

Sproat Lake Official Community Plan

Bylaw No. XXX, Schedule A



Draft: 30 April 2012

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Sproat Lake Official Community Plan, Bylaw No. XXX

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PART I – BACKGROUND

1.0 INTRODUCTION

1.1 Plan Preparation

The Alberni-Clayoquot Regional District (ACRD) has undertaken a review and update of Bylaw No. 626, the Sproat Lake, Electoral Area “D”, Official Community Plan (OCP). In preparation for this review, ACRD staff prepared a background document entitled “Alberni Valley Background Study: Creating a Vision for the Future.” This study was completed in 2010.

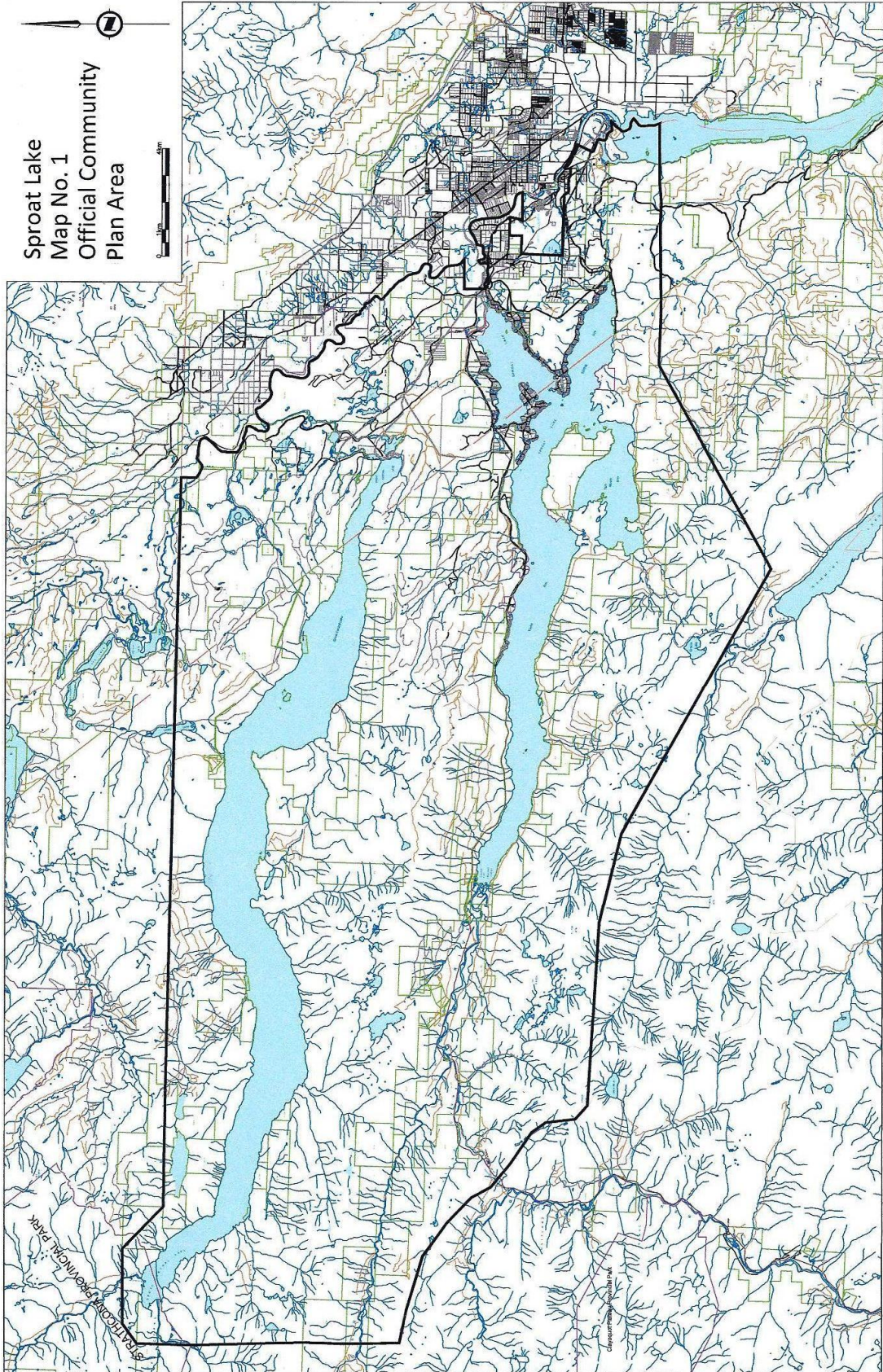
To ensure that the revised OCP encompassed all pertinent information and initiatives, the existing OCP, current legislation, the background study and other relevant documents were consulted. During the review, the existing OCP was also examined to determine possible gaps in meeting the expectation of residents and in conforming to the relevant sections of the *Local Government Act (LGA)*.

The Plan area, shown in heavy black outline on Map No. 1, on the following page, has been expanded to the north to encompass most of Great Central Lake. The Plan represents a portion of the Sproat Lake electoral area. For certainty, where there is a discrepancy between Map No. 1 and the letters patent of the Regional District, the definition of electoral area boundary in the letters patent will prevail.

1.2 Purpose of the Official Community Plan

The primary purpose of the OCP is to provide the ACRD with a comprehensive long-range framework to guide, monitor and evaluate future land uses and community development decisions. An OCP is a general statement of the broad objectives and policies of the local government, a statement of the community's goals, objectives and policies with respect to existing and proposed land use, and forms the basis for regulatory bylaws. The Plan is intended to provide direction to the ACRD, private citizens, businesses and public agencies on all matters concerning future development within the planning area.

Note to Readers: Where the acronym “ACRD” is used and where Regional District is capitalized, the reference is to the corporate or governing body. Where the words are not capitalized, regional district means the physical community within the jurisdictional boundaries.



1.3 Legislative Authority

The OCP is a local bylaw and is prepared and adopted under the statutory provisions of the *LGA*. Section 877(1) of the *LGA* specifies that an OCP must include statements and map designations for the area covered by the plan respecting the following:

- (a) the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years;
- (b) the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses;
- (c) the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- (d) restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- (e) the approximate location and phasing of any major road, sewer and water systems;
- (f) the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites;
- (g) other matters that may, in respect of any plan, be required or authorized by the minister.

In addition, Section 877(2) of the *LGA* requires that an OCP “must include housing policies of the local government respecting affordable housing, rental housing and special needs housing”.

Section 877(3) of the *LGA* also requires that an OCP now include “targets for the reduction of greenhouse gas (GHG) emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.”

1.4 Jurisdiction

The Regional District generally has authority over land use and activities on privately-owned land within its boundaries. It has some influence, often through the referral process, on activities that fall under other governing bodies’ jurisdiction.

It is important to note that OCP land-use designations may not apply to Crown uses on Crown land.

Activities on land within the Agricultural Land Reserve (ALR) are subject to the *Agricultural Land Commission Act* and BC Regulation 171/2002, both of which are administered by the Agricultural Land Commission (ALC). Section 46 of the ALC Act requires local governments ensure consistency of their bylaws with the Act, regulations and ALC orders. The Regional District has referred this OCP to the ALC and is of the

opinion it is consistent.

The *Private Managed Forest Land (PMFL) Act* restricts local governments from adopting bylaws that, in respect of private managed forest land, would have the effect of restricting, directly or indirectly, a forest management activity. The Regional District has referred this OCP to the various government ministries, forest companies, landowners and other interested stakeholders and is of the opinion the *PMFL Act* has been respected.

The subdivision approval authority in unincorporated areas within regional districts is the provincial Approving Officer, associated with the Ministry of Transportation & Infrastructure. The Approving Officer bases his decisions on both provincial guidelines and the Regional District's recommendations with regards to its bylaws and policies, but cannot go against Regional District bylaws regulating the subdivision of land and zoning. An OCP may provide a basis for the Approving Officer to determine if a proposed subdivision is against the public interest. Development permits may also be required from the Regional District prior to subdivision approval from the Approving Officer.

1.5 Structure of the Plan

This OCP, Schedule A to adopting Bylaw No. XXX, is divided into three parts. Part I, entitled Background, provides an introduction to the planning area and provides an overview of the intent of an OCP. Part II contains the Goals, Objectives and Policies for the community's growth and development over the coming years. The Plan is to be implemented through the designation of land for specific use or uses, which are linked to the policies for those uses. Specifically, Part III, Use of the Plan, is the Plan's implementation section, and describes the designation, intent and use of development permit areas (DPAs). This section also provides a number of additional options available to the ACRD in order to implement the Plan. Part III also establishes procedures for the Plan's amendment and review.

Where issues fall under more than one category – for example, trails as recreational opportunities and as part of the transportation network, or protection from natural hazards as general planning matters and as part of the natural environment – attempts have been made to include objectives and policies in the primary category. Therefore, the Plan as a whole should be consulted, rather than only one section, in the planning process.

1.6 The Plan Area

The Sproat Lake OCP area constitutes approximately one-third of Electoral Area “D”, roughly the central/eastern portion. As noted earlier, the Plan area has been expanded northward to encompass most of Great Central Lake, which is part of the Sproat Lake watershed.

Lands to the north, west and south of the Plan area within the Electoral Area boundaries are predominantly uninhabited forestry lands. Along the eastern border of

the Plan area are the Beaufort and Beaver Creek Electoral Areas and the City of Port Alberni.

1.7 Definitions

“Accessory residential dwelling unit” means a secondary dwelling unit either in or added to an existing single-family detached dwelling or in a separate accessory building on the same lot as the main dwelling intended for use as a complete, independent living facility with provision for cooking, eating, sanitation and sleeping. Such a dwelling is an accessory use to the main dwelling. It is also commonly referred to as a secondary suite, granny suite, carriage home or basement suite and may be constructed in any zone in which accessory residential use is permitted.

“Carriage home” means a small building usually near a large residence or part of an estate originally built to house horse-drawn carriages and the related tack, but now used for the purpose of an accessory residential dwelling unit.

“Clustering” means to concentrate housing on a parcel of land in order to preserve open space, sensitive ecosystems, natural or archaeological features; also called conservation planning.



“Communal water or sewer system” means a privately-owned water or sewer system with at least two (2) connections.

“Community water or sewer system” means a publicly-owned water or sewer system with at least five (5) connections.

“Comprehensive development area” (CDA) means an area designated for a comprehensive development plan which is a plan that is designed specifically for the site. This designation recognizes the uniqueness of parcels of land, their location and/or their intended use and is often used for larger areas, urban sites, mixed-use development and intensive small-lot developments.

