



City of Revelstoke

Council Report

File No.: 3900-02

To: His Worship Mayor Sulz and Members of City Council

From: Marianne Wade, Director of Development Services
Kevin Brooks, Senior Planner, McElhanney Consulting
Paul Simon, Senior Planner

Date: September 28, 2021

Subject: Zoning Bylaw Review

Applicant: City of Revelstoke

RECOMMENDATION:

1. **THAT** Zoning Bylaw No. 2299 be read a First and Second time.
2. **THAT** a Public Hearing for Zoning Bylaw No. 2299 be scheduled for November 23, 2021 in accordance with the requirements of the *Local Government Act*.

CAO Comments:

This report has been reviewed and is ready for Council consideration.

Executive Summary:

Staff are in the process of completing a comprehensive Zoning Bylaw review. The City's current Zoning Bylaw was originally adopted in 1984 and has been amended multiple times creating a disjointed conflicting document. This creates interpretation challenges for staff and applicants resulting in inconsistent application of the City's zoning regulations. Due to the scale and scope of the changes, staff recommend a repeal and replace bylaw. This would constitute Phase 1 of the Zoning Bylaw Comprehensive Review and provide a comprehensive document that addresses immediate community challenges and concerns. Subsequent changes through future phases would be brought forward in the future as amending bylaws that would have all changes tracked.

Background:

Zoning Bylaw Comprehensive Review

The update to the Zoning Bylaw is anticipated to follow the general phases as outlined below. Each phase will include robust public engagement.

Phase 1 – Initial proposed changes with Administrative Changes and Bylaw Content Changes through a repeal and replace bylaw. It is anticipated that after the completion of phase 1, staff will not commence the subsequent phases until a new OCP is adopted to



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ensure alignment.

Phase 2 – Review of each set of zones (residential, commercial, industrial, institutional) to update development regulations, consolidate / add zones, and review permitted uses to align with OCP. This phase will involve the creation of new zones (such as environmental zoning) to align with the updated OCP land use that will be completed. Coordination with the housing Action plan will also be considered in these amendments is anticipated that as each set of zones is reviewed, they will be brought forward as separate amending bylaws for consideration.

Phase 3 – Review of supplementary regulations to update as necessary and to implement the goals, objectives, and policies of the OCP. This will be brought forward as an amending bylaw.

Phase 4 – Review of the parking and loading regulations to update as necessary with proposed amendments to each land use section. This will be brought forward as an amending bylaw.

By breaking up the full comprehensive review in this manner, the subsequent amending bylaws to be considered as part of Phases 2, 3, and 4 will be easier for stakeholders to understand and provide feedback on. This will also allow for a clear, track changes to future amending bylaws to be reviewed by Council and the public.

Phase 1 Engagement – Repeal and Replace Zoning Bylaw No. 2299

Staff have completed the following consultation:

- Update and presentation to Committee of the Whole (COTW) on [March 11, 2021](#).
- Update to Advisory Planning Commission on [April 20, 2021](#) with the March 11, 2021 report to the COTW.
- Presentation to Economic Development Commission on [May 12, 2021](#).
- Review with Advisory Planning Commission on [May 18, 2021](#) where they passed the following resolution:

THAT the Advisory Planning Commission provides the following comments on the proposed Zoning Bylaw Amendments for Council consideration:

- *The Commission is supportive of ensuring that there are adequate requirements for greenhouses to be maintained and do not become unsightly when located in the front yard setback area.*
- *The Commission is supportive of regulations / processes to ensure that larger greenhouses are constructed up to applicable building standards.*
- *The Commission is supportive of advancing the accessory dwelling unit regulations and additional allowances for secondary suites to support alternative forms of residential development to address City housing demands.*



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- Update and presentation to COTW on [June 10, 2021](#). No comments or feedback were provided to staff at this time.
- Posting the summary of bylaw content changes on [TalkRevelstoke](#) with a community survey that was open from June 29, 2021, until July 28, 2021 (Attachment 4).
 - 45 individuals had visited the page at least once
 - 27 individuals had downloaded a document or explored the page further
 - 11 individuals engaged in the survey
- COTW workshop to go over the proposed draft bylaw in depth on [September 16, 2021](#).
 - Based on COTW discussion, staff have made a change to section 5.6(4) of the Bylaw to ensure no conflict between home occupation outdoor display regulations for minor agricultural pursuits. Incorporation of links to section references are also included. Staff will review the feasibility of linking defined words that are already italicized in the bylaw.
 - Other comments received from COTW that are not already addressed within Bylaw No. 2299 will be addressed as part of future Zoning Bylaw amendments.
- Internal and external agency review was completed for the proposed bylaw. No comments of concern have been received.

