

ACRD ZONING BYLAW REVIEW

**Beaufort, Sproat Lake, Beaver Creek & Cherry Creek
Advisory Planning Commission Meeting**



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

DECEMBER 6, 2021

Zoning Bylaw Review (ZBR) Introduction

MEETING PURPOSE: Alberni Valley APC feedback on draft updated Zoning Bylaw & minor updates to EA Official Community Plans (OCPs)

HOW:

- Project overview
- Survey results
- Key themes discussion
- Additional feedback
- Next steps

Zoning Bylaw Introduction

- ACRD is divided into zones
- Controls the use of land in all 6 EAs
 - **Permitted uses:** what can be built or done
 - **Minimum setbacks:** distance of buildings from property lines
 - **Minimum lot size:** how small a lot can be
 - **Maximum height:** how tall a building can be
 - **Maximum density:** how many units/floor space
 - **Maximum lot coverage:** how much of lot can be covered by buildings



Why Review the Zoning Bylaw?

- Current ZB adopted in 1973, since been amended over 700 times
- Updated ZB will better align with goals & policies in OCPs
- When ZB & OCP align = more certain process & outcome for landowners & developers
- Outdated format & language difficult to understand
- Missing updated Federal & Provincial legislation



Highlights of ZBR

- Easier to read, more user-friendly format (all metric system)
- Additional & improved definitions
- Amalgamated & simplified zones:
 - Commercial & Industrial zones amalgamated for increased flexibility
 - Commercial zones reduced from 16 to 6
 - Created new Bamfield Commercial (C5) zone
- Revised general regulations
- Regulations in water zones & OCP DPA policies for private moorage facilities
- Updated zoning maps with new zones & ensure consistency with OCPs
- Clarify use of land in the ALR, based on ALC Act & Regulations
- Updated OCP land use & Development Permit Area maps
- Minor OCP updates: minimum lot size for ADUs, term of TUPs