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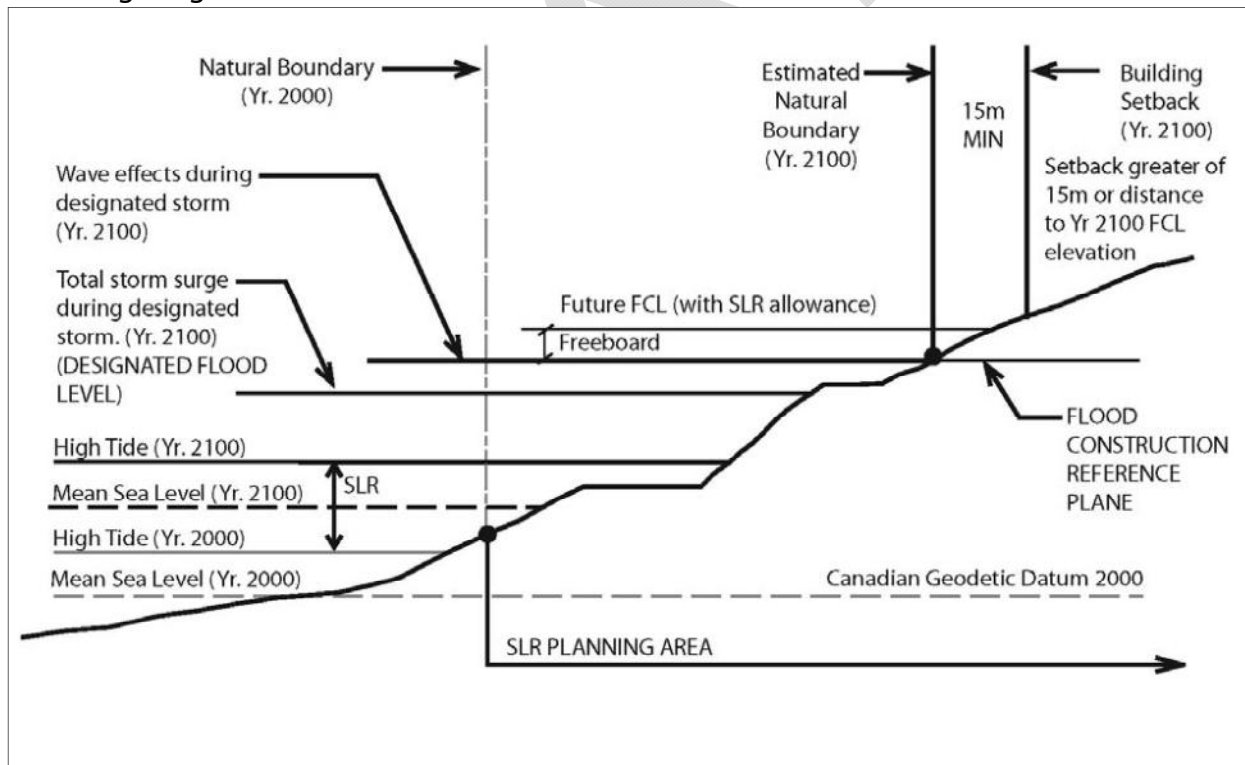
“Conservation design” – see clustering definition.

“Corridor area” means all land within 100 metres of a highway or a road.

“Density averaging” means calculating the density that would be permitted on a parcel of land and allocating it to that portion of the parcel that is most suitable for development, generally in order to preserve or protect a sensitive portion of the parcel, including, for example, through clustering.

“Density bonusing” means providing additional density to an applicant in return for an amenity, including, but not limited to, ecosystem protection, a public trail or affordable housing, either in accordance with Section 904 of *LGA* or, in general, on application for rezoning.

“Flood construction level” means the lowest elevation recommended for construction of the underside of a wooden floor system or top of concrete slab for habitable buildings. Flood construction level is the observed or designated elevation for a flood having a 200-year recurrence interval based on a frequency analysis of unregulated historic flood records plus an allowance for freeboard, generally in accordance with the following diagram.¹



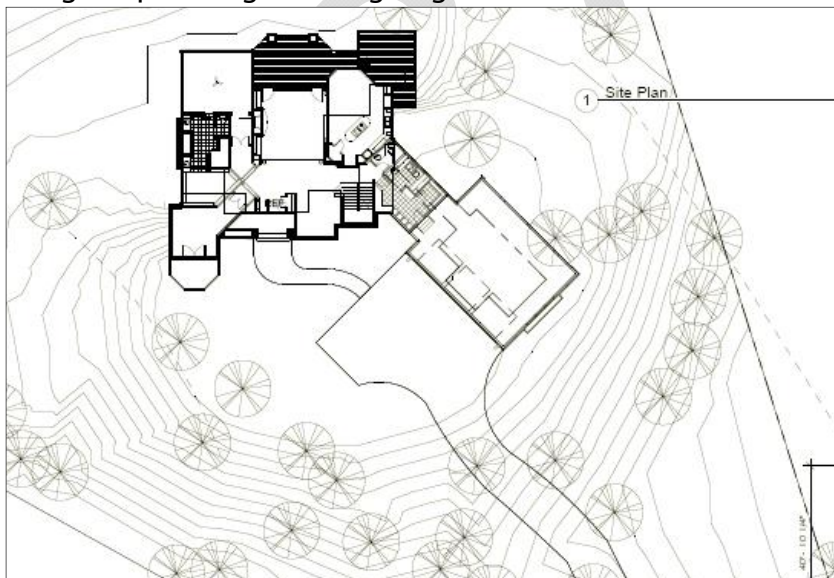
¹ “Climate Change Adaptation Guidelines for Sea Dikes and Coastal Flood Hazard Use: Guidelines for Management of Coastal Flood Hazard Land Use”, Ausenco Sandwell for Ministry of Environment, January 2011

“Home industry” means the use of land, buildings and structures accessory or secondary to the primary residential use of the property for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, packing, preparing, breaking up, demolishing and treating any article, commodity or substance that can be carried out without hazard or intrusion and without detriment to the amenities of the surrounding area by reason of scale, noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance and does not produce waste water in the process or contaminate water sources. Uses include, but are not limited to, the production of arts and crafts, wine-making, boarding stables, service shop, blacksmith and storage building for vehicles, equipment and commodities. A maximum of two persons who do not live on the property may be employed in the home industry in addition to the residents.

“Home occupation” means an occupation, trade, craft or profession that is accessory and secondary to the primary residential use of the property carried out in the dwelling or an accessory building by the resident(s) of the dwelling. Home occupations may include accessory retail sales with no outside storage.

“Qualified environmental professional” (QEP) means an applied scientist, technologist or engineer and can be a Professional Biologist, Professional Engineer, Geoscientist, Forester or Agrologist in good standing in British Columbia with the appropriate professional organization, as appropriate to the issue under consideration.

“Site adaptive planning” means using site and terrain analyses to determine the most appropriate form and placement of development for a property and design designing development in a manner that it fits within the existing natural systems. Also called ecological planning or designing with nature.²



“Small-scale food production” means farming and gardening on smaller-sized, non-ALR rural and residential properties.

² Based on the principles in the book *Design with Nature*, Ian McHarg, 1969

PART II – GOALS, OBJECTIVES AND POLICIES

2.0 GOALS

2.1 Setting the Stage

During the preparation of the “Alberni Valley Background Study”, consultation with the community helped the ACRD to gain an understanding of the issues that are facing local residents, as well as the future goals for the community. Residents expressed their overall goals for the Alberni Valley. These goals have been combined with the goals expressed in the existing 2005 Sproat Lake OCP.

2.2 The Goals

The goals of the Sproat Lake community are to:

- 1) provide for continued social and economic growth in the area;
- 2) protect water quality and areas adjacent to streams, water features and environmentally-sensitive areas;
- 3) advance, support, promote and encourage a successful, viable agricultural industry in the Alberni Valley;
- 4) offer residents a healthy lifestyle, a good quality of life and affordable housing options;
- 5) preserve the rural character of the area while minimizing conflict between different land uses; and
- 6) provide a diverse economy based on environmental and cultural tourism as well as more traditional resource activities.

2.3 Land-Use Designations

The Regional District acknowledges the fact that changes in land ownership and land-use patterns are inevitable in the community. Some of this change will be brought about by the changing needs and circumstances of land owners, while other changes may come as a result of Regional District initiatives. This Plan attempts to anticipate some of those changes and to direct change in a logical fashion.

The Regional District has attempted to ensure that sufficient land has been designated for each use to accommodate both present and proposed uses and facilities.

The Plan identifies land within its boundaries with the following designations:

- Agricultural
- Resource
- Fish Hatchery
- Industrial
- Airport

- Commercial
- Rural
- Residential
- Manufactured Home Park
- Recreational Residential
- Comprehensive Development
- Community Service
- Parks
- Recreation
- Conservation
- Float-home
- Marina

3.0 GENERAL PLANNING

The ACRD wishes to maintain and, where appropriate and feasible, enhance the integrity of the environmental, social, economic, cultural and recreational values of the Plan area as development occurs. The following general planning objectives and policies, including subdivision guidelines, apply to the entire community of Sproat Lake.

3.1 General Planning Objectives

- Objective 3.1.1 Employ and encourage property owners and developers to employ sustainability principles and best practices in all aspects of land-use planning, development and management.
- Objective 3.1.2 Minimize the potential for land-use conflict and danger from natural hazards.
- Objective 3.1.3 Support public access to all water features and public parks.
- Objective 3.1.4 Facilitate a wide variety of opportunities for economic activity and employment within the Plan area.
- Objective 3.1.5 Facilitate the provision of safe, affordable rental housing within the Plan area.
- Objective 3.1.6 Ensure that opportunities for home industry are provided and endeavour to ensure home industries are operated in a manner least disruptive to neighbours.

