



**CVRD**

# **COWICHAN OUR FUTURE**

July 7, 2021



# Bylaw and Policy Alignment Projects

## Content to Cover:

1. Land Use Policies to Rescind (5)
2. New Community Amenity Policy
3. Manufactured Home Park Bylaw & Policy
4. Cannabis Bylaw & Policies



# Non-Conforming Dwellings Policy 1991

**Recommendation:** Rescind

**Rationale:** The policy is redundant with the *LGA*, which includes provisions for lawful non-conforming uses, buildings and structures.



# Letters of Comfort for Non-Conforming Siting Policy 1994

**Recommendation:** Rescind

**Rationale:** The policy is redundant with the *LGA*, which includes provisions for lawful non-conforming uses, buildings and structures.



# Modular and Mobile Homes Policy 2009

**Recommendation:** Rescind

**Rationale:** The CVRD Building Bylaw appropriately and adequately addresses the content of this policy.

Ex: Building Bylaw sec 2.3.5(3) references modular homes, and compliance with CSA standards, either A-277 for factory-built homes or Z-240 for mobile homes.



# Short Term Rental of Single Family Dwellings Policy 2012

**Recommendation:** Rescind

**Rationale:** Policy is out of date. Proper interpretation of the zoning bylaw should determine whether or not land may be used for a specified purpose.



# Seasonal Cabins Policy 2017

**Recommendation:** Rescind

**Rationale:** Bylaws, not policies, should be used to determine whether a dwelling unit is permitted without a sewer and water connection. This policy should not be relied upon to refuse a permit.



# Community Amenity Policy - New

## Purpose:

To establish a policy on amenity contributions within the electoral areas and to replace the parameters previously contained within electoral area official community plans.

**Recommendation:** For Information – workshop to follow.



# Manufactured Home Park Bylaw No. 4367 & Manufactured Home Park Re-Development Policy for the Electoral Areas 2021

## Purpose:

1. Replace existing MHP Bylaw (from 1978)
2. Replace existing MHP Redevelopment Policy (from 2008)



# Manufactured Home Park Bylaw No. 4367

## Purpose of Updates:

1. To delete ultra vires content and move certain content to Zoning Bylaws.
2. Regulations for servicing and general siting and setback requirements are retained.
3. All changes outlined in Explanatory Table (Attachment E).

Note: Public hearing can be waived in favour of a public notice, as proposed Bylaw No. 4367 is consistent with existing electoral Official Community Plans.



# Manufactured Home Park Bylaw No. 4367

## Explanatory Table:

Current Bylaw 275 Mobile Home Park	Proposed Bylaw 4367 Manufactured Home Park	Rationale
No person shall: a) locate, establish, construct, alter, <u>subdivide</u> , or operate a mobile home park; or b) cause or allow a mobile home to be parked or to remain in a mobile home park in contravention of this bylaw.	No personal will: a) establish, construct, alter or operate a manufactured home park; or b) cause or allow a manufactured home to be placed or installed or to remain in a manufactured home park in contravention of this bylaw.	'subdivide' is beyond the board's authority under s. 298.



# Manufactured Home Park Re-Development Policy for the Electoral Areas 2021

## Purpose of updated policy:

To clarify the CVRD's jurisdiction with respect to relocation of existing tenants of a manufactured home park subject to re-development



# Manufactured Home Park Bylaw No. 4367 and Policy

## Recommendations:

1. The revised Manufactured Home Park Re-Development Policy be approved.
2. That CVRD Bylaw No. 4367 - Manufactured Home Park Bylaw, 2021 be forwarded to the Board for first and second reading.
3. That public hearing for Bylaw 4367 be waived in favour of a public notice.

