

# Memo

**File:** 6410-01/PJ 4CV 15

**DATE:** April 3, 2019

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

**FROM:** Planning and Development Services Branch

**RE:** Comprehensive Zoning Bylaw Review

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This memo 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 the 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 enabling site specific development proposals to major amendments in response to new legislation, changing development patterns and land use trends. Each change has required the CVRD Board to adopt 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 regulation.
- **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).

On September 18, 2018, the CVRD Board adopted a resolution to rescind first reading of the Rural Comox Valley Zoning Bylaw No. 520, 2018 and directed staff to report back to a future Electoral Areas Services Committee (EASC) meeting with a revised bylaw and consultation plan.

A revised public consultation plan was presented at the March 11, 2019 EASC meeting. Stakeholder and public consultation is a critical component of the overall Zoning Bylaw review and will greatly assist with the identification of issues and potential options. The consultation plan has been divided into two phases:

- Phase 1 of the consultation process is the launch (update website, create a social media plan promoting the open houses, consult with Advisory Planning Commissions (APC) and hold three open houses).
- Phase 2 is the statutory adoption process (present results of open houses to EASC, first and second reading, public hearing, third reading, sending final draft to Ministry of Transportation and Infrastructure, CVRD Board for final adoption, notification of adoption to interested parties).

As part of Phase 1 staff will be consulting with each of the three APCs and the Agricultural APC to introduce the Zoning Bylaw review, outline the preliminary background and to obtain input. Over the next few APC meetings staff will be presenting draft components of the Zoning Bylaw for the members to review and provide input.

Please refer to the attached staff report for more information.

Sincerely,

***T. Trieu***

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

Attachment

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**DATE:** March 6, 2019

**FILE:** 6410-01/PJ 4CV 15

**TO:** Chair and Directors  
Electoral Areas Services Committee

**FROM:** Russell Dyson  
Chief Administrative Officer

Supported by Russell Dyson  
Chief Administrative Officer

***R. Dyson***

**RE:** Comprehensive Rural Zoning Bylaw Review – Proposed Consultation Plan

### Purpose

The purpose of this report is to present the revised public consultation plan for the comprehensive zoning bylaw review.

### Recommendation from the Chief Administrative Officer:

THAT the public consultation plan for the comprehensive zoning bylaw review be initiated as outlined in staff report dated March 6, 2019.

### Executive Summary

- On September 18, 2018, the Comox Valley Regional District (CVRD) Board adopted a resolution to rescind first reading of the Rural Comox Valley Zoning Bylaw No. 520, 2018 and directed staff to report back to a future Electoral Areas Services Committee (EASC) meeting with a revised bylaw and consultation plan.
- A revised consultation plan is attached as Appendix A. Stakeholder and public consultation is a critical component of the overall zoning bylaw review and will greatly assist with the identification of issues and potential options.
- Consultation will include three public open houses in May 2019. The open houses will provide an opportunity for the public to obtain information about the Zoning Bylaw and obtain input in advance of the statutory public hearing.
- The results of the open houses will be used to analyze, and as needed, to make recommendations on draft regulations in the Zoning Bylaw. The results will be presented to the EASC as part of the recommendations on draft regulations for the new Zoning Bylaw.
- Other initiatives including cannabis cultivation, processing and sales and short term vacation rental use will be addressed separately at a future date to ensure that the comprehensive zoning bylaw review is completed in a timely manner.
- The proposed work program for the project is as follows:

| Task  | Completion date |
|---|-----------------|
| EASC consultation plan approval   | March 2019      |
| Release draft bylaw at open houses  | May 2019        |
| Present draft bylaw to EASC and request for external and First Nations referral | June 2019       |
| First and second reading by CVRD. Set public hearing date                       | July 2019       |
| Public hearing  | August 2019     |
| EASC review of public hearing/third reading of Zoning Bylaw                     | September 2019  |
| Ministry of Transportation and Infrastructure approval                          | September 2019  |
| Final adoption  | October 2019    |

Prepared by:

***T. Trieu***


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 Ton Trieu, MCIP, RPP  
 Manager of Planning Services

Concurrence:

***S. Smith***


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 Scott Smith, MCIP, RPP  
 General Manager of Planning and  
 Development Services Branch
**Stakeholder Distribution (Upon Agenda Publication)**

|      |   |
|------|---|
| None | ✓ |
|------|---|

**Background/Current Situation**

A comprehensive zoning bylaw review is a corporate strategic priority for the CVRD. Over the last 14 years, the current Zoning Bylaw has been amended over 51 times, both to rezone properties and to make text amendments. This review will bring the Zoning Bylaw into conformity with the Official Community Plan (OCP) adopted in 2014, as well as improve clarity and readability, and address current issues. 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 design 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.

