

# ACRD ZONING BYLAW REVIEW

## LONG BEACH ADVISORY PLANNING COMMISSION



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

JANUARY 27, 2022

# Zoning Bylaw Review (ZBR) Introduction

**MEETING PURPOSE:** Long Beach APC feedback on draft updated Zoning Bylaw & minor updates to South Long Beach Official Community Plan (OCP)

**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- Outdated format & language difficult to understand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

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**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

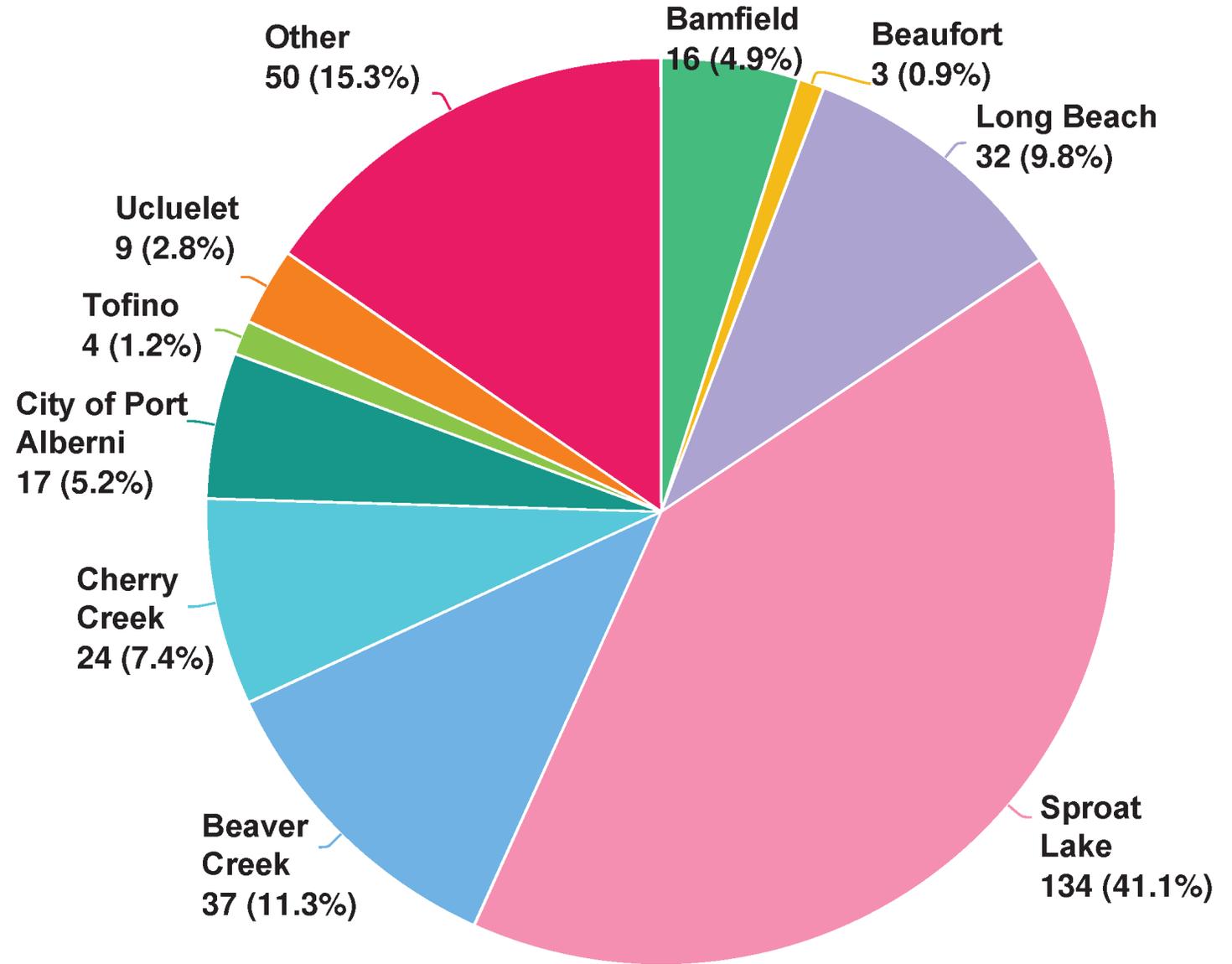
14% from West Coast residents

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



# Long Beach OCP Updates

- Updated land use designation names (ie. 'Rural Residential' to 'Residential Use', 'Country Residential' to 'Rural Use')
- Maximum size of ADU increased from 70 m<sup>2</sup> to 90 m<sup>2</sup> & minimum lot size to 0.4 ha, to permit an ADU in all land use designations where the principal use is a single family dwelling
- Minimum lot size from 20 ha to 16 ha in areas designated as Resource, to align with the Zoning Bylaw & other OCPs
- Added cottage residential as a permitted use in areas designated as Residential
- Term of Temporary Use Permits (TUPs) from 2 to 3 years, with renewal for an additional 3 years
- Extend DPA III - Coastal Riparian Areas Protection to include 30 m of coastal area (measured horizontally in both landward **and seaward directions**) from the natural boundary of the sea, and added policies to permit construction of a private moorage facility (dock, boat lift)

# Cottages & Short Term Rentals

- Short Term Vacation Rentals (STR) Temporary Use Permit (TUP) policy & bed & breakfast (B&B) regulations remain in place for residential & rural zoned properties

Cottage Residential (RC) / Residential 6 (R6)	CURRENT ZB (RC)	JUNE 2021 PROPOSED (R6)
Floor area: single family dwellings	<ul style="list-style-type: none"> <li>Minimum on main floor: 83.6 m<sup>2</sup> (900 ft<sup>2</sup>)</li> <li>No maximum</li> </ul>	No minimum or maximum floor area required for single family dwelling