# Cannabis Bylaw No. 4349 and Policies

## Purpose:

- Bylaw amendments- response to Board direction
- Update policies (2) and rescind (1)



Source: [globalnews.ca/news](https://globalnews.ca/news)



# Cannabis Bylaw No. 4349

## Attachments:

- A. Bylaw 4349 Cannabis Uses
- B. Explanatory table of bylaw amendments and policy updates
- C. Illustrative mapping of zones permitting retail sales
- D. Illustrative mapping of zones permitting commercial production/processing



# Cannabis Bylaw No. 4349

## Explanatory Table:

Electoral Area/ Existing Zoning Bylaw Content	Proposed	Rational/Comments
Section 4.2.2 Uses Prohibited in all Zones: k. Cannabis-related business; l. Cannabis consumption lounge; m. Cannabis production (commercial - medical); n. Cannabis production (commercial - non-medical); o. Cannabis production (personal - home cultivation); p. Cannabis storefront retail.	Subsections 4.2.2 k. to p. are <u>deleted</u> .	General prohibition of these uses is now irrelevant.



# Cannabis Bylaw No. 4349

## Explanation of Bylaw 4349:

- I. Update cannabis retail regulations
  - a) Allow cannabis retail in all retail zones
  - b) Provincial license and Board approval still required
- II. Update definitions with respect to Federal legislation
  - b) Eliminate distinction between medical and recreational cannabis.
  - c) Consistent definitions across EA zoning bylaws.



# Cannabis Bylaw No. 4349

## Explanation of Bylaw 4349:

### III. Update regulations for cannabis production/processing in the ALR

- a) Permit cannabis cultivation/processing in ALR (in open field or in a greenhouse with a soil floor – ALC Use Regulation)
- b) Building setbacks: 30 m to all parcel lines and not less than 150 m from a residence in the ALR.
- c) Not permitted on parcels within 150 m of parks, schools, childcare facility, and specific zones (residential, institutional, comprehensive residential, mixed use)



# Cannabis Bylaw No. 4349

## Explanation of Bylaw 4349:

### IV. Update regulations for cannabis production/processing non-ALR










- a) Permit production/processing in Industrial zones that have pre-existing allowance
- b) Building setbacks: 30 m to all parcel lines and not less than 150 m from a residence in the ALR.
- c) Not permitted on parcels within 150 m of parks, schools, childcare facility, and specific zones (residential, institutional, comprehensive residential, mixed use)

### Map Limitations

The information found on this map represents the current inventory of zoning that allows for retail sales of cannabis as per CVRD Bylaw 4349 - Cannabis Uses, 2021, as well as the current inventory of land uses from which retail cannabis businesses must be spaced (see 300 m Buffer as per CVRD Cannabis Retail Store Application Criteria Policy).

This map is not attached by Bylaw 4349 - Cannabis Uses, 2021; it is for illustrative purposes only, and the current inventory is subject to change.

