

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1447

**A BYLAW TO AMEND BYLAW NO. P1166
SOUTH LONG BEACH 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 South Long Beach Official Community Plan Amendment Bylaw No. P1447.
2. South Long Beach Official Community Plan Bylaw P1166, Schedule A, has been amended to include all revisions as outlined in P1447 Schedule 'A' – List of Amendments to the South Long Beach 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 13th day of April, 2022

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

P1447 SCHEDULE 'A' – LIST OF AMENDMENTS TO THE SOUTH LONG BEACH OFFICIAL COMMUNITY PLAN

- Cover: Added “Adopted: July 25, 2007, Revised: April 2022”.
- Footer: Updated to “Revised: April 2022”.
- Table of Contents: Updated.
- Map List:
 - Replaced “South Long Beach OCP Map No. 3 Land Use Designations”.
 - Replaced “South Long Beach OCP Map No. 4 Development Permit Areas”.
- Removed reference to “Appendix 1 Community Profile”.
- 1.1.1 Role, Purpose, and Scope of the South Long Beach Official Community Plan:
 - Updated LGA Section “884” to “478”.
 - 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 Long Beach Electoral Area ‘C’ Housing Needs Report. The report includes key recommendations and a high level approach to address housing gaps in Long Beach 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 (ADU) was reduced from 0.8 ha to 0.4 ha, and the maximum size of an ADU was increased from 70 m2 to 90 m2. Other housing statements and policies will be updated or added to Bylaw No. P1166 as part of future comprehensive OCP updates.”
- 1.1.2 The OCP Process:
 - Updated LGA Section “882 and 890” to “477 and 464”.
 - Added: “In 2022, minor amendments were made to Bylaw No. P1166 as part of the Zoning Bylaw Review project to align OCP policies and objectives with the updated Zoning Bylaw.”
- 1.1.4 Glossary of Terms:
 - Cabin or Cottage: Updated to remove “Cabin” and updated to “Means a separate single family dwelling unit intended to be occupied on a temporary basis or, where permitted by the Zoning Bylaw, as an accessory dwelling unit.”.
 - Development: Updated LGA Section “872” to “455”.
 - High Water Mark: Removed definition.
 - Home Based Business (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.”.

- 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.”
- Removed High Water Mark term.
- Riparian Management Zone: Changed “high water mark” and “high tide mark” to “natural boundary”.
- Riparian Areas Regulation (RAR): Updated “*Fish Protection Act*” to “*Riparian Areas Protection Act*”.
- Stream: Updated to “a) a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or b) a natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer.”
- 1.2.5 Land-Use Planning Implications:
 - Added: “Activities on land within the Agricultural Land Reserve (ALR) are subject to the *Agricultural Land Commission Act* (ALCA), Regulations and any Orders or decision of the Agricultural Land Commission (ALC). There are no lands designated in this Plan Area as within the ALR, but the Plan recognizes the importance of protecting lands for agriculture and the administrative responsibilities held by the ALC.”
- 3.3.2 ESA Policies c): Added “In 2022, updates were made to Map No. 3, and some Development Permit Areas were derived from Provincially managed datasets. The boundaries reflect recent available data.”
- 3.4 Freshwater Riparian Areas:
 - Changed “*Fish Protection Act*” to “*Riparian Areas Protection Act*”.
 - Changed “high water mark” to “natural boundary”.
- 4.1 Land Use Planning Objectives: Updated LGA Section “877(1)” to “473”.
- 4.2 Land Use Designations:
 - Updated land use designation name from “Rural Residential” to “Residential Use”.
 - Updated land use designation name from “Country Residential” to “Rural Use”.
 - Updated land use designation name from “Public Parks and Recreation” to “Parks and Recreation”.
- 4.3 Rural Residential: Changed land use designation name from “Rural Residential” to “Residential Use”.
- 4.3.2 Rural Residential Policies
 - a) Added “cottage residential” to: “Permitted uses within areas designated Residential include single-family homes, cottage residential, mobile homes and group homes, home based businesses and home industry.”
 - d) Added “community” and changed “and” to “or”, updating to: “Lands that are designated Residential may have a minimum lot size of 0.4 hectare (0.988 acre), provided they have adequate community or communal water or sewage systems that meet relevant provincial standards. A minimum lot size of 1 hectare (2.47 acres) will be required where the lot has on-site water supply and sewage systems that meet relevant provincial standards.”
 - e) Updated to: “An accessory dwelling unit of no more than 90 square metres (969 square feet) may be established on lots of over 0.4 hectares (1 acre) provided adequate

