



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

November 27, 2020

CHERRY CREEK ADVISORY PLANNING COMMISSION

Please find enclosed the following application for your review and consideration:

- RF20006 – Parcel A, Sherwood Road (Sherwood)

Please review this application so that your Director can submit your recommendations to the Regional Board on Wednesday, December 9th, 2020.

Your next meeting is scheduled for **Tuesday, December 1st at 7:00 pm** through Zoom Video or Phone Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Alex Dyer
Planner

Enclosures

Cc Applicants



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

Rezoning Application

MEETING DATE: December 9, 2020

ACRD FILE NO.: RF20006

APPLICANT: Rick Sherwood (Agent: Chris Arcus)

LEGAL

DESCRIPTION: PARCEL A (DD 398285I) OF DISTRICT LOT 136, ALBERNI DISTRICT EXCEPT PART IN PLANS 25943, 30312 AND VIP86160

LOCATION: Parcel A, Sherwood Road (PID 001-445-260)

ELECTORAL AREA: "F" Cherry Creek

Applicant's Intention: The +/- 25.06 ha (61.94 ac) subject property is split zoned with +/- 0.32 ha (0.8 ac) zoned Light Industrial (M2) District and the remainder zoned Forest Reserve (A4) District. The applicant intends to rezone an additional +/- 0.17 ha (0.4 ac) portion from Forest Reserve (A4) District to Light Industrial (M2) District. Following rezoning, the applicant intends to subdivide a minimum 0.24 ha (0.6 ac) Light Industrial (M2) District parcel.

Recommendations:

- THAT Bylaw P1413, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaw P1413 be delegated to the Director or the Alternate Director for Electoral Area "F", the Chairperson of the Electoral Area Directors Committee, or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaw P1413 is subject to:
 - a. Confirmation from a Registered On-site Wastewater Practitioner that the site is capable of accommodating on-site sewage disposal for industrial uses.
 - b. Environmental report prepared by a Registered Professional Biologist providing development recommendations to mitigate impact on the adjacent Roger Creek ravine.
 - c. Meeting technical referral agency requirements.

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Observations:

Status of Property: The +/- 25.06 ha (61.94 ac) subject property is accessed from Sherwood Road with no improvements located on the parcel. The property consists of second growth forest and thick scrub apart from a cleared 2.5 acre area used as a shale quarry and a cleared 1 acre section adjacent to the road, partially zoned M2.

The parcel is bordered by industrial properties to the north and west, P1-zoned cemetery to the north-east, privately-owned Mosaic forestry lands to the east, and Crown Land to the south. The large parcel varies topographically, from a relatively level area bordering the north-west portion of Sherwood Road, to steep slopes running towards Roger Creek. The area proposed for rezoning is relatively level, but is bordered by steep, and in some cases undercut slopes, to the south and south-east.

A portion of the property was historically used as a shale quarry and clean fill materials were moved during the construction of the West Coast Hospital and placed on the portion of the parcel fronting Sherwood Road. This is the area proposed for rezoning and future subdivision. There is a section of trail in the south-east corner of the parcel that connects with the Roger Creek trail system. There is currently no public trail access agreement over the privately-owned property.

ii) Services

- a. **Sewage Disposal:** No septic system in place. Confirmation of on-site sewage disposal capability for a light industrial use will be required as a condition of rezoning approval. Confirmation of adequate sewage capability will also be required by the Ministry of Transportation as part of the subdivision application.
- b. **Water Supply:** Cherry Creek Waterworks District.
- c. **Fire Protection:** Cherry Creek fire protection area.
- d. **Access:** Access to the property is off Sherwood Road. The proposed access has good visibility and appears to provide necessary space for industrial traffic. The Ministry of Transportation and Infrastructure must approve the zoning amendment prior to adoption as the property is located within 800 metres of a Controlled Access Highway, pursuant to the *Transportation Act*.

iii) Existing Planning Policies Affecting the Site

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. **Official Community Plan:** The Cherry Creek Official Community Plan designates the property as a mix of "Industrial Use", "Community Service", and "Resource Use." The portion of the subject property intended for rezoning is designated "Industrial Use." The Cherry Creek OCP supports industrial properties as they provide necessary employment and economic diversity. The OCP supports a 0.24 hectare (0.6 acre) minimum lot size for subdivision in this designation where a property is connected to a community water system.