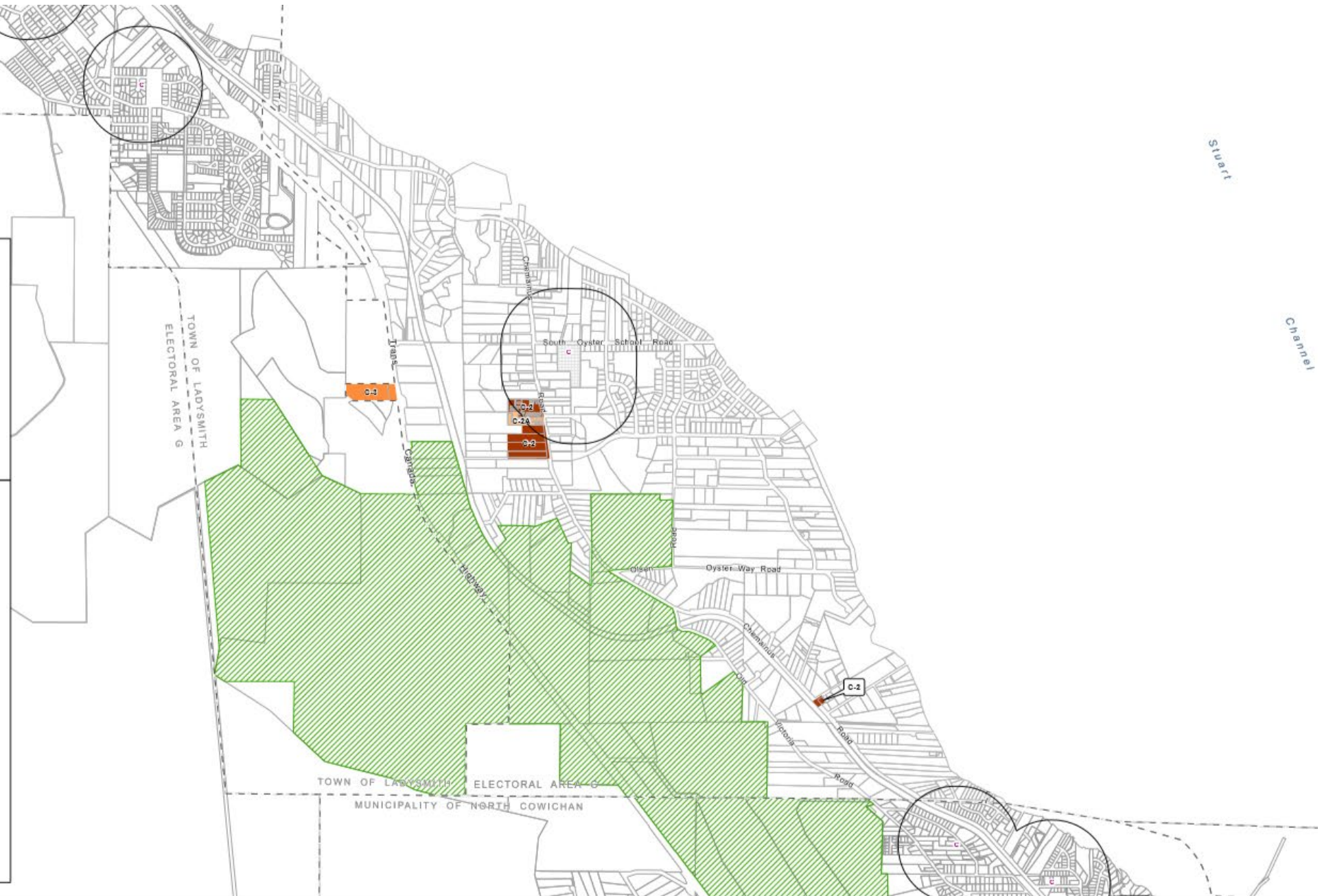
### Retail Sales of Cannabis (as per Bylaw 4349 and Cannabis Retail Store Application Criteria Policy)

