



Alberni-Clayoquot Regional District

ELECTORAL AREA DIRECTORS COMMITTEE MEETING

TUESDAY, SEPTEMBER 19, 2017, 10:30 AM

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

AGENDA

	PAGE #
1. <u>CALL TO ORDER</u>	
Recognition of Traditional Territories.	
2. <u>APPROVAL OF AGENDA</u>	
<i>(motion to approve, including late items requires 2/3 majority vote)</i>	
3. <u>ADOPTION OF MINUTES</u>	
a. Electoral Area Directors Committee Meeting held May 23, 2017	3-5
<i>THAT the minutes of the Electoral Area Directors Committee meeting held on May 23, 2017 be received.</i>	
4. <u>PETITIONS, DELEGATIONS & PRESENTATIONS (10-minute maximum)</u>	
a. Geo Monrufet, Joe VanBergen, Sproat Lake Community Association, request for funding from Gas Tax Funds for the Sproat Lake Hall property.	6
5. <u>CORRESPONDENCE FOR ACTION/INFORMATION</u>	
6. <u>REQUEST FOR DECISIONS & BYLAWS</u>	
a. REQUEST FOR DECISION	7-8
Alberni Valley Regional Airport – Request for Community Works Funding	
<i>THAT the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District Board of Directors approve the allocation of \$139,667 of Community Works Funding to the Alberni Valley Regional Airport Expansion Project in 2018 as part of the 2018-2022 Financial Plan.</i>	
b. REQUEST FOR DECISION	9-10
Community Works Fund Update & Policy	

THAT the Electoral Area Directors Committee receive the Community Works Fund Update and recommend that the Board of Directors direct staff to draft a Community Works Funding Use policy for consideration at the next Electoral Area Directors Committee meeting.

- c. **REQUEST FOR DECISION** **11-16**
 Development Variance Permit Procedures

THAT the Electoral Area Directors Committee receive the staff memorandum.

- d. **ADMINISTRATIVE MEMORANDUM** **17-20**
 Keeping of Animals

THAT the Electoral Area Directors Committee receive the report.

- e. **ADMINISTRATIVE MEMORANDUM** **21-23**
 Rural Planning Projects

THAT the Electoral Area Directors Committee support the additional staff time to work on rural planning projects.

7. **REPORTS**

- a. **Building Inspection Report – M. Irg (verbal)**

THAT the Electoral Area Directors Committee receives this verbal report.

8. **UNFINISHED BUSINESS**

9. **LATE BUSINESS**

10. **ADJOURN**



Alberni-Clayoquot Regional District

MINUTES OF THE ELECTORAL AREA DIRECTORS COMMITTEE

MEETING HELD ON TUESDAY, MAY 23, 2017, 2:00 PM

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

DIRECTORS Keith Wyton, Chairperson, Director, Electoral Area "A" (Bamfield)

PRESENT: Mike Kokura, Director, Electoral Area "B" (Beaufort)
Tony Bennett, Director, Electoral Area "C" (Long Beach)
Penny Cote, Director, Electoral Area "D" (Sproat Lake)
John McNabb, Director, Electoral Area "E" (Beaver Creek)
Lucas Banton, Director, Electoral Area "F" (Cherry Creek)

STAFF PRESENT: Wendy Thomson, Acting Chief Administrative Officer
Andrew McGifford, Manager of Environmental Services
Teri Fong, Manager of Finance
Mike Irg, Manager of Planning and Development
Janice Hill, Acting Manager of Administrative Services

1. CALL TO ORDER

The Chairperson called the meeting to order at 2:03 pm.

The Chairperson recognized the meeting today is being held in the Tseshaht First Nation and the Hupacasath First Nation Traditional Territories.

2. APPROVAL OF AGENDA

MOVED: Director Banton

SECONDED: Director Cote

THAT the agenda be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

a. **Electoral Area Directors Committee Financial Planning Meeting held February 15, 2017**

MOVED: Director Banton

SECONDED: Director Kokura

THAT the minutes of the Electoral Area Directors Committee Financial Planning meeting held on February 15, 2017 be adopted.

CARRIED

4. REQUEST FOR DECISIONS & BYLAWS

- a. **Request for Decision regarding Cherry Creek Waterworks District – Gas Tax Funding Request.**
(referred from Board of Directors meeting March 8, 2017)

Director McNabb entered the meeting at 2:13 pm.

MOVED: Director Banton

SECONDED: Director Kokura

THAT the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District Board of Directors approve the Cherry Creek Waterworks District request for \$625,000 of Community Works Funding.