3.2 General Planning Policies

It is the Regional District's policy to:

- Policy 3.2.1 Consider the **integrity of the natural environment** and the **protection of residents and the built environment** in all planning and development matters.
- Policy 3.2.2 Implement **comprehensive development area planning** in areas of particular suitability identified with a CDA designation and consider the use of planning, servicing, heritage and other tools such as density averaging and density bonusing, phased development agreements, Section 219 covenants and other development agreements to facilitate conservation design, clustering, and environmental protection.
- Policy 3.2.3 Designate larger tracts of vacant lands as **Development Approval Information Areas (DAIAs)** for the safety the future residents and the built environment on these lands.
- Policy 3.2.4 Require a 10-metre fuel-free or fuel-reduced buffer in the **wildfire interface area** between the forested lands and any building or structure to minimize the danger of fire for all development adjacent to forested lands and woodlots of 20 hectares or more.
- Policy 3.2.5 Acquire **public access to water bodies** as parkland dedication through the subdivision process where feasible.
- Policy 3.2.6 Require a treed and vegetated **buffer between agricultural land and non-agricultural development** on subdivisions of the non-agricultural land as recommended by the provincial guidelines in *Guide to Edge Planning*.
- Policy 3.2.7 Permit **home occupation uses**, as a secondary or accessory use, in any designation where single-family residential is the principal use.
- Policy 3.2.8 Only permit **home industry use** in accordance with the following:
(a) the parcel is a **minimum of 2 hectares** in size;
(b) an appropriate 10-metre **screened and buffered area** between home industry uses and adjacent properties is provided; and
(c) **setbacks** of not less than 15 metres from the property line are maintained where home industrial use is accommodated within an accessory building and not less than 30 metres from the property line if the use is not located in a building.
- Policy 3.2.9 Permit one **accessory residential dwelling unit** on all lots in all designations where:
(a) the principal use is a single-family dwelling;
(b) the lot is not less than 0.4 ha. in size; and
(c) the lot is capable of meeting all building code requirements, as well as health requirements for sewage disposal and potable

water.

On lots 0.8 ha. or more in size, one accessory residential dwelling unit or one manufactured home is permitted in addition to the principal dwelling.

Accessory residential dwelling units within the ALR require approval from the ALC.

- Policy 3.2.10 Permit **parks, trails, roads and small-scale utilities** in all designations as specified by the zoning bylaw.
- Policy 3.2.11 Consider issuing **temporary use permits** in appropriate areas in all land-use designations, in accordance with Section 921 of the *LGA*.
- Policy 3.2.12 Maintain a **minimum lot size of 1 ha.** for subdivision purposes in all land-use designations if the lot is serviced with an on-site well and septic system. The minimum lot size may be reduced to 0.24 ha. if the lot is serviced by a community or communal water or sewer system.
- Policy 3.2.13 Support the design and use of **rainwater management plans** for development to ensure that post-development run-off flows approximate pre-development flows.
- Policy 3.2.14 Support **small-scale food production** throughout the Plan area.
- Policy 3.2.15 Promote the development of land in a manner that suits and is **appropriate** to the site upon which it will be built.
- Policy 3.2.16 Protect development in areas that have **steep slopes, risk of subsidence, or susceptibility to flooding**, where known, by designating them as development permit areas, in accordance with Section 921 of the *LGA*.

Advocacy Policies

- Policy 3.2.17 Encourage development plans and site layouts incorporating **site-adaptive planning and conservation design or clustering**.
- Policy 3.2.18 Encourage the **preservation of natural features** such as streams, lakes and wetlands through the subdivision and development process.
- Policy 3.2.19 Encourage **land-use patterns** that do not compromise the ecological integrity and rural character of the Plan area.
- Policy 3.2.20 Encourage development and accompanying road systems to be constructed in a manner **in keeping with the natural environment**.

- Policy 3.2.21 Encourage **comprehensive development planning**.
- Policy 3.2.22 Encourage **residential buildings** on non-agricultural land to be set back **from the ALR boundary**, in accordance with the provincial guidelines in *Guide to Edge Planning*.
- Policy 3.2.23 Encourage site development and landscape plans that **minimize water usage** and reflect water conservation measures, such as using indigenous, drought-tolerant, fire-resistant plants.
- Policy 3.2.24 Encourage existing developments adjacent to forestry lands to **minimize the risk of wildfire** by reducing the amount of potential fire fuel between the trees and any building.

4.0 AGRICULTURAL USE

The *Alberni Valley Agricultural Plan 2011* is intended to guide and assist the agricultural industry in the Alberni Valley for the next two decades. The plan notes that “there is significant capacity for increased agricultural production in the Alberni Valley” and contains 12 goals and corresponding objectives and policies that support farmers and encourage agricultural activities in the Valley. Where the ACRD has some responsibility for actions identified as needed to achieve the objectives, Regional District staff has initiated the process.

Map No. 2 shows the location of existing and future lands designated for agricultural uses.

4.1 Agricultural Use Objectives

- Objective 4.1.1 Maintain and foster agricultural use and food production.
- Objective 4.1.2 Promote the diversification of agricultural products.
- Objective 4.1.3 Encourage the protection of clean groundwater for agricultural operations.
- Objective 4.1.4 Facilitate activities identified in the Alberni Valley Agriculture Plan.

4.2 Agricultural Use Policies

It is the Regional District’s policy to:

- Policy 4.2.1 Pursue the development of a long-term **plan to increase water availability** for farming purposes.

Policy 4.2.2 Maintain a **minimum lot size** of 2 ha., subject to approval by the ALC, in areas designated for Agriculture uses.

Policy 4.2.3 Support applications to **include agricultural properties in the ALR.**

Advocacy Policies

Policy 4.2.4 Discourage the **removal of agricultural land from the ALR.**

Policy 4.2.5 Encourage the **interim use of agricultural lands** for forestry, silviculture, open space and recreational uses that will not impair the future agricultural viability of those lands.

Policy 4.2.6 Discourage the **subdivision of land within the ALR**, which requires the approval of the ALC, into small uneconomic lots.

Policy 4.2.7 Encourage the production of **non-genetically-modified organisms**, the use of best practices and the avoidance of chemical pesticides.

5.0 RESOURCE USE

Much of the Sproat Lake area is resource land, predominantly forested, with some gravel extraction on the east side of the Plan area. Large tracts of these resource lands are owned by the Province, while other portions are privately owned. Forested lands provide economic activity, employment, wildlife habitat, stream protection, and buffers between potentially conflicting uses, as well as aesthetic and environmental benefits.

5.1 Resource Objectives

Objective 5.1.1 Maintain a forested land base that contributes to fostering viable resource industries.

Objective 5.1.2 Maintain forest cover throughout the Plan area so that the hydrological integrity of the Sproat Lake and Great Central Lake watersheds is maintained in order to protect drinking water sources.

5.2 Resource Policies

It is the Regional District's policy to:

Policy 5.2.1 Maintain a **minimum lot size of 20 ha.** in areas designated for

Resource uses.

Policy 5.2.2. Support **forestry, forestry-related activities, agriculture, resource extraction, fish hatcheries, power-generation facilities and communications facilities** on resource lands, provided all necessary federal and provincial approvals are obtained.

Policy 5.2.3 Support the on-going use of forest lands for **growing and harvesting of trees**.

Policy 5.2.4 Support **community forestry** for the benefit of the local community.

Advocacy Policies

Policy 5.2.5 Encourage large-lot land owners to **retain tree-cover** by using selective harvesting methods and practices that protect and maintain slope and soil integrity.

Policy 5.2.6 Urge that use of private forest lands and Crown lands be conducted in a manner that does **not jeopardize existing and future domestic water quality, flow and supply** and that minimizes deforestation.

Policy 5.2.7 Encourage the provincial government to monitor the effectiveness of **resource policies and regulations** that ensure and support sustainable forest practices and protect drinking water sources on all privately-owned forest lands.

Policy 5.2.8 Encourage the ministry responsible for forests, major forest companies, community forest operators and small-scale logging operators to utilize **best forest management and harvesting practices** to ensure a sustainable forest resource base while preserving local water resources and other significant environmental features and giving consideration to adjacent residential and recreational values.

6.0 FISH HATCHERY USE

Fish hatcheries provide a substantial contribution to the important fishing industry in the Alberni Valley. There are three fish hatcheries in the Sproat Lake Plan area, all in the Great Central Lake neighbourhood. The federally-owned Robertson Creek Hatchery has been producing spring and coho salmon for over 30 years. Mainstream Canada, a private enterprise, produces Atlantic salmon in its land-based operation. Omega Pacific Hatchery also operates in the area.

6.1 Fish Hatchery Objectives

Objective 6.1.1 Retain and foster the continued operation of fish hatcheries.

6.2 Fish Hatchery Policies

It is the Regional District's policy to:

Policy 6.2.1 Support the ongoing operation of publicly- and privately-owned **fish hatcheries**.

7.0 INDUSTRIAL USE

There are a number of industrial uses, both heavy and light, in the Sproat Lake area that provide employment and economic diversity. The ACRD recognizes the need to designate suitable areas for industrial uses and to encourage industry and industrial uses to locate there. Lands along Hector Road, adjacent to the Alberni Valley Regional Airport and to the east of Devil's Den Lake, designated as Industrial on Map No. 2 of this Plan, reflect present industrial uses as well as areas where future industrial uses are appropriate.

The ACRD also recognizes that natural resources are vital to the development and maintenance of the built environment and its infrastructure. There is some potential for the extraction of mineral and aggregate deposits in the Plan area. Known sand, gravel and mineral reserves are shown on Map No. 4.

7.1 Industrial Objectives

Objective 7.1.1 Facilitate the growth and diversification of the local economy.

Objective 7.1.2 Ensure that opportunities for home industry are provided and implemented with minimal disturbance to neighbours.

7.2 Industrial Policies

It is the Regional District's policy to:

Policy 7.2.1 Permit **principal uses on lands designated Industrial** such as heavy industrial uses, light industrial uses, business or industrial parks, storage and warehousing, manufacturing and fabrication, as specified by the zoning bylaw.

Policy 7.2.2 Require industrial uses and activities to be **screened and buffered** where they are located adjacent to non-industrial land.

Policy 7.2.3 Support the **expansion or establishment of services** such as fire protection and communal or community water and sewer to industrial areas where more intensive industrial activities are developed.

Advocacy Policy

Policy 7.2.4 Encourage industrial uses to locate in areas so designated, such as the **airport area and Hector Road**.

8.0 COMMERCIAL USE

Sproat Lake has a number of commercial properties, mainly along the Highway 4 and Hector Road. These are smaller, neighbourhood-oriented enterprises. It is anticipated that some new commercial uses can be accommodated within the area designated for comprehensive development on the east side of Sproat Lake Provincial Park.

The growth of commercial development is expected to be of a smaller-scale, local-service type. The City of Port Alberni is and will continue to be the primary retail and service centre for the Alberni Valley. The Tseshaht Market is a conveniently-located neighbourhood and highway commercial store and gas bar.

8.1 Commercial Objectives

Objective 8.1.1 Facilitate the establishment and operation of small-scale commercial development that is compatible with Sproat Lake's predominantly rural character.

