



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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MEMORANDUM

To: ACRD Board of Directors

From: Amy Anaka, MURP, MCIP, RPP, Planner
Alex Dyer, MCIP, RPP, Planning Manager

Meeting Date: April 13, 2022

Subject: Bylaw P1448 – Beaufort Official Community Plan Amendment Bylaw

Recommendation:

- THAT Bylaw P1448, Beaufort Official Community Plan Amendment Bylaw be read a first time.
- THAT the public hearing for Bylaw P1448 be delegated to the Director for Electoral Area 'B', the Alternate Director or the Chairperson of the Regional District.

Background:

As part of the Zoning Bylaw Review Project, amendments were made to the Beaufort Official Community Plan (OCP) to align OCP policies and objectives with the updated Zoning Bylaw. The review process included multiple opportunities for engagement with members of the public, stakeholders, members of the Beaufort Advisory Planning Commission, Board members, and an agency and First Nation pre-referral. This engagement generated valuable community input and has resulted in revisions and updates to the Beaufort OCP.

Highlights of updates to the Beaufort OCP include:

- Introduced a new "Small Lot Rural Use" land use designation with a minimum lot size of 0.8 hectare to align with proposed RU1 zoning on existing small lot acreage lands in the Meshers Road, Paetz Road and Bland Road areas. This was introduced to align with the Zoning Bylaw.
- Reduced minimum lot area from 1 hectare to 0.4 hectare for an Accessory Dwelling Unit in the Rural Use designation.
- Standardized policy wording across the six OCPs, where appropriate.
- Updated *Local Government Act* references.
- Updated Agricultural Land Commission references.
- Statement about the consideration of the Housing Needs Reports in the area OCPs.
- Revised wording in definitions to align with Zoning Bylaw including flood construction level, home occupations and home industry.
- Revised riparian development permit areas to be measured from the natural boundary of a watercourse.
- Revised flood construction level guidelines in the natural hazard development permit areas to align with the Zoning Bylaw.

Bylaw P1448 – Beaufort OCP Amendment

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

- Map 2 Land Use Designations and Map 3 Development Permit Areas updated with new formatting, improved labelling, data source tracking and new mapsheet tile format for improved readability.

A comprehensive line-by-line list of all amendments to the Beaufort OCP is included as Schedule 'A' forming part of the OCP Amendment Bylaw P1448. The revised April 2022 version of the Beaufort Official Community Plan Bylaw P1287 incorporating all of the proposed amendments is included separately and uploaded to the ACRD website.

Planning staff recommend that the Board proceed with first reading of the Beaufort OCP Amendment Bylaw P1448 and delegate a public hearing to be held to consider the bylaw. Each of the six Electoral Area OCP amendment bylaws are presented separately for the Board's consideration with recommendations for first reading and the delegation of individual public hearings to be held for each bylaw. Adoption of the OCP amendment bylaws is necessary prior to the Board considering the updated ACRD Zoning Bylaw P1333 for adoption.

Submitted by: *Alex Dyer*
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: *Michael Irg*
Mike Irg, MCIP, RPP, GM of Planning and Development

Reviewed by: *Daniel Sailland*
Daniel Sailland, MBA, Chief Administrative Officer

Bylaw P1448 – Beaufort OCP Amendment

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuuʔuʔitʔath Government, Huu-ay-aht First Nations, Uchucklesaht Tribe, Toquaht Nation
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REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1448

**A BYLAW TO AMEND BYLAW NO. P1287
BEAUFORT OFFICIAL COMMUNITY PLAN**

WHEREAS by Section 478(2) of the *Local Government Act*, all bylaws enacted by the Regional Board must be consistent with an existing official community plan;

AND WHEREAS the Regional Board may amend an existing official community plan;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. TITLE
This bylaw may be cited as the Beaufort Official Community Plan Amendment Bylaw No. P1448.
2. Beaufort Official Community Plan Bylaw P1287, Schedule A, has been amended to include all revisions as outlined in P1448 Schedule 'A' – List of Amendments to the Beaufort Official Community Plan, which is attached to and forms part of this bylaw.
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of ,
Public Hearing held this day of ,
Read a second time this day of ,
Read a third time this day of ,