- on-site water supply is available, and a sewage treatment system that meets relevant provincial standards is in place, and where the principal use is a single family dwelling.”
 - h) Updated LGA Section “725” to “323”.
- 4.3.2 b), 4.5.2 d), 4.6.3 e) changed “up to three guest suites or bed-and-breakfast accommodation rooms” to “a maximum of four boarders or lodgers” and updated to: “A maximum of four boarders or lodgers are permitted in guest suites or bed-and-breakfast accommodation rooms in the home or accessory dwelling unit, provided that the homeowner resides in the home, and that adequate off street parking, sewage treatment and water supply are available.”
- 4.4 Rural Residential Comprehensive Development Area: Changed land use designation name from “Rural Residential Comprehensive Development Area” to “Residential Comprehensive Development Area”.
- 4.4.2 Rural Residential Comprehensive Development Area Policies:
 - a) Changed “minimum” to “maximum” and “1 residential unit for each 1 hectare of the development site” to “2 residential units for each 0.4 hectare of the development site”.
 - c) added “community or”, changed “and” to “or”, changed “0.2 ha” minimum lot size to “0.24 ha” updated to: “Minimum lot sizes of 1 hectare will be required for lots served with on-site sewage treatment and water supply that meet relevant provincial standards, and 0.4 hectare (0.988 acres) will be required for lots served with community or communal water or on-site sewage treatment that meet relevant provincial standards, and 0.24 hectares (.059 acres) for lots served with community or communal water and sewage treatment systems that meet relevant provincial standards.”.
 - Removed duplicate policy “Commercial uses with more than 12 guest bedrooms or campground sites will be required to provide accommodation for staff.” as already included.
 - n) Updated to: “An accessory dwelling unit of no more than 90 square metres (969 square feet) may be established on lots of over 0.4 hectares (1 acre) provided adequate on-site water supply is available, and a sewage treatment system that meets relevant provincial standards is in place, and where the principal use is a single family dwelling.”.
- 4.5 Country Residential: Changed land use designation name from “Country Residential” to “Rural Use”.
- 4.5.2 e): Updated to: “An accessory dwelling unit of no more than 90 square metres (969 square feet) may be established on lots of over 0.4 hectares (1 acre) provided adequate on-site water supply is available, and a sewage treatment system that meets relevant provincial standards is in place, and on lots over 1 hectare (2.47 acres) provided adequate communal water supply is available, and an on-site sewage treatment system that meets relevant provincial standards is in place, and where the principal use is a single family dwelling.”.
- 4.5.2 g): Updated LGA Section “725” to “323”.
- 4.6 Country Residential Comprehensive Development Area: Changed land use designation name from “Country Residential Comprehensive Development Area” to “Rural Comprehensive Development Area”.
- 4.6.3 Country Residential Comprehensive Development Area Policies:
 - c): Updated to “An accessory second dwelling unit (0.25 dwelling unit) of no more than 90 square metres (969 square feet) may be established on lots of over 0.4 hectare (1 acre) provided adequate water supply, a sewage treatment system that meet relevant provincial standards is in place, and where the principal use is a single family dwelling.”.

