



# Alberni-Clayoquot Regional District

## ELECTORAL AREA DIRECTORS COMMITTEE MEETING

WEDNESDAY, MAY 27, 2015, 10:00 AM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

### AGENDA

	PAGE #
<b>1. <u>CALL TO ORDER</u></b>	
Recognition of Traditional Territories.	
<b>2. <u>APPROVAL OF AGENDA</u></b>	
<i>(motion to approve, including late items requires 2/3 majority vote)</i>	
<b>3. <u>REPORTS</u></b>	
a. <b>ADMINISTRATIVE MEMO</b> Zoning Bylaw Review Update	2-3
b. <b>ADMINISTRATIVE MEMO</b> (For Discussion) Development Cost Charges for Community Parkland Acquisition	4-5
c. <b>ADMINISTRATIVE MEMO</b> (For Discussion) Zoning Bylaw Text Amendment for Riparian Setbacks within all Electoral Area Official Community Plan Areas	6-7
d. <b>ADMINISTRATIVE MEMO</b> (For Discussion) A Zoning Bylaw Update to Allow Accessory Dwelling Units (ADUs) with all Electoral Area Official Community Plan Areas	8-20
e. <b>GAS TAX – BUDGET ALLOCATIONS &amp; UPCOMING FUNDING</b> (For Discussion)	21-22
<i>THAT the Electoral Area Committee receive the staff reports a-e.</i>	
<b>4. <u>LATE BUSINESS</u></b>	
<b>5. <u>IN CAMERA</u></b>	
<i>Motion to close the meeting to discuss matters relating to:</i>	
<i>i. litigation or potential litigation affecting the Regional District;</i>	
<i>ii. Receiving advice from the Regional District solicitor that is subject to solicitor-client privilege including communications necessary for that purpose.</i>	
<b>6. <u>ADJOURN</u></b>	



## MEMORANDUM

**To:** Russell Dyson, CAO  
and  
Electoral Area Directors Committee  
**From:** Mike Irg, M.C.I.P.  
Manager of Planning and Development  
**Date:** May 20, 2015  
**Subject:** Zoning Bylaw Review Update

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### Recommendation

That the Electoral Area Committee receive the staff report.

Kelly Gesner from Landworks and Planning Staff are working on the new updated zoning bylaw. The following is a summary of where we are at.

### Completed

The initial draft of the new zoning bylaw is almost complete. This has included:

1. Gathering background information and reviewing the current zoning bylaw;
2. Identifying areas of concern;
3. Organizing the framework for the new bylaw;
4. Identifying Land Use Contracts that need to be cancelled;
5. Drafting the new bylaw; definitions, general regulations, unique and common zones;
6. Drafting the zoning map;
7. Staff reviewing the draft bylaw;
8. Amendments and changes to the draft bylaw.

### Next Steps

1. APC and Area Directors to review the initial draft bylaw (June/July);
2. Public meetings in the Alberni Valley, Bamfield and West Coast (July);
3. Initial referral to agencies, municipalities and First Nations (July);
4. Compile agency and public input;
5. Legal review;
6. Amend bylaw text and maps;
7. Second round of open houses/public consultation
8. First reading and official referral to agencies, municipalities and First Nations;
9. Public hearing;

Submitted by:



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Mike Irg, M.C.I.P.  
Manager of Planning and Development



Approved by:

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Russell Dyson, Chief Administrative Officer



## REQUEST FOR DECISION

**To:** Russell Dyson, Chief Administrative Officer; and  
Regional Board of Directors

**From:** Mike Irg, Manager of Planning and Development

**Date:** March 30, 2015

**Subject:** Development Cost Charges for Community Parkland Acquisition

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### **Recommendation:**

That the Board refers this request for decision to the Electoral Areas Committee, for review at the next meeting.

### **Desired Outcome:**

The ACRD Board examines options for funding parkland improvements and park land acquisition through the use of Development Cost Charges (DCCs).

### **Summary:**

Local governments have several tools available to acquire and improve parkland. Once a service is established; parkland can be acquired through "parkland dedication" under section 941 of the *Local Government Act*, taxation for the parks service, and DCCs under section 933 of the *Local Government Act*.