**Overview of the Process to Date**

On June 26, 2018, the CVRD Board adopted a resolution to endorse the agency referral list and directed staff to commence the First Nations and external agency referral process.

On July 24, 2018, the CVRD Board adopted a resolution to endorse first reading of Zoning Bylaw No. 520, 2018 and to schedule a public hearing. A draft of the Zoning Bylaw was presented to the board.

On September 5, 2018 a public hearing was held for Zoning Bylaw No. 520, 2018, which was well attended. Staff received comments for Bylaw No. 520 from members of the public.

On September 18, 2018, the CVRD Board adopted a resolution to rescind first reading of Zoning Bylaw No. 520, 2018 and directed staff to report back to a future EASC meeting with a revised bylaw and consultation plan.

**Zoning Bylaw**

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) (LGA) 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 of the LGA authorizes the local government to regulate the use, density, size and shape of the land, buildings and structures. Section 479 does not provide the authority to regulate matters such as nuisance, colour, architectural theme or aesthetics.

Planning staff have reviewed the Zoning Bylaw and have identified the following key policy objectives for the comprehensive zoning bylaw review:

- Modernize for clarity, interpretation and administration;
- Address implementation and functionality challenges (e.g. carriage house, height, floor area);
- 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; and
- Enable sustainability principles through built form (e.g. solar panel, wind energy devices).

### **Proposed Changes to the Rural Comox Valley Zoning Bylaw No. 520, 2019**

The proposed draft Rural Comox Valley Zoning Bylaw No. 520, 2019 will replace the current Zoning Bylaw. Some changes are minor, such as providing clarity to existing definitions, formatting and the re-organization of sections of the Zoning Bylaw. Other changes are more substantial, such as the addition of new definitions, creation of new zones, removal of existing zones and implementation of sustainability principles through built form.

Staff held a series of public consultation initiatives to gather input and insights on the proposed changes to the draft Zoning Bylaw. Public consultation initiatives included a series of open houses (three open houses in June 2017 and one in August 2018), and various meetings with stakeholders groups. These interactions enabled staff to hear residents and property owners input on the zoning bylaw review and incorporate into the draft Zoning Bylaw as appropriate. The following are some of the key changes identified to the proposed Zoning Bylaw.

#### **1. Modernized for Clarity, Interpretation and Administration**

- Removal of definitions that are no longer relevant or have been consolidated into other definitions (e.g. shellfish aquaculture, helipad, model aircraft flying):
  - Addition of new definitions (e.g. accessory dwelling unit, gross floor area, fence); and
  - Amendment of existing definitions to make them more clear and up-to-date (e.g. mobile home, office, retail sales).
- General regulations which are dispersed in different sections have been grouped under one section.

#### **2. Incorporate New Federal and Provincial Legislation**

Incorporate new federal and provincial regulations and eliminate old regulations:

- Ensure that the new regulations are consistent with federal and provincial legislation.

#### **3. Support Rural Living**

Expand Home Occupation and Domestic Industrial use provisions:

- Define commercial vehicle;
- Balance residential use with business by restricting number of students (e.g. max. of eight patrons or students that is connected to a Home Occupation); and
- Allowing Domestic Industrial use on lands greater than 2.0 hectares.

#### **4. Enable Innovation Through Built Forms**

To address implementation and functionality challenges to support rural living:

- Provide design flexibility in the design and layout of carriage houses (e.g. permit internal stair case, increase height, design flexibility in floor area); and accessory building (e.g. increase height for accessory building in rural zones).

