



STAFF REPORT

DATE: September 6, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAW NO. 465 – QUADRA ISLAND REZONING (RZ 1C 22 – RAMOS)

PURPOSE/PROBLEM

To consider first and second readings of Bylaw No. 465 which proposes to rezone a 0.2-hectare parcel of land located at 698 Heriot Bay Road on Quadra Island to facilitate the subdivision of the property into 2 equal lots of 1000 square metre each in size.

EXECUTIVE SUMMARY

At its August 17, 2022 meeting the Electoral Areas Services Committee considered the attached report and passed the following resolutions:

Anderson/Whalley: EASC 158/22

THAT the Committee recommend that Bylaw No. 465 (Ramos) be forwarded to the Board for first and second readings.

Whalley/Anderson: EASC 159/22

THAT the Committee recommend that the Board authorize a public hearing to consider Bylaw No. 465 (Ramos), and

THAT the public hearing be held at a date and time to be determined.

The actions outlined below are offered in support of the Committee's recommendations.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 465, being a bylaw to amend the zoning regulations applicable to Quadra Island, be now introduced and read a first time.
3. THAT Bylaw No. 465 be given second reading.
4. THAT a public hearing to consider Bylaw 465 be authorized to be held at 7:00 p.m. on Wednesday, November 30, 2022 at the Quadra Island Community Centre located at 9710 West Road, Quathiaski Cove, BC and

THAT the holding of the public hearing be delegated to the Electoral Area directors with the directors for Electoral Area C and Electoral Area _____ designated as the Chair and Vice Chair respectively for the public hearing.

Respectfully:



Dave Leitch
Chief Administrative Officer

Prepared by: E. Watson, Senior Executive Assistant

Attachments: Bylaw No. 465
Copy of July 18, 2022 report to the Electoral Areas Services Committee



BYLAW NO. 465

A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO QUADRA ISLAND

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1213, adopted zoning regulations for Quadra Island and vicinity pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1213 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1213 being Quadra Island Zoning Bylaw 1990, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No.465, being Quadra Island Zoning Bylaw 1990, Amendment No. 140.

READ A FIRST TIME ON THE ____ DAY OF _____, 2022

READ A SECOND TIME ON THE ____ DAY OF _____, 2022

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2022

READ A THIRD TIME ON THE ____ DAY OF _____, 2022

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2022

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENT

- 1) Part 4 'DEFINITIONS', Section 4.1 is amended by inserting the following definitions:
'Garden Cottage' means a fully detached individual home, but with a common garden, parking area and meeting room, if provided.
'Duplex' means any building divided into two dwelling units which are either placed one above the other, or side by side, sharing a common wall and under one roof.

- 2) Part 8 'ZONING DESIGNATIONS', Section 8.1.1 is amended by inserting the following new zone after Park Residential One:
Village Peripheral Residential One Village Peripheral Residential VPR-1

- 3) Part 9 'SUBDIVISION REQUIREMENTS', Section 9.1 1 is amended by inserting the following new zone after Park Residential One:
Village Peripheral Residential One (VPR-1) 1000 square metres

- 4) Part 11 'ZONES', Section 11.1, 'General Provisions' is amended by inserting the following new zone:
11.4C Village Peripheral Residential One (VPR-1)

11.4C	VILLAGE PERIPHERAL RESIDENTIAL ONE (VPR-1)
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11.4C.1 PERMITTED USES

- a) *Single Family Residential*
- b) *Mini-lot Single Family*
- c) *Garden Cottage*
- d) *Duplex*
- e) *Live-Work Studio*

11.4C.2 CONDITIONS OF USE

- a) Single Family Residential use is limited to one dwelling unit per lot;
- b) Every residential unit must have its own individual entrance;
- b) An individual yard and garden is to be provided for each single family dwelling;
- c) Landscaping adjacent to buildings are required to provide privacy and shade.

11.4C. 3 LOT AREA

The minimum lot area in the Village Peripheral Residential One (VPR-1) zone shall be 1000 square metres.