The ACRD currently taxes for some parks services and acquires parkland under section 941 when this section applies to a subdivision. While the ACRD has DCCs for some services, DCCs do not currently apply to parkland.

Generally, DCCs can be applied to commercial, industrial, multifamily developments in excess of \$50,000.00 and subdivisions. The development cost charge does not apply to single family or two-family development or construction. For a DCC to be applicable, the ACRD needs to demonstrate that the development will have an impact on the service.

Staff is of the opinion that current resources should focus on updating existing water service DCCs before implementing a new DCC.

### **Background:**

The Board asked staff to examine options for funding parkland improvements. There have been questions about how funds acquired through cash in lieu of parkland dedication under section 941 can be spent. The Local Government Act stipulates that cash in lieu of parkland can only be used to acquire parkland and cannot be used for capital improvements on existing parkland.

**Time Requirements – Staff & Elected Officials:**

If the Board wishes to implement DCCs for parkland, significant time is required to research and prepare the bylaws and consult with the community. Best practice involves three separate consultations with the impacted community; during development of the draft DCC rates, immediately following first reading and during the revision of the bylaw, before second reading.

**Financial:**

The Board needs to consider the benefit and amount of money that would be collected through a DCC for parkland. DCCs can only be charged when the development has an impact and increases the cost of the parks service. In addition, the DCC can only be applied to land acquisition and capital costs, the funds cannot be used to run the service. DCCs charges do not apply to construction of single family and two family dwellings.

**Policy or Legislation:**

Section 933 in Part 26 of the *Local Government Act* sets the requirements for implementing DCCs. In developing this report staff used the Development Cost Charge Guide for Elected Officials and Development Cost Charges Best Practices Guide, both of which are produced by the Ministry of Community, Sport, and Cultural Development (copies are available online and at the ACRD office).

**Options Considered:**

The Board has three options:

- 1/ Refer to the Electoral Area Directors Committee;
- 2/ Instruct staff to start the public consultation process;
- 3/ Receive the RFD and do nothing.



Submitted by: \_\_\_\_\_

Mike Irg, Manager of Planning and Development



Approved by: \_\_\_\_\_

For: Russell Dyson, Chief Administrative Officer



## **Memorandum**

**To:** Russell Dyson, Chief Administrative Officer; and  
Regional Board of Directors

**From:** Heather Adair, Junior Planner

**Date:** April 13, 2015

**Subject:** Zoning Bylaw Text Amendment For Riparian Setbacks Within All Electoral Area Official  
Community Plan Areas.

**Electoral Area:** "A" Bamfield, "B" Beaufort", "C" Long Beach, "D" Sproat Lake, "E" Beaver Creek,  
"F" Cherry Creek.

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### **Recommendation:**

That the Board of Directors:

- 1) Receive the staff report;
- 2) Give first reading to Bylaw P1328; and
- 3) That the public hearing for Bylaw P1328 be delegated to the Chairperson of the Regional Board or the vice Chairperson of the Regional Board.

### **Applicant's Intention:**

This application has been initiated by the Regional District to begin implementation of the updated Electoral Area OCPs with respect to amending building setbacks from riparian areas.

Bylaw P1328 would amend the existing ACRD zoning bylaw by amending Riparian Setbacks in all Official Community Plan (OCP) areas in the Regional District. The riparian setbacks in the current zoning bylaw will remain for areas outside of OCP areas.

The current Zoning Bylaw states that no construction is allowed within 30m (100 ft) of a natural watercourse, therefore the ACRD regularly receives and issues development variance permits for buildings constructed between 15m (50 ft) and 30m (100 ft) from minor streams. Each OCP states that major streams have a 30m (100 ft) setback, and minor streams have a 15m (50 ft) setback. Minor and major streams are further described in each OCP. Staff recommends the building setback from minor streams in areas covered by an OCP be reduced from 30m (100 ft) to 15 m (50 ft). Staff recommends that the building setback from major streams in areas covered by an OCP remain at 30m (100ft). This proposed zoning bylaw amendment will become consistent with the directions provided in each OCP.