Objective 8.1.2 Encourage tourism, specifically ecotourism, and other economic development opportunities.

8.2 Commercial Policies

It is the Regional District's policy to:

Policy 8.2.1 Permit **principal uses on lands designated Commercial** to include local commercial, service commercial, highway commercial, tourist commercial, recreation commercial, and campground commercial, as specified by the zoning bylaw.

Policy 8.2.2 Permit **residential developments above commercial** establishments.

Policy 8.2.3 Require **development permits** on lands designated as

Commercial within the Highway 4 corridor area.

Policy 8.2.4 Support the expansion and location of **highway and tourist commercial uses** in the vicinity of Highway 4 and Stuart Avenue.

Policy 8.2.5 Support existing commercial enterprises as well as new enterprises that wish to establish a **small-scale, local-service business** in commercially designated areas outside the main transportation corridor.

Policy 8.2.6 Work with the Economic Development Office to **promote economic development, tourism and recreational opportunities**.

Policy 8.2.7 Permit **short-term rental accommodation** as specified by the zoning bylaw.

Advocacy Policies

Policy 8.2.8 Encourage **small-scale “farm-gate” commercial activities** within the Plan area.

9.0 RURAL USE

Sproat Lake is essentially a rural area, and its residents enjoy the rural nature and lifestyle that this entails.

9.1 Rural Objectives

Objective 9.1.1 Maintain the predominantly rural character of the area.

9.2 Rural Policies

It is the Regional District’s policy to:

Policy 9.2.1 Maintain a **minimum lot size of 2 ha.** in areas designated as Rural.

Policy 9.2.2 Permit a **variety of compatible uses** on rural lots in order to make their retention viable.

Advocacy Policies

Policy 9.2.3 Encourage owners of rural acreages to **maximize the agricultural potential** of their land.

10.0 RESIDENTIAL USE

The Sproat Lake area contains a range of residential uses and lot sizes, from small, suburban lots to acreages and vacation/recreational properties. This diversity affords existing residents and newcomers a number of accommodation options and provides variety within the Plan area. While single-family dwellings form the majority of residential uses, the ACRD recognizes that there may be a need for accessory residential dwelling units, multi-family housing, manufactured homes and residential use above commercial space in some locations in order to facilitate the provision and viability of rental, affordable and special-needs housing. Housing needs for the foreseeable future can be met on existing undeveloped properties and within the CDA on the east side of Sproat Lake Provincial Park.

The ACRD also recognizes that small-lot farming (2 to 4 ha.) can provide a viable alternative to larger-scale farms and can be carried out on larger residential and rural lots.

10.1 Residential Objectives

Objective 10.1.1 Allow a range of housing options within the Plan area.

10.2 Residential Policies

It is the Regional District's policy to:

Policy 10.2.1 Ensure that the **principal use** in all areas designated as Residential must be residential, as specified by the zoning bylaw.

Policy 10.2.2 Facilitate **accessory residential dwelling units** in new home construction on lots not less than 0.4 hectare and capable of meeting health requirements for sewage disposal for an accessory residential dwelling unit.

Policy 10.2.3 Allow **density bonusing** for the conservation or protection of green space, sensitive ecosystems or wildlife and wildfowl habitat on a proportional basis. As an example, a conservation area of 10% set aside will result in a 10% density bonus with a minimum increase of one additional lot or residential unit.

Policy 10.2.4 Consider density bonusing only for properties with a minimum lot size of 2 hectares and where the new lots will be serviced with **communal or community water and sewer**.

Policy 10.2.5 Consider **density averaging** for subdivision applications where a

communal or community sewer system is accepted by the provincial Approving Officer.

Policy 10.2.6 Consider **smaller lot sizes** for subdivision applications where a substantial portion of the lot is preserved as green space and where the property is designated as a Comprehensive Development Area.

Policy 10.2.7 Require that all new lots created by subdivision are **serviced** with water and sewerage, as follows:

Minimum Lot Size	Services
1 hectare	with on-site water and sewer
0.24 hectare	with communal or community water or sewer system or both

Policy 10.2.8 Support the continued use of the existing **manufactured home parks** in the locations shown on Map No. 2.

Policy 10.2.9 Support the provision of **special needs housing, seniors' accommodation, and affordable or rental housing** through the use of density bonusing, residential use above commercial, the addition of an accessory residential dwelling unit and other means.

Advocacy Policies

Policy 10.2.10 Encourage homeowners with an **existing accessory residential dwelling unit** to ensure that it meets all present-day health and safety requirements.

Policy 10.2.11 Encourage natural areas and open space conserved by density bonusing or density averaging to be **accessible to the general public**.

11.0 RECREATIONAL RESIDENTIAL USE

Sproat Lake offers a wealth of recreational opportunities to both residents of the Alberni Valley and visitors to the area. Many people wish to maintain a seasonal or recreational property on the lake. Additionally, many areas on the lake are not adequately serviced or accessible for full-time residency.

11.1 Recreational Residential Objectives

Objective 11.1.1 Provide opportunities for seasonal residency.

11.2 Recreational Residential Policies

It is the Regional District’s policy to:

- Policy 11.2.1 Permit **part-time residential use** for seasonal or recreational purposes within areas designated Recreational Residential.
- Policy 11.2.2 Ensure that these areas are **accessible either by dedicated roads or by forestry roads.**

12.0 COMPREHENSIVE DEVELOPMENT

The ACRD wishes to encourage comprehensive development planning in order to facilitate land-use design that respects the uniqueness of each parcel of land and any environmental features and to allow for a variety of uses and lot sizes. Lands considered appropriate for a mix of uses are designated as Comprehensive Development Areas (CDAs). The CDA designation basically allows a land owner to create a development with a mix of uses, not limited solely to residential or commercial, to phase development, and to plan development specifically for the terrain.

12.1 Comprehensive Development Objectives

- Objective 12.1.1 Provide opportunities for comprehensive development planning.

12.2 Comprehensive Development Policies

It is the Regional District’s policy to:

- Policy 12.2.1 Work in consultation with the land owner to finalize the **details of CDA plans**, taking into consideration the unique features of the specific site.
- Policy 12.2.2 Where a development agreement is used, it should include the details of the development plan, servicing, parkland dedication, public access to the foreshore (if the development is adjacent to the foreshore), phasing (if applicable) and any other matter in accordance with Sections 904, 905.1 or any other sections of the *LGA*, Section 219 of the *Land Title Act* and other regional district authority.

13.0 COMMUNITY SERVICE USE

There is one large area designated for community service, institutional or civic uses in the Sproat Lake Plan area, the regional landfill on the east side of Devil's Den Lake, and a number of smaller lots, including the three fire halls, the fire practice site, the community hall and a school site.

The adjacent City of Port Alberni provides and will continue to provide the major social and community services to the residents of the Plan area. There appears to be limited demand for expanded community service uses in the Sproat Lake Plan area at present.

13.1 Community Service Objectives

Objective 13.1.1 Maintain existing community service uses within the Plan area.

13.2 Community Service Policies

It is the Regional District's policy to:

Policy 13.2.1 Support the **continued use** of the community service uses within the community, including the community hall.

Policy 13.2.2 Work with the land owner to **acquire the land** on which the community hall is located.

Policy 13.2.3 **Rehabilitate the community hall** preferably in its current location or replace it in a new location.

Policy 13.2.4 Seek **additional community service, institutional or light-industrial uses** for the vacant airport lands.

14.0 INFRASTRUCTURE

Infrastructure consists of "hard services" such as roads, water systems, waste management systems and utilities, as well as "community services" such as police and fire protection, schools, hospitals and health services, religious and burial facilities, and community centres. These are shown on Map No. 4 of this Plan.

Water – drinking water, water for agriculture and riparian areas – is extremely important to residents of the Alberni Valley. Many of the residents of the Sproat Lake area draw their drinking water from the lake, while some homes have individual wells. Negative impacts created by forest practices or resource extraction within a watershed can affect large numbers of residents and properties. Therefore the use of private and Crown lands should be conducted in a manner that does not jeopardize existing and

future water quality, flow and supply.

In terms of transportation, Highway 4 through the Sproat Lake area is the only road between the City of Port Alberni and the West Coast. The importance of this route means that an orderly and efficient valley-wide transportation network must be balanced with the protection of existing residential neighbourhoods from excessive heavy traffic.

No new roads are anticipated in the short term, although access to comprehensive development areas will be required as part of their development. Communal water or sewer systems may be developed as needed, because of water quality or sewage disposal issues.

14.1 Infrastructure Objectives

- Objective 14.1.1 Require all development to be serviced with adequate potable water and sewerage.
- Objective 14.1.2 Maximize the effectiveness of existing infrastructure.
- Objective 14.1.3 Provide an efficient transportation network that emphasizes non-motorized alternatives.

14.2 Infrastructure Policies

It is the Regional District's policy to:

- Policy 14.2.1 Work with residents, relevant provincial ministries, the City of Port Alberni and neighbouring jurisdictions to develop a **logical, efficient and neighbourhood-sensitive** transportation network plan.
- Policy 14.2.2 Work with residents, land owners, provincial ministries and community groups, to develop safe **road-side pathways** and trails that parallel roads with heavy traffic.
- Policy 14.2.3 Consider the development and use of **communal or community systems** for the provision of water or sewerage.
- Policy 14.2.4 Collaborate with land owners and provincial resource agencies to determine the feasibility of developing **watershed management plans** for watersheds that provide drinking water and water for agriculture.
- Policy 14.2.5 Seek co-operation of other government agencies in implementing an **integrated approach to water resource management**.
- Policy 14.2.6 Support necessary **future road development** that incorporates

road-side trails.

Advocacy Policies

- Policy 14.2.7 Encourage the provincial government to develop forestry policies and regulations that ensure and support **sustainable forest practices** and protect drinking water sources on all privately-owned resource lands.
- Policy 14.2.8 Encourage **protection of community watersheds and recharge areas** within the Plan area.
- Policy 14.2.9 Encourage the **cost-sharing of new infrastructure** systems with adjacent local governments and provincial agencies to promote greater efficiency.
- Policy 14.2.10 Encourage the Approving Officer to **limit further access directly onto Highway 4** where alternate access onto a secondary road is available.
- Policy 14.2.11 Encourage subdivision applicants to take into account the future development and maintenance of **multi-use paths and trails as part of the transportation system**.

15.0 AIRPORT USE

The Alberni Valley Regional Airport is located in the Sproat Lake OCP area. The airport is owned and operated by the ACRD. In addition to the facilities normally associated with an airport, the airport lands provide opportunities for airport-related and industrial activities. There are currently a number of such uses on the airport lands.