CARRIED

MOVED: Director Banton

SECONDED: Director Bennett

THAT the Electoral Area Directors Committee recommend that staff prepare a cooperation agreement between the ACRD and Cherry Creek Waterworks District for the purpose of sharing information on Cherry Creek Water infrastructure upgrades.

CARRIED

- b. **Request for Decision regarding consideration of an Animal Control Service for Livestock at Large.**
(referred from Board of Directors meeting March 8, 2017)

MOVED: Director Cote

SECONDED: Director Bennett

THAT the Electoral Area Directors Committee direct staff to refer the Consideration of an Animal Control Bylaw for Livestock at Large to the Agricultural Development Committee and the Agricultural Committee and request options for public education and voluntary compliance.

CARRIED

5. REPORTS

- a. **Request to City of Port Alberni – Allocation of Gas Tax Funds to Alberni Valley Regional Airport Expansion Project – W. Thomson (verbal)**

The Acting CAO provided an update on the letter sent to the City of Port Alberni requesting they consider allocating gas tax funds to the Alberni Valley Regional Airport expansion project. The City has advised that all of their gas tax funds been allocated to the end of 2018 to City capital improvement projects.

b. Sproat Lake Flood Mitigation - Use of Gas Tax Fund – W. Thomson/T. Fong (verbal)

The Manager of Finance advised the Committee that gas tax funds are not eligible to be used to for a hydrological study on blasting the rock in Sproat River. The Acting CAO reported that the Province has announced a funding opportunity through UBCM for emergency program funding and flood mitigation efforts coming out in the fall of 2017. The ACRD and West Coast Aquatic are investigating applying for funding through this program to conduct a hydrological study of the Somass River Watershed, which would include Sproat River. Another funding option currently available is the National Disaster Mitigation program, this program requires 50% matching funds.

MOVED: Director McNabb

SECONDED: Director Cote

THAT the Electoral Area Directors Committee instruct staff to investigate available grant funding for a primary study for Sproat Lake outflow solutions.

DEFEATED

MOVED: Director Kokura

SECONDED: Director McNabb

THAT the Electoral Area Directors Committee receives verbal reports a-b.

CARRIED

6. ADJOURN

MOVED: Director Kokura

SECONDED: Director Bennett

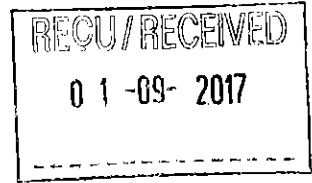
THAT this meeting be adjourned 3:37 pm.

CARRIED

Certified Correct:

Keith Wyton,
Chairperson

Wendy Thomson,
Acting Chief Administrative Officer



SPROAT LAKE COMMUNITY ASSOCIATION

9346 BOMBER BASE ROAD

PORT ALBERNI, B.C.

V9Y 9Z3

AUG. 16, 2017

TO: PENNY COTE, ACRD SPROAT LAKE REPRESENTATIVE & BOARD OF DIRECTORS

RECENTLY THE SLCA RESECURED A 5 YEAR LEASE ON THE SPROAT LAKE HALL PROPERTY AT 9346 BOMBER BASER ROAD. THIS LEASE HAS BEEN HELD SINCE 1953.

THE SPROAT LAKE HALL IS BEING USED NOW ON A DAILY BASIS, NOT ONLY BY LOCAL RESIDENTS & ORGANIZATIONS, BUT BY THE GREATER ALBERNI VALLEY AND BEYOND FOR PICKLEBALL, DRAGON PADDLERS, OUTRIGGERS, ALBERNI VALLEY REGATTA ASSOCIATION, A COMMUNITY MEETING VENUE, A PROPOSED EMERGENCY RELIEF CENTRE AND FOR GENERAL COMMUNITY HALL RENTALS FOR FUNCTIONS AND WEDDINGS.

THE FACILITIES ARE USED EXTENSIVELY, ESPECIALLY THE WASHROOMS AND ARE IN NEED OF RENOVATION.

OVER THE LAST COUPLE OF YEARS THE COMMUNITY HAS INVESTED BOTH MONEY AND IN KIND DONATIONS ESTIMATED AT \$70,000. OUR COMMUNITY VOLUNTEERS HAVE STEPPED UP AT EVERY OPPORTUNITY TO HELP CREATE A VENUE WE ARE PROUD TO BE A PART OF.

WE ARE ASKING THE BOARD TO APPROVE \$100,000 GAS TAX MONEY TO ENABLE THE SLCA TO MOVE FORWARD IMMEDIATELY WITH OUR HALL RENOVATIONS. IN PARTICULAR THE WASHROOMS, KITCHENS AND GENERAL UPKEEP REPAIRS ARE NEEDED.