**Background:**

To maintain the protection of Riparian Areas, all OCPs in the Regional District have 'Development Permit Areas' and construction within this area requires a Development Permit. If P1328 is adopted the ACRD Zoning Bylaw will have the same riparian setback requirements as outlined each OCP Development Permit Area.

The Development Permit areas for Riparian Areas with the Bamfield, Beaufort, Sproat Lake, Beaver Creek, and Cherry Creek OCP areas are 30m (100 ft) for major streams and 15m (50 feet) for minor streams. If this bylaw amendment is passed the Development Permit area for minor streams will mirror the setbacks listed in the zoning bylaw. This bylaw amendment will eliminate property owners from having to request a development variance for construction in the 15m (50 ft) to 30m (100 ft) area alongside minor streams, therefore streamlining the building permit approval process in appropriate circumstances.

The Development Permit Area for Freshwater Riparian Areas and Coastal Riparian Areas for the Long Beach OCP Area is 30m (100 ft). This Development Permit Area will remain at 30m (100 ft) and any proposed construction in this area will require a Development Permit approved by the Board of Directors. This bylaw amendment will eliminate property owners from having to request a development variance for construction in areas 15m (50 ft) to 30m (100 ft) of Freshwater Riparian Areas and Coastal Riparian Areas, but not relieve the Development Permit requirements.

**Financial & Staff Time Requirements:**

The passing of this zoning bylaw amendment will reduce the number of development variance applications therefore less staff time will be spend on this type of application.

Submitted by:   
Heather Adair, Junior Planner

Reviewed by:   
Mike Irg, Manager of Planning & Development

Approved by:   
Russell Dyson, Chief Administrative Officer



## **Memorandum**

**To:** Russell Dyson, Chief Administrative Officer; and  
Regional Board of Directors

**From:** Mike Irg, Manager of Planning and Development

**Date:** April 9, 2015 (amended May 20, 2015)

**Subject:** A Zoning Bylaw Update to Allow Accessory Dwelling Units (ADUs) Within All Electoral Area Official Community Plan Areas.

**Electoral Area:** "A" Bamfield, "B" Beaufort, "C" Long Beach, "D" Sproat Lake, "E" Beaver Creek, and "F" Cherry Creek

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### **Recommendation:**

That the Board of Directors:

- 1) Receive the staff report;
- 2) Give first reading to Bylaw P1327.
- 3) That the public hearing for Bylaw P1327 be delegated to the Chairperson of the Regional Board or the vice Chairperson of the Regional Board.

**Applicant's Intention:** This amendment to the Zoning Bylaw has been initiated by the Regional District to begin implementation of the updated Electoral Area OCPs with respect to allowing ADU's.

Staff receives regular public inquiries regarding ADUs and when the OCP policies will be included in the zoning bylaw. Bylaw P1327 would amend the existing ACRD zoning bylaw by allowing ADU's in residential zones and following the policies adopted in the Electoral Area OCPs.

### **Background:**

The Alberni-Clayoquot Regional District (ACRD) recognizes the existence of (ADU's) including in-law suites, granny flats, garden suites, basement suites, and carriage houses in the Regional District. In March 2011 the Regional District commissioned a CMHC funded report titled 'Accessory Dwelling Units in the Alberni Valley'. Resident input regarding ADU's was also gathered and incorporated into the 2010 Alberni Valley Background Study.

All of the Electoral Area Official Community Plans (OCPs) contain residential policies that permit ADU's provided that the lot is capable of meeting health requirements for sewage disposal for an accessory residential dwelling unit. The minimum lot size is 0.404 hectares (1 acre) with the exception of the South

## **RT15005**

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?it̓ath̓ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe  
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)



Long Beach OCP which would require 1 hectare (2.5 acres).

Staff recommends that the Board proceed with this update to the current zoning bylaw and allow residents to proceed with construction and legalization of ADU's. ADU's are proposed in the new draft zoning bylaw, however, there is significant consultation still required before the updated bylaw can be adopted. This bylaw amendment will allow property owners to proceed with construction on ADUs sooner. Staff feels that it is in the public interest to proceed with this bylaw amendment.