Process to Date

**OPEN HOUSES
&
ENGAGEMENT**

2019-2021

**AGENCY &
FIRST NATION
PRE-
REFERRALS &
PUBLIC INPUT**

2020-2021

**ADVISORY
PLANNING
COMMISSION
& PUBLIC
INPUT**

2021-2022

Zoning Bylaw Review Survey

July to September 2021

334 responses in total

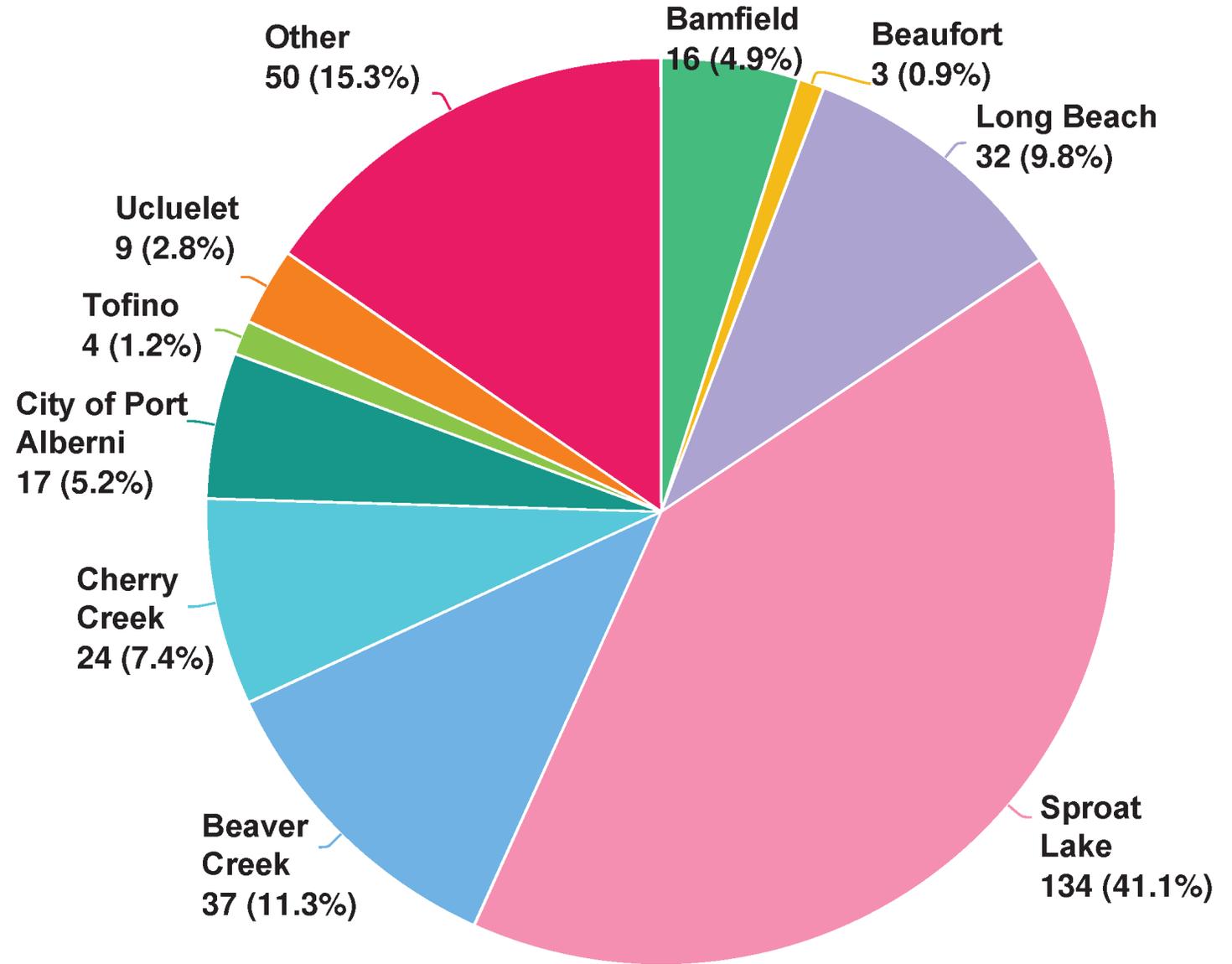
60% from Alberni Valley EAs

30% from each age category:
30-49, 50-64, 65-84

69% 2-3 person households, 16% 4-5

94% owner households

93% single family house primary residence



Agriculture

- **Agriculture permitted in more zones:** All Residential zones
- **Alignment with Provincial policies & regulations:**
 - Increasing permitted floor area of ADU to 90 m² (968 ft²)
 - Agri-tourism permitted use in Rural 1, 2, 3 & Resource zones
 - Updated definitions for agriculture, abattoir, farm gate abattoir, farm retail sales, agri-tourism
- **Greater flexibility in on-farm meat slaughter & processing:**
 - New farm-gate abattoir permitted in Rural 1 zones for less than 25 Animal Units
 - Abattoir permitted in Rural 2, Rural 3 & Resource zones for Abattoir license in excess of 25 Animal Units
- **Revised Keeping of Animals regulations:**
 - More permissive in allowing small-scale livestock, poultry & bee keeping outside of the ALR

Keeping of Animals (3.18)

- Updated to be more permissive in allowing for the keeping of livestock, poultry & bees on lands outside of the ALR
 - Based on lot size & specific zones
 - Within the ALR & where Agriculture is a permitted use, the Right to Farm Act applies
- Simplified or added definitions related to keeping of animals: commercial kennel, domestic pet, livestock, poultry
- 72% of respondents support the proposed keeping of animals regulation, 13% unsure & 12% not in support



Keeping of Animals (3.18)

On a lot less than 2 ha (5 ac) the keeping of domestic pets & livestock for domestic purposes as an accessory use

	CURRENT ZB	JUNE 2021 PROPOSED
EXAMPLE: A PARCEL WITH A LOT SIZE BETWEEN 0.4 & 0.8 ha (1 & 2 ac)		
Domestics pets	Maximum of 4	Maximum of 6
Livestock	2 horses permitted but no livestock	Maximum of 2 (if a 0.2 ha area is provided for each)
Poultry	No poultry permitted	Maximum of 24 hens or ducks Roosters/peacocks only permitted on lots 1.2 ha+ (3 ac+) & a maximum of 1 per lot
Bees	Bees permitted	Maximum of 4 beehives
Commercial kennels	Only permitted on lots 2 ha+	Only permitted on lots 2 ha+

Fences (3.8)

- Updated fence height to allow additional height based on specific zones
- 72% of respondents support proposed updated fence heights
- Limitations don't apply to permitted agriculture/farm use, land in ALR & keeping of animals as an accessory use