THE SPROAT LAKE COMMUNITY HALL IS THE ONLY COMMUNITY FACILITY LARGE ENOUGH TO HOUSE A LARGE CROWD. IN THE EVENT OF A NATURAL DISASTER IT WOULD BE A NATURAL GATHERING PLACE.

WE FEEL THE SPROAT LAKE COMMUNITY HAS BEEN OVERLOOKED IN GAINING SUPPORT OF THE GAS TAX. WE ARE A GROWING COMMUNITY AND WE ARE ASKING FOR SUPPORT TO BE ABLE TO MAINTAIN THE ONE COMMUNITY FACILITY WE DO OWN.

THANK YOU FOR YOUR CONSIDERATION

GREG STEEL

PRESIDENT SLCA



REQUEST FOR DECISION

To: Electoral Area Directors Committee

From: Teri Fong, CPA, CGA, Manager of Finance

Meeting Date: September 19, 2017

Subject: Alberni Valley Regional Airport – Request for Community Works Funding

Recommendation:

That the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District Board of Directors approve the allocation of \$139,667 of Community Works Funding to the Alberni Valley Regional Airport Expansion Project in 2018 as part of the 2018-2022 Financial Plan.

Desired Outcome:

To secure additional grant funding for the Alberni Valley Regional Airport (AVRA) Expansion project.

Summary:

The AVRA Expansion is facing financial constraints in order to complete all three stages of the project as was presented in the AVRA Expansion Project Update report at the September 13, 2017 Board of Directors meeting. Staff recommend that the Electoral Area Directors Committee consider allocating \$139,667 of the Community Works Funding to the project based on the following rationale.

The ACRD received \$185,750 from the Alberni Valley Community Forest Legacy Fund during 2015-2016. This funding was used to clear obstacles that were intruding on the Obstacle Limitation Surface (OLS) of the previous runway. The City of Port Alberni is the sole shareholder of the Alberni Valley Community Forest Corporation and as sole shareholder has full discretion as to how to best utilize the funds and chose to invest in the AVRA. City Council had formed the Alberni Valley Community Forest Legacy Fund Committee that provided recommendations to Council on the distribution of the funds, including the AVRA project, but Council was not bound to the Committee’s recommendations. Consequently, there is a perspective that the grant from the Community Forest could be seen as a contribution from the City of Port Alberni itself.

The apportionment of the participating areas, based on the 2017 converted values of land and improvements, of the AVRA are as follows:

Participant	2017 Converted Value	% Share
Port Alberni	\$239,362,514	57%
Area B – Beaufort	\$11,011,501	3%
Area D – Sproat Lake	\$93,845,949	22%
Area E – Beaver Creek	\$35,466,042	8%
Area F – Cherry Creek	\$39,655,136	9%
Total	\$419,341,142	100%

If the electoral areas were to match, based on apportionment, the City's \$185,750 contribution using Community Works funds the allocation would be:

Participant	Community Works Fund
Area B – Beaufort	\$8,545
Area D – Sproat Lake	\$72,826
Area E – Beaver Creek	\$27,522
Area F – Cherry Creek	\$30,773
Total	\$139,667

Time Requirements – Staff & Elected Officials:

The AVRA has been an incredibly large project for the ACRD and has required a significant amount of staff resources. The allocation of Community Works Funding would require a small amount of additional staff time to complete the reporting requirements to UBCM.

Financial:

Based on the 2017-2021 Financial Plan and commitments made by the Board of Directors since the adoption of the plan there is an estimated \$375,000 of Community Works Funds available for eligible projects. Although the Renewed Gas Tax agreement extends to the year 2024, the funding commitment from the Federal Government beyond 2018/19 is unknown at this time.

Policy or Legislation:

Regional/local airports are an eligible project category for the Community Works Funds.

Options Considered:

Staff also considered recommending matching the funds of \$185,750 contributed by the City of Port Alberni through the Alberni Valley Community Forest Legacy Fund. This would increase the amount of the Community Works Funding request by \$46,083. Staff instead recommends the above approach in an effort to be equitable across the service area.

The other option is to provide no Community Works Funding but this leaves the project under funded.



Submitted by: _____
Teri Fong, CPA, CGA, Manager of Finance



Approved by: _____
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



REQUEST FOR DECISION

To: Electoral Area Directors Committee
From: Teri Fong, CPA, CGA, Manager of Finance
Meeting Date: September 19, 2017
Subject: Community Works Fund Update & Policy

Recommendation:

That the Electoral Area Directors Committee receive the Community Works Fund Update and recommend that the Board of Directors direct staff to draft a Community Works Funding Use policy for consideration at the next Electoral Area Directors Committee meeting.