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Policy 6.2.3 - Encourage industrial uses to locate in areas so designated, such as the Sherwood Road area and the Link Mill site. The Cherry Creek OCP encourages Industrial uses along Sherwood Road.

The area of the proposed rezoning is not within a Development Permit Area. However, Roger Creek does bisect the property and a development permit will be required at the time of subdivision.

The proposal complies with the policies and objectives of the Cherry Creek Official Community Plan.

- c. **Zoning:** The property is split-zoned Light Industrial (M2) District and Forest Reserve (A4) District. The property owner is applying to rezone a +/- 0.17 ha (0.4 ac) portion from Forest Reserve (A4) District to Light Industrial (M2) District, which would bring the total area of the property zoned M2 to +/- 0.5 ha (1.2 ac).

	A4 District (existing)	M2 District (proposed)
Minimum Lot Area:	40 ac	10,000 sq. ft.
Minimum Lot Width:	660 ft.	100 ft.
Lot Coverage:	-	60%
Minimum Setbacks		
Front:	50 ft.	10 ft.
Rear:	30 ft.	10 ft.
Side:	15 ft.	Total of both sides 20 ft.
Watercourse:	100 ft.	100 ft.

The applicant intends to rezone the property to create a larger industrial parcel for future subdivision. The proposed +/- 0.5 hectare area is adjacent to an existing Light Industrial (M2) District zoned section of the subject property and to M1, M2 and M6 zoned properties in the immediate vicinity. Rezoning this portion would create a sufficiently sized area to subdivide an industrially zoned parcel that complies with the 0.24 ha (0.6 ac) minimum lot size supported by the OCP.

The proposed development requires a rezoning of a portion of the subject property from Forest Reserve (A4) District to Light Industrial (M2) District to create an industrial zoned lot for future subdivision.

Comments:

The proposed Zoning Bylaw map amendment is necessary to facilitate the applicants intended subdivision plan for a minimum 0.24 ha (0.6 ac) light industrial parcel. Following subdivision, the applicant intends to sell the parcel for industrial uses, which is consistent with the uses of the surrounding parcels.

The portion of the property to be rezoned is adjacent to the Roger Creek ravine. Recognizing the proposed industrial use of this portion of the property and the ecological importance of the

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Roger Creek system, staff are recommending that the applicants engage a Registered Professional Biologist to conduct a site assessment and provide development recommendations that will promote the protection and enhancement of the riparian area. There is an existing covenant registered to the property, EC074411 in favour of the ACRD, that prohibits the construction of any building within 30 metres of the top of the ravine and requires the maintenance a 15 metre vegetative strip adjacent to the edge of the ravine. Additional development restrictions, such as an amended restrictive covenant, may be considered depending on the recommendations of the Qualified Environmental Professional.

Confirmation from a Registered On-site Wastewater Practitioner that the proposed lot can accommodate on-site sewage disposal to meet Island Health standards will be required as a condition of rezoning.

The proposed use fits with the surrounding uses character of the area. This portion of the property is currently designated as Industrial Use in the Cherry Creek OCP, which provides a long-term vision for development in the community. Rezoning this +/- 0.17 ha (0.4 ac) portion from Forest Reserve (A4) District to Light Industrial (M2) District is supported by the goals and objectives of the Cherry Creek OCP. Planning staff are supportive of this application proceeding to the public hearing stage subject to the review by the Qualified Environmental Professional.

Submitted by: 
 Alex Dyer, MCIP, RPP
 Planner

Reviewed by: 
 Mike Irg, MCIP, RPP
 Manager of Planning & Development

Approved by: 
 Douglas Holmes, BBA, CPA, CA
 Chief Administrative Officer

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ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

Phone: (250) 720-2700 Fax: (250) 723-1327

APPLICATION FOR DEVELOPMENT

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Minimum Parcel Frontage Waiver |
| <input checked="" type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Board of Variance Application |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Temporary Commercial Use Permit |
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> Temporary Industrial Use Permit |
| <input type="checkbox"/> Development Variance | <input type="checkbox"/> Other: _____ |