	CURRENT ZB	JUNE 2021 PROPOSED
RESIDENTIAL, RECREATIONAL RESIDENTIAL, RURAL, MIXED USE, COMPREHENSIVE DEVELOPMENT ZONING		
Maximum front yard height	1.4 m (5 ft)	1.8 m (6 ft)
Maximum rear yard height	1.8 m (6 ft)	2 m (6.5 ft)
COMMERCIAL, COMMUNITY SERVICE, INDUSTRIAL, INSTITUTIONAL ZONING		
Maximum height	No fence restrictions	2.5 m
Maximum height for open-mesh/ chain-link	No fence restrictions	3.7 m

Accessory Dwelling Units (3.11)

- Current ZB & OCP permit accessory dwelling unit (ADU) to a maximum size of 80 m² in Rural & Residential zones & land use designations where the principle use is a single family dwelling
- Maximum size is proposed to increase to 90 m² in all EA OCP areas
- Additional requirements: Capability of meeting all building code requirements & health requirements for sewage disposal & potable water
- Current & proposed ZB: On lots in Rural & Residential zones 0.8 ha+ zoning permits 1 ADU or 1 manufactured home in addition to the principal dwelling

Recreational Vehicles (RVs) (3.13)

- Updated length of stay for RVs based on zones, when used as a dwelling for temporary accommodation
- 62% of survey respondents support proposed updated RV regulation

	CURRENT ZB	JUNE 2021 PROPOSED
In Rural zones	1 RV permitted as a dwelling unit for up to 30 days	No change: 1 RV permitted as dwelling unit for up to 30 days (consecutive or non) in any 12 month period
In all other zones	RV not permitted as a dwelling for more than 24 hours	1 RV permitted as dwelling unit for up to 15 days (consecutive or non) in any 12 month period
In an authorized campground	No time restrictions	No time restrictions

Home Occupation & Industry (3.14 & 3.15)

HOME OCCUPATION

- Updated to permit within an accessory building
- Can occupy a maximum of 40 m²
- Maximum of 3 persons engaged in home occupation (1 must reside in dwelling unit)
- Maximum of 8 children for daycare, preschool, dance school

HOME INDUSTRY

- New small-scale home industry uses on lots with a minimum lot size of 2 ha
- Permitted in an accessory building, structure or outside, but not in dwelling unit
- Maximum total lot area for use 200 m²
- Maximum 4 person engaged in home industry (2 must reside in dwelling unit)

Private Moorage Facilities (Docks)(3.17)

- Introducing dock regulations: number of docks & berths, dock size (width & length), setbacks, improvements, development permit requirements.
- 44% of respondents support the proposed private moorage facility regulation in the ZB, 40% do not support it & 12% are not sure.
- Many comments received from the public: proposed dock size being too small, need to accommodate for shallow water and docks in bays, need for roofs & shelters, one size fits all approach isn't appropriate.
- Discussed private moorage facility regulations with Sproat Lake APC on October 18.



Private Moorage Facilities (Docks)

	CURRENT ZB	JUNE 2021 PROPOSED	DEC 2021 PROPOSED
Length	No regulations	30 m (98 ft) freshwater 60 m (197 ft) marine	42 m (138 ft) freshwater 60 m (197 ft) marine
Width	4.8 m (16 ft)	3 m (10 ft) freshwater 3.7 m (12 ft) marine	3.7 m (12 ft) all docks
Improvements	No regulations	All roof structures, shelters, boathouses prohibited	1 roof structure permitted per dock, max 15 m ² (160 ft ²)
Development Permit Area (DPA)	DPA only applies to upland 15 m riparian area	Development Permit required for new dock structure	Development Permit required for new dock structure

Official Community Plan Updates

Sproat Lake OCP: extend DPA I from 15 m to 30 m from the natural boundary of major streams (in both upland & foreshore directions), redefine Sproat Lake from minor to major stream

Construction of a private, commercial & group moorage facility (dock)

- 44% of respondents support the proposed OCP updates to add DP requirements for constructing PMFs, 37% not in support & 14% not sure
- Include conditions & guidelines based on the Ministry
 - Requirements for the placement of docks & ramps to protect critical fish habitat, water quality & lessen impacts on neighbours
 - Recommended construction materials
 - 1 dock located on any single family residential lot

THANK YOU & NEXT STEPS

- Bamfield & Long Beach APC meetings: JAN 2022
- Incorporate APC input into updated ZB & OCPs: JAN 2022
- Public open house/information session(s): JAN/FEB 2022
- First readings of Bylaws: Early 2022
- Official agency & First Nation referrals: Early 2022
- Public Hearings: 2022



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