Summary:

The following projects are currently planned using Community Works Funding:

Project	2017 Budget	2018 Budget	Actual	Remaining
Bamfield Water System	\$1,026,672	\$0	\$0	\$1,026,672
Beaver Creek Community Club Playground	\$50,000	\$0	\$15,894	\$34,106
Bell Rd/Stuart Ave Water System	\$0	\$414,000	\$0	\$414,000
Cherry Creek Community Trail	\$80,000	\$0	\$58,562	\$21,438
Cherry Creek Waterworks	\$625,000	\$0	\$0	\$625,000
Long Beach Airport Water System	\$154,140	\$0	\$0	\$154,140
Millstream Water System	\$100,000	\$0	\$3,933	\$96,067
Salmon Beach Well Development	\$50,000	\$50,000	\$0	\$100,000
Sproat Lake Community Park Trail	\$100,000	\$0	\$0	\$100,000
Total	\$1,560,812	\$464,000	\$78,389	\$2,571,423

Staff continue to work on progressing these projects and completing the required reporting to UBCM.

\$600,000 of the \$1,026,672 allocated to the Bamfield Water System is for the Water Treatment Plant upgrades. It is uncertain at this time as to whether that funding will be required as the ACRD received a grant from the Clean Water & Wastewater Fund for this project but recent tender results have the project coming in over budget. Staff are in consultation with both grant providers to determine if the stacking of the grant funding is an option to assist in funding this project. Staff will provide updates on this project as it progresses and if the funding is determined not to be required for the treatment plant then the Committee will be advised.

Staff are recommending the development of a use policy for the Community Works Funding to oversee the funding, increase the efficiency in evaluating proposed projects and to ensure compliance with the Agreement. It would also assist staff in providing direction to outside organizations that are requesting grant funding as to project categories and

detail requirements.

Time Requirements – Staff & Elected Officials:

The administration of the UBCM grant does require staff time in terms of annual reporting. The Agreement also requires that the ACRD is progressing with an Asset Management program and this project will require significant staffing resources. The staff time required to oversee and complete the projects is budgeted in each applicable service except for the funding that is provided to outside organizations.

Financial:

The ACRD has allocated just over \$5 million dollars of Community Works Funding; the allocation is based on population per area is as follows:

Area	Population	% Population	Project Allocations	% of Total Allocated
Area A – Bamfield	294	3%	\$1,091,500	22%
Area B – Beaufort	456	5%	\$68,111	1%
Area C – Long Beach	1,799	18%	\$584,644	12%
Area D – Sproat Lake	2,295	23%	\$514,000	10%
Area E – Beaver Creek	3,045	31%	\$1,701,159	34%
Area F – Cherry Creek	1,926	20%	\$1,090,000	22%
Totals	9,815	100%	\$5,049,414	100%

Based on the committed projects there is an estimated \$375,000 of Community Works Funds available for eligible projects. Although the Renewed Gas Tax agreement extends to the year 2024, the funding commitment from the Federal Government beyond 2018/19 is unknown at this time.

Policy or Legislation:

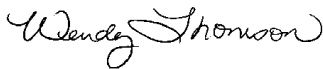
The Community Works Fund is administered through a tripartite Agreement between Canada-BC-UBCM and enables the delivery of Federal Gas Tax funding to local governments. The funding is guided by three national program objectives, which include productivity and economic growth, a clean environment and strong cities and communities.

Options Considered:

A use policy is not a requirement of the Community Works Fund agreement but would be helpful tool for both staff and directors in determining which eligible projects to fund.



Submitted by: _____
Teri Fong, CPA, CGA, Manager of Finance



Approved by: per: _____
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



MEMORANDUM

To: Electoral Area Directors Committee
From: Mike Irg Manager of Planning and Development
Date: September 19, 2017
Subject: Development Variance Permit Procedures

Recommendation:

That the Electoral Area Directors Committee receive the staff memorandum.

Background:

There has been discussion both at the Regional Board level and amongst the Advisory Planning Commissions regarding development variances. This memo outlines the procedures for applying for a development variance.

The majority of development variance applications are to vary an aspect of the zoning bylaw, typically building setbacks or height requirements. A local government cannot vary use or density. This is an important distinction as use and density can only be changed through a zoning amendment, which includes a public hearing in the ACRD.