#### **5. Modernize Zones**

Elimination of existing zones and establishment of new zones:

- Number of aquaculture use zones has been reduced by combining similar zones (e.g. Aquaculture Two zone is combined into one Aquaculture zone and Aquaculture Three and Four zones are combined to Upland Aquaculture Facility zone);
  - Delete repetitive or unused zones (e.g. Residential One B, Residential One C, Residential One D, Commercial Composting zone, ); and
  - Create new zone (e.g. Drinking Water Protection zone).
6. Respond to Emerging Trends  
Capture new land use trends:
- Permit community gardens in all zones; and
  - Broaden opportunities for local community-based sustainable food production (e.g. permit back yard chickens, beehives and produce stands on lots 2000 square meters or larger).
7. Introduce Sign Regulations
- Restrict sign area, height, number of signs, setbacks and height (e.g. Home Occupation, Domestic Industrial, Commercial, Industrial zones); and
  - Prohibit certain signs (e.g. third party signs, flashing, animated signs).
8. Protect Functioning Working Landscape  
Reduce interface conflict between residential uses and active working landscape:
- Only permit residential use as an accessory use (e.g. Upland Resource zone, and Water Supply and Resource Area zone).
9. Update Zoning Maps
- Reduce split zone properties;
  - Reduce unused zones (e.g. Commercial Composting); and
  - Reduce zones that are repetitive (e.g. Residential One B zone, Residential One C zone, Residential One D zone, Residential Two zone, Country Residential Two zone).
10. Other Significant Changes  
Rural Comox Valley Zoning Bylaw No. 520, 2019 also includes the following changes:
- Minimum setback requirements for Animal Kennel use;
  - Consolidate fencing and screening regulations into one section;
  - Expansion of areas where craft beverage processing (e.g. permitted in Commercial zones) and veterinary establishment use (e.g. commercial and industrial zones) are permitted;
  - Expansion in areas where general contractor and storage yard (e.g. permitted in Industrial Light and Industrial Heavy zones) are permitted;
  - Remove regulations on lot line adjustment (e.g. would involve a change of no more than 25 per cent of the smaller lot involved);
  - Include height and setback provisions to enable sustainable technologies (solar and turbines height exemptions); and
  - Watercourse setbacks for buildings and structures (e.g. consistent with Floodplain Regulations Bylaw).

It is anticipated that the proposed Zoning Bylaw will result in some current uses becoming non-conforming, however; it should be noted that the Section 528 of the LGA allows the non-conforming use to continue to be performed on the property as long as it's not discontinued for a period greater than six months. Staff have endeavoured to create as little non-conforming use as possible and estimate that ten properties may be affected. Staff has been contacting all owners of split zoned properties where changes are proposed.

Other priorities for the planning and development services consist of reviewing cannabis cultivation, processing and sales and short term vacation rental use. Staff will address these priorities separately at a future date to ensure that the comprehensive zoning bylaw review is completed at a timely manner.

The proposed work program for the project is as follows:

| Task  | Completion date |
|---|-----------------|
| EASC consultation plan approval   | March 2019      |
| Release draft bylaw at open houses  | May 2019        |
| Present draft bylaw to EASC and request for external and First Nations referral | June 2019       |
| First and second reading by CVRD. Set public hearing date                       | July 2019       |
| Public hearing  | August 2019     |
| EASC review of public hearing/third reading of Zoning Bylaw                     | September 2019  |
| Ministry of Transportation and Infrastructure approval                          | September 2019  |
| Final adoption  | October 2019    |

### **Consultation Plan**

The consultation plan identifies a program of informing and consulting with the public, and stakeholders during the zoning review process. The consultation plan creates awareness, encourages participation and gathers public feedback.

### **Consultation Objectives**

The general objectives of the consultation plan are to:

- Encourage and support public and stakeholder involvement;
- Create awareness of the Zoning Bylaw as a planning tool;
- Provide the opportunity for residents to make their views known on the zoning review;
- Provide regular information updates throughout the zoning bylaw review;
- Provide the opportunity for affected municipalities and agencies to provide comments; and
- Communicate feedback and make recommendations to the board enabling them to make a decision on possible zoning amendments.

### **Communication Methods**

The following communication tools will be used to engage stakeholders:

#### Website, Social Media and Newspaper

A section of the CVRD website has been created to inform the public and stakeholders about the review as it progresses. The website will be a central source for relevant project materials (e.g. background reports), staff reports and project deliverables.

A project email address – [zoningreview@comoxvalleyrd.ca](mailto:zoningreview@comoxvalleyrd.ca) – has been established.

#### Public Open Houses

Three open houses will be held to provide an additional opportunity for the public to obtain information about the zoning review and to obtain public input on the draft Zoning Bylaw. The open houses are intended to enable dialogue between CVRD planning staff and the public.

The open houses will occur in May 2019 (Appendix A). Following the open houses, the input and suggestions received will be assessed and incorporated into the draft Zoning Bylaw as appropriate. Results will be presented to the EASC in June 2019.

