



STAFF REPORT TO COMMITTEE

DATE OF REPORT April 10, 2024
MEETING TYPE & DATE Electoral Area Services Committee Meeting of May 1, 2024
FROM: General Manager
Land Use Services Department
SUBJECT: Official Community Plan and Zoning Bylaw Coordination
FILE: 0620-20 LUSD Workplan 2024

PURPOSE/INTRODUCTION

This report provides the Electoral Area Services Committee (EASC) with detail regarding coordination of the Modernized Official Community Plan (MOCP), Local Area Plans (LAPs) and Comprehensive Zoning Bylaw (CZB) projects.

RECOMMENDED RESOLUTION

For information.

BACKGROUND

Land Use Services Department (LUSD) staff provided a report to the EASC on April 3, 2024, regarding Department activities and proposed 2024 workplans for LUSD Divisions (Development Services, Community Planning, Planning-Strategic Initiatives, and Inspections & Enforcement). Options for coordination of two major projects – the MOCP and CZB – were presented and Electoral Area Directors requested further detail regarding timing and integration of these projects.

The current Official Community Plan for the Electoral Areas (Bylaw No. 4373) resulted from a multi-year planning process to consolidate Official Community Plans (OCPs) for the CVRD's nine electoral areas into a single document with nine Local Area Plans that follow electoral area boundaries.

The MOCP will replace the HOCP with a forward-looking document that set out current community values and goals, and includes new Local Area Plans that follow growth containment boundaries (GCBs).

The CZB will consolidate and replace all ten current zoning bylaws:

- Bylaw No. 3520 – South Cowichan (Electoral Areas A and C) Zoning Bylaw
- Bylaw No. 985 – Shawnigan Lake Zoning Bylaw
- Bylaw No. 1015 – Cowichan Bay Marine Zoning Bylaw
- Bylaw No. 3705 – Cowichan Bay Upland Zoning Bylaw
- Bylaw No. 1840 – Cowichan Station/Sahtlam/Glenora Zoning Bylaw
- Bylaw No. 2600 – Cowichan Lake South/Skutz Falls Zoning Bylaw
- Bylaw No. 2524 – Saltair Zoning Bylaw
- Bylaw No. 1020 – North Oyster/Diamond Zoning Bylaw
- Bylaw No. 2465 – Youbou/Meade Creek Zoning Bylaw
- Bylaw No. 4485 - Development Permit Guidelines & Exemptions

The CZB, which will implement the MOCP/LAPs and provide consistent terminology, regulations and zones for CVRD electoral areas, will be a significant step toward modernization of the CVRD

Development Services function, providing one set of land use regulations and policies for staff, applicants, EASC/Board and the public.

ANALYSIS

Modernized Official Community Plan

As noted in the April 3, 2024, staff report, the MOCP process has been delayed due to new Provincial legislation requiring Interim Housing Needs Assessments Reports (HNRs) with release of methodology to complete required HNR updates expected July 2024. Once the interim HNR is completed, updated policies respecting future growth (over a 20-year period) will be incorporated into the draft MOCP.

MOCP map schedules are currently being developed by CVRD GIS staff. Staff intend to present final draft map schedules to EASC in July 2024, and post maps for public review thereafter.

Once the draft MOCP has been updated to meet Provincial requirements, staff can present a report to the EASC and initiate the statutory process for MOCP bylaw adoption. This should occur in November 2024 with potential for Board adoption in February 2025.

Further details are provided in the Project Charter (Attachment A).

Local Area Plans

New LAPs are under development. Staff will engage with Advisory Planning Commissions (APCs) this spring (Q2) 2024 on LAP Scenarios, and intend to re-engage with APCs in spring (Q2) 2025.

Spring 2025 APC consultation will focus on draft LAP implementation plans and metrics.

LAP work will be supported by a second UBCM Complete Communities grant (awarded April 10, 2024) and the statutory process for adoption of new LAPs is anticipated in fall (Q4) 2025.

Further details are provided in the LAP Project Charter (Attachment B).

Comprehensive Zoning Bylaw

The CZB will include common definitions, general regulations and zones. The consolidation and modernization of bylaw definitions and general regulations is in progress. Development of CZB zone mapping is contingent on availability of CVRD GIS staff resources. CZB mapping should commence following completion of MOCP mapping in late summer (Q3) 2024. Draft CZB mapping should be complete by end of 2024.