Section 479 of the *Local Government Act* sets the rules for establishing a zoning bylaw and states:

Zoning bylaws

479 (1) A local government may, by bylaw, do one or more of the following:

- (a) divide the whole or part of the municipality or regional district into zones, name each zone and establish the boundaries of the zones;
- (b) limit the vertical extent of a zone and provide other zones above or below it;
- (c) regulate the following within a zone:
 - (i) the use of land, buildings and other structures;
 - (ii) the density of the use of land, buildings and other structures;
 - (iii) the siting, size and dimensions of

- (A) buildings and other structures, and
 - (B) uses that are permitted on the land;
 - (iv) the location of uses on the land and within buildings and other structures;
 - (d) regulate the shape, dimensions and area, including the establishment of minimum and maximum sizes, of all parcels of land that may be created by subdivision.
- (2) The authority under subsection (1) may be exercised by incorporating in the bylaw maps, plans, tables or other graphic material.
- (3) The power to regulate under subsection (1) includes the power to prohibit any use or uses in a zone.
- (4) A bylaw under this section may make different provisions for one or more of the following:
- (a) different zones;
 - (b) different uses within a zone;
 - (c) different locations within a zone;
 - (d) different standards of works and services provided;
 - (e) different siting circumstances;
 - (f) different protected heritage properties.
- (5) In addition to the authority under subsection (4),
- (a) provisions under subsection (1) (d) may be different for different areas, and
 - (b) the boundaries of those areas need not be the same as the boundaries of zones created under subsection (1) (a).

The ACRD's procedures for reviewing a development variance application are:

- 1) The property owner applies.
- 2) Staff prepares a report with recommendations.
- 3) The variance application is reviewed and recommendations made by the Advisory Planning Commission (APC). The applicant/owner is invited and encourage to attend the APC meeting.
- 4) The Board reviews the variance application and decides whether to further the application.

- 5) Staff would then notify neighbouring property owners and tenants to afford them the opportunity to make written or verbal submission to the Board at the next Board Meeting.
- 6) Staff reports to the Regional Board following the public notification and the Board votes on the variance application.

Any property owner has the right to apply for a development variance permit. Planning staff reviews each application and makes recommendations to the Board based on individual circumstances. Unlike a Board of Variance application, the property owner does not have to demonstrate a hardship.

Section 498 of the *Local Government Act* states:

“Development variance permits

498 (1) On application by an owner of land, a local government may, by resolution, issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of a bylaw under any of the following:

(a) the following Divisions of this Part:

(i) Division 5 [*Zoning Bylaws*];

(ii) Division 11 [*Subdivision and Development: Requirements and Related Matters*];

(iii) Division 13 [*Other Land Use Regulation Powers*];

(iv) Division 17 [*Regulation of Farm Businesses in Farming Areas*];

(b) section 298 (1) (j) [*manufactured home parks and camping grounds*];

(c) section 8 (3) (g) [*fundamental powers — protection of persons and property*] of the *Community Charter* in relation to matters referred to in section 63 (e) [*manufactured home parks and camping grounds*] of that Act.

(2) As restrictions on subsection (1), a development variance permit must not vary the following:

(a) the use or density of land from that specified in the bylaw;

(b) a flood plain specification under section 524 (3) [*requirements in relation to flood plain areas*].

(3) In the event of conflict, the provisions of a development variance permit prevail over any provision of the bylaw.

(4) As a restriction on section 229 [delegation of board authority] of this Act and section 154 [delegation of council authority] of the *Community Charter*, a local government may not delegate the power to issue a development variance permit.

Notice to affected property owners and tenants

499 (1) If a local government proposes to pass a resolution to issue a development variance permit, it must give notice in accordance with this section.

(2) The notice must state the following:

- (a) in general terms, the purpose of the proposed permit;
- (b) the land or lands that are the subject of the proposed permit;
- (c) the place where and the times and dates when copies of the proposed permit may be inspected.


(3) The notice must be mailed or otherwise delivered at least 10 days before adoption of the resolution to issue the permit

- (a) to the owners, as shown on the assessment roll as at the date of application for the permit, and
- (b) to any tenants in occupation, as at the date of the mailing or delivery of the notice,

of each parcel, any part of which is the subject of the permit or is within a distance specified by bylaw from that part of the land that is subject to the permit.

(4) The obligation to give notice under this section is satisfied if the local government made a reasonable effort to mail or otherwise deliver the notice.”

Submitted by: 
Mike Irg, MCIP, RPP, Manager of Planning & Development

Approved by: 
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

Development Variance Permit Fee Schedule

- Single Family, Cottage Residential, and Two Family Dwelling Development Variance Permit—\$300
- Commercial, Institutional, Industrial, Multi-Family Development Variance Permit—\$750
- Comprehensive Development Zone Development Variance Permit—\$1000

Careful planning results in positive development!



Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni, British Columbia
V9Y 2E3

Phone: 250-720-2700
Fax: 250-723-1327
E-mail: mailbox@acrd.bc.ca
Website: www.acrd.bc.ca

DEVELOPMENT VARIANCE PERMIT PROCEDURE

Alberni-Clayoquot Regional District





What is a Development Variance Permit?

All lands within the Alberni-Clayoquot Regional District (ACRD) are regulated by zoning. There are several different zones which outline numerous permitted uses and conditions of use. Included in these regulations are building setbacks from property lines and water features, and height restrictions.

Property features such as topography, rock, wetlands, and creeks can impact the available building envelope on a piece of land. Previous development of neighbouring properties can also pose a challenge when planning construction of your own. In these cases, the property owner has the option to apply to the ACRD for a development variance permit. If approved, this permit is registered to the property certificate of title and remains with the property through ownership changes.

A development variance permit can be issued to allow encroachment of a structure into a required setback from a property line or water feature or to exceed a height restriction. A variance cannot be issued to increase/decrease permitted density or change permitted uses on a piece of land. The variance is very specific and applies only to the particular project that is proposed.

The following procedure outlines the basic steps of the development variance permit process. Each application is unique and has the potential for various requirements to be satisfied prior to the issuance of the permit. It is recommended that all property owners who are considering development of property consult with the ACRD Planning Department prior to application in order to identify any additional steps that may be required.

PROCEDURE:

1. Make an application. An **Application for Development** form can be obtained from the ACRD office and/or online. Payment of the applicable fee will be required.
2. Once the fee has been received, the proposal will be reviewed by the Planning Department. A report is prepared and will include recommendations and requirements to ensure compliance with all relevant regulations.
3. The documentation package (including report and application documents) will be submitted to the electoral area Advisory Planning Commission (APC) and Director for their review. The APC meeting is an informal public meeting of local volunteers who provide their recommendation(s) to the area Director. It is recommended that the applicant attend this meeting.
4. The documentation package is then forwarded to the Regional Board of Directors' meeting for their **first consideration**.
5. If the variance is supported by the Board, **notification** including details of the variance is sent by mail, and sometimes by hand delivery, to **all property owners and occupants within 100 metres of the subject property**. This is the public's opportunity to provide feedback, positive or negative, to the ACRD planning staff and Board members.
6. If the variance is not supported by the Board, the applicant is notified and given the opportunity to present their case at a following Board meeting. If the Board continues to oppose the variance, it is denied at this meeting. If the Board chooses to support the variance at this time, notification as outlined in step 5 is completed.
7. The development variance permit, along with a memorandum and any input received from the public, is forwarded to the Board for their **second (and sometimes third) consideration**. The Board considers issuing the permit taking into consideration the public input received.
8. Planning staff then forwards the completed development variance permit to the Victoria Land Title Office for registration onto the subject property.

IMPORTANT! Please Note: If at any stage, the proposal is not supported (ie. By the Planning Department, the APC, or the Regional Board), the applicant would be notified immediately and given the opportunity to amend the proposal and/or provide justification for the proposal as submitted.





ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

MEMORANDUM

To: Electoral Area Directors Committee
From: Alex Dyer, Planner
Date: September 14, 2017
Subject: Keeping of Animals

Recommendation:

THAT the Electoral Area Directors Committee receive the report.

Background:

At their June 28, 2017 meeting, the Board of Directors referred the topic of keeping of animals on small properties to the Electoral Area Directors committee for discussion. The conversation on the matter was initiated through the consideration of a development variance to allow for a horse barn on a half acre portion of land legally joined to a larger property but separated by a public roadway.

Current Regulations:

Section 6.18 of the ACRD Zoning Bylaw regulates the keeping of animals in A and R Districts as follows:

- 1) On lots having an area less than 0.404 hectares not more than four cats, dogs, or domestic animals of similar size not referred to in the following clauses may be kept, and not more than one horse may be kept provided an area of at least 0.202 hectares ($\frac{1}{2}$ acre) is provided on the lot for its use.
- 2) On lots having an area of at least 0.404 hectares, bees, pigeons, not more than four cats, dogs, or domestic animals of similar size not referred to in the following clauses, and not more than two horses may be kept, provided an area of at least 0.404 hectares is provided on the lot for the use of the horses.
- 3) On lots in the A districts having an area of at least .809 hectares kennels for domestic use, the keeping of poultry and fur bearing animals, and the keeping of cows, goats, horses, sheep and swine for domestic purposes are permitted, provided that an area of at least .202 hectares is provided on the lot for the use of each cow or horse.