15.1 Airport Objectives

- Objective 15.1.1 Enhance the economic viability of airport operations.
- Objective 15.1.2 Provide the opportunity for compatible businesses to locate on the airport lands.

15.2 Airport Policies

It is the Regional District's policy to:

- Policy 15.2.1 Work with the City of Port Alberni, the Economic Development Office, First Nations, the Chamber of Commerce and other agencies to **promote greater use** of the Alberni Valley Regional

Airport.

Policy 15.2.2 **Cooperate with airline companies**, flying clubs and individual pilots using the airport.

Policy 15.2.3 Support the **retention of existing businesses** located on the airport lands.

Policy 15.2.4 **Promote the availability of land** at the airport to airport-related and compatible businesses.

16.0 HERITAGE AND CULTURE

The Plan area and the rest of the Alberni Valley have a long history of industrial uses and an even-longer history of First Nations' occupation and use of the land, as evidenced by the existence of petroglyphs at the eastern end of Sproat Lake and culturally modified trees. Alberni Valley residents share the traditional territory of First Nations such as the Tseshaht, the Hupacasath and the Uchucklesaht.

The industrial history of the area can be seen in the remains of old logging sites, sawmill facilities, old mining locales, corduroy roads (early logging roads formed of logs) and the remnants of logging communities, such as that at Boot Lagoon on Great Central Lake.

Other historic sites include the Community Hall,

16.1 Heritage and Culture Objectives

Objective 16.1.1 Identify, protect and conserve archaeological and historical sites within the Plan area.

16.2 Heritage and Culture Policies

It is the Regional District's policy to:

Policy 16.2.1 Refer development proposals in areas of **potential archaeological importance** to the provincial Archaeology Branch.

Policy 16.2.2 Ensure compliance with the relevant ministry's subdivision review and approval requirements that any known archaeological feature or site be clearly identified on an application for subdivision by **checking the provincial archaeological database**.

Policy 16.2.3 Support the identification, protection and **conservation of**

archaeological sites and features.

Advocacy Policies

- Policy 16.2.4 Encourage private land owners and developers to **respect archaeological features** when discovered and identified.

17.0 PARKS AND RECREATION USE

There are a number of provincial and regional parks and campsites located in the Sproat Lake Plan area. The trails in the area play an important role in the health and safe recreation of local residents. There is a desire for more multi-use (pedestrian, equestrian and cycling) trails within the community, particularly paralleling major transportation routes.

The ACRD encourages neighbourhood parks in the vicinity of denser residential uses, nature parks adjacent to rivers and scenic areas, and linear parks with trails connecting to existing parks, trails and roads throughout the community. In accordance with Section 941 of the LGA, the Regional District has identified with a “P” on Map No. 2 the approximate location of desired parkland in the Plan area.

17.1 Parks and Recreation Objectives

- Objective 17.1.1 Develop an integrated network of multi-use trails within the Plan area to connect with trails in adjacent areas.
- Objective 17.1.2 Improve access to Sproat Lake and Great Central Lake.
- Objective 17.1.3 Facilitate the development of a range of parks and trails.
- Objective 17.1.4 Incorporate environmental protection in park design, management and use.

17.2 Parks and Recreation Policies

It is the Regional District’s policy to:

- Policy 17.2.1 Work with the City of Port Alberni, First Nations, the provincial government, private land owners, the Trails Committee, the Sproat Lake Parks Commission and local residents to develop a **comprehensive trail network**.
- Policy 17.2.2 Pursue the incorporation of **multi-use paths along highways** within the community and, in particular, along Highway 4, Faber Road, Stirling Arm Drive and Lakeshore Road.

- Policy 17.2.3 Expand the linear **park system** along the Stamp and Somass Rivers and along major creeks.
- Policy 17.2.4 Through the subdivision process, collaborate with the relevant ministry to obtain **public access to the foreshore and to streams** when appropriate, through dedication in accordance with Section 941 of the *LGA*.
- Policy 17.2.5 Work with residents, community groups, property owners and the Sproat Lake Parks Commission to ensure that **local residents have adequate access to the lakes** within their neighbourhoods.
- Policy 17.2.6 Work with provincial authorities, local residents, property owners and the Sproat Lake Parks Commission to identify, improve and provide signage for **public accesses in appropriate locations** to the foreshore and streams.
- Policy 17.2.7 Ensure that any trail within the ALR has, in addition to the land owner's permission, the **approval of the ALC** and is designed in accordance with the specifications in *A Guide to Using and Developing Trails in Farm and Ranch Areas*.
- Policy 17.2.8 Require **parkland dedication** through the subdivision process where it meets stated parkland planning objectives/goals for the area or where indicated with a "P" on Map No. 2 and only consider cash in lieu of parkland where the provision of land for a park is not ideal.
- Policy 17.2.9 Work with provincial and federal authorities, community groups and businesses to promote the **development in Resource areas and in provincial parks** of additional day-camp and picnic facilities, boat-launch ramps, parking, toilets, access to the lakes, with maintenance and supervision, where appropriate.

Advocacy Policies

- Policy 17.2.10 Encourage **sustainable, environmentally-sensitive, respectful use** of parks and trails.
- Policy 17.2.11 Encourage provincial authorities to **expand Fossli Provincial Park** with some wilderness camping facilities.

18.0 MARINE USES

The Sproat Lake watershed drains an area of 357 km² (35,700 ha)³ and covers most of the Plan area. Both Sproat Lake and the Taylor River have been identified with having high fisheries values, and the Sproat Lake watershed is designated a community watershed.⁴ Sproat Lake also supplies drinking water for homes along the lakeshore.

Great Central Lake, which is approximately 42 km. in length and 5,180 ha. in area, is a very fertile spawning ground.

Boating is a popular recreational activity on both Sproat Lake and Great Central Lake. A wide variety of watercraft, including houseboats, powerboats, sailboats, jet-skis, canoes and kayaks, are used by local residents and visitors. Used responsibly, these watercraft have little impact on the lake environment. However, misuse, accidents and irresponsible practices – such as parking on sensitive shoreline, fuel spills and dumping of black- and/or grey-water – can lead to the degradation of water quality and the destruction of fish and wildlife habitat.

With the increasing level of motorized boating on the lakes, there are concerns about the consequent impacts on the natural environment, human safety and quiet enjoyment. The level of concerns, combined with the fact that limited resources are available for enforcement, prompted the development of this section of the Plan and an awareness of the need for greater efforts to educate the boating public.

18.1 Marine Uses Objectives

- Objective 18.1.1 Protect the quality and quantity of water in Sproat Lake and Great Central Lake.
- Objective 18.1.2 Maintain the unique physical and biological characteristics of the shoreline environments.
- Objective 18.1.3 Promote active, responsible stewardship of the lakes.
- Objective 18.1.4 Distinguish between the levels and types of uses that can be supported by different areas of the lakes.

18.2 Marine Uses Policies

- Policy 18.2.1 **Designate specific areas** for marina use, float-home use, non-motorized water recreation use and conservation.
- Policy 18.2.2 Permit the **mooring of houseboats** only in areas designated for Marina use as specified in the zoning bylaw.
- Policy 18.2.3 Preserve **areas designated for Conservation** from development, construction, camping and overnight mooring.

³ Sproat Lake Watershed Assessment Update (2008), David Campbell, M.Sc., P.Geo.

⁴ Ibid., p. 8

- Policy 18.2.4 Permit **only those structures**, such as moorage, docks and fences, **on the foreshore** that are in compliance with the *Navigable Waters Protection Act* and the zoning bylaw.
- Policy 18.2.5 Work with provincial and federal authorities to increase public awareness and to provide information on **safe and courteous boating and specific marine-use areas**.
- Policy 18.2.6 Work with provincial authorities, landowners and community groups to increase public awareness of the **impacts of chemical fertilizers, pesticides**, the spread of aquatic weeds and invasive species.
- Policy 18.2.7 Support the development of a **sewage pump-out facility** to serve watercraft on Sproat Lake.
- Policy 18.2.8 Support the continuation of the Sproat Lake **Marine Patrol program**.
- Policy 18.2.9 Work with federal and provincial authorities to extend the **greywater discharge prohibition** to Sproat Lake and Great Central Lake.
- Policy 18.2.10 Work with the local community, land owners and business owners to identify an appropriate location for **water-related industrial uses**.
- Policy 18.2.11 Support the establishment of a **paddling centre** at the Bomber Base site or at any other appropriate location.

Advocacy Policies

- Policy 18.2.12 Encourage the use of **non-motorized navigational watercraft** such as kayaks, canoes and sailboats.
- Policy 18.2.13 Encourage federal authorities to establish a **“Slow – no wake” speed limit** near highly-populated residential areas on Sproat Lake.
- Policy 18.2.14 Encourage waterfront owners to **share dock facilities** that extend to deep water in order to minimize the impact of numerous docks in shallow water, as recommended by best practices guides.⁵
- Policy 18.2.15 Encourage provincial and federal authorities to continue to

⁵ Ministry of Agriculture and Lands' *Requirements and Best Management Practices – Designing Your Dock or Boat Launch; On the Living Edge: Your Handbook for Waterfront Living, BC Edition*; the federal/provincial publication *Coastal Shore Stewardship: A Guide for Planners, Builders and Developers*; *Living by Water*; *Guide to Green Boating* and others

monitor issues and activities that impact water quality and quantity in Sproat Lake and Great Central Lake.

- Policy 18.2.13 Encourage waterfront owners to **use best practices in the siting of structures** on the foreshore and in aquatic areas, the requirement to comply with the *Fish Protection Act* and the *Navigable Waters Protection Act*, the avoidance of sensitive areas and the selection of materials.
- Policy 18.2.14 Encourage **sustainable, environmentally-sensitive use** of the lakes and adherence to the *Canada Shipping Act* and Regulations.
- Policy 18.2.15 Discourage any increase in the **number of houseboats** on Sproat Lake.

19.0 NATURAL ENVIRONMENT

A healthy natural environment is of great importance to residents of the Alberni Valley, as the Background Study indicates. Protection of riparian areas is critical to preservation of fish stocks. Protection of surface and ground water systems is critical to the provision of water both for drinking and for agricultural purposes. Residents of Sproat Lake share the area with wildlife such as bears, cougars and wolves. Awareness of and respect for wildlife habitat and travel corridors is important for human safety.