11.4A.4 SETBACKS

Except where otherwise specified in this bylaw:

- 1) *Front yard* shall be a minimum of 4.5 metres from a *front* lot line;
- 2) *Rear yard* shall be a minimum of 4.5 metres from a *rear* lot line;
- 3) *Side yard* shall be a minimum of 1.75 metres from a *side* lot line.

11.4A.5 LOT COVERAGE

The maximum *coverage* of all *buildings* and *structures* on a *lot* shall be 40%,

11.4A.6 BONUS DENSITY

- a) Where a development proposal meets at least two of four parameters related to housing size, accessibility and affordability and where parks, squares, gardens, greenways, public markets and other public amenities are provided on at least 20 percent of the site area, the recommended base density of 10 units per hectare may be increased to 15 units per hectare, provided the increased density is in the form of 5 secondary suites per hectare.
- b) Where three or more of the parameters are met, the density bonusing allowance may be increased from 15 units per hectare to allow for a maximum of 20 units per hectare to allow for a further 5 additional units per hectare. The overall maximum density with the application of this additional bonusing is not to exceed 20 units per hectare with the requirement for a minimum of five of these units per hectare being built as secondary suites.

SECTION TWO MAP AMENDMENT

- 1. Land described as Lot 4, District Lot 8, Quadra Island, Sayward District, Plan 3162 as shown on the attached Appendix '1', is rezoned from Residential One (R-1) to Village Peripheral Residential One (VPR-1).



Area to be rezoned
from Residential One (R-1) to
Village Peripheral
Residential One (VPR-1)



RZ 1C 22 - Ramos

Lot 4, Plan VIP3162, District Lot 8, Sayward Land District,
QUADRA ISLAND EXC PCL 133631 RD BNDYS

GIS: U:\proj\EA_CIS\SubjectProperties\EA_C_SubjProp.aprx
 May 30, 2022

Appendix '1'

Part of Schedule 'A' to Bylaw No. 465, being Quadra Island Zoning Bylaw 1990, Amendment No. 140.

Amends 'Map 1' of Bylaw No. 1213, being Quadra Island Zoning Bylaw 1990.



STAFF REPORT

DATE: July 18, 2022 **FILE:** 0550-04 EASC
TO: Chair and Directors
Electoral Areas Services Committee
FROM: Dave Leitch
Chief Administrative Officer
RE: **APPLICATION TO AMEND THE QUADRA ISLAND ZONING BYLAW – RAMOS**

PLANNING FILE NO. 3360-20/RZ 1C 22
ROLL NO.: 772 16596.000 **PID No.:** 006-267-084
APPLICANT: Devin Ramos
LAND DESCRIPTION: Lot 4, District Lot 8, Quadra Island, Sayward Land District, Plan 3162, exc. Pcl.13363I
CIVIC ADDRESS: 698 Heriot Bay Road, Quathiaski Cove BC
OCP BYLAW: Bylaw 3050, "Quadra Island Official Community Plan Bylaw, 2007"
EXISTING DESIGNATION: Village Peripheral Residential
ZONING BYLAW: Bylaw No. 1213 "Quadra Island Zoning Bylaw, 1990"
EXISTING ZONE: Residential One (R-1)
PROPOSED ZONE: Village Peripheral Residential One (VPR-1)

PURPOSE

To consider an application to rezone a 0.2-hectare parcel of land to facilitate its subdivision into two equal lots of 1000 square metres each in size.

POLICY ANALYSIS

Part 14 "Planning and Land Use Management" of the *Local Government Act (LGA)* addresses local governments' roles regarding official community plans and zoning bylaws, namely Division 4 (Official Community Plans), Division 5 (Zoning Bylaws) and Division 3 (Public Hearings on Planning and Land Use Bylaws).

EXECUTIVE SUMMARY

An application has been received to rezone a pre-existing, 0.2-hectare parcel currently zoned Residential One (R-1) to facilitate its subdivision into two equal lots of 1000 square metres in size. This proposal is supported by the Quathiaski Cove Village Plan, which designates the parcel Village Peripheral Residential (VPR), and where the guidelines support low to medium density residential development, including secondary suites and home occupation/studio uses, as well as commercial uses on a case-by-case basis.