### Public Hearing

A statutory public hearing, planned for August 2019, is required prior to third reading of an amending bylaw. All comments received at the public hearing will be presented at the EASC meeting in September 2019.

### **Consultation Process**

The public consultation process recommended for the bylaw review has been divided into two phases. Phase 1 is the launch and intended to obtain wider feedback on the draft bylaw. Phase 2 is the finalization and bylaw adoption process. The consultation schedule chart is summarized in Appendix A. An overview of these phases is outlined below:

#### **Phase 1: Launch – March through May 2019**

- Update website.
- Create social media plan promoting the open houses.
- Contact affected property owners (i.e. split zone notification letters).
- Consult with Advisory Planning Commissions (APC, AAPC) and interdepartmental staff review.
- Complete three open houses to obtain feedback on the draft Zoning Bylaw.

#### **Phase 2: Statutory Process – June through October 2019**

- Bylaw adoption process (present results of open houses to EASC, first and second reading, public hearing, third reading, sending final draft to Ministry of Transportation and Infrastructure, CVRD Board for final adoption, notification of adoption to interested parties).

### **Policy Analysis**

Part 13 “*Regional Growth Strategies*,” Section 445 of the LGA requires that all bylaws and services undertaken by the board be consistent with the CVRD Regional Growth Strategy (RGS) following adoption of the RGS.

Part 14 “*Planning and Land Use Management*,” of the LGA provides that a local government may regulate zoning. Section 479 of the LGA authorizes a local government to regulate the use, density, size and shape of land, buildings and structures. Section 464 states that a local government must hold a public hearing before adopting a Zoning Bylaw. Section 466 outlines the procedures to be followed in respect to public notification of the proposed bylaw.

### **Options**

The board has the following options:

1. Direct staff to proceed with the consultation plan as outlined in the staff report.
2. Direct staff not to proceed with the consultation plan as outlined in the staff report, but identify a preferred plan.

### **Financial Factors**

Key costs have pertained to staff time. Costs for legal review, public outreach and advertising were included in function 500’s (planning) approved 2019 financial plan.



**Legal Factors**

This report and the recommendation contained herein are in compliance with the LGA and CVRD bylaws. The LGA authorizes a local government to regulate through zoning, the use, density, size and shape of land, buildings and structures.

**Regional Growth Strategy Implications**

Section 445 of the LGA requires that all bylaws and services undertaken by the board be consistent with the CVRD's RGS. The RGS is implemented, in part, via the OCP and Zoning Bylaw. The OCP is a key strategic bylaw that contains land use designation and policies outlining the vision for a community. The OCP helps guide decisions with respect to planning and development with the intent to serve the current and future needs of the community. The CVRD undertook the review and update of its policies to develop a new OCP. There are key OCP policies that now need to be implemented, such as:

- Support resource development in the resource designation zones by permitting residential use as an accessory use only (limited to one single detached dwelling) (Policy 63.2);
- Require Temporary Use Permit or a rezoning of a property to an industrial category to permit processing of aggregate or minerals on resource parcels (Policy 64.2);
- Support aquaculture by permitting dock-side sales and limited on-site sales of aquaculture products (retail sales as an accessory use in aquaculture zones) (Policy 70.5) ; and
- Support agriculture on smaller parcels by permitting agriculture use (Policy 50.5).

**Intergovernmental Factors**

Consultation with a range of ministries is planned through the external agency referral process in June 2019. Consultation with Ministry of Transportation and Infrastructure as approval authority is planned in the fall.

**Interdepartmental Involvement**

Planning and development services branch staff will undertake the review process with support of other key departments. Planning and development services will work with communications staff to execute the deliverables within the consultation plan.

**Citizen/Public Relations**

The proposed consultation plan consists of a variety of communication techniques that extends beyond the requirements of the LGA.

Attachments: Appendix A – “Consultation Plan”



## Appendix A Consultation Plan

**Subject: Comprehensive Zoning Bylaw Review**

**File: 18-000078 Comprehensive Zoning Bylaw Review**

### Purpose

The outline engagement activities surrounding the comprehensive zoning bylaw review.