Floor area: cottages	<ul style="list-style-type: none"> <li>Minimum on main floor: 27.8 m<sup>2</sup> (300 ft<sup>2</sup>)</li> <li>Maximum on main floor: 46.5 m<sup>2</sup> (500 ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>No minimum main floor area required for cottage</li> <li>Maximum main floor area for cottage: 47 m<sup>2</sup></li> <li>Maximum half storey main floor of cottage: 23 m<sup>2</sup></li> </ul>
Maximum height: cottages	2.5 storeys	1.5 storeys

# Salmon Beach Recreational Residential (SB) Zone (8.2)

- Overall, updated SB zone has largely remained the same, with the exception of:
  - Increased portico size (from 39.01 m<sup>2</sup> to 52.02 m<sup>2</sup>)
  - Added 'cabin' definition specific to SB: a dwelling unit built upon a continuous or permanent foundation where each unit is occupied as a secondary, vacation, or recreational home
  - Clarified removable screens not included in calculation of enclosed space
- Comments from public (including SB Committee) & ACRD staff/Director on June 2021 draft:
  - Increase maximum size of ground cover from 39 m<sup>2</sup> to 52 m<sup>2</sup>
  - Increase maximum building height: cabin to 20 ft & accessory buildings to 18 ft
  - Increase 1.5 m crawlspace height
  - Allow decks on accessory buildings
  - Remove 2 vehicle parking restriction
  - Permit pressurized water system



# Salmon Beach Recreational Residential (SB) Zone (8.2)

	CURRENT ZB	JUNE 2021 PROPOSED	JAN 2022 PROPOSED
Portico accessory use: maximum ground cover	39.01 m <sup>2</sup>	52.02 m <sup>2</sup> (to match cabin size)	Round to 52 m <sup>2</sup>
Cabin accessory use: maximum basement or crawlspace height	1.95 m (6.4 ft)	1.5 m (4.9 ft)	1.8 m (5.9 ft)
Cabin accessory use: vehicle parking	Maximum of 2 vehicles	Maximum of 2 vehicles	<ul style="list-style-type: none"> <li>• Maximum of 3 vehicles</li> <li>• All zones: minimum 1.5 spaces per seasonal dwelling</li> </ul>
Pressurised water system	No individual or collective water systems permitted	Condition of use: No individual or collective pressurized-water system may serve any RV or any other facility or accessory building within the development.	Remove condition