The policies in Accessory Dwelling Units in the Alberni Valley report have been included in the ACRD OCP's. The ACRD has engaged in extensive public consultations regarding secondary suites, through the initial ADU report and the OCP consultation. The following is a list of advantages of ADUs.

Advantages include;

- Affordable rental housing
- Increase density in areas with existing residential use without altering the character of the neighborhood
- Allows for greater diversity within neighborhoods
- Mortgage helper for the homeowner
- Allowing a resident on site if the other party wishes to travel
- May allow owner to age in place, possibly moving to the ADU
- Provide a sense of security for older, frailer owners or person with disabilities
- Allow families to stay together, with adult child or elderly relative in ADU
- Potentially a more diverse population mix, with generally younger or older tenants in the ADU
- Represent a form of low-impact densification, maintaining the character of the neighborhood
- Provide affordable housing without government subsidy

The amended bylaw to allow Accessory Dwelling Units (ADU's) includes the following:

- ADU's permitted in residential, acreage residential districts, and rural district.
- Only one ADU will be permitted per lot.
- No ADU constructed without principal dwelling on site, or the ADU is constructed simultaneously with the principal dwelling unit.
- ADU shall have a total floor area of not more than 80m<sup>2</sup> (861 ft<sup>2</sup>) (except Area "C" Long Beach, which will have a maximum area of 70 m<sup>2</sup>) or, if located within or attached to the principal dwelling unit, not more than 40% of the habitable floor space of the building, whichever is less.
- ADU shall not be constructed within a required front yard and 3 meters from side and rear lot lines.
- ADU shall not exceed 3.7m in height except as otherwise permitted for in the bylaw.
- The ADU, if located within the principal dwelling unit or within a non-residential accessory building, shall have an entrance that is separate from that of the main building.
- ADU shall include facilities for storing, preparing and cooking food, sanitary facilities and a bedroom.
- ADU shall be provided with potable water and sewer disposal facilities approved by the Health Authority.
- No occupancy shall occur unless an occupancy permit has been issued.
- One off street parking space shall be provided for the exclusive use of the ADU's.

## **RT15005**

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?i?ath Government, Huu-ay-aht First Nations, Uchucklesaht Tribe  
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)

- ADU's may not be a separate strata unit.

**Implementation:**

This amendment is part of the implementation of the six rural Official Community Plans. A significant part of the OCP developments included community consultation and while the community was receptive to ADU's, there were also questions about existing ADU's. Part of the OCP implementation plan included a process for legalizing existing ADU's. The attached draft bulletins 1 through 3 outline the process for legalizing existing ADU's and construction of new ADUs.

**Financial & Staff Time Requirements:**

Significant time from staff will be required to implement the Accessory Dwelling Units. Inspections will be required for existing ADU's as well as new ADU's. Staff will need to work with residents that have existing ADU's to bring them into compliance. In most instances a building permit will be required with applicable building permit fees.

Other considerations include sewage capacity, water connections, and recycling service.

To gain community acceptance, a communications plan is required. Communication plan could include newsletters to homeowners, community meetings, website updates, and advertisements in newspapers.

It is recommended that the Regional District be proactive regarding enforcement of ADU's, rather than reactive.

Submitted by:



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Mike Irg, Manager of Planning & Development

Approved by:



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Russell Dyson, Chief Administrative Officer

**RT15005**

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułu?it?ath Government, Huu-ay-aht First Nations, Uchucklesaht Tribe  
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# ACCESSORY DWELLING UNITS IN THE ALBERNI VALLEY: MOVING TOWARDS ACCEPTANCE

## Bulletin #1: Accessory Dwelling Units Explained

### *What are Accessory Dwelling Units?*

Accessory Dwelling Units (ADUs) can be in a variety of forms. They can be a secondary suite in a single-family home, a secondary dwelling (also called a carriage house, coach house, garden suite or cottage) on the same property, or a granny suite or flat above the parking area in a garage.

