



**PORT ALICE**  
**Bylaw No. 659, 2020**

A bylaw to amend the Village of Port Alice  
Official Community Plan Bylaw No. 568, 2010

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**WHEREAS** the Mayor and Council has deemed it advisable to amend the Village of Port Alice's Official Community Plan Bylaw 568, 2010, the Official Community Plan Bylaw for the Village of Port Alice, as adopted October 27, 2010;

**NOW THEREFORE** in open meeting assembled, the Mayor and Council of the Village of Port Alice enacts as follows:

1. **CITATION**

- 1.1 This Bylaw may be cited for all purposes as the "**Village of Port Alice Official Community Plan Amendment Bylaw No. 659, 2020**".

2. **DEFINITIONS**

- 2.1 For the purposes of this Bylaw, the definitions contained in the Village of Port Alice Zoning Bylaw 200, 1980, are applicable.

3. **TEXT AMENDMENTS**

- 3.1 Official Community Plan Bylaw Number 568, 2010 is hereby amended by deleting the following from section 14.6:
- i) On page 35, under the Category heading the following words "areas within the tsunami-hazard zone,"
  - ii) On page 36 under the Justification heading the following words "Lands that are or may be flooded represent a hazardous condition for permanent structures. The west coast of Vancouver Island, identified as Zone C by the provincial Ministry of Public Safety and Solicitor General, is a high-risk seismic zone, known to be vulnerable to flooding in the event of a tsunami. The Village wishes to protect the community against the loss of lives and to minimize property damage, injury and trauma associated with flooding events."
  - iii) Guideline (ii) in its entirety,
  - iv) Guideline (iii) in its entirety,
  - v) In Guideline (iv), any reference to "tsunami inundation."
- 3.2 Official Community Plan Bylaw Number 568, 2010 is hereby amended by inserting section 14.6.1, after section 14.6 and before section 14.7.

## **“14.6.1      DPA IV      Natural Hazard Area Protection (Coastal Flooding Event)**

### **Category**

In accordance with Section 488(1)(b) of the *Local Government Act*, as amended from time to time, the Village may designate an area that is subject to a natural hazard as a Development Permit Area, as shown on Map No. 3, of the Village of Port Alice Official Community Plan Bylaw, as amended from time to time. This area is marked as DPA III and is titled as Natural Areas Protection.

### **Justification**

In this case and due to the location of the area the hazard may happen as a result of; a storm surge, sea level rise due to climate change or a tsunami, collectively referred to as a coastal flooding event. Within this designated area, approximately 55 Lots may be affected by a coastal flooding event, so it is very important to the Village that the owners of these Lots have relevant information that will allow the property owner or their agent to develop the Lot safely. In addition to this the use of the zone should match the risk level of the coastal flooding event. Significant public and private investment has been made in developments within this area. It is not the intent or purpose of this section to require the relocation of or otherwise regulate the existing development in this area. The intent is to assist the Lot owners in reducing any damage that may result from a coastal flooding event

### **Exemptions**

In addition to the exemptions outlined in Section 14.3, Development Permit Exemptions, the following exemptions are also applicable to this Development Permit Area:

- 1) Any exterior renovations to a Building or Structure within the existing footprint of the Building or Structure, as of the date that this Bylaw was adopted and was legally developed.
- 2) Additions of up to 25-percent (25%) of the total Floor Area, subject to the addition being above or at the elevation of the legally approved existing Building or Structure and is no closer to the existing natural boundary of the sea, than the existing Building or Structure.

### **Guidelines**

- 1/. As required by the Village an individual qualified as a professional, such as but not limited to an architect or an individual governed by the Association of Professional Engineers and Geoscientists of BC, must perform a risk assessment to determine what if any risk the Lot owner may face. In addition to filling out the Flood Assurance Statement, as outlined in the *Professional Practice Guidelines; Legislated Flood Assessments in a Changing Climate in BC*, published August 28, 2018, as amended from time to time, the qualified professional must present the report as per Table 4-1 Zoning for Risk Areas, as outlined on page 19 of a report entitled; *Climate Change Adaption Guidelines for Sea Dikes and Coastal Flood Hazard Land Use, Guidelines for the Management of Coastal Flood Hazard Land Use*, dated January 27, 2011 as amended from time to time. These two reports outlining the risk analysis and the respective planning response and recommendations must be signed, stamped and attached to the Development Permit application.

- 2/. The risk assessment must provide recommendations to reduce any potential risk of damage to the Building, if applicable.
- 3/. Where applicable, the Flood Construction Levels must be provided by prescribing an elevation above the natural boundary of the potential coastal flooding event.
- 4/. The application must identify all the proposed Buildings on the site, and it must specify the setback distances from the potential hazard area. The setback distance must comply with the setback recommendations contained in the professional report created for the site.
- 5/. In addition to the above Council may require the applicant to enter into a restrictive covenant."

READ A FIRST TIME THIS 12<sup>TH</sup> DAY OF FEBRUARY 2020

READ A SECOND TIME THIS 12<sup>TH</sup> DAY OF FEBRUARY 2020

A PUBLIC HEARING WAS HELD ON THE 11<sup>TH</sup> DAY OF MARCH 2020

READ A THIRD TIME THIS 11<sup>TH</sup> DAY OF MARCH 2020

ADOPTED THIS 25<sup>th</sup> DAY OF March, 2020



Mayor



Chief Administrative Officer

Certified to be a true and correct copy of  
the "Village of Port Alice Official Community  
Plan Amendment Bylaw No. 659, 2020"  
adopted by the Council of the Village of Port Alice  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chief Administrative Officer