Applicant/Property Owner Information	Agent Information (if applicable)
Name: <u>Rock Dale Sherwood</u>	Name: <u>Chris Arcus</u>
Mailing Address:	Mailing Address: <u>3949 Moore Rd.</u>
	<u>Port Alberni B.C.</u>
	<u>V9Y 8S3</u>
Telephone:	Telephone:
Fax:	Fax:
Cell: <u>250-720-9234</u>	Cell: <u>250-731-6637</u>
Email: <u>sherwoodsauto@shaw.ca</u>	Email: <u>info@arcusrealtors.com</u>

- Legal Description: Parcel A DD 3982851 DL 136 AD

- Particulars of Proposed Development:

- Existing OCP Designation: Industrial
- Proposed OCP Designation: _____
- Text Amendment: DNA
- Existing Zone: A4/m2
- Proposed Zone: m2
- Within the Agricultural Land Reserve (ALR)?: No Yes
- Within a Development Permit Area?: No Yes
- Method of Sewage Disposal: Community System Onsite Septic System Other
- Method of Water Supply: Community System Onsite Water System Other

- Other (explain): _____

- Describe the existing land use of the subject property: _____

- Describe the existing land use of lands adjacent to the subject property:

North: Industrial

South: undeveloped

East: undeveloped

West: Industrial

- Describe the proposed development of the subject property (attach additional pages if necessary):

please see attached

- Reasons and comments in support of the application (attach additional pages if necessary):

please see attached

- The following information is required. Failure to provide any of the following may delay the application.

A sketch/plan of the subject property showing:

- the legal boundaries and dimensions of the subject property;
- boundaries, dimensions, and area of any proposed lot (if subdivision is being proposed);
- the location of permanent building and structures on the subject property with distances to property lines;
- the location of any proposed building, structures, or additions hereto, with distances to property lines;
- the location of any existing sewage disposal systems and/or property water source; and
- topographic features (rock outcroppings, etc.).

- Additional or more detailed information may be requested by the Regional District following review or your application.

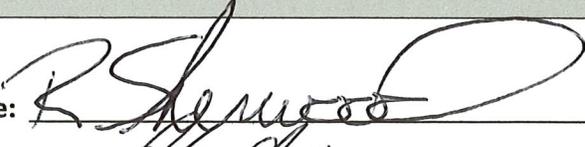
If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.

I accept responsibility for delays in processing caused by incorrect or insufficient submission. Personal information contained on this form is collected under the *Local Government Act*. Contact the Planning Department if you have any further questions.

I hereby grant Regional District staff full right of access to the subject property, during the hours of 8:00 am until 4:30 pm, Monday to Friday, except statutory holidays, while this application is in effect; and