### *Why do we need ADUs?*

ADUs represent one of the few forms of affordable rental housing that can be provided without subsidy from some level of government. We know that the goal of most people – particularly couples – is to own their own home. This is not always achievable for a variety of reasons. Sometimes people wish to rent in order to save up some money. Sometimes homeowners are financially pressured without a “mortgage helper”.

### *When is an ADU considered legal?*

A suite or secondary dwelling is considered legal when all the required building, plumbing and electrical permits have been applied for and approved, and where all work has been completed, inspected and final occupancy has been issued.

### *Why are we looking at legalizing existing ADUs now?*

Legalizing ADUs will allow us to make sure that these forms of housing are safe and not unhealthy for the renter.

### *Where are ADUs permitted?*

ADUs are permitted on any lot on which a single-family home is the principal use. For a secondary suite in a new or existing home, that home must have at least 150 m<sup>2</sup> of liveable floor area with an existing ceiling clearance of 2.1 m.

### *How are ADUs different from room-and-board, for example?*

ADUs have specific criteria that differentiate them from in-home accommodation. All ADUs must have a separate, private entrance and must have separate facilities for food storage, preparation and cooking, as well as a bathroom and bedroom.

### *Isn't a secondary suite located in a home?*

Yes, it is. But in addition to meeting the criteria listed above, it must also meet additional requirements. According to the BC Building Code, a secondary suite must

- a) have a total floor space of not more than 90 m<sup>2</sup> in area,
- b) have a floor space less than 40% of the habitable floor space of the building,
- c) be located with a building of residential occupancy containing only one other dwelling unit, and
- d) be located in and part of a building which is a single real estate entity.

### *What do I have to do if I might want to put a secondary suite in my home?*

Homeowners wishing to construct a secondary suite in an existing home or to build a new home with a secondary suite in it must build to meet the requirements of the BC Building Code. You must apply for a building permit from the ACRD and may wish to refer to **Bulletin #2: Planning for a Future Secondary Suite** or to Section 9.36 of the BC Building Code.

### *What do I have to do if I already have a suite in my home?*

In order to legalize an existing suite, the suite must comply with the BC Building Code or alternative life safety standards. The ACRD recognizes that a suite may have been added to a home after the occupancy permit was granted and that the suite may not meet all the requirements of the BC Building Code. The Province of BC and many other local governments have worked to determine the minimum safety standards that must be met in order for a suite to be considered legally habitable. You may wish to refer to

**Bulletin #3: Legalizing an Existing Secondary Suite.**

### *What happens if my suite doesn't meet the alternative safety standard?*

ACRD staff will work with you, inspect your home at no cost and try to suggest ways to bring your suite into conformance. If this cannot be done, you will be required to

remove the suite.

*What are the procedures that I have to follow to legalize my existing suite?*

You can start by coming to the ACRD office, talk to our staff and review the relevant information that is available. Once you have registered your existing suite, our staff can make arrangements to inspect the suite and go over any upgrades needed. If your suite meets all the requirements, we will issue an occupancy permit for it. If upgrades are required, you will have one year in which make them.

# ACCESSORY DWELLING UNITS IN THE ALBERNI VALLEY: MOVING TOWARDS ACCEPTANCE

## Bulletin #2: Planning for a Future Secondary Suite

### *Starting from scratch*

If you are planning to build a new home, we recommend that you consider either adding a secondary suite to your initial plans or, if you're not sure you want a secondary suite at the moment but think you *might* in the future, leave that option open. You can do this by incorporating some of the BC Building Code's secondary suite provisions in your plans, especially components and systems that will be concealed and inaccessible for future inspection. This will avoid costly demolition or rework of the house when you do get around to building the suite.

### *Adding a new secondary suite to an existing home*

Alterations to an existing home to accommodate a secondary suite must be made in compliance with the BC Building Code. If you want to put a suite in your home and the home has not been prepared for a future suite, you may be required to undertake selective demolition of finishes in order to facilitate inspection and/or construction of suite components concealed within the construction.