### Target audience(s):

- Residents within Electoral Area A (excluding Denman and Hornby Islands), B and C
- Comox Valley Regional District (CVRD) Board of Directors
- General Public
- Affected Stakeholders
- First Nations

### Project Background:

A comprehensive zoning bylaw review is a corporate strategic priority for the CVRD. Over the last 14 years, the current Zoning Bylaw has been amended over 51 times, both to rezone properties and to make text amendments. This review will bring the Zoning Bylaw into conformity with the new Official Community Plan (OCP) adopted in 2014, as well as improve clarity and readability, and address current issues. 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 design 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.

**Spokesperson: Ton Trieu, Manager of Planning**

### Key Speaking Points: (3-5 key messages for media or target audience)

- Want to learn more about the Comprehensive Zoning Bylaw Review come out to our open house or visit [www.comoxvalleyrd.ca/zoningreview](http://www.comoxvalleyrd.ca/zoningreview)
- The key policy themes underlying the bylaw review include:
  - Modernization for clarity, interpretation and administration
  - Support for agriculture and aquaculture
  - Support for rural living
  - Support for aging in place
  - Enabling implementation of sustainability principles through solar panel and wind energy devices
  - Support for rural economic development

**Guiding Principles:**

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD Corporate Identity Guide.

**Budget:**

Key costs have pertained to staff time. Costs for legal review, public outreach and advertising were included in function 500's (planning) approved 2019 financial plan.

**Communication Objectives: (3-5 Objectives)**

1. To educate residents about the comprehensive zoning bylaw review.
2. To ensure affected residents are aware of what this means to them, their properties and where in the process the review is currently.
3. To gather feedback and answer questions with community.

**Communication/Engagement Strategies:**

| Element  | Description  | Responsibility   | IAP2 Spectrum  | Budget     | Due Date                |
|--|--|--|----------------|------------|-------------------------|
| Develop Consultation Plan                              | Develop consultation plan  | Jennifer Steel/Ton T.  | Consult/Inform | Staff Time | February 2019           |
| EASC   | Attend March EASC with proposed consultation plan and next steps   | Ton T.   | Inform/Consult | Staff Time | Meeting: March 11, 2019 |
| Develop Campaign Creative                              | Work with agency on developing creative:<br>- website banner<br>- open house advertisement<br>- online Facebook ad                           | Jennifer Steel   | N/A            | \$3,000    | March 2019              |
| Develop Media Plan                                     | Develop media plan and incorporate open houses into plan   | Jennifer Steel   | N/A            | \$3,000    | March 2019              |
| News Release   | News Release regarding open houses and inviting residents to come out to learn more and ask questions of the planners.                       | Draft: Jennifer Steel<br><br>Approve: Ton T.<br><br>Distribute: Jennifer Steel | Inform         | Staff Time | End of April 2019       |
| Advisory Planning Commissions & Stakeholder Engagement | Connect with various community associations (e.g. Saratoga Miracle Beach Residents, Comox Valley Economic Development Society), and advisory | Ton T.   | Consult        | Staff Time | May 2019                |

**Consultation Plan – Comprehensive Zoning Bylaw Review****Page 3**

|                                 |  |  |         |  |  |
|---------------------------------|--|--|---------|--|--|
|                                 | planning commissions about proposed changes and request feedback on draft bylaw.   |  |         |  |  |
| Release Draft Bylaw Open Houses | <p>Have three open houses. One in each electoral area (3:30-7:00 pm) for affected property owners and general public to attend</p> <p>Use display boards for open houses</p> <p>Copies of draft bylaw present, accepting feedback on the bylaw prior to first reading.</p> | <p>Open House: Ton T./Planning</p> <p>Content display boards: Ton T.</p> <p>Design display boards: Beverly</p> <p>Approve: Jennifer/Ton T.</p> <p>Printing/Distribution: Beverly</p> | Consult | <p>Print Display Boards: \$56 per display board before tax (10 boards = \$560 before tax)</p> <p>Food/Tea/Coffee: \$150</p> <p>Cost of renting Union Bay Community Hall: \$225</p> <p>Total: \$1,500</p> | <p>May 6, 2019 Union Bay Community Hall</p> <p>May 16, 2019 – Black Creek Fire hall</p> <p>May 22, 2019– CVRD Board Room</p> |
| EASC Meeting                    | Roll up feedback from open houses. Present draft bylaw to EASC and request for external agencies and First nations Referral  | Ton. T.  | Consult | N/A  | June 10, 2019  |
| Letters                         | Letters to affected property properties that may have mapping inconsistency and zoning changes, invite to open houses  | Planning/Ton T.  | Inform  | Postage TBD  | <p>Draft: March 2019</p> <p>Deliver: April 9/10, 2019</p> <p>Arrival to homes: April 15, 2019</p>                            |
| Website/Connect CVRD            | Ensure CVRD website/connectcvrd up to date and accurate with details Provide event listing on CVRD site and within the CVRD  | Content: Ton T.  | Inform  | Staff Time   | Ongoing  |