Protection of people, animals and the natural environment from excessive greenhouse gas emissions is a critical concern. Some of these issues that can – to a significant extent – be addressed by the use of development permits. Riparian areas have been designated as development permit areas, generally as shown on Map No. 3.

There are both water and land areas in the Sproat Lake area that are of significant environmental or cultural sensitivity. These areas are seen as requiring special attention and protection.

In the case of greenhouse gas emissions, targets for reduction must be set in accordance with Section 877(3) of the *LGA*. To aid in this process, the provincial government has prepared a Community Energy and Emissions Inventory for each B.C. community. The inventory for the regional district's unincorporated areas is attached to the Background Study. As with all rural communities, the majority of emissions in the regional district stem from on-road transportation. One means of addressing this issue is to encourage residents to walk or bicycle whenever possible, rather than using their vehicles. The development of a comprehensive network of trails and roadside pathways would facilitate this.

Another means of reducing greenhouse gas emissions is to concentrate development in existing neighbourhoods, particularly those serviced or provided with a communal or community water system. This includes strategies such as densification or the addition of an accessory residential dwelling unit.

The ACRD, in setting targets for greenhouse gas emissions reduction, must consider the unincorporated areas of the regional district as a whole, as the inventory is not broken down by electoral area. In 2007, the ACRD electoral areas used a total of 1,510,650 Gigajoules of energy and produced 46,228 tonnes of CO2 emissions. The ACRD sets the following targets for the rural areas as a whole:

- Target 1** To reduce vehicular CO2 emissions by 10%, from 46,228 tonnes to 41,605 tonnes, by 2014.
- Target 2** To focus 50% of new development in areas that are within or close to existing water systems.

The specific target for the Sproat Lake Plan area is to have all new development on lots of less than 2 ha. in size connected to an existing water system or to be developed in conjunction with a new communal water system.

Policies and actions to achieve these targets follow in sections 19.2 and 19.3.

19.1 Natural Environment Objectives

- Objective 19.1.1 Support the protection of environmentally-sensitive areas and species at risk.
- Objective 19.1.2 Support the protection of the quality of surface and ground water, fish habitat, and wetlands.
- Objective 19.1.3 Minimize opportunities for human-wildlife conflicts.
- Objective 19.1.4 Facilitate the reduction of greenhouse gas emissions.
- Objective 19.1.5 Minimize the spread of invasive species.

19.2 Natural Environment Policies

It is the Regional District's policy to:

- Policy 19.2.1 Protect the **environmental integrity of the natural resources** including lakes, wetlands, rivers, streams and karst features.
- Policy 19.2.2 Protect known sensitive ecosystems, wildlife and wildfowl habitat, and **environmentally-sensitive areas**.
- Policy 19.2.3 Facilitate the development of new and expansion of existing **water systems** in neighbourhoods consisting of smaller lots.
- Policy 19.2.4 Facilitate the development of **new communal sewer systems**.

- Policy 19.2.5 Support adherence to Bear Smart Community guidelines on the website http://www.env.gov.bc.ca/wld/bearsmart/#first_ in order to minimize human/bear conflicts.
- Policy 19.2.6 Seek guidance and financial assistance from senior governments for **help in implementing** its greenhouse gas emission reduction targets and policies.
- Policy 19.2.7 Work with provincial authorities to prevent the introduction and spread of **invasive plant and animal species**.

Advocacy Policies

- Policy 19.2.8 Discourage **development in hazardous areas**, including on or in close proximity to steep slopes (30% or greater), lands prone to flooding, or lands susceptible to slumping.
- Policy 19.2.9 Encourage the installation of **bike racks** at all commercial establishments in the Plan area.
- Policy 19.2.10 Encourage the use of **non-motorized forms of transportation** such as walking and bicycling and the use of public transit, car-pooling and ride-sharing to minimize greenhouse gas emissions.
- Policy 19.2.11 Encourage **siting** all dwellings, buildings and structures where they have the least impact on the natural environment and where they may best utilize passive solar heating.
- Policy 19.2.12 Encourage the use of **energy and water conservation devices** such as solar panels or tubes, rainwater collection systems, composting or low-flush toilets, greywater systems, low-water-using showers and appliances in all buildings.
- Policy 19.2.13 Encourage the use of **geothermal, air-source heat pumps or solar energy** to reduce greenhouse gas emissions.
- Policy 19.2.14 Encourage the **retention of natural vegetation for carbon sequestration**.
- Policy 19.2.15 Urge residents to refrain from providing **food to bears**.
- Policy 19.2.16 Encourage the use of Conservation Data Centre mapping to identify the existence of any **species at risk** in order to protect them when planning and implementing development plans.
- Policy 19.2.17 Discourage **open burning** of waste and refuse in order to protect air quality and prevent air-pollution-related health risks.⁶

⁶ <http://www.env.gov.bc.ca/epd/bcairquality/reports/pdfs/open-burning-bylaws-vancouver-island.pdf>

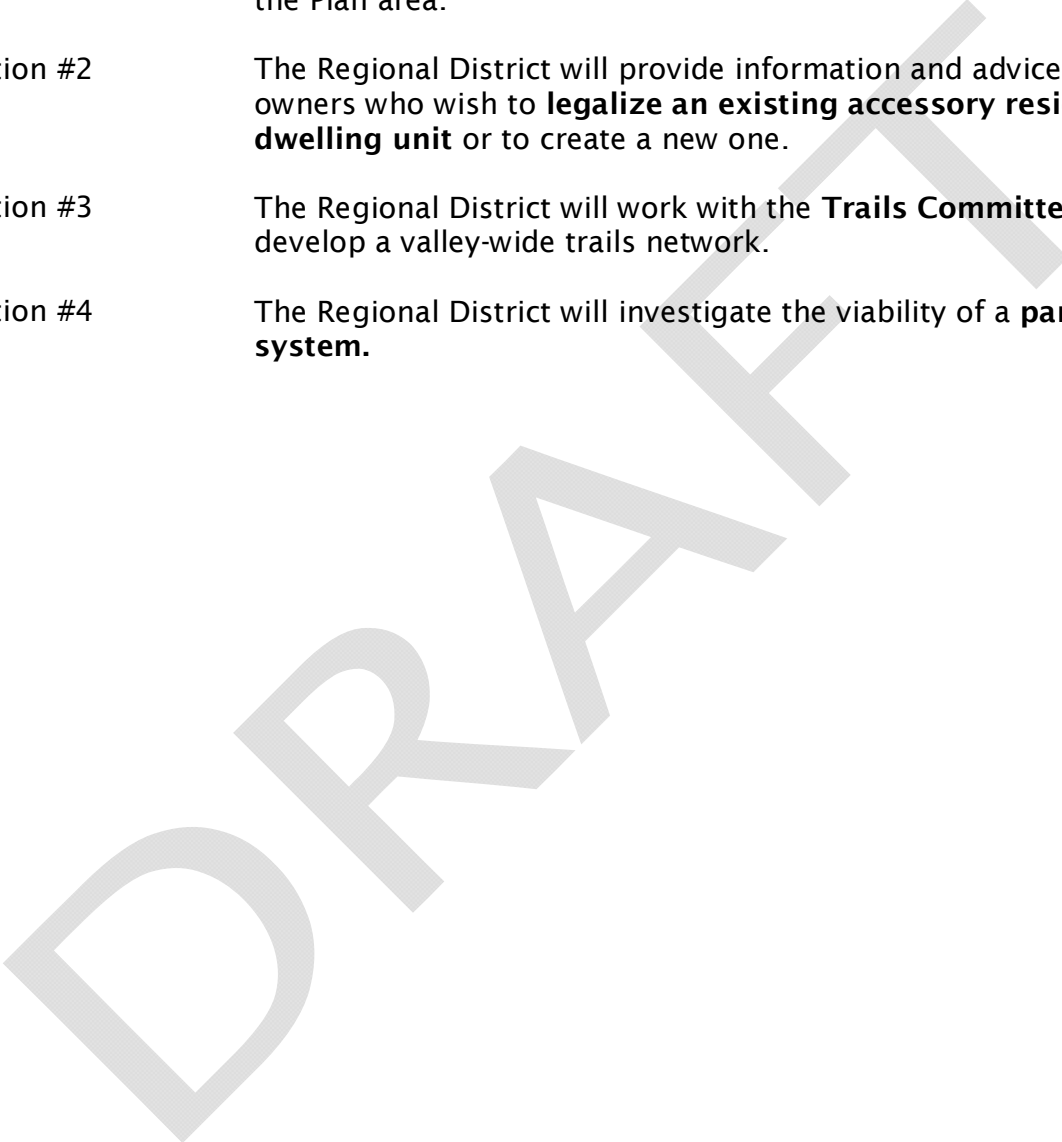
19.3 Greenhouse Gas Emissions Reduction Actions

- Action #1 The Regional District will build or assist in building, acquire, provide or otherwise encourage through development approvals not less than **one kilometre of pathway or trail per year** within the Plan area.

- Action #2 The Regional District will provide information and advice to home owners who wish to **legalize an existing accessory residential dwelling unit** or to create a new one.

- Action #3 The Regional District will work with the **Trails Committee** to develop a valley-wide trails network.

- Action #4 The Regional District will investigate the viability of a **paratransit system**.



PART III – USE OF THE PLAN

20.0 IMPLEMENTATION

Part II of this Plan contains the goals, objectives and policies that are intended to direct the community, its elected officials, ACRD staff and developers in planning and decision-making. Achieving the goals and objectives and pursuing the policies in this Plan requires the formulation of an action and implementation plan in order for the Plan to have the positive impact intended. This section, Part III provides the approach the ACRD will use to implement the Plan.

Implementation can be achieved by the use of a number of methods and tools. The Regional District currently employs its Zoning and Building Bylaws and, in some instances, development permits, as tools. This Plan extends the use of development permits to the expanded Plan area to enable the ACRD to better control development in riparian and sensitive areas. New development permit areas have been included in the Plan. The intent, exemptions and guidelines for DPAs are contained in Sections 19.1 to 19.6 below. The approximate locations of DPAs are shown on Map No. 3; the relevant DPA section below should be referred to for specific boundaries of a DPA.

Another tool, the designation of lands as **development approval information areas** (DAIAs), is used in this Plan to facilitate the provision of information on the anticipated impact of the proposed activity or development on the community. This is detailed further in section 20.7.

Lands designated as CDAs on Map No. 2 are also designated as DAIAs on Map No. 3, the intent being that once the requested information is received, the property owner (or agent) and Regional District are in a better position to consider a comprehensive or phased development agreement and to obtain a development permit or approval prior to any development occurring within a CDA.