- 4) On lots in the A districts having an area of at least 2.02 hectares, any number of farm animals may be kept for commercial purposes, and kennels maintained primarily for the purpose of realizing gain from the training, caring for, breeding, boarding, or keeping for any purpose whatsoever of dogs or cats shall be permitted where provision is made to reduce excessive noise.
- 5) In all cases, animal waste shall be managed in accordance with current good practice, as reflected in the Canada Animal Waste Management Guide.
- 6) In all cases the design and siting of buildings, structures, cages, pens or runs shall be in accordance with the Canadian Code for Farm Buildings and the Sanitary Regulations, 1917.
- 7) In no case shall buildings, structures, cages, pens or runs be located less than 9.144 meters [30 feet] from lot lines or dwellings on the same lot.
- 8) In no case shall buildings, structures, cages, pens or runs for used described in clauses (3) and (4) be located less than 24.384 meters [80 feet] from any lot line.

Proposed Regulations in Zoning Bylaw update:

Section 3.17 of the proposed updated Zoning Bylaw would regulate the keeping of animals as follows:

3.17.1 In all zones where agriculture use or animal care is not a permitted use, keeping animals shall be deemed to be an accessory use, and the following regulations apply:

- 1) on lots with a lot area of less than 0.24 hectare, the keeping of pets is permitted;
- 2) on lots with a lot area of 0.24 hectare or greater, the keeping of pets and household animals is permitted;
- 3) on lots with a lot area of 1.0 hectare or greater, the keeping of pets, household animals and livestock is permitted;
- 4) on lots in Rural and Resource zones with a lot area of at least 2.0 hectares, any number of livestock may be kept for commercial or domestic purposes, including pets, household animals, and kennels, provided that provisions are made to reduce excessive noise.

3.17.2 An area of at least 0.2 hectare shall be maintained for the use of each household animal (other than poultry) or livestock.

3.17.3 A building or structure used for the keeping of household animals or livestock must be located at least 15.0 metres from all lot lines, watercourses and dwelling units.

3.17.4 A beehive shall be located at least 7.5 metres from all lot lines.

3.17.5 All persons wishing to keep bees must be registered with the BC Ministry of Agriculture and must abide by the beekeeping regulations as specified in the provincial and federal Regulations.

3.17.6 Animal waste shall be managed in accordance with current good practices, as required by federal and provincial Regulations.

3.17.7 These regulations do not apply to properties with farm status classification under the BC Assessment Act or lands located within the ALR.

Definitions

“*Pets*” means a domesticated animal kept by a household and used or the product of which is used primarily and directly by the household and not for sale or business purposes, and includes dogs and cats, but specifically excludes livestock.

“*Household Animal*” means a domesticated animal such as a cow, horse, goat or poultry kept by a household and used, or the product of which is used, primarily and directly by the household and not for sale or business purposes.

“*Livestock*” means animals used for agricultural purposes and sold, or the products of which are sold, and includes cattle, horses, mules, donkeys, buffalo, water buffalo, sheep, goats, ratites, llamas, alpacas, swine, rabbits, fish and fur-bearing animals.

Discussion:

The keeping of animals section under the current regulations does not consider the impact of irregularly shaped lots or lots that are hooked across a road. The Zoning Bylaw regulates the number and type of animals permitted to be kept on a property based on lot size and requires increased setbacks for buildings and enclosures where animals are kept. These requirements are intended to reduce the impact of livestock and animals on neighbouring properties.

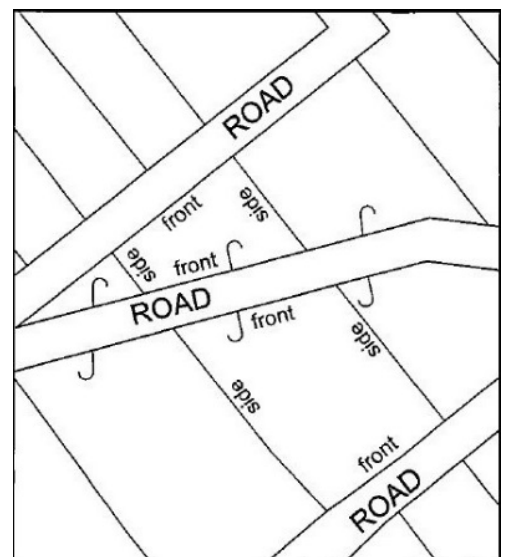
A lot is defined as an “area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Title Office.” A lot that is hooked across a road (see diagram) can create a situation where livestock may be kept on a small isolated portion of a 5 acre lot that is independently located from the main parcel. This is not the intent of the keeping of animals regulations but this is how this section of the Zoning Bylaw is interpreted.