Discussion:

Summary of Changes

The initial phase includes two types of amendments: Administrative Housekeeping amendments and Bylaw Content amendments. Administrative amendments do not alter intent but reduce ambiguity and improve clarity and consistency in how the bylaw is applied. Bylaw Content amendments are more substantial and alter intent.

Proposed Zoning Bylaw No. 2299 (Attachment 1)

The full repeal and replace bylaw content is provided in draft form for reference purposes and staff have prepared supporting (Attachments 2 and 3, which are the summary table) to outline the Administrative Amendments and Bylaw Content Changes. The summary table provides a concise summary of the proposed changes for Council consideration without requiring a full review to compare the new zoning bylaw with the current zoning bylaw through track changes.

Housekeeping Amendments (Attachment 2)

These include the following:

- Housekeeping to format the document, remove unnecessary, outdated references, and consolidate regulations into sections that are currently scattered throughout the bylaw;
- Enhancing bylaw clarity to include diagrams to visually represent intent of regulations such as building height, and write regulations in more plain language to reduce misconceptions in interpretation; and



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- Addition of 63 new definitions to ensure consistent interpretation.

Bylaw Content Changes (Attachment 3)

These include the following:

- Accessory dwelling unit regulations to introduce a new development form in single family residential areas to promote infill and increase rental options;
- Changes for secondary suites to allow them in two family dwellings and row house dwellings;
- Parking regulation changes to reduce parking requirements for mixed use and multifamily residential developments in proximity to community amenities;
- Food security regulations to promote greenhouses and allow for minor agricultural pursuits to be undertaken as home occupations;
- Parking and storage regulations to regulate storage of boats and recreational vehicles within residential zones;
- Density bonusing provisions to reduce the reliance on Comprehensive Development zones and promote increased density in higher density and mixed use zones when community amenities such as affordable housing is provided for;
- Temporary Building and Structure regulations to align with the newly adopted Building Bylaw and to provide clarity that temporary buildings are not to be placed for a period of greater than one year; and
- Removing references in the R1, R1A, R2, R2A, R3, and R4 zones to minimum lot sizes for lots with and without community services, and instead having one standard minimum lot size to promote infill development. This amendment also includes reducing the minimum lot size for R2 and R2A properties to promote infill subdivision.

Public Consultation:

Details on engagement undertaken are provided in the background section of this report. Should Council grant First and Second reading, staff would schedule a Public Hearing to be held in accordance with statutory requirements. This would be the formal opportunity for the community to provide feedback to Council.

Options:

Option #1: Council may grant First reading to introduce the bylaw and provide further direction to staff regarding changes to Zoning Bylaw No. 2299.

1. **THAT** Zoning Bylaw No. 2299 be read a First time.
2. **THAT** Staff be directed to pursue the following amendments to Zoning Bylaw No. 2299:

Any amendments as may be directed by Council.



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Option #2: Council may defer a decision on Zoning Bylaw No. 2299 and direct staff to pursue an alternative course of action. This could include further research on specific topics, completion of additional public engagement etc.

Option 3: Council may deny the bylaw.

THAT Zoning Bylaw No. 2299 be denied.

Financial Implications:

The updates to the Zoning Bylaw will not have a financial impact on the City. The cost of completing the update is included in the City's financial plan with a budget of \$200,000 to allow for the use of an external planning consultant to assist in the drafting of bylaw amendments.

DOF Initials

Others Consulted:

The background section of this report provides details on the engagement completed for Phase 1 of the Zoning Bylaw Comprehensive Review project including committees and commissions that were engaged.

The following City of Revelstoke Departments and outside agencies received referrals for the Development Permit application: Development Services; Engineering; Public Works; Fire Rescue Services; Parks, Recreation & Culture; Interior Health, BC Hydro; Fortis BC; Telus; RCMP; and the Columbia Shuswap Regional District.

Attachments/ Links:

Attachment 1 – Zoning Bylaw No. 2299

Linked – [Summary of Administrative Amendments](#)

Linked – [Summary of Bylaw Content Changes](#)

Linked – [Summary of Survey Responses](#)

Respectfully submitted,

Marianne Wade
Director of Development Services

Ron Mattiussi Interim Chief
Administrative Officer