**Consultation Plan – Comprehensive Zoning Bylaw Review****Page 4**

|  |   |  |                 |                        |  |
|--|---|--|-----------------|------------------------|--|
|  | Facebook Account for open houses  |  |                 |                        |  |
| EASC   | 1 <sup>st</sup> and 2 <sup>nd</sup> reading of the proposed bylaw                                       | Ton T.   | Consult         | Staff Time             | EASC Meeting: July 15, 2019                    |
| Public Hearing   | Public hearing date to be confirmed   | Ton T.   | Consult         | Staff Time             | August 2019                                    |
| Public Hearing Ads                                     | Develop legal ads in support of the public hearing and promote public hearing on boosted Facebook post. | Content Ads: Ton/Legislative Services<br><br>Design/ Boosted Facebook post: Beverly<br><br>Approve: Ton T. | Inform          | Included in media plan | Dates to be determined once public hearing set |
| EASC   | Present feedback from public hearing to EASC  | Ton T.   | Inform/ Consult | Staff Time             | EASC Meeting: September 16, 2019               |
| EASC   | 3 <sup>rd</sup> reading and final adoption of the proposed bylaw  | Ton T.   | Consult         | Staff Time             | EASC Meeting: September 16, 2019               |
| Ministry of Transportation and Infrastructure approval | Final draft to Ministry of Transportation and Infrastructure  | Ton. T   | Consult         | Staff Time             | September 2019                                 |
| CVRD Board   | Final adoption  | Ton T.   | Consult         | Staff Time             | Final adoption October 2019                    |

**Next Steps:**

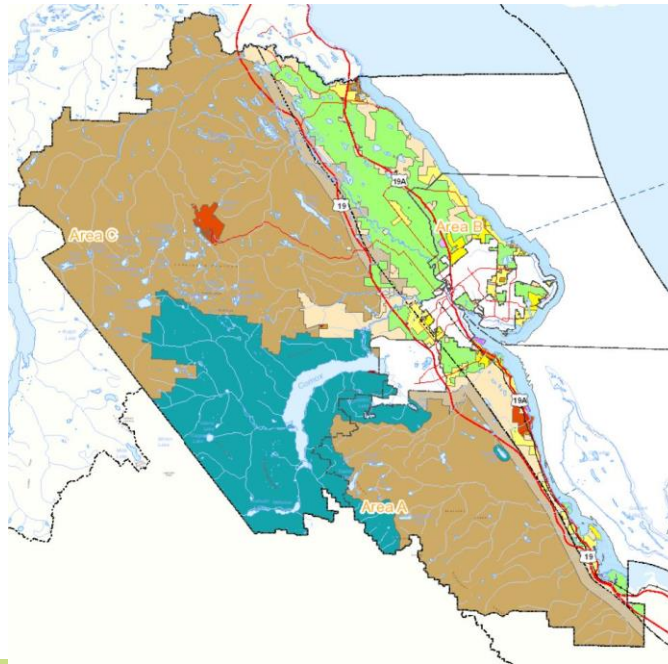
- Approve consultation plan
- Implement plan and execute strategies as outlined

**Approval History**

|                                   |               |
|-----------------------------------|---------------|
| Created by: Jennifer Steel/Ton T. | February 2019 |
| Amended:                          |               |

# Zoning Bylaw Review

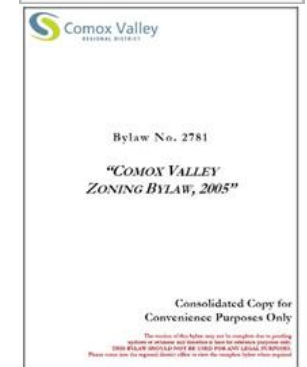
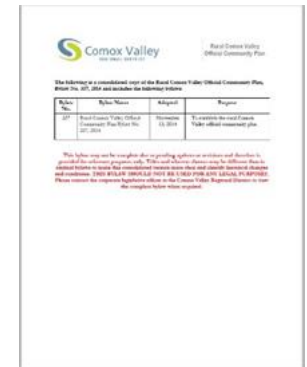
Baynes Sound – Denman/Hornby Islands (Area 'A')  
Advisory Planning Commission