### *Planning for a future legal secondary suite*

The following steps are recommended if you are building a new home or renovating your basement with the possibility of a secondary suite in mind:

1. Install hard-wired smoke alarms that are interconnected with smoke alarms in the rest of the house (i.e., when one smoke alarm goes off, they all go off simultaneously).
2. If the heating system in the house is a forced-air system, then the heating ducts in the possible future suite area should be blocked off and electric baseboards or some other kind of heating installed.
3. If there is a gas furnace in the basement that will either be inside the possible future suite area or directly adjacent to it, the furnace room should be drywalled inside and out (including the ceiling) with 1.588 cm (5/8 inch) Type X (Fireguard) drywall. The access door to the furnace room should be a 45-minute fire-rated door with a self-closing mechanism.

4. If there is to be a door allowing access from a common area or principal unit area into the suite, that door should also be a 20-minute fire-rated door with a self-closing mechanism.
5. Install 1.588 cm (5/8 inch) Type X (Fireguard) drywall on the ceiling of the possible future suite area and on any walls that are shared by common areas or principal unit areas in the basement.
6. Ensure that each bedroom contains a window that has an openable area of at least .35 m<sup>2</sup>, has no openable dimension less than 38 cm and is no higher off the floor than 1.5 m.

## ACCESSORY DWELLING UNITS IN THE ALBERNI VALLEY: MOVING TOWARDS ACCEPTANCE

### Bulletin #3: Legalizing an Existing Secondary Suite

#### *Procedure for legalizing an existing secondary suite*

Call or visit the ACRD office, 3008 5<sup>th</sup> Avenue, Port Alberni, telephone 250-720-2700, and talk with our staff. Once you have registered your suite, you can then make arrangements for one of our staff to go through your suite with you, inspect it at no charge, and help determine what must be done – if anything. If your suite does not meet the requirements of the BC Building Code, we will try to help you decide what improvements can be done to either conform to Code or meet the alternative life safety standards.

The minimum health and life safety requirements have been modified from those specified in Section 9.36 of the BC Building Code 2006 in order to minimize the level of difficulty in bringing an existing suite to Code standards while still maintaining the life and fire safety provisions of the Code.

#### *Minimum health and life safety requirements*

The following is a summary of the minimum requirements for a new secondary suite:

- ✓ Hot and cold running water
- ✓ Toilet, basin and bathtub/shower in the washroom
- ✓ Kitchen with provisions for cooking, cleaning and food storage
- ✓ Heating system capable of maintaining a minimum temperature of 22°C during the heating season
- ✓ Windows in conformance with Section 9.7 of the Code

**Note:** Bedroom windows must provide an unobstructed opening of not less than 380 mm in height and width and .35 m<sup>2</sup> in area, and the bottom of the opening must not be more than 1.5 m above floor level.

- ✓ Minimum height of 2 m over the required area with localized depressions such as doors, beams, duct drops, etc., of 1.93 m



Areas over and above the required areas are permitted to have less than those prescribed provided it is not part of the means of egress or does not constitute a hazard.

- ✓ Additional interconnected hard-wired smoke alarms of the photo-electric type in both suite and principal dwelling
- ✓ Minimum 25-minute fire separation from the principal residence (i.e., minimum 1.27 cm (½-inch) drywall on both sides of the stud surfaces and on the underside of floor joists)
- ✓ Exit directly to the exterior unless there is a shared exit that is fire separated  
Exits are not permitted through a garage or service room. Exit enclosures must maintain a minimum 25-minute fire separation. Doors contained within the fire separation must be solid core or listed and must be self-closing.
- ✓ Minimum stair width of 860 mm with a rise and run configuration that conforms to the Type II stair requirements as specified in Section 9.8 of the Code
- ✓ Combustible drain waste and vent piping enclosed by a minimum of 1.27 cm (½-inch) drywall and not penetrating the drywall
- ✓ Forced-air heating and ventilation systems not interconnecting suite and principal dwelling unless
  - a) listed smoke dampers are installed in the plane of the fire separation or supply ducts (maximum 130 cm<sup>2</sup> in area) are located not more than 1.2 m above the floor level and
  - b) activation of smoke alarms/detectors in the suite or in the principal dwelling will cause the heating system to shut down.
- ✓ Third-part inspections required:
  - a) Gas-fire furnace installation/operation to be inspected and passed by a qualified heating contractor or the Provincial Gas Safety Branch (telephone 604-660-9433).
  - b) Electrical service panel(s), wiring and appliances in the suite to be inspected and passed by a licensed electrical contractor or the Provincial Electrical Safety Branch (telephone 604-660-9433).
- ✓ Any serious health or life safety matters observed during inspection must be rectified to the satisfaction of the Building Inspector.

