
Comprehensive Zoning Bylaw No. 4710

From Sheri Kelly-Rabolt [REDACTED]

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I am writing to express my opposition to proposed Comprehensive Zoning Bylaw No. 4710 - at least in its current form. While I have many concerns about the scope and nature of the proposed changes, my preliminary concerns are the lack of clarity in the proposed document and lack of public input.

With respect to the lack of clarity, the proposed Bylaw states that it will establish zones and regulate the use of land, etc. in CVRD Electoral Areas A through I. However, in Section 1.5 repealing existing Bylaws, there is no mention of Bylaw 3520 governing Area A. So, will Area A be subject to both the comprehensive Bylaw and Bylaw 3520? How does that work? In addition, there is lack of clarity in how existing approved uses will be impacted by the changes in zoning. I have not found any section in the comprehensive Bylaw that addresses pre-existing uses of land that will become non-conforming under the terms of the comprehensive Bylaw. I understand how the comprehensive Bylaw could regulate changes to use of land in the future, but for those residents whose property is currently being lawfully used for a particular purpose that would no longer be permitted under the comprehensive Bylaw, attempts to apply the new zoning retroactively would be unreasonable and unfair.

I was previously a resident of Cobble Hill (where my horses are currently boarded) and am now a resident of Cowichan Bay. I have an interest in ensuring that property rights in both areas are not detrimentally impacted by these proposed changes. I reside in a condominium, but own horses. Changes that would outlaw existing horse boarding facilities would not only negatively impact the owners of those facilities whose businesses would become illegal and subject to daily fines (since it is not clear that there is a "grandfathering" provision in the comprehensive Bylaw), it would negatively impact me and other horse boarders who are unable to keep horses at their own homes and must potentially find new places for boarding.

Public input should be an integral part of the process of changing zoning that impacts such a large number of citizens. We all live, work, and recreate within the CVRD, and, in the interest of procedural fairness, we should have an opportunity to present our points of view and have those points of view considered before the Board makes a final decision affecting how we can live, work and recreate.

Thank you,
Sheri Kelly-Rabolt