# Agriculture

- **Agriculture permitted in more zones:** All Residential (including Residential 6/Cottage Residential) zones
- **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
- Simplified or added definitions related to keeping of animals: commercial kennel, domestic pet, livestock, poultry (will review definitions before next draft released)
- 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 is permitted as an accessory use based on lot size.

	CURRENT ZB	JUNE 2021 PROPOSED
<b>EXAMPLE: A PARCEL WITH A LOT SIZE BETWEEN 0.4 &amp; 0.8 ha (1 &amp; 2 ac)</b>		
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
<b>RESIDENTIAL, RECREATIONAL RESIDENTIAL, RURAL, MIXED USE, COMPREHENSIVE DEVELOPMENT ZONING</b>		
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)
<b>COMMERCIAL, COMMUNITY SERVICE, INDUSTRIAL, INSTITUTIONAL ZONING</b>		
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)

- A secondary suite within/attached to a SFD, or a carriage house or coach home above a garage or other accessory building, or a separate cottage on the same lot as principal dwelling unit
- Additional requirements: Capability of meeting all building code requirements & health requirements for sewage disposal & potable water

RURAL & RESIDENTIAL ZONES & LAND USE	CURRENT ZB & OCP	JUNE 2021 PROPOSED
<b>Minimum lot size</b>	1 ha in LB OCP area (0.4 in all other EA OCPs) permits 1 ADU	0.4 ha permits 1 ADU (in all EA OCPs)
<b>Maximum ADU size</b>	<ul style="list-style-type: none"> <li>• Detached ADU: 70 m<sup>2</sup> in LB OCP area (80 m<sup>2</sup> in all other EA OCPs)</li> <li>• Within/attached to a SFD: 40% of habitable floor space</li> </ul>	<ul style="list-style-type: none"> <li>• Detached ADU: 90 m<sup>2</sup> (in all EA OCPs)</li> <li>• Within a SFD: no change</li> </ul>

# 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
- AV APC feedback: Clarify a SFD needs to be present to have a temporary RV, not permitted on a vacant lot; difficulty to enforce; confirm septic regulations for temporary RVs

	CURRENT ZB	JUNE 2021 PROPOSED
In Rural zones	1 RV permitted as a dwelling unit <b>for up to 30 days</b>	<b>No change:</b> 1 RV permitted as dwelling unit <b>for up to 30 days</b> (consecutive or non) in any 12 month period
In all other zones	RV not permitted as a dwelling <b>for more than 24 hours</b>	1 RV permitted as dwelling unit <b>for up to 15 days</b> (consecutive or non) in any 12 month period
In a 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 m<sup>2</sup>
- 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 m<sup>2</sup>
- 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 & Alberni Valley APCs:
  - proposed dock size too small
  - need to accommodate for shallow water & docks in bays
  - need roofs & shelters
  - one size fits all approach isn't appropriate
  - challenges surrounding setbacks due to extremes in depth & land layouts, bays, points
  - review 'structure' definition to include 'land & water'; 'dock' definition to include 'on water'
  - review proposed regulations for new docks & removal of old

# 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 <sup>2</sup> (160 ft <sup>2</sup> )
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

# THANK YOU & NEXT STEPS

- Bamfield APC: FEB 2022
- Incorporate APC input into updated ZB & OCPs: FEB 2022
- Public open house/information session(s): FEB/MAR 2022
- First readings of Bylaws: Spring 2022
- Official agency & First Nation referrals: Spring 2022
- Public Hearings: Spring/Summer 2022



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