- d): Updated to: “Minimum lot sizes of 2 hectares will be required for lots served with on-site sewage treatment and water supply, and 1 hectare (2.47 acres) will be required for lots served with communal water or on-site sewage treatment, and 0.4 hectares (.988 acres) for lots served with community or communal water and sewage systems that meet relevant provincial standards.”.
- 4.7 Salmon Beach Neighbourhood: Added “residential” to update to: “recreational residential”.
- 4.8 Community Services Objectives: Changed land use designation name from “Community Services” to “Community Service”.
- 4.13.2 Barkley Sound Marine Area Policies added:
 - “c) Refer to the Province for General Permission for private moorage facilities, and authorization for Specific Permission, or under the Residential Policy or Commercial Marina Policy for group moorage, or under the Adventure Tourism Policy for moorage for adventure tourism activities, where applicable on Crown land.
 - d) Commercial moorage facilities must be designed and constructed in compliance with the applicable best management practices of the Province.
 - e) Before construction of a dock in marine waters the property owner must obtain and adhere to a Marine Habitat Assessment Report for the site which must be completed by a qualified registered professional biologist, where applicable on Crown land.”
- 4.15 Public Parks and Recreation: Changed land use designation name from “Public Parks and Recreation” to “Parks and Recreation Use”.
- 4.15.2 h.: Updated LGA Section “941” to “510”.
- 5.3.2 Mixed-Use Commercial Policies: Updated “meets” to “meet”.
- 5.7.2 d), 5.8.2 g), 5.9.2 c) changed “20 ha” to “16 ha” decreasing the minimum lot size for lands designated Resource – Private Forestry, Resource – Crown, Forestry, Policies, Resource - Crown, Sand and Gravel Policies.
- 5.10.2 Home Based Business and Home Industry Policies:
 - b): Changed “three guest rooms” to “Up to four paying guests may be permitted in the home for bed-and-breakfast accommodation provided that the homeowner resides in the home, and that adequate off street parking, sewage treatment and water supply are available.”.
 - c): Added “requires a valid Temporary Use Permit for short term vacation rentals”.
- 6.1 changed land use designation name from “Community Services” to “Community Service”.
- 8.1.1 Development Permit Areas:
 - Updated LGA Section “919.1” to “488”.
 - Removed “with a building floor area greater than 10 square metres (107.6 square feet)”.
- 8.2 Development Permit Policies: Updated DPA IV to add “Protection” and updated to “Natural Hazard Areas Protection”.
- 8.2.2 DPA I: Updated LGA Section “919.1(a)” to “488”.
- 8.2.3 DPA II:
 - Updated LGA Section “919.1(a) and (b)” to “488”.
 - Changed “high water mark” to “natural boundary”.
 - Removed “Pipestem Inlet” from the DPA as it’s outside of the OCP boundary.
- 8.2.4 DPA III:
 - Updated LGA Section “919.1(a) and (b)” to “488”.
 - Changed “high water mark” to “natural boundary”.
 - Moved to Guidelines and updated wording from a): “The land covered by this designation includes private lands extending a distance of 30 metres from the natural

- boundary of the sea” to a new Guideline a): “This DPA applies to all lands within 30 metres, measured horizontally in both landward and seaward directions, from the natural boundary of the sea.”
- Added Guideline b): “Unless otherwise exempt under 8.2.1, prior to undertaking any development on the lands within this DPA, the owner of the lands must apply to the ACRD for a Development Permit, and must include the following information with the application:”.
 - Updated Guideline c) to b) “An assessment report that has been prepared by a Qualified Environmental Professional, with demonstrated experience regarding the subject matter. The assessment report will identify how the proposed development will affect aquatic resources, and recommend measures to reduce or mitigate any negative impacts, such as the:
 - i. Appropriate siting of buildings, structures, private, commercial or group moorage facilities (docks or boat lifts), roads, driveways, parking areas, trails, paths, and utilities;
 - ii. Retention or restoration of native vegetation and soils;
 - iii. Removal of invasive species;
 - iv. Designation of buffer areas to protect environmentally sensitive features or habitat;
 - v. Specification of any activities that may occur within the buffer areas; and
 - vi. Must state that the proposal is suitable for the area intended for development.”
 - Added new Guidelines:
 - c) Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. If an adequate suitable building envelope exists on a parcel outside of the DPA, the proposed development should be directed to that site or area. Encroachment into the DPA shall only be permitted where the applicant can demonstrate that the encroachment is necessary to protect environmentally sensitive features, due to hazardous conditions or topographical considerations, or to relate the development to surrounding buildings and structures.”
 - d) The removal of trees and vegetation within the DPA is discouraged and must be limited to only those areas that must be cleared to support the development. Any clearing required to accommodate roads, buildings, structures, private, commercial or group moorage facilities, and utilities, with the exception of necessary hydraulic, percolation, or geotechnical testing, shall only occur until after the issuance of a Development Permit to minimize the potential for soil erosion, runoff and spread of invasive species.
 - e) Shoreline stabilization devices are not supported on parcels that are not subject to active erosion nor are they supported on parcels that erode more rapidly as a result of vegetation removal that is not recommended or supervised by a Qualified Coastal Professional.
 - f) Shoreline stabilization devices are supported where a Qualified Coastal Professional, with experience to advise on such matters, has determined that a greenshores approach to shoreline stabilization such as vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, tree anchoring or gravel placement are not appropriate given site specific conditions.