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1327**

**OFFICIAL ZONING TEXT AMENDMENT**

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw upon the affirmative vote of the directors in accordance with the *Local Government Act*;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the text of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw No. P1327.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended as follows:

a. Section 3 is hereby amended by adding the following definitions:

“Dwelling Unit, Accessory means a second dwelling unit:

- a) on a lot that already has a single-family dwelling on it or that will have a single-family dwelling constructed contemporaneously on it;
- b) that is an accessory use;
- c) that is occupied or intended to be occupied as a permanent home or residence of one family;
- d) that may be within or attached to the principal dwelling unit as a secondary suite;
- e) that may be a carriage house or granny flat within or attached to an accessory building such as a garage, barn or workshop;
- f) that may be a detached building such a cabin, cottage or garden suite.

Carriage House means a dwelling unit attached to or located on the second storey of an accessory building with its own external access, separate from that of the access to the accessory building.

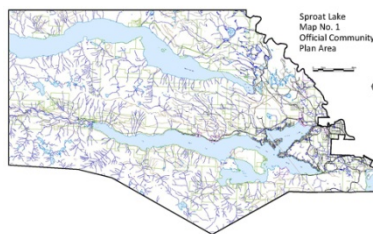
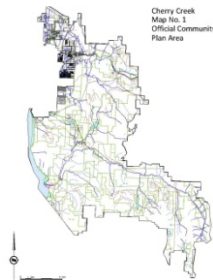
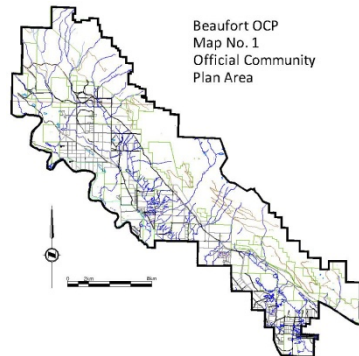
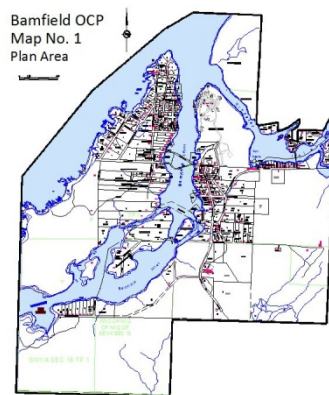
Granny Flat means carriage house or secondary suite.

Secondary Suite means a secondary suite as defined by the *British Columbia Building Code*.”

- b. Section 6.5 Accessory Buildings and Uses is hereby amended by adding a new subsection 6.5 4. to read as follows:

“4. Accessory Building and Dwelling Units – Regulations for accessory dwelling units

- a) Accessory dwelling units may be permitted, provided the principal use of the lot is a single-family dwelling and the lot is located within the Official Community Plan area of Electoral Area “A”, Electoral Area “B”, Electoral Area “C”, Electoral Area “D”, Electoral Area “E”, of Electoral Area “F”, in the following districts:
- R 1 and R2;
  - RA 1, RA 2, and RA 3; and
  - A 1, A 2, A 3, and A 4;



- b) the minimum lot area for an accessory dwelling unit is 0.404 hectares for properties located in Electoral Areas “A”, “B”, “D”, “E”, and “F”
- c) the minimum lot area for an accessory dwelling unit is 1 hectare for properties located in Electoral Area “C”.
- d) No more than one accessory dwelling unit is permitted per lot.
- e) No accessory dwelling unit shall be permitted to be erected on any lot unless:
- such lot contains a principal dwelling unit; or
  - the accessory dwelling unit is erected or constructed simultaneously with a proposed principal dwelling unit.
- f) An accessory dwelling unit shall have a total floor area of not more than 80 square

meters or, if located within or attached to the principal dwelling unit, not more than 40% of the habitable floor space of the building, whichever is less. Except an accessory dwelling unit in Electoral Area "C" shall have a total floor area of not more than 70 square meters or, if located within or attached to the principal dwelling unit, not more than 40% of the habitable floor space of the building, whichever is less.

