment.

The Comox Valley Regional District (CVRD) is reviewing the Zoning Bylaw to align the CVRD's regulations with the policies and goals in Official Community Plan (OCP) (adopted in 2014) and the Regional Growth Strategy (adopted in 2011).

The Comox Valley Zoning Bylaw No. 2781 was adopted in 2005. The document has been amended over sixty times since its adoption. Amendments have ranged from relatively minor amendments, to enable site specific development proposals to major amendments to respond to new legislation, changing development patterns and land use trends. Each change has required the CVRD Board's adoption of an amending bylaw. The current Zoning Bylaw has served its purpose for fourteen years and is in need of a review and update. The primary objective of this review will be to ensure that it is consistent with the OCP. Staff have identified the key policy themes that underlie the bylaw review, including the following:

- Support agriculture and aquaculture by aligning with new Agricultural Land Commission regulations and Ministry of Agriculture new bylaw standards for agri-tourism and aquaculture best practices.
- Support rural living by updating home occupation provisions for clarity and compatibility.
- Support aging in place by modernization of accessory building unit regulations to provide flexibility.
- Enable implementation of sustainability principles through built form (e.g. solar panel, wind energy devices).
- Support rural economic development by expanding the number of zones where agricultural, upland aquaculture, commercial and industrial uses are permitted.

The purpose of a Zoning Bylaw is to implement the policies of the OCP. However, because Section 479 of the *Local Government Act* (RSBC, 2015, c. 1) is specific on what can and cannot be regulated through zoning, not all OCP policies are appropriate or permitted for implementation through a zoning bylaw. Section 479 authorizes the local government to regulate the use, size and siting of land and buildings. Section 479 does not provide the authority to regulate matters such as nuisance,

colour, architectural theme or aesthetics. Land use designations identified on zoning bylaw maps are more detailed than those of the OCP Bylaw, and are accompanied by text that outlines a specific range of permitted uses, densities, siting and building form. The zoning bylaw includes more specific policy direction in the form of a regulation, and includes:

- **Definitions** for the interpretation of key components of land use regulations.
- **General Regulations** which outline various land uses and conditions applicable to the Plan Area on a broad scale.
- **Specific Regulations** for various land uses and conditions specific to specified areas or zones within the Plan Area (including residential, agricultural, commercial, industrial, and resource areas).

For more information, please refer to the staff report which will be presented to the Electoral Areas Services Committee (EASC) on June 10, 2019. To access the staff report please go to the agenda page on the CVRD website. Here is a link to the agenda page <https://www.comoxvalleyrd.ca/minutes-agendas>. The agenda for the EASC meeting will be posted no later than Friday June 7, 2019.

Thank you for your review.

Sincerely,

T. Trieu

Ton Trieu, MCIP, RPP
Manager of Planning Services
Planning and Development Services Branch

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