



Alberni-Clayoquot Regional District

Electoral Area Directors Committee Meeting Tuesday, September 15, 2020, 10:00 am

Committee Attendance: The Committee will attend in person in the ACRD Board Room, 3008 Fifth Avenue, Port Alberni, BC

Public Attendance: the public are welcome to attend the meeting via Zoom Webinar by registering at https://portalberni.zoom.us/webinar/register/WN_wkeWSzi_R72JYioKnWCscA

Watch the meeting live at <https://www.acrd.bc.ca/events/15-9-2020/>

AGENDA

	PAGE #
1. <u>CALL TO ORDER</u>	
Recognition of Territories.	
Notice to attendees and delegates that this meeting is being recorded and livestreamed to YouTube on the Regional District Website.	
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 June 24, 2020	3-5
<i>THAT the minutes of the Electoral Area Committee meeting held on June 24, 2020 be received.</i>	
4. <u>REPORTS</u>	
a. Memorandum - Planning and Development Department Update – M. Irg, General Manager of Planning & Development	6-9
<i>THAT the Electoral Area Directors Committee receive this memorandum.</i>	
5. <u>LATE BUSINESS</u>	
6. <u>QUESTION PERIOD</u>	

- Questions/Comments from the public participating in the meeting via Zoom Webinar
- Questions/Comments from the public, respecting an agenda item, can be emailed to the ACRD at responses@acrd.bc.ca and will be read out by the Corporate Officer at the meeting.

7. ADJOURN



Alberni-Clayoquot Regional District

MINUTES OF THE ELECTORAL AREA DIRECTORS COMMITTEE MEETING HELD ON WEDNESDAY, JUNE 24, 2020, 10:00 AM

Due to COVID-19 pandemic, meeting conducted via Zoom video/phone conferencing

DIRECTORS PRESENT: Penny Cote, Chair, Director, Electoral Area "D" (Sproat Lake)
Bob Beckett, Director, Electoral Area "A" (Bamfield)
Tanya Shannon, Director, Electoral Area "B" (Beaufort)
Kel Roberts, Director, Electoral Area "C" (Long Beach)
John McNabb, Director, Electoral Area "E" (Beaver Creek)
Dianne Bodnar, Director, Electoral Area "F" (Cherry Creek)

STAFF PRESENT: Douglas Holmes, Chief Administrative Officer
Teri Fong, Chief Financial Officer
Mike Irg, General Manager of Planning and Development
Rob Williams, General Manager of Environmental Services
Wendy Thomson, General Manager of Administrative Services
Janice Hill, Executive Assistant

1. CALL TO ORDER

The Chairperson called the meeting to order at 10:02 am.

The Chairperson recognized the meeting this morning being held throughout the Nuuchah-nulth territories.

2. APPROVAL OF AGENDA

MOVED: Director Roberts

SECONDED: Director Bodnar

THAT the agenda be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

a. **Electoral Area Directors Committee Meeting – March 3, 2020.**

MOVED: Director Roberts

SECONDED: Director Shannon

THAT the minutes of the Electoral Area Directors Committee Meeting held on March 3, 2020 be reviewed.

CARRIED

4. PETITIONS, DELEGATIONS & PRESENTATIONS

5. CORRESPONDENCE FOR ACTION/INFORMATION

6. REQUEST FOR DECISIONS & BYLAWS

a. **Request for Decision regarding Community Works Funds Project 2020**

Director Beckett entered the meeting at 10:16 am.

MOVED: Director McNabb

SECONDED: Director Roberts

THAT the Electoral Area Directors Committee recommend that the Alberni-Clayoquot Regional District (ACRD) Board of Directors amend the timelines section of the Community Works Fund Policy to include a date of October 31st of the prior year.

CARRIED

7. REPORTS

a. Planning and Development Department Update for Rural Planning and Building Inspection Services

b. Bylaw Options for Enforcement and Fines – Bylaw PS1008

The General Manager of Planning and Development provided an overview of the above two reports.

MOVED: Director McNabb

SECONDED: Director Shannon

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

CARRIED

8. LATE BUSINESS

9. ADJOURN

MOVED: Director Shannon

SECONDED: Director

THAT this meeting be adjourned 10:51 am.

CARRIED

Certified Correct:



Penny Cote,
Chairperson



Wendy Thomson,
General Manager of Administrative Services



MEMORANDUM

To: Electoral Area Directors Committee

From: Mike Irg, General Manager of Planning and Development

Meeting Date: September 15, 2020

Subject: Planning and Development Department Update

Recommendations:

THAT the Electoral Area Directors receive this memorandum.