Although the proposal is compliant with the Village Plan, in order to bring the parcel into zoning bylaw compliance and to facilitate its proposed subdivision into two residential lots of 1000 square metres each in size, the applicant has applied to amend the zoning bylaw in accordance with the guidelines set out within the Official Community Plan (excerpt attached). The proposal accords with the minimum density provision in the VPR designation and the configuration will allow densification of the two proposed lots at a future date if density bonusing is applied.

A review of the proposal has not identified any impact for adjacent landowners in the area or the residential use of the area. The proposal is compatible with the existing residential use of the surrounding parcels and is consistent with the character of the area. Comments received from government agencies and from First Nations have indicated no concerns with the proposal, provided that a recognized archaeologist is present should any land altering activities bring to light archaeological remains.

Given the above considerations, it is recommended that support be given to the proposal to rezone the property to Village Peripheral Residential One (VPR-1) by giving Bylaw No. 465 first and second reading and scheduling a public hearing.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend that Bylaw No. 465 (Ramos) be forwarded to the Board for first and second readings.
3. THAT the Committee recommend that the Board authorize a public hearing to consider Bylaw No. 465 (Ramos), and

THAT the public hearing be held at a date and time to be determined.

Respectfully:



Dave Leitch
Chief Administrative Officer

AGENCY REFERRALS

The application was referred to a number of First Nations and agencies for their consideration. Comments received to date are summarized in the following table:

Agency	Comments
BC Assessment Authority	No response.
Fire Department - Quadra Island:	No response.
FLNRORD – Environment	No response.
FLNRORD - Archaeology	No known archaeological site on the property.
MoTI	No response.
Island Health	No concerns.

First Nation	Comments
Cowichan Tribes	No response.
Homalco First Nation	No response.
Halalt First Nation	No response.
Klahoose First Nation	No response.
K'ómoks First Nation	No response.
Laich-Kwil-Tach Treaty Society	No response.
Lake Cowichan First Nation	No response.
Lyackson First Nation	No response.
Nanwakolas Council	Only responds to Provincial/Federal referrals.
Penelakut Tribe	No response.
Stz'uminus First Nation	No response.
Tla'amin First Nation	No response.
We Wai Kai Nation	Defers to Nanwakolas Council.
Wei Wai Kum Nation	No response.

PLANNING ANALYSIS

The property at 658 Heriot Bay Road is currently designated Village Peripheral Residential and zoned Residential One (R-1). The property is bounded on the North side by Residential One (R-1) zoned properties, and on the East, West and South sides by Anderson, Pidcock and Heriot Bay Roads. As the minimum parcel size for subdivision is 0.4 hectares in the R-1 zone, to allow the creation of two lots, 1000 square metres each in size, rezoning to Village Peripheral Residential One (VPR-1), which permits smaller parcels, is required.

The proposed rezoning of the property accords with the Village Peripheral Residential designation of the Official Community Plan and will not impact residential use of the area or affect adjacent properties. The proposal is compatible with the existing residential use of the surrounding parcels and is consistent with the character of the area. Comments received from government agencies and from First Nations have indicated no concerns with the proposal, provided that a recognized archaeologist is present if any land altering activities bring to light archaeological remains. Given the above considerations, it is recommended that support be given to the proposal to rezone the property to Village Peripheral Residential One (VPR-1) by giving Bylaw 465 First and Second Readings and scheduling a public hearing.

FINANCIAL IMPLICATIONS

Fees for the rezoning application process have been applied in accordance with the Regional District's Planning Procedures and Fee Bylaw (Bylaw No. 5).

LEGAL IMPLICATIONS

This report and the recommendations contained herein are in compliance with the *Local Government Act* (LGA) and Regional District bylaws.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Should a recommendation of support be made for the application to proceed forward, public consultation will occur in the form of a public hearing, conducted in compliance with the requirements of ss.464 - 465 'Public Hearings', of the LGA, as required prior to consideration of final adoption of any proposed bylaw amendments.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The planning department will be responsible for all aspects of the bylaw amendment process. Additionally, corporate services staff resources will be required during the public hearing process and the finalization of the adoption of the bylaws.