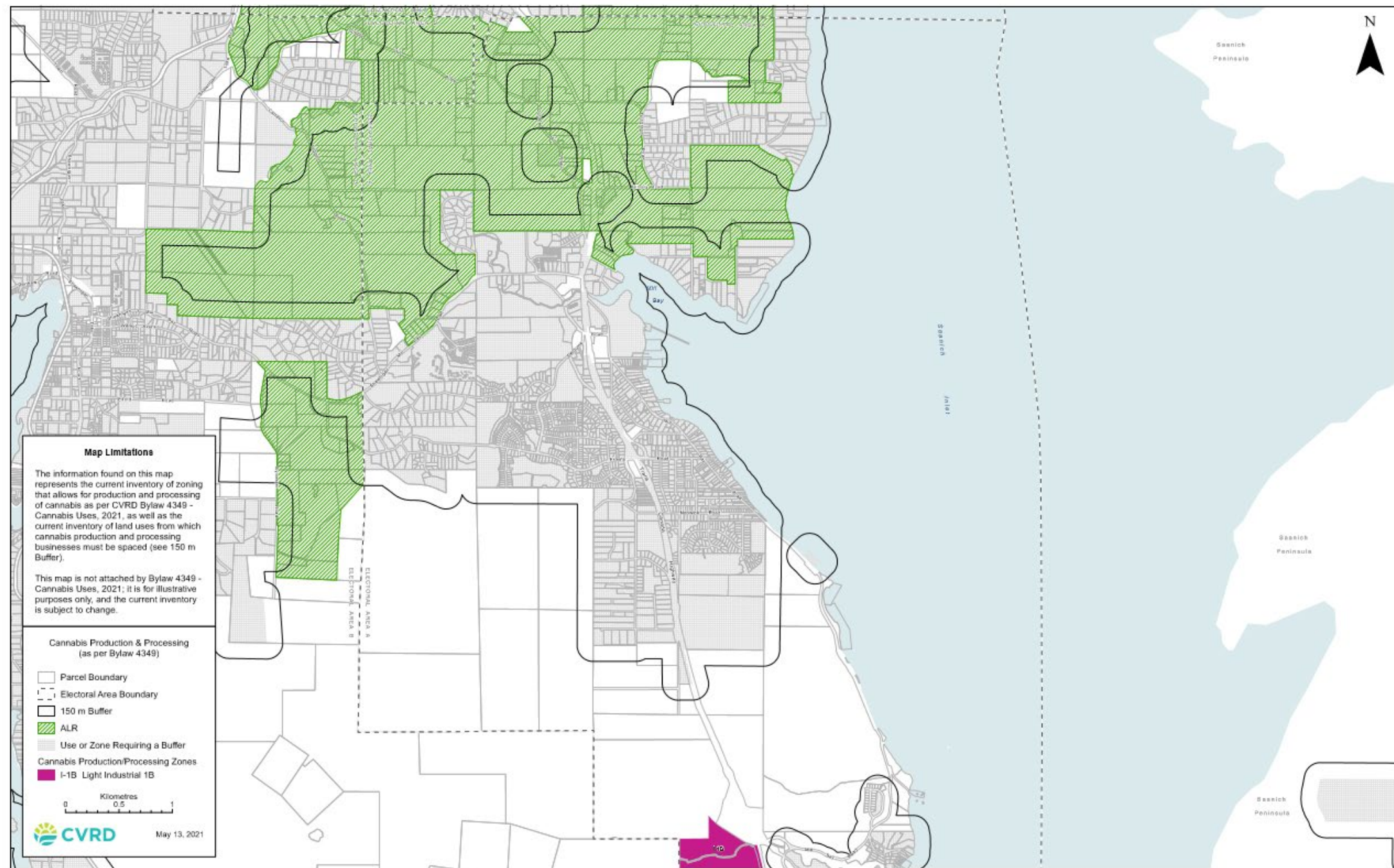
-  Licensed Child Care Facility
-  Parcel Boundary
-  Electoral Area Boundary
-  300 m Buffer
-  School or Licensed Child Care Facility Parcel
-  ALR
- Retail Sale of Cannabis Zones**
  -  C-2 Local Commercial 2
  -  C-2A Small Lot Local Commercial
  -  C-3 Service Commercial 3

Kilometres  
0 0.5 1



May 13, 2021







# Cannabis Policies

## Proposed Changes:

1. Replace CVRD Cannabis Production Facility Land Use Application Policy 2019.
2. Replace CVRD Cannabis Retail Store Application Criteria Policy 2019.
3. Rescind CVRD Cannabis Regulation Bylaw Enforcement Policy 2018.



# Cannabis Uses Bylaw 4349 & Policies

## Recommendations (1/2):

1. That CVRD Bylaw No. 4349 - Cannabis Uses, 2021 be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading.
2. That CVRD Bylaw No. 4349 - Cannabis Uses, 2020 be referred to the Ministry of Agriculture, Agricultural Land Commission, RCMP, Municipality of North Cowichan, City of Duncan, Town of Lake Cowichan, Town of Ladysmith, Cowichan School District 79, Ladysmith-Nanaimo School District 68, the following First Nations: Cowichan Tribes, Ditidaht, Halalt, Lyackson, Malahat, Pauquachin, Penelakut, Stz'uminus and Ts'uubaa-asatx.



# Cannabis Uses Bylaw 4349 & Policies

## Recommendations (2/2):

3. That the revised CVRD Cannabis Production Facility Land Use Application Policy, be approved.
4. That the revised CVRD Cannabis Retail Store Application Criteria Policy, be approved.
5. That CVRD Cannabis Regulation Bylaw Enforcement Policy 2018 be rescinded.



Thank you

Questions?