Note: If the Electoral Area Directors Committee want to provide additional or alternate direction, staff recommend that the Committee make recommendation to the Board of Directors.

Background:

This report has been prepared as an update on development applications, cannabis business (production and retail), Short Term Rentals (STRs), Bylaw Notice Enforcement Bylaw, Zoning Bylaw Review project, Housing Needs Report project and Somass Flood Mapping project. The report has been prepared with input from planning and development staff.

In addition to long-term Rural Planning projects currently underway, the Planning and Development Department continues to manage day-to-day planning activities such as review of development and building permit applications, responding to planning enquiries from members of the public, staff from other ACRD departments, and Directors, supporting Emergency Operations Centre COVID-19 recovery tasks. Planning staff also continue to manage Regional Planning initiatives such as the Somass Flood Mapping Project and the Agricultural Plan initiatives, as well as responding to Provincial referrals such as subdivisions, ALR applications and Crown Leases.

Planning Applications:

In addition to ongoing development applications received prior to 2020, below are the applications received in 2020 as of September 10th:

APPLICATION TYPE	NUMBER RECEIVED IN 2020
Rezoning/OCP/Text Amendments	7
Development Permits	16
Development Variance Permits	5
Subdivision Referrals	7
Temporary Use Permits	4
Crown Lease Referrals	9
Miscellaneous Referrals	10
Total:	58

Planning Projects:

Cannabis Production: The Board adopted Bylaw P1399 in March 2020, which introduced additional zoning regulations for licensed medical and non-medical cannabis production in the ACRD. Since the adoption of the bylaw amendment, no new building permit applications have been received for licensed facilities. The new licensed cannabis production provisions have been incorporated into the draft updated Zoning Bylaw. Staff continue to engage in conversations with the public about zoning regulations for licensed production and about the Regional District's inability to regulate the location of personal and designated medical cannabis registrations.

Cannabis Retail: The Board adopted the "Non-Medical Cannabis Retail Store License Application Review" Policy in July 2018. The Policy provides guidance to the Board and to the public about the consideration of cannabis retail store license referrals from the Provincial Liquor and Cannabis Regulation Branch (LCRB). Since the Board policy was adopted, the Board has considered two license application referrals for cannabis retail stores in the Regional District, one of which was supported by the Board. No license referrals have been received from the LCRB since the two initial applications were considered by the Board in winter/spring 2019.

The Electoral Area Directors Committee considered a report about the retail cannabis policy at their September 4, 2019 meeting. At that meeting, the Committee resolved to continue supporting rezoning application for cannabis retail stores rather than temporary use permits and that cannabis retail use should remain in a commercial retail zone. The Committee also resolved to support an application intake period of twice a year for new applications, a 300 metre separation distance between stores, and a 1 kilometer separation distance from sensitive areas including schools, playgrounds, community centres and day cares. The Committee also recommended an application fee be implemented for the consideration of cannabis retail license referrals.

An application referral fee of \$1,000 and a public meeting fee of \$600 were included with the Development Procedures Bylaw P1403 adopted by the Board in December 2019. The updates to the Board Policy that were recommended by the Electoral Area Directors Committee in September 2019 have not been adopted by the Board. Given the development of a number of cannabis retail stores within the region as a whole over the past year and a half, the majority of which have been located within member municipalities, planning staff are seeking updated direction on the Board's cannabis retail store license application review policy.

Zoning Bylaw and Official Community Plan (OCP) Updates:

An update on the Zoning Bylaw Review Project was provided to the ACRD Board of Directors on September 9, 2020. The update included a summary highlighting progress to date on the project, and corresponding OCP updates, since open houses were held in 2019.

Tasks completed since May 2019 include many discussions with the public, property owners, various agencies, First Nations, EA Directors, the Regional Board, and committees/organizations. These resulted in updated documents being made available on the project webpage (www.acrd.bc.ca/zbreview) as of August 2020, while the draft Zoning Bylaw has been publicly available for review on the webpage since 2019. Additional major project milestones include all zoning and OCP Development Permit Area maps being converted to a new easier to interpret GIS format, and updated mapping to improve spatial accuracy. As well, a preliminary referral was sent by email to over 25 agencies and 10 member First Nations, with a response deadline of September 25, 2020. A legal review of the draft documents is also underway. Finally, staff worked with the Bamfield EA Director and area residents/property owners to develop a project summary handout, providing an overview of proposed zoning and OCP updates, with Bamfield specific information. This information was distributed across the community in various methods.

As discussed at the September 9, 2020 Board meeting, staff will consider additional and/or modified methods of public engagement for the remainder of the project, and will continue to provide additional updates to the EA Directors and Regional Board until final adoption.

