



## Cortes Island Zoning Bylaw Changes August 2018

The Cortes Island Zoning Bylaw is in the final stages of being updated. The existing *Bylaw No. 2455, Electoral Area 'I' (Cortes Island) Zoning Bylaw, 2002*, was adopted by the former Comox Strathcona Regional District in 2003 and *Bylaw No. 139, Cortes Island Official Community Plan Bylaw, 2012, (OCP)*, was adopted by the Strathcona Regional District in 2013. The proposed update, Bylaw 309,

- reflects the objectives and policies of the more recent OCP (2013),
- incorporates feedback gathered through community consultations,
- has updated references to provincial legislation and SRD bylaws enacted after the approval of the earlier zoning bylaw (i.e., since 2002),
- accommodates feedback from referral to other government bodies and
- has been refreshed by a legal review.

### **Key Changes**

- In recognition of the SRD's lack of jurisdiction when it comes to the regulation of normal farm practices, restrictions on powered equipment in the aquaculture zones were deleted.
- A maximum floor area limit for principal dwellings in all zones is given to retain the rural character of the island.
- Restrictions on the production and sale of non-medicinal cannabis outside the ALR.

### **Bylaw Changes in Response to Referral Comments**

In response to the referral comments, the following changes were made:

- Creation of an Agriculture One (AG-1) zone that corresponds to the Agricultural Land Reserve (ALR) boundaries.
- Clarifications of Agricultural Land Reserve regulations.
- Creation of a Marine Park One (MP-1) zone that corresponds to provincial and regional protected areas that extend over marine areas.
- Clarification that Riparian Area Regulation reports are to be uploaded to the RAR notification system.

### **Definitions**

Bylaw 309 includes additional and clearer definitions, particularly in relation to accessory home businesses, mobile homes, manufactured homes, RVs and tourist accommodations.

## **Zones**

Utility and park use continue to be permitted in all zones. Some zone revisions were made:

- Two aquaculture zones were consolidated.
- One aquaculture zone and a tourist commercial zone were deleted since they were not in use.
- Coastal area zoned Aquaculture One (AQ-1) was reduced to include only existing tenures and areas with beach aquaculture potential.
- A second Public Assembly Two (PA-2) zone was added that does not allow residential use to protect properties in that zone for public use.
- Carrington Bay, Hanks Beach and Whaletown Commons were changed to Park One (P-1) zone.

## **Uses**

Most of the permitted uses in existing zones were not changed. The changes that were made are expected to have no to minimal impact on existing residents and businesses since uses existing prior to any changes are legally non-conforming and are permitted to be continued.

## **Zoning Map**

Updates to the zoning map include the following:

- The zone changes.
- Crown land parcels that are designated Forestry in the Cortes Island Official Community Plan were changed to a forestry zone.

## **Follow Up Work**

Two complex issues that could not be adequately researched and discussed as part of this zoning bylaw update are:

- a. Short-term vacation rentals – their importance to the local economy as well as their impact on the rental housing market; and
- b. Zoning for non-medicinal cannabis production and sales.

There is a need for further research and community discussion on these topics. It is planned that in 2019, SRD staff will engage Cortes residents in focused discussions on those two topics. Depending on the feedback received, additional amendments to the zoning bylaw may be made.