Submitted by:

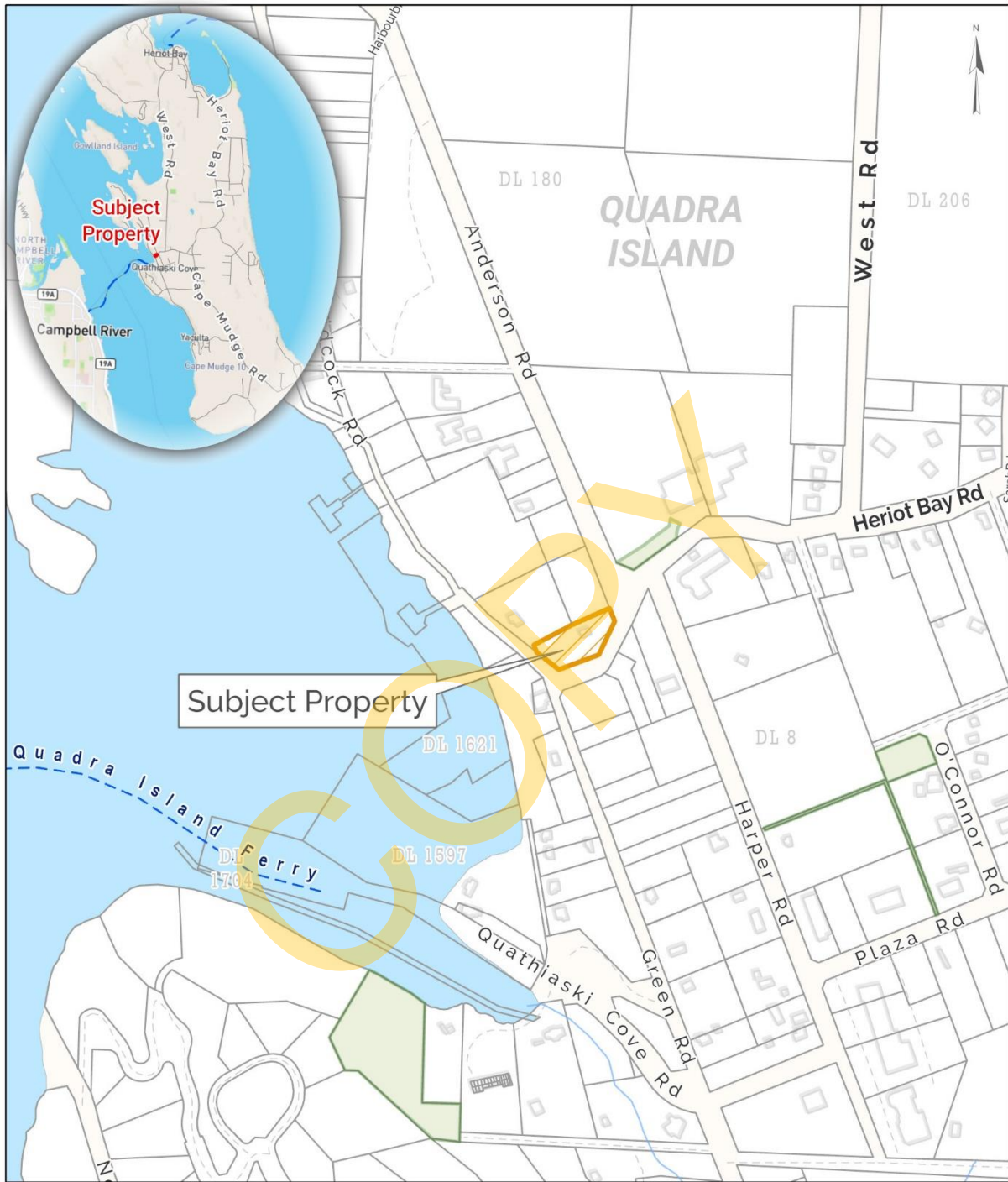


Aniko Nelson
Senior Manager, Community Services

Prepared by: J. Neill, Planner

Attachment:
Bylaw No. 465

COPY

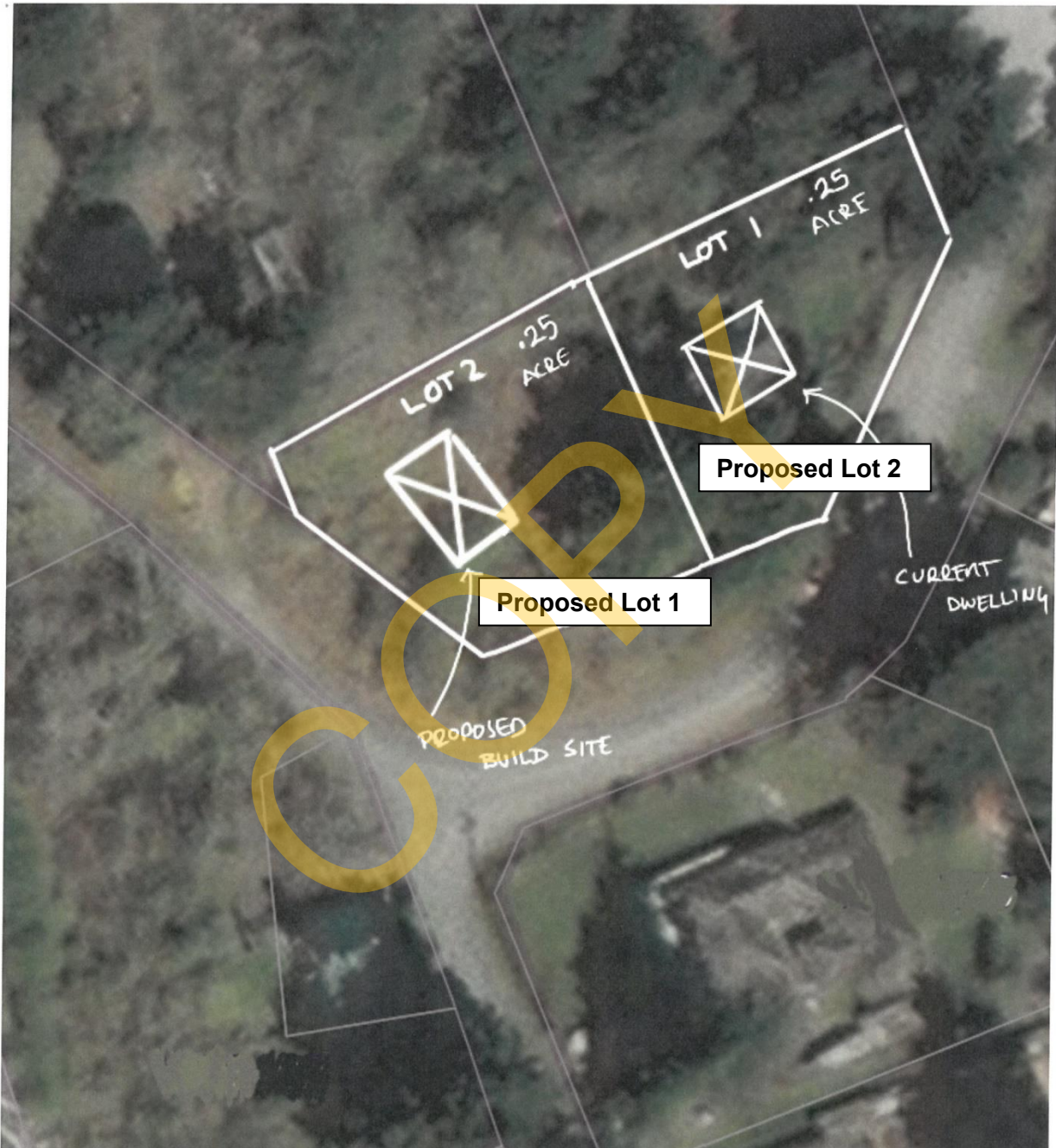


RZ 1C 22 - Ramos

Lot 4, Plan VIP3162, District Lot 8, Sayward Land District,
QUADRA ISLAND EXC PCL 133631 RD BNDYS

GIS: U:\proj\EA_C\SubjectProperties\EA_C_SubjProp.aprx
May 24, 2022

Location Map



Proposed Subdivision Plan



View of site from South



View of site from East

11.4 RESIDENTIAL ONE (R-1)

11.4.1 PERMITTED USES

- a) Single *family dwelling*;
- b) Accessory *buildings and structures*;
- c) One guest *dwelling* per *lot*, where the *lot* area is 4000.0 square metres (0.99 acres) or more and subject to a maximum building *floor area* of 80 square metres (861.1 square feet).

