

CONSERVATION SUBDIVISION TOURIST COMMERCIAL MARINE SHORELINE & TECHNICAL AMENDMENTS



Land Use Bylaw Review (OCP Implementation) Project
November 7, 2020

PROJECT OUTLINE

- **Objective:** To amend various regulations in the LUB to implement policies in the OCP, to address legislative changes, and to make technical and other minor amendments to the LUB.
- **The project is categorized into 7 topic areas:**
 - Residential floor area review
 - Conservation subdivision review
 - Tourist Commercial regulation review
 - Marine shoreline regulations review
 - Agricultural regulations amendments
 - Industrial regulation review
 - Minor and technical amendments

PROJECT TIMELINE

Workplan Overview	
Deliverable/Milestone	Date
<i>Project charter endorsed</i>	<i>January 2020</i>
<i>Staff research and analysis of options, preparation of background documents, reports and discussion papers</i>	<i>Feb – June 2020</i>
<i>LTC review of background material and consideration of public consultation options</i>	<i>June 2020</i>
<i>First Nations engagement</i>	<i>June – Nov 2020</i>
<i>Public consultation (scope, extent and timing to differ for topic areas), early referrals</i>	<i>July – Nov 2020</i>
<i>LTC review of consultation results and consideration of amendment options</i>	<i>Jan – Feb 2021</i>
<i>Preparation of draft bylaw (blackline and new format)</i>	<i>Mar – May 2021</i>
<i>LTC Consideration of draft bylaw</i>	<i>May 2021</i>
<i>Community Information meetings / agency and First Nations referrals</i>	<i>June – Aug 2021</i>
<i>Legislative Process (longer if OCP amendments required)</i>	<i>Sept – Dec 2021</i>

CONSERVATION SUBDIVISION OPTIONS



1. Incentivizing a Conservation Approach to Subdivision

- The North Pender Island LTC could consider creating new Rural Residential and Rural zones for larger properties identified to have conservation subdivision potential. In these zones current allowable density would be reduced; or alternately, the existing density could be retained, but an additional density permitted if a conservation approach is utilized. Utilizing a density bonus would permit extra density when a conservation subdivision approach is implemented.

CONSERVATION SUBDIVISION OPTIONS



2. Addressing Regulatory Requirements for a Conservation Subdivision Approach

- The NPILTC could amend or remove the frontage requirements to not require 20 metres of land to front on a highway and the LTC could consider waiving the 10% frontage requirement when the lot design favours a conservation subdivision approach.
- The NPILTC could consider removing the Land Use Bylaw requirement of a minimum of 1.2 ha (3 acres) for cottages on new lots. Another way to achieve this (while avoiding an unintentional proliferation of cottages on existing small lots) is to create a new class of Rural Residential and Rural zones targeted for conservation subdivisions where the regulations would allow cottages on smaller lots.
- The NPILTC could consider varying the lot shape requirements when conservation subdivision objectives are being achieved, or make special provision in a new zone created to encourage a conservation subdivision approach on existing large lots.

TOURIST COMMERCIAL ZONING OPTIONS



1. Potential changes to C2 zone density regulations:

- A review of the total number of permitted units and the appropriateness of the current zoned locations as discussed above. Options include:
 - i) Reducing the number of permitted units in some locations
 - ii) Changing the mix of uses along with a smaller number of tourist accommodation units in some locations.
- Provide flexibility in the size of the units, for example permitting a smaller number of larger units as supported by OCP policy, and as implemented at Port Browning.
- Simplifying the zoning, for example, by establishing a maximum number of units per hectare or maximum floor area ratio throughout the zone.
- Amendments to allow more employee housing and in different forms. This provision was amended in the C3 zone for Port Browning as part of the recent rezoning.
- Consideration to requiring employee accommodation on-site for new developments over a certain density. This would essentially involve establishing two densities – base density of units and a second higher density that in order to be developed would require provision of employee accommodation on-site.

TOURIST COMMERCIAL ZONING OPTIONS



2. Potential changes to C2 zone use regulations:

- Amend the principal permitted use to 'tourist accommodation', and amend the related definitions, with the density regulations and definitions establishing the form, number and maximum size of units. This is consistent with best practice of permitting a use rather than a type of building.
- Amend 'Marina' to marina services accessory to a permitted commercial marine zone, with a definition if warranted.
- Review and amend the Campground regulations in section 3.16 to make relevant for small, private, accessory campgrounds along with reasonable limits on the number of tenting sites.
- Making 'retail sales' an accessory use.
- Clarify the list of accessory uses, including the accessory dwelling units.
- Incorporate Section 1.2, which limits length of stays in tourist accommodation units, into the definitions as in other bylaws.

MARINE & SHORELINE OPTIONS



1. Changes to setback from the natural boundary of the sea.
2. Prohibit derelict “docks, floats, ramps and walkways” in all marine water zones.
3. Require rezoning for new docks.
4. Changes to zoning to encourage soft shore mitigation efforts.
5. Additional potential amendments to regulations (review uses and definitions).

MINOR & TECHNICAL AMENDMENTS



Please see table at: <http://www.islandstrust.bc.ca/media/349681/minor-and-technical-amendments-table.pdf>

NEXT STEPS

- Continue with public consultation and early referrals. Staff will report back with a summary of comments in early 2021 with next steps for the project.

Workplan Overview	
Deliverable/Milestone	Date
<i>Project charter endorsed</i>	<i>January 2020</i>
<i>Staff research and analysis of options, preparation of background documents, reports and discussion papers</i>	<i>Feb – June 2020</i>
<i>LTC review of background material and consideration of public consultation options</i>	<i>June 2020</i>
<i>First Nations engagement</i>	<i>June – Nov 2020</i>
<i>Public consultation (scope, extent and timing to differ for topic areas), early referrals</i>	<i>July – Nov 2020</i>
<i>LTC review of consultation results and consideration of amendment options</i>	<i>Jan – Feb 2021</i>
<i>Preparation of draft bylaw (blackline and new format)</i>	<i>Mar – May 2021</i>
<i>LTC Consideration of draft bylaw</i>	<i>May 2021</i>
<i>Community Information meetings / agency and First Nations referrals</i>	<i>June – Aug 2021</i>
<i>Legislative Process (longer if OCP amendments required)</i>	<i>Sept – Dec 2021</i>