- g) An accessory dwelling unit may only be one story.
- h) An accessory dwelling unit shall not be located, unless otherwise provided for in this Bylaw:
  - i. within a required front yard; and
  - ii. within 3 meters of a side or rear yard lot line.
- i) An accessory dwelling unit shall not exceed 3.7 meters in height except as otherwise provided for in this By-law.
- j) An accessory dwelling unit, if located within the principal dwelling unit or within a non-residential accessory building, shall have an entrance that is separate from that of the main building.
- k) An accessory dwelling unit shall include facilities for storing, preparing and cooking food, sanitary facilities and a bedroom.
- l) An accessory dwelling unit shall be provided with potable water and sewer disposal facilities approved by the local Health Authority.
- m) No person shall occupy an accessory dwelling unit unless an occupancy permit has been issued for it.
- n) One off-street parking space shall be provided for the exclusive use of the accessory dwelling unit.
- o) The registered owner of the property must occupy either the principal dwelling unit or the accessory dwelling unit as his or her principal residence.
- p) An accessory dwelling unit may not be a separate strata unit."

3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this    day of    , 2015

Read a second time this    day of    , 2015

Read a third time this    day of    , 2015

Adopted this    day of    , 2015

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Russell Dyson, CAO

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Chair of the Regional Board



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

## Gas tax - budget allocations & upcoming funding

Service area/organization	Allocation	Current amounts spent	Remaining budgeted amounts
Bamfield Water System	482,851	46,841	436,010
Beaver Creek Community Club	25,000	18,111	6,889
Beaver Creek Water system	1,550,000	1,550,000	-
Bell Road/ Stuart Avenue water system	264,000	-	264,000
Cherry Creek Improvement District	385,000	36,753	348,247
Long Beach Airport Water system	250,000	-	250,000
Millstream Water system	121,000	19,370	101,630
	<u>3,077,851</u>	<u>1,671,075</u>	<u>1,406,776</u>

On May 22, 2014 the parties announced that the Administrative Agreement on the Federal Gas Tax Fund in British Columbia (Renewed Gas Tax Agreement or GTA) has been signed between Canada, British Columbia and UBCM, and takes effect as of April 1, 2014.

We have received the first payment for the 2014/15 year from UBCM and the amounts was \$225,671.50 received on July 31, 2014. We should receive the second half of the payment by December 1, 2014.

### Community Works (Gas Tax) funding for ACRD for upcoming years

Year - 2014/15	444,326
Year - 2015/16	444,326
Year - 2016/17	466,542
Year - 2017/18	466,542
Year - 2018/19	488,810
	<u>\$ 2,310,546</u>



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

## Breakdown of payments received and unallocated amounts

Year	Payments received	Interest	
2005	141,134.30		
2006	141,042.41	3,588.29	
2007	187,232.40	10,933.97	
2008	234,189.64	15,603.64	
2009	458,376.60	5,796.94	
2010	452,115.98	11,193.21	
2011	452,069.12	21,805.04	
2012	452,069.12	27,987.45	
2013	451,881.77	25,812.21	
2014	-	8,148.65	Total
	<u>2,970,111</u>	<u>130,869</u>	<u>3,100,981</u>

## Committed amounts

BWS	482,851
BCCC	25,000
BCWS	1,550,000
Bell/Stuart	264,000
CCID	385,000
LBA	250,000
MSWS	121,000
	<u>3,077,851</u>

## UPDATED UNALLOCATED AMOUNTS

Received with interest	3,100,981	(interest to June 2014)
BCCC - unspent	6,889	
Less		
Committed amounts	<u>3,077,851</u>	
Remaining unallocated	<u>30,019</u>	