Adopted this day of ,

Corporate Officer

Chair of the Regional Board

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

P1448 SCHEDULE 'A' – LIST OF AMENDMENTS TO THE BEAUFORT OFFICIAL COMMUNITY PLAN

- Cover: Updated “Last Revised: April 18, 2012” to “Revised: April 2022”.
- Footer: Updated to “Revised: April 2022”.
- Table of Contents: Updated.
- Map List:
 - Updated Map No. 2 from “Land-Use Designations” to “Land Use Designations”.
 - Replaced “Beaufort OCP Map No. 2 Land Use Designations”.
 - Replaced “Beaufort OCP Map No. 3 Development Permit Areas”.
- 1.1 Plan Preparation:
 - Updated “has undertaken” to “undertook”.
 - Added: “In 2022, minor amendments were made to Bylaw No. P1287 as part of the Zoning Bylaw Review project to align OCP policies and objectives with the updated Zoning Bylaw.”
- 1.3 Legislative Assembly:
 - Updated LGA Section “877” to “473”.
 - Added: “Section 473(2.1) of the LGA also requires that an OCP “must consider the most recent housing needs report the local government received, and the housing information on which the report is based” when developing or amending an OCP in relation to statements, map designations or housing policies included in Section 473(1) of the LGA. In 2021, the ACRD Board received the Beaufort Electoral Area ‘B’ Housing Needs Report. The report includes key recommendations and a high level approach to address housing gaps in Beaufort and across the region.
In consideration of the Housing Needs Report, and to align with the updated Zoning Bylaw, the minimum lot size required for an accessory dwelling unit in the Rural land use designation was reduced from 1 ha to 0.4 ha. Other housing statements and policies will be updated or added to Bylaw No. P1287 as part of future comprehensive OCP updates.”
- 1.4 Jurisdiction:
 - Updated “Activities on land within the Agricultural Land Reserve (ALR) are subject to the *Agricultural Land Commission Act* and BC Regulation 171/2002, both of which are administered by the Agricultural Land Commission (ALC). Section 46 of the ALC Act requires local governments ensure consistency of their bylaws with the Act, regulations and ALC orders. The Regional District has referred this OCP to the ALC and is of the opinion that it is consistent with the *Agricultural Land Commission Act*.” to “Activities on land within the Agricultural Land Reserve (ALR) are subject to the *Agricultural Land Commission Act* (ALCA), the *Agricultural Land Reserve General Regulation*, the *Agricultural Land Reserve Use Regulation*, and any Orders of the Agricultural Land Commission (ALC).”