20.1 Development Permit Areas

Section 919.1 of the *LGA* allows local governments to designate DPAs for one or more of the following purposes:

- a) protection of the natural environment, its ecosystems and biological diversity;
- b) protection of development from hazardous conditions;
- c) protection of farming;
- d) revitalization of an area in which a commercial use is permitted;
- e) establishment of objectives for the form and character of intensive residential development;
- f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- g) in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;

- h) establishment of objectives to promote energy conservation;
- i) establishment of objectives to promote water conservation;
- j) establishment of objectives to promote the reduction of greenhouse gas emissions.

By requiring a development permit for a project, the ACRD can require a greater level of detail and analysis for a development proposed for lands that are considered to have hazardous or sensitive conditions, other conditions or to satisfy other objectives in relation to the above-noted purposes for a DPA designation.

The DPAs, the approximate locations of which are identified on Map No. 3, are:

DPA I	Riparian Areas Protection
DPA II	Natural Hazard Areas Protection
DPA III	Objectives for Form and Character

20.2 DPA General Guidelines

The following general guidelines apply to all DPAs:

- Guideline 20.2.1 Where land is subject to more than one DPA designation, only a single development permit is required and only one permit fee will be charged. However, the application is subject to the requirements of all applicable DPAs.
- Guideline 20.2.2 On existing lots that meet or are less than minimum lot area standards, the location of which limits the opportunity to fully meet development permit requirements, the development permit guidelines should be addressed to the fullest extent within the constraints of the site and lot.
- Guideline 20.2.3 The Regional District may consider issuing a development permit to vary or supplement a bylaw or to set standards in accordance with Section 920 (2) of the *LGA*.

20.3 Development Permit Exemptions

The following activities are exempt from requiring a development permit. Despite the exemption provisions, owners must satisfy themselves that they meet the requirements of any applicable federal or provincial regulations.

- i. Form and character of buildings that do not involve multi-family residential, commercial or industrial uses.
- ii. Interior or structural alterations or repairs to a permanent building or structure on an existing foundation to an extent that does not alter, extend or increase the building's footprint or height.
- iii. Planting or replanting of native trees, shrubs or ground cover for slope stabilization, habitat improvement or soil stabilization or erosion control.
- iv. Routine maintenance of existing landscaping, lawn, paths, gardens or

- driveways.
- v. The removal of invasive plants or noxious weeds listed on the Coastal Invasive Plant Committee's website⁷, provided that measures are taken to avoid sediment or debris being discharged into the stream or onto the foreshore and the area is replanted with native species.
 - vi. The removal of trees determined by a Certified Arborist or Registered Professional Forester, or another professional certified to do tree-risk assessments, in consultation with the Fisheries & Oceans Canada if the trees are located within a riparian setback, that represent an imminent safety risk.
 - vii. Stream enhancement and fish and wildlife habitat restoration works carried out under provincial or federal approvals, on provision of evidence of such approvals to the ACRD.
 - viii. Emergency procedures to control or reduce immediate threats to life or property, such as those described in the Provincial Emergency Program, including:
 - a) emergency actions for flood protection and erosion protection;
 - b) removal of hazard trees;
 - c) clearing of an obstruction from bridge, culvert or drainage flow in accordance with the *Water Act*;
 - d) bridge and safety fence repairs in accordance with the *Water Act*; and
 - e) limbing, pruning and topping of trees where a minimum of 60% of the original crown of any tree is retained to maintain tree health and vigour as prescribed by a professional arborist.
 - ix. Public works and services constructed following best management practices for the specific concern with the DPA.
 - x. Forestry activities on private lands that are managed under the *Private Managed Forest Land Act*.
 - xi. Activities permitted by the provincial government on Crown forestry lands.
 - xii. Farming activities on land within the Agricultural Land Reserve.
 - xiii. Pump houses of not more than 9.2 m².
 - xiv. Paths for pedestrian use up to 1.0 metre in width provided all of the following are satisfied:
 - a) constructed exclusively of pervious natural materials with no concrete, asphalt, pavers or treated wood;
 - b) which do not entail structural stairs;
 - c) no removal of streamside or lakeside vegetation;
 - d) do not impair stream bank or lakeshore stability;
 - e) do not impact sensitive habitat; and
 - f) are not designed to permit motorized vehicles.

20.4 DPA I – Riparian Areas Protection

Category

In conformance with the objectives of the provincial *Fish Protection Act*, the ACRD wishes to ensure sufficient water for fish, to protect and restore fish habitat, and to

⁷ <http://coastalinvasiveplants.com/invasive-plants/priority-plants> at the time of adoption of this Plan.

improve riparian protection and enhancement. Therefore, pursuant to Section 919.1 (1) (a) of the *LGA*, the ACRD designates riparian areas along streams, as defined by provincial regulations,⁸ as DPA 1 areas. DPA 1 areas include all of the lands within 30 metres of major streams and within 15 metres of minor streams. Setbacks will be calculated as follows:

- a) for a river or major stream, a 30-metre strip on both sides of the stream measured from the high water mark;
- b) for a minor stream, a 15-metre strip on both sides of the stream measured from the high water mark;
- c) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- d) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

For purposes of clarity, the above descriptions should be relied upon rather than the riparian areas shown on Map No. 3. The latter is intended as a visual aid only to help locate these areas.

Within the Sproat Lake OCP area, “major streams” include Sproat Lake, Great Central Lake, Boot Lagoon, Taylor River, Alberni Inlet, Ash River, Stamp River, Somass River, Sproat River and Two Rivers. “Minor streams” include but are not limited to all named Somers Lake, Patterson Lake, Turtle Lake, Ward Lake, Devil’s Den Lake, McCoy Lake, Shuhum Creek, Ward Creek, Bookhout Creek, Clutesi Creek, Friesen Creek, Heath Creek, Demens Creek, Nook Creek, Fossli Creek, St. Andrew Creek, St. Dennis Creek, all other named and unnamed creeks, lakes and wetlands.

The community recognizes that a stream – whether located within lands designated for resource use, agricultural use or residential or rural use – is a continuous entity and should be protected along its entire length.

Justification

The natural environment is a significant feature of the ACRD area. It includes wet aquatic ecosystems that consist of and surround water features such as streams, lakes, ponds, wetlands and in many cases, ditches. Some of these ecosystems may only be wet during the winter months, drying up in the summer. The geography and vegetation that surrounds, protects and interacts with the aquatic environment is called the riparian area.

Together, the water feature and the riparian area form aquatic ecosystems which are critical for the survival of fish, fish supportive processes and which are important to maintain biodiversity and essential for many species. Unnecessarily disturbing these sensitive and important aquatic environments may harm their vitality and the ecological services they provide and can have downstream consequences on fish habitat.

⁸ http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/10_376_2004

Aquatic ecosystems are also critical for the survival of wildlife and form necessary travel corridors between habitats. Water is an important part of maintaining biodiversity and is essential for many species. Many rare species are associated with aquatic environments.

Aquatic ecosystems are natural water purifiers and pollution filtration systems. Healthy aquatic ecosystems have a capacity to retain stormwater runoff, maintain water quality by reducing levels of sediment, nutrients and contaminants in outflow water, to slow water flow and to prevent erosion.

DPA I designation is used to ensure that the ecological values of sensitive riparian and wetland habitats have been considered prior to development, and that measures will be taken to limit or avoid damage to these ecosystems.

The objectives of having these Development Permit requirements include:

- a) Planning and guiding new development in a manner that preserves and protects fish and fish supportive processes, fish habitat and sensitive aquatic ecosystems;
- b) Protecting, restoring and enhancing fish and fish supportive processes, fish habitat and sensitive aquatic ecosystems in a relatively natural state while supporting adjacent land uses;
- c) Meeting the objectives of the *Fish Protection Act*; and
- d) Protecting water quality and quantity.

Guidelines

The following guidelines apply:

- i. Development or alteration should be planned to avoid intrusion into DPA I areas and to minimize the impact of any activity on these areas.
- ii. A QEP should be retained for the purpose of preparing a report detailing site conditions and describing any measures that must be taken in order to protect the riparian area.
- iii. Protective measures such as the planting or retention of trees or vegetation may be required to preserve, protect, restore or enhance streams, fish habitat or riparian areas.
- iv. In the absence of a report from a QEP, a minimum vegetated buffer of 30 metres between the high water mark and any building or structure should be preserved on major streams free from development, and 15 metres on minor streams or streams.
- v. The total amount of impervious cover on property adjacent to a stream should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas, exceeding the minimum riparian setback where feasible, and use of on-site infiltration.
- vi. The construction of a small accessory building such as a gazebo, garden shed or play house may be permitted if all the following apply:
 - a) The building is located within an existing landscaped area;
 - b) No native trees are removed;
 - c) The building is located a minimum of 15 metres from the high water mark of a minor stream or 30 metres from the high water mark of a

- major stream; and
- d) The total area of the structure is not more than 9.2 m².

It is noted that the provincial ministry responsible for agriculture has developed setback distances for farm buildings and streams on existing farmland and for new agricultural buildings. The following website should be referred to:

http://www.agf.gov.bc.ca/resmgmt/publist/800Series/823400-1_Agriculture_Building_Setback_Factsheet.pdf

20.5 DPA II – Natural Hazard Areas Protection

Category

In accordance with Section 919.1 (1) (b) of the *LGA*, areas that are or may be subject to natural hazards such as flooding, sea-level rise, erosion, slides, rock falls, subsidence, wildfire, areas within the tsunami-hazard zone and steep slopes with an incline of 30 percent or more may be designated as DPA II, generally as shown on Map No. 3. Where a portion of a legal lot falls within the DPA, the entire lot is considered to be subject to the following guidelines.

Justification

Some of the lands in the vicinity of the Somass River and the Alberni Inlet (any other area?) have been flooded and are still considered to be susceptible to flood hazard and, in certain areas, to erosion or sloughing. Lands that are or may be flooded represent a hazardous condition for permanent structures.

One of the effects of climate change is a rise in sea level. While experts using the best available science are still grappling with a range of possible impacts, current expectations are that the sea level on the west coast of Vancouver Island will rise somewhere in the vicinity of one metre by the year 2100. Any development along the coastline must take this into consideration in an attempt to anticipate and minimize any negative impacts that rising sea levels may have on the built environment and the safety of residents.

The west coast of Vancouver Island, identified as Zone C by the Provincial of B.C., is a high-risk seismic zone, known to be vulnerable to flooding in the event of a tsunami. The ACRD wishes to protect the community against the loss of lives and to minimize property damage, injury and trauma associated with flooding events.