It is planning staff’s intention to update the keeping of animals section through the Zoning Bylaw rewrite process to introduce more effective regulation of these uses on irregular and hooked lots.

Submitted by:

Alex Dyer

Alex Dyer
Planner





Reviewed by:

Mike Irg, MCIP, RPP
Manager of Planning & Development



Approved by:

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer



REQUEST FOR DECISION

To: Electoral Area Directors Committee
From: Mike Irg Manager of Planning and Development
Date: September 19, 2017
Subject: Rural Planning Projects

Recommendation:

The Electoral Area Directors Committee support the additional staff time to work on rural planning projects.

Desired Outcome:

Complete the work priorities established by the Board of Directors in an efficient and cost effective manner.

Summary:

There are several rural planning projects underway or scheduled in 2017. Vacation rental review, OCP rewrites, a new subdivision and servicing bylaw, and zoning bylaw rewrite. All of these projects are budgeted for and the original plan was to utilize consultants. With the recent staff changes, Amy Anaka was hired as a part-time planner with regular scheduled hours of 35 hours bi-weekly. There is the capacity to use staff to complete some of this work through the remainder of 2017.

Time Requirements – Staff & Elected Officials:

The work will be done in addition to regularly scheduled part-time hours to a maximum of one and a half additional days per week. Work will be done during normal office hours. Evening public meetings are a normal component of public engagement and staff participation will continue as per past practice.

Financial:

Utilizing existing staff has an hourly cost of \$43.78/hour versus consultant costs at a minimum of \$90/hour plus travel time.

Policy or Legislation:

The ACRD is required to keep OCPs, and the zoning bylaw up to date. A subdivision and servicing bylaw would allow for development while incorporating the requirements for ACRD water systems and fire departments. The budget and work plan has been approved in the 2017 budget.

Options Considered:

Options are to utilize existing staff or rely solely on outside consultants.

Michael Irg

Submitted by: _____
Mike Irg, MCIP, RPP, Manager of Planning & Development

Douglas Holmes

Approved by: _____
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



ALBERNI-CLAYOQUOT REGIONAL DISTRICT
2017-2021 FINANCIAL PLAN
MANAGEMENT OF DEVELOPMENT - RURAL AREAS (continued)
PARTICIPANTS: ELECTORAL AREAS

Draft for third reading
on March 22, 2017

Line	History		2017	2018	2019	2020	Budget		Line
	2016 ACTUAL	2016 PLAN					2021	2021	
EXPENDITURES (continued)									
26									26
27	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	27
28	10,462	20,000	15,000	15,000	15,000	15,000	15,000	15,000	28
29	11,880	12,500	5,000	5,000	5,000	5,000	5,000	5,000	29
30	9,524	10,000	10,000	10,000	10,000	10,000	10,000	10,000	30
31	-	2,000	-	-	-	-	-	-	31
32	4,688	5,000	-	-	-	10,000	-	-	32
33	-	20,000	-	-	-	-	-	-	33
34	22,290	20,000	-	-	-	-	-	-	34
35	58,844	99,500	40,000	40,000	40,000	50,000	40,000	40,000	35
36	\$ 308,780	\$ 372,000	\$ 315,800	\$ 319,200	\$ 332,700	\$ 326,200	\$ 326,200	\$ 326,200	36
37	\$ 74,422	-	-	-	-	-	-	-	37
38	6,864	5,000	5,000	5,000	5,000	5,000	5,000	5,000	38
39	3,736	7,000	4,000	4,000	4,000	4,000	4,000	4,000	39
40	76,758	76,758	-	-	-	-	-	-	40
41	\$ 792	-\$ 78,758	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	41
ANNUAL SURPLUS/(DEFICIT)									
(for Financial Reporting purposes)									
CAPITAL FUND									
42	\$ 72,107	\$ 72,107	\$ 51,971	\$ 52,371	\$ 52,771	\$ 52,771	\$ 53,171	\$ 53,171	42
43	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	43
44	1,864	500	400	400	400	400	400	400	44
45	-	-	-	-	-	-	-	-	45
46	-	4,266	5,000	5,000	5,000	5,000	5,000	5,000	46
47	-	7,500	-	-	-	-	-	-	47
48	-	-	-	-	-	-	-	-	48
49	-	11,766	5,000	5,000	5,000	5,000	5,000	5,000	49
50	\$ 78,971	\$ 65,841	\$ 52,371	\$ 52,771	\$ 53,171	\$ 53,171	\$ 53,571	\$ 53,571	50

^costs shared with Regional Planning