#2887

11.4.2 LOT AREA

The minimum *lot* area in the Residential One (R-1) zone shall be 4000 square metres (0.99 acres).

11.4.3 SETBACKS

Except where otherwise specified in this bylaw:

- 1) *Front yard* shall be a minimum of 7.5 metres (24.6 feet) from a front *lot* line;
- 2) *Rear yard* shall be a minimum of 7.5 metres (24.6 feet) from a rear *lot* line;
- 3) *Side yard* shall be a minimum of 1.75 metres (5.74 feet) from a side *lot* line.

11.4.4 LOT COVERAGE

The maximum *coverage* of all *buildings and structures* on a *lot* shall be 35%.

11.4.5 BONUS DENSITY

#1880

Despite Section 11.4.1 a) and c) above, residential density up to a maximum of eight (8) dwelling units per 0.40 hectares (0.99 acres) is permitted, for property described as Lot 7, District Lot 8, Sayward Land District, VIP64983, Quadra Island, subject to the conditions set out in Section 11.4.6 below.

11.4.6 CONDITIONS FOR BONUS DENSITY

#1880

The conditions and terms, as outlined in the attached housing agreement labeled as Schedule ‘A’ of this bylaw, must be met before the bonus density under Section 11.4.5 above will be permitted.

END – R-1

11.4C VILLAGE PERIPHERAL RESIDENTIAL ONE (VPR-1)**11.4C.1 PERMITTED USES**

- a) Single Family Residential
- b) Mini-lot Single Family
- c) Garden Cottage
- d) Duplex
- e) Live-Work Studio

11.4C.2 CONDITIONS OF USE

- a) Single Family Residential use is limited to one dwelling unit per lot;
- b) Every residential unit must have its own individual entrance;
- b) An individual yard and garden is to be provided for each single family dwelling;
- c) Landscaping adjacent to buildings are required to provide privacy and shade.

11.4C.3 LOT AREA

The minimum lot area in the Village Peripheral Residential One (VPR-1) zone shall be 500 square metres.

11.4A.4 SETBACKS

Except where otherwise specified in this bylaw:

- 1) *Front yard* shall be a minimum of 4.5 metres from a *front* lot line;
- 2) *Rear yard* shall be a minimum of 4.5 metres from a *rear* lot line;
- 3) *Side yard* shall be a minimum of 2.4 metres from a *side* lot line.

11.4A.5 LOT COVERAGE

The maximum *coverage* of all *buildings* and *structures* on a *lot* shall be 40%.

11.4A.6 BONUS DENSITY

- a) Where a development proposal meets at least two of four parameters related to housing size, accessibility and affordability and where parks, squares, gardens, greenways, public markets and other public amenities are provided on at least 20 percent of the site area, the recommended base density of 10 units per hectare may be increased to 15 units per hectare, provided the increased density is in the form of 5 secondary suites per hectare.

- b) Where three or more of the parameters are met, the density bonusing allowance may be increased from 15 units per hectare to allow for a maximum of 20 units per hectare to allow for a further 5 additional units per hectare. The overall maximum density with the application of this additional bonusing is not to exceed 20 units per hectare with the requirement for a minimum of five of these units per hectare being built as secondary suites.

Proposed Village Peripheral Residential One (VPR-1) Zoning

COPY



BYLAW NO. 465

A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO QUADRA ISLAND

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1213, adopted zoning regulations for Quadra Island and vicinity pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1213 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1213 being Quadra Island Zoning Bylaw 1990, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No.465, being Quadra Island Zoning Bylaw 1990, Amendment No. 140.

