

CHANGE LOG

4 changes that showed up in a few places:

1 - Short term rentals:

- OP sec 4.5.3 shifts from 'prohibiting' STRs to 'strictly regulating'. This is done with the intention to achieve enforceability and protect the housing stock for year-round residents, while also allowing property owners to exercise their property rights.
- OP Policy 4-55 clarifies that the regulation is focused on allowing STRs only in owner-occupied residences.
- Dev Bylaw section 5.19 outlines the regulations that will apply in detail.
- Focus is now on:
 - 1 - enforceability (current bylaw, while the intention has been clear, has never been able to be enforced except through expensive legal action that has a questionable chance of success, so the municipality has never tried), and
 - 2 - the right balance between preserving housing stock as homes for residents, and individual liberty to use private property as desired.
 - Also requires licensing!
 - Is very similar to operation as a Bed and Breakfast, which is already allowed in CC and C zones, in that the owner/operator must be resident in the dwelling. Expands this type of use-flexibility to other zones.

2 - Intensive Livestock Operations

- OP policy 5-30 and 5-31 now prohibit "intensive livestock operations", with the definition of 'intensive' referring to provincial regulation. Livestock would still be allowed in the municipality's farms, but below the threshold defining 'intensive'. Being clear that we prohibit livestock agriculture above the threshold makes the criteria very clear and easy to judge, rather than needing to research, learn and define criteria locally.
- Intensive Livestock operations was removed as an SPU from the Agricultural Zone

3 - Environmental Reserve Overlay Zone

- **Dev Bylaw sec 2.2** gives definition as 15m, to match provincial buffer zone.
- Zone definition section adds details to how applications in these areas should be handled.

4 - Diversity of Housing

- Whereas the original plan only allowed single-unit dwellings and duplexes

across the whole village in all zones, the updated plan also allows for semi-detached and multiple-attached. The height limit of 2.5 stories has not been changed.

- We could see townhouses and apartments built in Victoria under this new plan. Setbacks would still apply. This better meets the goals of walkability, density, affordable housing, and creating lifetime neighbourhoods. It also will help Victoria to move towards a higher tax base per occupied square foot, by having multiple dwelling units on a single lot.
- The central core in Victoria has so much character particularly because of its density of housing: we should aim to replicate this more in the rest of the village, rather than encouraging sprawl and car dependence.

Other significant changes to Dev Bylaw, sequentially:

- **Former Section 1.4 Purpose** was deleted as the purpose of a Development Bylaw is defined in the planning act.
- **Deleted former section 1.7 on Rounding** as it is unnecessary and rarely included in other municipality's bylaws
- **"No permit required" section 3.1.3:**
 - Added
 - ◆ Farm, Fish & Forest stalls (these never needed a permit, but including here for clarity)
 - ◆ Rooftop solar meeting certain conditions (this is new)
 - Removed:
 - ◆ The exception that would have required exterior renovations to buildings designated as heritage properties to have a municipal dev permit (because the clauses included here were complicated and unnecessary clauses - there is little municipal involvement in heritage renovation decisions for designated buildings, which are governed by the Provincial heritage regulations. Heritage buildings must be identified on our application forms, so municipal awareness is covered without needing to mention it here as an exceptional circumstance.)

Chapter 3 deletions:

- **Agenda for a public meeting** - Deleted this as it is administrative not regulatory. Content is noted for CAO training file.
- **Surveys required** - Former section was deleted as it belonged in the subdivision section anyway, and duplicated content there.
- **Building Code Compliance** - deleted this as it's part of provincial law
- **Section 3.5 on denying permits** merges two previous sections which

duplicated each other (3.5 and 3.22), on 'Denying Permits' and 'Development Restrictions' - both sections outlined why a development proposal might be declined.

- **3.14 Drainage plan**

- Former 1(h) subclause removed because it was a duplicate of the next major section (Drainage Plan)
- 2.5 - Added clarifications about where a Drainage Plan would not be required.

- **3.20 Temporary Uses, Buildings and Structures** - put flesh on the bones of this section, outlining key criteria.

