
Fw: CZB First Reading – Transition Policy Required

From Chairperson <Chairperson@cvrld.bc.ca>
Date Thu 3/26/2026 8:46 AM
To Danielle Myles Wilson <Danielle.MylesWilson@cvrld.bc.ca>

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With immense gratitude I live and work on the lands of the Malahat Nation. For thousands of years these lands were shared and cared for by their ancestors through intricate land management techniques rooted in a respect for the land and animals that live here. I seek healing through relationships and reciprocity.

From: Stephanie Harper [REDACTED]
Sent: Thursday, March 26, 2026 7:56:58 AM
To: Kate Segall <kate.segall@cvrld.bc.ca>; Sierra Acton <sierra.acton@cvrld.bc.ca>; Mike Wilson <mike.wilson@cvrld.bc.ca>; Hilary Abbott <hilary.abbott@cvrld.bc.ca>; Alison Nicholson <alison.nicholson@cvrld.bc.ca>; Desi Cummings <info@despardcontracting.ca>; Jesse McClinton <jesse.mcclinton@cvrld.bc.ca>; Ben Maartman <ben.maartman@cvrld.bc.ca>; Karen Deck <Karen.Deck@cvrld.bc.ca>
Subject: CZB First Reading – Transition Policy Required

You don't often get email from [REDACTED]

Good Morning Directors,
The CZB came through March 16 2026 – land use bylaws that have broad implications on the future of the region.
This is not an email to point out recommended changes. The CVRD has a process in place for community involvement and feedback, which I plan to follow and engage in.
As we are seeing now with rezoning applications, there was very little clarity on how and when in-stream applications would be assessed against the HOCP versus the MOCP.
Today, I respectfully request your consideration for one item:

Recommend that no First Reading of the Comprehensive Zoning Bylaw (CZB) proceed until a clear, Board-endorsed transition policy is developed and publicly communicated.

Given the scale and impact of this bylaw, establishing a transparent and consistent framework for how in-stream applications will be treated is a fundamental governance requirement — not a procedural detail.

Best Practice for Local Governments

A well-managed transition to a new zoning bylaw should include:

- **A clearly defined transition policy established prior to adoption, including:**

- Treatment of in-stream applications
- Clear and Specific Criteria for what constitutes a “complete” application
- Defined cut-off dates or milestones
- **Formal Board direction** on how applications are to be handled, rather than ad hoc administrative interpretation
- **Transparent communication** to applicants and the public, ensuring clarity, predictability, and fairness

Key Considerations

1. Legal Authority vs. Procedural Fairness

Under the Local Government Act (British Columbia), bylaws apply at the time of decision. While this gives the CVRD authority to apply new rules to in-stream applications, if this is the approach it must be done in a manner that is procedurally fair, consistent, and not arbitrary.

Uncertainty creates risk for both applicants and the Board.

2. Inconsistency in Direction

Recent responses from the Development Services department provide differing interpretations of how instream applications will be treated.

This indicates there is currently no unified or clearly defined approach, which undermines confidence in the process and leaves applications vulnerable to interpretation.

3. Absence of a Defined Transition Policy

Applications are reportedly being “reviewed” to determine next steps. Without a formal policy:

- Applicants cannot reasonably assess risk
- Expectations remain unclear
- Outcomes may vary file-by-file without consistency

This is not simply a technical matter — it is about ensuring the process is transparent, fair, and defensible.

Thank you for your consideration.

Best regards,
Stephanie Harper