April 16, 2019

# Purpose of the zoning review

- Ensure consistency with the RGS (adopted in 2011), OCP (adopted in 2014) and provincial legislation
- Last comprehensive update 2005 and has been amended over 60 times
- Goal is to modernize for clarity, interpretation and administration
- Create land use regulations to reflect changing development trends and patterns
- Update mapping



# What is a zoning bylaw?

- Purpose of the Zoning Bylaw is to implement the policies of the OCP
- Section 479 of the LGA authorize the local government to regulate the use, size and siting of land and buildings, minimum lot size and density of development
- Section 479 of the LGA does not provide the authority to regulate matters such as nuisance, colour, architectural theme or aesthetics

Bylaw No. 2700  
"Comox Valley Zoning Bylaw, 2007"

Page 45

707

Country Residential One (CR-1)

1. **PRINCIPAL USE**

- a) On any lot:
  - i) Residential use.
  - ii) On any lot over 4000 metres<sup>2</sup> (1.0 acre):
    - A) Agricultural use.

2. **ACCESSORY USES**

- a) On any lot:
  - i) Home occupation use;
  - ii) Accessory building; and
  - iii) Bed and Breakfast.
- b) On any lot 2.0 hectares (4.9 acres) or larger:
  - i) Animal husbandry.

3. **DENSITY**

Residential use is limited to:

- a) On any lot: One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 50 metres<sup>2</sup> (561.5 sq. ft.).
- b) On any lot 1.0 hectare (2.5 acres) and over: Two single detached dwellings.

4. **SITING AND HEIGHT OF BUILDINGS AND STRUCTURES**

The setbacks required for buildings and structures within the Country Residential One zone shall be as set out in the table below:

| Type of Structure | Height              | Required setbacks |                  |                  |                  |
|-------------------|---------------------|-------------------|------------------|------------------|------------------|
|                   |                     | Front yard        | Rear yard        | Side yard        | Side yard        |
|                   |                     |                   | Percentage < 31m | Percentage < 31m | Percentage < 31m |
| Detached          | 10.0m (32.8ft.)     | 7.5m (24.6ft.)    | 7.5m (24.6ft.)   | 1.75m (5.8ft.)   | 1.75m (5.8ft.)   |
|                   |                     | 7.5m (24.6ft.)    | 7.5m (24.6ft.)   | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    |
| Accessory         | 4.5m-6.0m (14.8ft.) | 1.0m (3.3ft.)     | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    |
|                   |                     | 1.0m (3.3ft.)     | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    |
| Accessory         | 6.0m-6.5m (19.7ft.) | 1.0m (3.3ft.)     | 1.0m (3.3ft.)    | 1.75m (5.8ft.)   | 3.5m (11.5ft.)   |
|                   |                     | 1.0m (3.3ft.)     | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    | 1.0m (3.3ft.)    |

Large lot side setbacks specified in this table, as building setbacks shall be deemed to not require front and side yard setbacks. (From Part 600, Sub-Section 1, of the Bylaw and Part 600, Sub-Section 1, of the "Principal Use" Bylaw, 2007, and other the use of setbacks subject to those set out in the actual boundaries of the zone and the use, as required.)

PART 700 - RESIDENTIAL ZONES

Bylaw No. 2700  
"Comox Valley Zoning Bylaw, 2007" Page 46

|  |
|--|
| 5. <b>LOT COVERAGE</b>   |
| a) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.  |
| 6. <b>FLOOR AREA REQUIREMENTS</b>  |
| a) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres <sup>2</sup> (2152.9 sq. ft.).   |
| 7. <b>SUBDIVISION REQUIREMENTS</b>   |
| a) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as "residential expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2017" is 0.3 hectares.   |
| b) Despite any other provision of this bylaw, for the purpose of subdivisions, the following provisions of this bylaw do not apply to lots within areas designated as "residential expansion areas" under "Comox Valley Regional Growth Strategy Bylaw No. 120, 2017": |
| i) Section 503 Subdivision Standards 1: <b>AREA AND FRONTAGE REQUIREMENTS</b> ;  |
| ii) Section 503 Subdivision Standards 2: <b>LOT SIZE EXCEPTIONS</b> i) a); and   |
| iii) Section 503 Subdivision Standards 2: <b>LOT SIZE EXCEPTIONS</b> ii).  |
| 8. <b>Lot Area</b>   |
| a) The minimum lot area permitted shall be 1.0 hectare (2.5 acres).  |
| b) Despite (a), a subdivision with lots smaller than identified above may be created by subdivisions provided that the average lot area within the subdivision is equal to the minimum lot area permitted.   |