Chapter 4

- **Sec 4.6.3 on existing lots on an existing right-of-way:** added this based on other municipality's processes for dealing with the same.
- **4.14 Swimming Pools (Sec ??)** - Fleshed out the language about fences and gates

Chapter 5

- **Sec 5.2 on solar collectors:** added this whole bit to make clear when roof-mounted solar does and does-not need a permit, and the requirements when applying for either roof or ground-mounted solar.
- **5.12 Utilities and Public Uses** - added the words 'fire hall' here to allow our fire hall building to be expanded within the setback. The expansion of the hall is currently encumbered by setbacks and this change means we can ignore, because it's a municipally-provided service.

Chapter 6

- **Servicing regulations per zone**
 - Clarified that connections are at developers expense.
 - Clarified that sewer connections are made 'where available', and that where not available, developments can still be approved.
 - to clarify that connection is at dev's expense, and strong preference is to have central water/sewer, but it isn't possible yet. BUT... does that lock us in to larger lot sizes?
 - Should be an incentive for the municipality to expand central sewer services, to reduce lot sizes and therefore increase tax base per square foot.
- **Removed requirement for solid waste and recyclable servicing** as this is not municipal jurisdiction

Chapter 9

- **Deletion of former section 9.4 on 'Changes to existing lots':**

- which included the vaguely defined the idea of 'detrimental impact' on neighbours resulting from a subdivision of a neighbouring lot (note: not from a development).
- Such clauses are being removed from other bylaws, to protect property rights, and in recognition that impacts of development on neighbours are discussed during development approvals, not subdivision.
- **9.5 Parkland dedication or fee**
 - Lots added here to clarify the intent and process

Significant changes to Official Plan:

- **Background Sections 1.5, 1.7.1, 1.8.1 and 1.8.2:** data updated for 2021 census and trends since 2016.
- **Former Section 1.10** was deleted as it re-stated provincial legislation, unnecessarily. (And we don't want to have to amend our Official Plan if provincial legislation changes.)
- **Sec 2, Community Engagement,** was abbreviated to the minimum required, and because what was written did not capture all details. Some of the background is captured on the community's website, and doesn't need to be re-stated here.
- **In Sec 4.3.8, former policy 4-24 (on diversity of housing)** was moved to Housing Diversity section 4.4.2 (now 4-41) and as it was more relevant there, and the Dev Bylaw is not prescriptive on barrier-free design, but rather we defer to provincial regulations.
- **Removed policy 4-67 exception for parkland dedication** in the case of 'subdivision of lots as the result of probating a will', as it could create a serious loophole counter to the intention of this policy. Either land or cash-in-lieu would need to be made in a probate-of-will subdivision case, as for any other subdivision.
- **Deleted the 'if there is no development officer' provision (OP section 6.1.1)** as there always need to be a development officer. It can be the CAO if needed.
- **Sec 6.2.1 Deleted the 'if there is any inconsistency between the Dev Bylaw and the Official Plan, the official plan shall prevail' policy,** as this is in provincial law.
- **Sec 6.2.3 on Amending the Dev Bylaw and 6.4 on the Appeal Procedure -** deleted 3 pages worth of content from these two sections as it was all duplicated from the Planning Act, so is unnecessary to re-state. (And if the Planning Act changes, we don't want to have to amend our bylaw)
- **Sec 6.5 Deleted the requirement for 5-yearly reviews** of the official plan as this is defined in the provincial Planning Act, which may itself change.
- **Sec 7 - Deleted Sustainability Study** as this was already completed last year and the municipality is in the process of discussing its implementation. It

also isn't referred to elsewhere in this Official Plan document. (When this OP was first drafted, this would have been a 'future' task.)

and there were a myriad of other, smaller changes to language throughout the document which...

- clarify or better-define the intent of the plan and bylaw
- ensure legal conformity and enforceability, and
- abbreviate the documents by removing unneeded sections, or by referencing instead of re-stating provincial laws & regulations.