READ A FIRST TIME ON THE ____ DAY OF _____, 2022

READ A SECOND TIME ON THE ____ DAY OF _____, 2022

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2022

READ A THIRD TIME ON THE ____ DAY OF _____, 2022

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2022

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENT

- 1) Part 4 'DEFINITIONS', Section 4.1 is amended by inserting the following definitions:
'Garden Cottage' means a fully detached individual home, but with a common garden, parking area and meeting room, if provided.
'Duplex' means any building divided into two dwelling units which are either placed one above the other, or side by side, sharing a common wall and under one roof.

- 2) Part 8 'ZONING DESIGNATIONS', Section 8.1.1 is amended by inserting the following new zone after Park Residential One:
Village Peripheral Residential One Village Peripheral Residential VPR-1

- 3) Part 9 'SUBDIVISION REQUIREMENTS', Section 9.1 1 is amended by inserting the following new zone after Park Residential One:
Village Peripheral Residential One (VPR-1) 1000 square metres

- 4) Part 11 'ZONES', Section 11.1, 'General Provisions' is amended by inserting the following new zone:
11.4C Village Peripheral Residential One (VPR-1)

11.4C	VILLAGE PERIPHERAL RESIDENTIAL ONE (VPR-1)
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11.4C.1 PERMITTED USES

- a) *Single Family Residential*
- b) *Mini-lot Single Family*
- c) *Garden Cottage*
- d) *Duplex*
- e) *Live-Work Studio*

11.4C.2 CONDITIONS OF USE

- a) Single Family Residential use is limited to one dwelling unit per lot;
- b) Every residential unit must have its own individual entrance;
- b) An individual yard and garden is to be provided for each single family dwelling;
- c) Landscaping adjacent to buildings are required to provide privacy and shade.

11.4C. 3 LOT AREA

The minimum lot area in the Village Peripheral Residential One (VPR-1) zone shall be 1000 square metres.

11.4A.4 SETBACKS

Except where otherwise specified in this bylaw:

- 1) *Front yard* shall be a minimum of 4.5 metres from a *front* lot line;
- 2) *Rear yard* shall be a minimum of 4.5 metres from a *rear* lot line;
- 3) *Side yard* shall be a minimum of 1.75 metres from a *side* lot line.

11.4A.5 LOT COVERAGE

The maximum *coverage* of all *buildings and structures* on a *lot* shall be 40%,

11.4A.6 BONUS DENSITY

- a) Where a development proposal meets at least two of four parameters related to housing size, accessibility and affordability and where parks, squares, gardens, greenways, public markets and other public amenities are provided on at least 20 percent of the site area, the recommended base density of 10 units per hectare may be increased to 15 units per hectare, provided the increased density is in the form of 5 secondary suites per hectare.
- b) Where three or more of the parameters are met, the density bonusing allowance may be increased from 15 units per hectare to allow for a maximum of 20 units per hectare to allow for a further 5 additional units per hectare. The overall maximum density with the application of this additional bonusing is not to exceed 20 units per hectare with the requirement for a minimum of five of these units per hectare being built as secondary suites.

SECTION TWO MAP AMENDMENT

- 1. Land described as Lot 4, District Lot 8, Quadra Island, Sayward District, Plan 3162 as shown on the attached Appendix '1', is rezoned from Residential One (R-1) to Village Peripheral Residential One (VPR-1).



Area to be rezoned
from Residential One (R-1) to
Village Peripheral
Residential One (VPR-1)



RZ 1C 22 - Ramos

Lot 4, Plan VIP3162, District Lot 8, Sayward Land District,
QUADRA ISLAND EXC PCL 133631 RD BNDYS

GIS: U:\proj\EA_CIS\SubjectProperties\EA_C_SubjProp.aprx
May 30, 2022

Appendix '1'

Part of Schedule 'A' to Bylaw No. 465, being Quadra Island Zoning Bylaw 1990, Amendment No. 140.

Amends 'Map 1' of Bylaw No. 1213, being Quadra Island Zoning Bylaw 1990.