End of CR-1

PART 700 - RESIDENTIAL ZONES



# Support Rural Living

## Proposed Changes:



- Redefine commercial vehicle weight to allow trucks in excess of one tonne.
- Restrict number of participants for instructional classes.
- Reduce number of employees for home occupations.
- Permit automobile repair as home occupation and domestic industrial provisions on any lot 2.0 hectares or larger with screening and setbacks met.
- Allow livestock and honey bees on parcels less than 0.4 hectares in size with provisions for maximum number of animals.
- Increase height for accessory buildings.

# Support Aging in Place



## Proposed Changes:

- Provide flexibility in the design and layout of carriage houses to permit:
  - Internal staircase,
  - Increase height,
  - Design flexibility in the floor plan.



# Support Agriculture and Aquaculture



## Proposed Changes:

- Incorporate changes to Agricultural Land Commissions (ALC) agri-tourism definition.
- Reduce the number of repetitive aquaculture zones.
- Consolidate Aquaculture Three zone and Aquaculture Four zone and Upland Aquaculture Facility One to combine in a new Upland Aquaculture zone.
- Permit backyard market gardening, beekeeping and egg production on all residential properties.





# Support Rural Economic Development

## Proposed Changes:



- Improve clarity of permitted commercial uses and associated definitions.
- Broaden the uses permitted in Commercial and Light Industrial Zones.
- Include veterinary services, general contractor services and storage yards.
- Broaden Rural Recreation One Zone
- Include outdoor recreation use.
- Increase screening requirements to reduce conflicts between residential and commercial land uses.
- Enable small scale commercial use to serve day to day needs of neighbouring residents.



# Incorporating Sustainable Principles



## Proposed Changes:

- Permit renewable energy devices in all zones.
- Include height and setback provision to enable sustainable technologies for home energy production and water conservation.

# Update Zoning Map



## Proposed Changes:

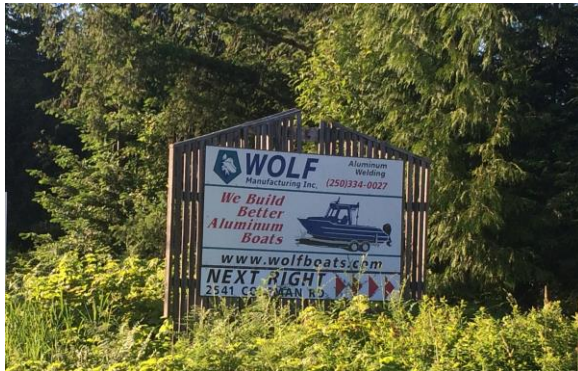
- Improve accuracy of map.
- Reduce split zoned properties.
- Reduce repetitive zones  
(Aquaculture Two, Residential One B, Residential One C, Residential One D, Residential Two, Country Residential Two).
- Eliminate unused zones  
(Commercial Composting zone).

# Introduce Sign Regulations



## Proposed Changes:

- Establish maximum sign face area.
- Establish appropriate rural sign height.
- Limit number of signs per property.
- Prohibit certain signs (third party signs, flashing signs, oscillating and animated signs).



# Consultation Work Plan

- Public consultation process has been divided into two phases:
- Phase 1: public launch – March through May 2019
  - Update website
  - Create social media plan promoting the open houses
  - Contact affected property owners (i.e. split zone notification)
  - Consult with each APCs
  - Complete three open houses to obtain feedback



# Consultation Work Plan – Continued

- Phase 2: statutory adoption process – June – October 2019

## ➤ Bylaw adoption process

- Present results of open house
- First and second reading
- Public hearing
- Third reading
- Bylaw to MoTI
- CVRD board for final adoption

# Here are a few ways to get involved



- Visit the regional district's website [www.comoxvalleyrd.ca](http://www.comoxvalleyrd.ca) and search “zoning bylaw review”



- Attend scheduled open house (to be announced)



- Contact the regional district to share your concerns and ideas for improving the zoning bylaw

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