Housing Needs Reports

On April 16, 2019 legislative requirements took effect that municipalities and regional districts in BC are required to complete Housing Needs Reports (HNR) by April 2022 and every five years thereafter. These reports will help local and BC governments better understand and respond to housing needs in communities throughout BC.

A HNR will be completed for each of the ACRD Electoral Areas (EAs), with grant funding from UBCM. HNRs will be completed for three separate geographic areas with Bamfield EA first, followed by the Alberni Valley (Beaufort, Sproat Lake, Beaver Creek, and Cherry Creek EAs), and then the West Coast (Long Beach EA).

To accommodate undertaking projects during COVID-19, with a focus on modified methods of virtual engagement, Planning staff will lead development of the HNRs for each EA. This is a shift from what was originally approved by UBCM, with the reports being completed by a consultant, and staff providing project management and support. Reports will be developed with the assistance of Vancouver Island University (VIU) staff and students for data collection and analysis, engagement, and potentially final report preparation. VIU will work with staff on the Bamfield HNR in the coming weeks. Work will include reaching out to Bamfield community members to determine the best method for engagement for feedback on housing needs, and launching a Bamfield housing needs survey, as initial project tasks.

Work for the completion of the Alberni Valley HNR will be coordinated with the four EAs. As well, ACRD and City of Port Alberni staff and their consultant, will work together, with VIU to be determined, to collaborate as best as possible with data collection and engagement in the Alberni Valley. As per UBCM funding requirements, separate ACRD EA and City of Port Alberni final HNRs will be completed. The Long Beach HNR will be coordinated with Tofino and Ucluelet, and preliminary discussions with staff are underway.

Short Term Vacation Rentals (STR):

After the Province declared a state of emergency due to COVID-19, staff temporarily paused the consideration of applications for temporary use applications (TUP) for STRs. Once stage two of the Restart BC Plan was initiated, reopening non-essential travel within the Province, staff have since continued bringing forward STR TUP applications for the Board's consideration.

To date, the Board has approved 12 TUPs for short term rentals since the adoption of the STR TUP Board Policy in January 2018: 8 in Sproat Lake and 4 in Long Beach. In addition to the TUPs that have been issued, the Regional District has received 11 additional applications that are either held in abeyance waiting for additional information from the applicant or new applications waiting for review by staff. Challenges faced with applications that are on hold include confirming septic capability and ensuring life safety building requirements are met for older dwellings or dwellings that have been updated without building permits.

Planning staff also regularly receive enquiries from property owners seeking information about applying for a TUP to allow for legal short term rentals at their property. Staff expect that the Regional District will continue to receive STR TUP applications as the Bylaw Notice Enforcement Bylaw process results in potential fines for property owners that continue to operate STRs without temporary use permits.

One additional consideration for the operation of short term rentals in the ACRD is the Order of the Provincial Health Officer issued on July 27th restricting the number of vacation rental guests during COVID-19. The number of people permitted at a vacation rental is now limited to the capacity of the space plus five guests. The order requires property owners to be responsible for limiting the number of guests and recording contact information

for contact tracing. Compliance with PHO orders will be included as a condition of use in STR temporary use permits.

Bylaw Notice Enforcement Bylaw:

On June 10, 2020, the Board of Directors adopted Bylaw No. PS1008 'Bylaw Notice Enforcement Bylaw, 2020', and endorsed the proposed public notification strategy. Newspaper ads were published and a bulk mail out was sent over the summer to all ACRD residents to inform the general public about the Bylaw Notice Enforcement Bylaw (BNEB) process. Letters were mailed to property owners with active Zoning Bylaw enforcement files informing them about the process and advising that they contact Bylaw Enforcement staff to discuss their next steps to bring their properties into compliance. Staff have fielded a number of enquiries from the general public about Bylaw Notices and have engaged in dialogue with a number of property owners of active enforcement files.

Staff are finalizing procedures for implementing the fines including entering into a Dispute Adjudication Registry Agreement and developing internal procedures for administering notices and managing payments.

Bylaw Enforcement:

There are currently 20 new Bylaw files for 2020 and 7 bylaw enforcement files have been closed. Staff have also been working in conjunction with the Province since May 07, 2020 to remove the illegal dock on the crown foreshore, adjacent to the ACRD's park on Klitsa Drive. The seizure and removal is tentatively scheduled for Sept 17, 2020.

Somass Flood Mapping Project:

The Somass Flood Mapping Project is a project administered under the Regional Planning service (all Directors). Provincial staff as per the grant requirements are currently reviewing the report and flood maps. Next steps are to review the report and maps with Tseshaht, Hupacasath and City of Port Alberni Staff and present the report to the Board.



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



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