- g) Where a shoreline stabilization device is recommended by a Qualified Coastal Professional as a result of an assessment completed, it must be located entirely within the property boundary.
- h) The assessment for siting a shoreline stabilization device prepared by a Qualified Coastal Professional must include:
 - i. Assesses the risk of erosion on the subject property and the suitability of the subject property for a shoreline stabilization device;
 - ii. Analyses of the potential impacts on coastal geomorphologic processes as a result of installing or not installing the device;
 - iii. Analyses of the potential impacts on adjacent properties as a result of installing and not installing the device;
 - iv. Recommendation measures to ensure that the subject property is protected while mitigating potential negative impacts on marine riparian areas, coastal geomorphologic processes or neighbouring properties.
- i) Parking areas shall contain oil/water separators and be landscaped to absorb runoff, and proof of a maintenance program for these will be provided.
- j) The construction of private, commercial and group moorage facilities are permitted in DPA III subject to the following conditions:
 - i. Refer to the Province for General Permission for private moorage facilities, and authorization for Specific Permission, or under the Residential Policy or Commercial Marina Policy for group moorage, or under the Adventure Tourism Policy for moorage for adventure tourism activities, where applicable on Crown land.
 - ii. Commercial moorage facilities must be designed and constructed in compliance with the applicable best management practices of the province.
 - iii. Before construction of a dock in marine waters the property owner must obtain and adhere to a Marine Habitat Assessment Report for the site which must be completed by a qualified registered professional biologist, where applicable on Crown land.
 - iv. Shoreline stabilization measures, pilings, floats, docks, boat lifts, wharves and other structures which disrupt light penetration to the water column or obstruct public access to the foreshore are discouraged.
 - v. Impervious surfaces, including materials to construct docks and wharves, shall be kept to a minimum.
 - vi. New piers, docks and ramps shall be allowed only for water-dependent uses or for public access, and only permitted when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.
 - vii. Docks and wharves shall not extend over marshes or other productive foreshore areas, including critical areas such as eelgrass and kelp beds, shellfish beds, and fish habitats.
 - viii. Wharves shall not, in any case, extend over the water beyond the mean low-water mark, except as necessary to access floats or for public viewing access.

- ix. Piers on pilings and floating docks are preferred over solid-core piers or ramps.
- x. Boat launch ramps are discouraged and will only be considered if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary.
- xi. Structures in contact with the water shall be constructed of stable materials, including finishes and preservatives that will not degrade water quality.
- xii. All docks shall be constructed so that they do not rest on the bottom of the foreshore at low water levels.
- xiii. Styrofoam used in the construction of floats and docks is discouraged. Any styrofoam, plastic foams or other non-biodegradable materials used in construction of floats and docks shall be fully encased within sealed rigid plastic shells to prevent escape into the natural environment.
- xiv. Piers should use the minimum number of pilings necessary, with preference to large spans over more pilings.
- xv. Piers should be constructed with a minimum clearance of 0.5 m above the elevation of the natural boundary of the sea.
- xvi. Preference is given to the placement of mooring buoys and floats instead of docks.
- xvii. Placement of docks must remain sensitive to views, impacts on neighbours, and orientation to neighbouring docks.
- xviii. Keep the dock and land beneath the dock safe, clean and in sanitary condition
- xix. New shoreline residential development of two or more dwellings should provide joint use or community dock facilities rather than individual docks for each residence.
- xx. No more than one moorage facility shall be located on any single lot.
- k) The consideration of the issuance of a Development Permit by the ACRD in no way exempts the property owner from obtaining all necessary permits and approvals from provincial and federal agencies.”
- 8.2.5 DPA IV:
 - Updated LGA Section “919.1(b)” to “488”.
 - b): Changed “and” to “or” and updated to “Development permits related to tsunami hazard are required in upland areas located between the high tide line, a horizontal distance of 30 metres from the natural boundary of the sea or an elevation of 4 metres above the natural boundary of the sea.”
 - m) Updated to “Where lands subject to flooding are proposed for development, the flood construction level 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 and provincial regulations.”
- 8.2.6 DPA V: Updated LGA Section “919.1(a) and (f)” to “488”.
- 8.2.6 a) removed duplicate words: “of the”.
- 8.2.7 DPA VI: Updated LGA Section “919.1(a) and (b)” to “488”.

- 8.3 Development Approval Information: Updated LGA Section “920.01 and 920.1” to “484 and 485”.
- 8.5 Zoning: Updated LGA Section “903” to “481”.
- 8.6 Temporary Commercial and Industrial Use Permits:
 - Updated LGA Section “921” to “493”.
 - Removed “commercial or industrial” and updated to: “Section 493 of the Local Government Act provides for issuance of a temporary use permit within designated areas. Subject to the policies of the Official Community Plan, temporary use permits may be issued throughout the South Long Beach Plan Area.”
- 8.6.2 a): Updated term of Temporary Use Permits from two years to three years.
- 8.8 Development Cost Charges: Updated LGA Section “933” to “559”.