Staff anticipate fall (Q3) 2024 engagement with APCs on CZB general regulations, followed by spring (Q2) 2025 engagement with APCs on zones in conjunction with draft LAPs.

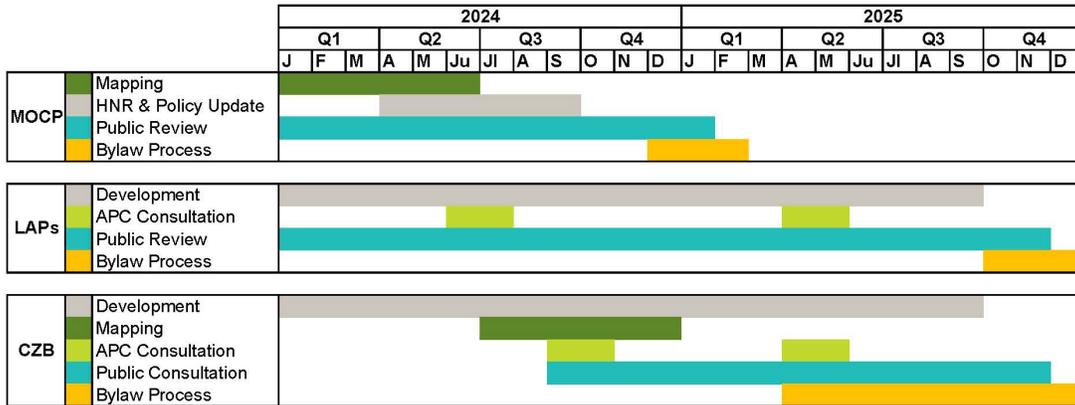
Following APC consultation in the spring, staff will continue with public engagement on the draft CZB through to the statutory process, which may begin in fall (Q4) 2025 with projected CZB adoption (with LAPs) in late fall (Q4) 2025.

Further details are provided in the CZB Project Charter (Attachment C).

Process Coordination & Timeline

The process timeline for the MOCP, LAPs and CZB is shown as follows:

MOCP/LAP/CZB Project Coordination



OCP/ZB Consistency and Interim Amendments

As noted previously, zoning bylaw amendments must be consistent with the OCP in force at the time of adoption of zoning bylaws or zoning bylaw amendments.

In advance of CZB adoption, individual zoning bylaws are expected to be amended to address the following:

1. Province of BC (Bill 44) mandated zoning amendments for secondary suites;
2. CVRD-led zoning amendments in relation to accessory dwellings, short-term rental regulations, and general bylaw maintenance (housekeeping); and
3. Rezoning applications.

In regards to No. 3, required statutory processes will need to align with the statutory process for adoption of the MOCP. Hence, once the MOCP statutory process begins in fall (Q4) 2024, rezoning applications should be held in abeyance until the MOCP bylaw has been adopted in order to avoid the need to amend an in-stream MOCP bylaw.

Once the MOCP has been adopted, zoning amendments will need to be consistent with the MOCP, meaning any in-stream rezoning applications may need to be adjusted accordingly.

FINANCIAL CONSIDERATIONS

2024 Budget for Function 325 (Community Planning) includes funds to support consultant activities in relation to MOCP, LAP and CZB development. The Province of BC provided grant funding to support required interim HNR updates, and corresponding updates to the draft MOCP.

The proposed budget for 2025 will primarily focus on consult support to complete drafting of LAPs (the Board has previously approved use of operating reserves for LAPs) and CZB public engagement (i.e. marketing, promotion, graphics, facilitation, venue rental, etc.).

COMMUNICATION CONSIDERATIONS

PlanYourCowichan will continue to be utilized as a public information and engagement platform. Supplemental communications and consultation mechanisms are described in project charters.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Consistent with CVRD 2023-2026 Strategic Plan.

GENERAL MANAGER COMMENTS

Not Applicable

Referred to (upon completion):

- Community Services (*Arts & Culture, Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- Operations (*Parks & Trails, Recycling & Waste Management, Utilities*)
- Land Use Services (*Building Inspection & Bylaw Enforcement, Community Planning, Development Services, Strategic Initiatives*)
- Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

Prepared by:



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Reviewed for form and content and approved for submission to the Committee:

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

ATTACHMENTS:

- Attachment A – MOCP Project Charter
- Attachment B – LAP Project Charter
- Attachment C – CZB Project Charter