Rural areas of the regional district have experience wildfires in the past, often originating in forested lands. Fire can also spread, however, from a building to nearby forestry lands. In order to minimize the risk of fire spreading either to or from significant tree cover, new development adjacent to forestry lands is subject to General Planning Policy 3.2.4 and thereby required to plan for a 10-m fuel-free or fuel-reduced buffer zones between the forested land and any buildings. The ACRD may decide to designate areas located adjacent to forestry lands as development permit areas. Existing developments adjacent to forestry lands are advised to minimize the risk of wildfire by reducing the amount of potential fire fuel between the trees and any buildings.

Steep slopes also tend to constitute high-risk areas for erosion and slippage if the tree cover is substantially altered. Potentially hazardous conditions on steep slopes may be avoided if adequate tree cover is retained and surface water runoff is minimized. The toe of the Beaufort Range, for example, is an area where, due to topographic conditions, the possibility of land slippage is considered significant. In order to protect development from these hazardous conditions, development permits are required for areas designated as DPA II.

It should be noted that a number of hazard areas lie outside the jurisdiction of OCP policies. These include floodplain areas such as those on the lower Taylor River, Gracie Creek and Sutton Creek and areas prone to landslides such as steep slopes in Snow Creek, Sutton Creek and the upper Taylor River.

Guidelines

Development of land, buildings and structures should be in accordance with the following guidelines:

- i. In the absence of a geotechnical engineering report where development is proposed on steep slopes, no development or alteration of land will be permitted on the escarpment or within 30 metres of the top of the ridge or the base of the slope.
- ii. Development or alteration of land, buildings and structures should be planned to avoid intrusion into DPA II areas and to minimize the impact of any activity on these areas.
- iii. Development should be planned to avoid the tsunami hazard area, described as the area between the high tide line and a horizontal distance of 30 metres from the natural boundary of the sea or the furthest extent of the tsunami zone as shown by the best available mapping, whichever is greater.
- iv. The recommended flood construction level for coastal areas in the ACRD is 10 metres vertical elevation above the normal highest tide in Alberni Inlet or as calculated by the best available expertise of a QEP taking into consideration the slope of the land, anticipated sea-level rise, storm surges and freeboard.
- v. Prior to any development or alteration of land within DPA II areas, a QEP should be retained for the purpose of preparing a report identifying and describing any hazards which may affect the safe development of the land including, but not limited to:
 - tsunami inundation;
 - riparian flooding;
 - slopes with an incline of 30 percent or more;
 - subsidence; and
 - ground water flows.
- vi. An application for should identify the location of all proposed buildings or development sites by specifying setback distances from a natural boundary, property boundary or feature or hazard area.
- vii. Where applicable, flood construction levels should be provided by prescribing an elevation above the natural boundary of a stream or natural ground elevation at the building site, or by specifying a geodetic elevation, or by a combination of both.
- vii. The applicant should consider the suitability of the land to accommodate the

- use intended.
- viii. Plans should establish a safe setback line from any streams and shorelines to protect the land, buildings and inhabitants from the risk of injury or damage that may, in the opinion of an engineer or qualified professional, be caused by the hazards of flooding, erosion, subsidence, earthquake, mud flows or any combination thereof.
 - ix. The QEP's recommendations and the conclusion of the report should:
 - a) acknowledge that the Approving Officer may rely upon the report when making a decision on applications for the subdivision or that ACRD Board decides regarding the development of land;
 - b) certify that the land is safe for the use intended, with probability of a geotechnical failure or another substantial hazard resulting in property damage of less than two per cent (2%) in 50 years or as specified by the most recent edition of the "APEGBC Guidelines for Legislated Landslide Assessments for Residential Developments in BC";
 - c) identify any deficiency in the design of the buildings, the proposed water, sewer, drainage, access and road works or the construction standards intended for the development;
 - d) prescribe the geotechnical works and any changes in the standards of the design of the development which are required to develop land, buildings, structures and infrastructure safely for the use intended and to maintain the safety of the land, buildings, structures and infrastructure as a condition of the approval of the development; and
 - e) where mitigation works and actions are proposed, describe the effects that the proposed works and actions may have on other properties, including public infrastructure or lands.
 - x. Where mitigation works and actions designed to reduce hazards or impacts are contemplated, the applicant's professional engineer should confirm that the works and actions will be acceptable to local government from an environmental perspective, and that they would meet regulatory requirements, prior to completing the report and a detailed design.
 - xi. Plans should include the retention of significant stands of trees, as well as native vegetation, within DPA II areas, as recommended by a QEP.
 - xii. Where lands within DPA II areas subject to seasonal flooding are proposed for development, the flood construction level should be a vertical elevation at least four metres (4 m.) above the high water mark or as stipulated by federal or provincial approval authorities.
 - xiii. Coastline areas that are subject to flooding should be flood-proofed to the standards specified by the authority having jurisdiction.
 - xiv. In order to minimize the risk of fire spreading either to or from significant tree cover, new development adjacent to forestry lands is required to plan for a 10-m fuel-free or fuel-reduced buffer zone between the forested land and any buildings.

20.6 DPA III – Objectives for Form and Character

Category

In accordance with Section 919.1(f) of the *LGA*, the Regional District establishes objectives for the form and character of development in industrial, commercial and

multi-family areas. Areas designated as DPA III include all industrial, commercial and multi-family designations for properties fronting on Highway 4 and are shown generally on Map No. 3.

Justification

Highway 4 is the most heavily travelled roads in the region, providing access between Port Alberni and the West Coast. The scale and character of the built environment along this travel corridor have an impact of the impression formed by both residents and visitors as they travel through the western portion of the Alberni Valley. The major objective of the development permit designation is to ensure that development, whether new or redevelopment of existing sites or lots, forms a positive impression to the greatest extent possible. The intent is to encourage enhancement of the built environment by high-quality design and screening in new development and in redevelopment and to minimize the impacts of such development on the transportation network.

Guidelines

Development of industrial, commercial and multi-family buildings and structures should be in accordance with the following guidelines:

- i. The scale, massing and shape of proposed structures should reflect and relate to adjacent and neighbouring developments as well as to the specific site. Monolithic structures and long, blank, windowless, unarticulated walls should be avoided.
- ii. Commercial developments adjacent to the Highway 4 should place their main structures adjacent to the highway and locate parking and loading at the rear, away from the travelling public, and in accordance with the zoning bylaw.
- iii. Support service structures and facilities such as loading bays, refuse containers and storage areas should be screened with walls, fencing, hedging, planting, other screening materials or a combination of these materials.
- iv. The shape, siting, roof-line and exterior finish of buildings should be sufficiently varied to avoid visual monotony yet reflect a West Coast experience and tradition as much as possible through the retention of existing trees, where practicable, and the use of local materials. The use of wood, wood shingles or shakes, stone, board and batten as external cladding, where appropriate, is encouraged.
- v. Proposed developments should be sited so that they do not overshadow or dominate adjacent developments and, where located adjacent to residential uses, that the residential use and desire for privacy is respected by the use of screening or buffering from the commercial or industrial development.
- vi. Interruptions to view planes should be avoided or minimized. This can be achieved by appropriate siting, by setbacks, or by clustering buildings.
- vii. Vehicular access and egress should be provided, where feasible, to avoid direct highway access. Where this is unavoidable, efforts should be made to consolidate such accesses to the main highway arteries.
- viii. All signage should be in conformance with the ACRD's signage bylaw.
- ix. Exterior floodlighting should be unobtrusive, non-flashing and directed so that it does not create glare or a visual nuisance for neighbours and passing pedestrians and drivers.
- x. A minimum 3-metre-deep landscaped strip should be established and

- maintained on frontages along Highway 4 and adjacent to neighbouring residential, institutional and agricultural uses.
- xi. A landscape plan for the development, including the parking area, should be prepared as an integral part of design and layout, utilizing indigenous plant species with low irrigation and maintenance requirements. The ACRD strongly encourages xeriscaping.
 - xii. Bicycle lock-up racks should be provided near the entrance to buildings.

20.7 Development Approval Information

Under Section 920.01 of the *LGA*, an Official Community Plan may designate areas or circumstances where development approval information is required. For much of the Plan area, the only available contour mapping is the provincial Terrain Resource Inventory Mapping (TRIM) at a scale of 1:20,000 and 20-metre contour intervals. There is little or no scientifically-recorded information related to critical habitat and other ecological resources, hazard areas, and archaeological resources within the Plan area, especially for the southern portions of the Plan area.

In light of the absence of sensitive ecosystem, stream and more-detailed contour mapping information, the Regional District recognizes that some lands may be more difficult or challenging to develop because of they may contain steep slopes or sensitive ecosystems. The objective in designating such vacant lands as Development Approval Information Areas (DAIAs) is to ensure that adequate information on the site is obtained before development is planned. The planning process can then consider and mitigate its impact on natural features, the natural environment including riparian area protection, local infrastructure, and can ensure that the proposed development is protected from hazardous conditions prior to its development. The information required for areas designated as DAIAs will be described in Development Approval Information Bylaw.

Environmental and hazardous conditions are only two circumstances where local governments may require development approval information under Sections 920.01 and 920.1 of the *LGA* for Comprehensive Development Areas (CDAs), for DPAs and for temporary-use permits.

Section 920.1 of the *LGA* stipulates that, if an OCP designates areas as DAIAs, “The local government must, by bylaw, establish procedures and policies on the process for requiring development approval information ... and the substance of the information that may be required.” The Regional District will adopt a Development Approval Information Bylaw.

20.8 Amendment Procedures

An Official Community Plan is, in many respects, a visionary document. It is intended to guide decision-making with regards to land-use development over time. It is impossible, however, to foresee all the possibilities and opportunities that may be presented to the ACRD within the timeframe of the OCP. Changes are inevitable. Changes may be initiated by property owners, local residents, the development

industry or local government.

Whenever particular provisions of the Plan prove unworkable or inappropriate in view of unanticipated development, events or influences, a review of the relevant objectives and policies of the Plan may be undertaken.

All proposed amendments to the Plan are to satisfy the requirements of the appropriate sections of the *LGA*.

20.9 Plan Review

The Official Community Plan should be reviewed at intervals of approximately five years with respect to satisfying the requirement to maintain an adequate supply of residential land. The Plan will be considered for amendment as a result of revisions or additions to the *LGA* as required, general performance, changes to other plans, and bylaws and legislation having an impact on the Plan, as well as its relationship to the current needs and priorities of the ACRD and its residents.