- 1.7 Definitions:
 - Changed “Accessory residential dwelling unit” to “accessory dwelling unit” and updated to: “means a second dwelling unit, incidental or ancillary to a principal dwelling on a lot, in accordance with regulations for accessory dwelling units in the Zoning Bylaw.”
 - Carriage home: Updated “accessory residential dwelling unit” to accessory dwelling unit”.
 - Community water or sewer system: Updated “five connections” to “two connections”.
 - Density bonusing: Updated LGA Section “904” to “482”.
 - Home industry: Updated to “means a business or industry, conducted in an accessory building, structure or outside, that is incidental and ancillary to the principal residential use of a lot, may include accessory retail sales and may include processing, assembly and manufacturing of products, in accordance with the provisions of home industry in the Zoning Bylaw.”
 - Home occupation: Updated to “means a business or occupation conducted entirely within a principal dwelling unit, accessory dwelling unit, accessory building or in a combination, that is incidental and ancillary to a principal residential use of a lot, and may include accessory retail sales, in accordance with the provisions of home occupation regulations in the Zoning Bylaw. Includes boarding and lodging, and bed and breakfast, where guest bedrooms are rented, with the tenant or owner residing in the building.”
- 2.3 Land-Use Designations:
 - Added “Small Lot Rural” designation.
 - Updated “Parks” to “Parks and Recreation”.
- Policy 3.2.9, 8.2.3, 8.2.7, 14.0, 14.3: Changed “accessory residential dwelling unit” to “accessory dwelling unit”.
- Policy 3.2.9: Changed “Accessory residential dwelling units within the ALR require approval from the ALC.” to “For land in the ALR, an accessory dwelling unit may only be permitted if permitted in the Agricultural Land Commission Act and Regulations, or approved through application to the ALC.”
- Policy 3.2.11: Updated LGA Section “921” to “493”.
- 4.0 Agriculture Use: Updated to “Agricultural Use”.
- Policy 5.2.1: Changed “20 ha” to “16 ha”.
- Policy 8.2.3: Changed size of lot where an accessory dwelling unit is permitted from 1 ha to 0.4 ha (1 ac) and updated to “Facilitate accessory residential dwelling units in new home construction on lots not less than 0.4 hectare and capable of meeting health requirements for sewage disposal for an accessory residential dwelling unit.”
- Added “9.0 Small Lot Rural Use” land use category and the following objective and policies:
 - “Objective 9.1.1: Maintain the predominantly rural character of the area.
 - Policy 9.2.1: Maintain a minimum lot size of 0.8 hectare in areas designated as Small Lot Rural.
 - Policy 9.2.2: Ensure that the principal use in all areas designated as Small Lot Rural is residential or agricultural.

- Policy 9.2.3: Facilitate accessory dwelling units in new home construction on lots not less than 0.4 hectare and capable of meeting health requirements for sewage disposal for an accessory dwelling unit.
- Policy 9.2.4: Permit a variety of compatible uses on rural lots in order to make their retention viable.
- Policy 9.2.6: Encourage owners of rural acreages to maximize the agricultural potential of their land.
- Policy 9.2.7: Encourage homeowners with an existing accessory dwelling unit to ensure that it meets all present-day health and safety requirements.”
- 9.0 Community Service Use: Updated section numbering to 10.0.
- 10.0 Parks and Recreations Use:
 - Updated section numbering to 11.0.
 - Updated LGA Section “941” to “510”.
- 11.0 Heritage and Culture: Updated section numbering to 12.0.
- 12.0 Infrastructure: Updated section numbering to 13.0.
- 13.0 Natural Environment and Conservation:
 - Updated section numbering to 14.0.
 - Updated LGA Section “877(3)” to “473”.
- 14.0 Implementation:
 - Updated section numbering to 15.0.
 - Updated LGA Section “919.1” to “488”.
- 14.4 DPA I – Riparian Areas Protection:
 - Updated section numbering to 15.4.
 - Updated LGA Section “919.1(1)a” to “488”.
 - Changed “Fish Protection Act” to “Riparian Areas Protection Act”.
 - Changed “high water mark” to “natural boundary”.
 - Removed outdated website link “The following website should be referred to: http://www.agf.gov.bc.ca/resmgmt/publist/800Series/823400-1_Agriculture_Building_Setback_Factsheet.pdf” and updated to “Refer to the provincial ministry responsible for agriculture for setback distances for farm buildings and streams on existing farmland and for new agricultural buildings.”.
- 14.5 DPA II – Natural Hazard Areas Protection:
 - Updated section numbering to 15.5.
 - Updated LGA Section “919.1(1)b” to “488”.
 - Changed “high water mark” to “natural boundary”.
 - Updated Guideline v. to “Where lands within DPA II areas subject to seasonal flooding are proposed for development, the flood construction level should be a vertical elevation at least three metres (3 m.) above the natural boundary, in accordance with the Zoning Bylaw and with provincial regulations.”.
 - Updated Guideline vi. to “Where applicable, flood construction levels should be provided by prescribing an elevation above the natural boundary of a watercourse or natural ground elevation at the building site, where a location is determined to be safe by a qualified professional and in accordance with the Zoning Bylaw.”.