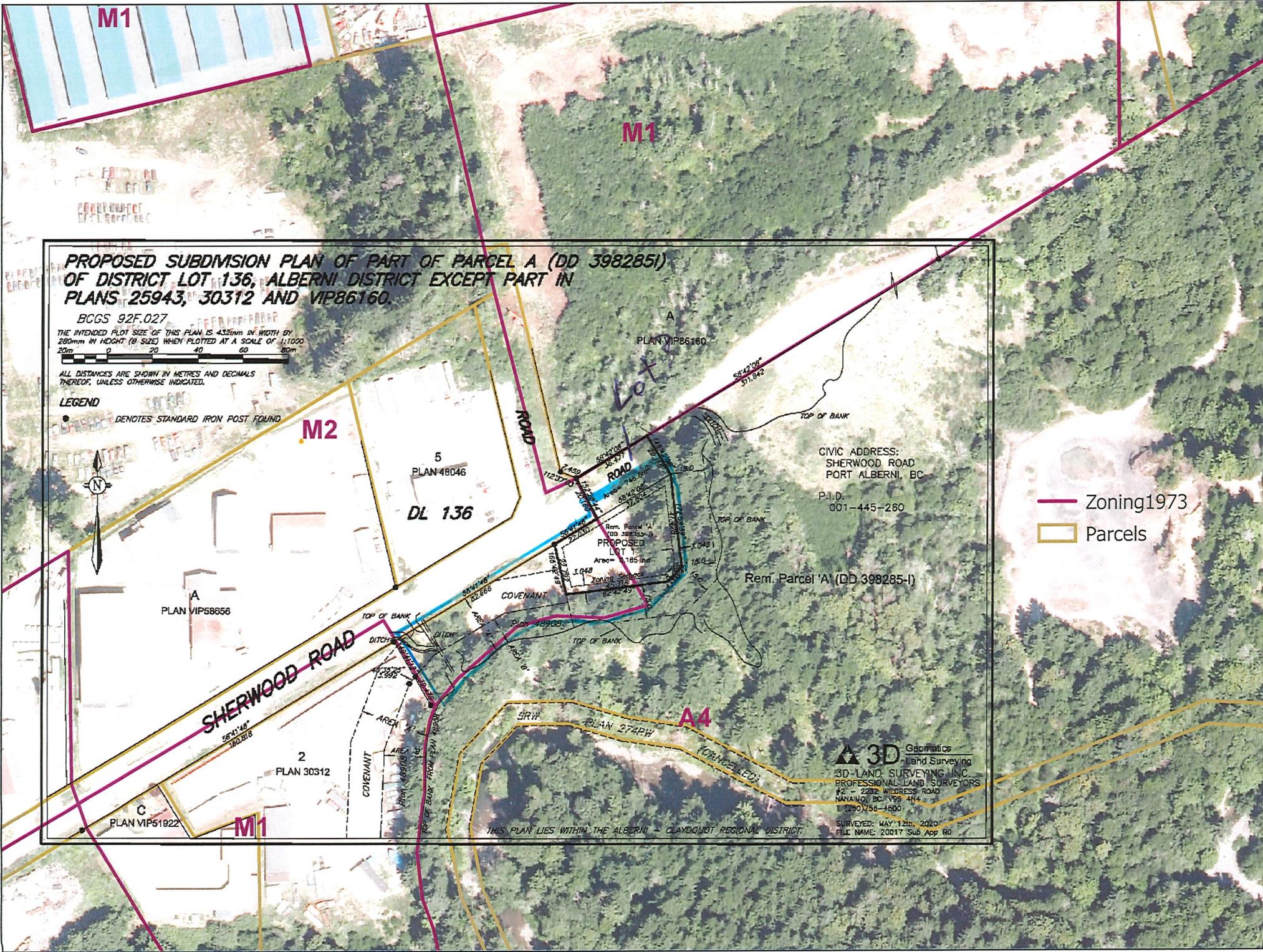
I/We hereby declare that the information provided in this application is, to the best of my/our knowledge, true and correct in all respects, and I/we enclose the required fee with this application.

NOTE: All items submitted as part of the application will not be returned to the applicant and are subject to the *Freedom of Information and Privacy Act*. All relevant correspondence will be provided to both the applicant and the agent when applicable.

Applicant/Owner Signature: 

Applicant/Owner Signature: 

Date: August 19 / 2020



**PROPOSED SUBDIVISION PLAN OF PART OF PARCEL A (DD 398285)
OF DISTRICT LOT 136, ALBERNI DISTRICT EXCEPT PART IN
PLANS 25943, 30312 AND VIP86160.**

BCGS 92F.027

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY
280mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:1000



ALL DISTANCES ARE SHOWN IN METRES AND DECIMALS
THEREOF, UNLESS OTHERWISE INDICATED.

LEGEND

● DENOTES STANDARD IRON POST FOUND



CIVIC ADDRESS:
SHERWOOD ROAD
PORT ALBERNI, BC
P.I.D.
001-445-260

— Zoning1973
— Parcels

3D Geomatics
Land Surveying
3D-LAND SURVEYING INC.
PROFESSIONAL LAND SURVEYORS
#2 - 2232 WILDRUSS ROAD
NANAIMO, BC V9S 4N4
T (250)758-4600

SURVEYED: MAY 12th, 2020
FILE NAME: 200117 Sub App 60

THIS PLAN LIES WITHIN THE ALBERNI - CLAYDQUIST REGIONAL DISTRICT.

Sherwood rd Rezone

In hopes to rezone a very small portion of the currently zoned A4 lot to M2, and combine it with the adjacent other portion of M2 zoned lot to create a usable, marketable, much needed Industrial lot.







REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1413

OFFICIAL ZONING ATLAS AMENDMENT NO. 728

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the “Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971”.

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1413.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning a portion of PARCEL A (DD 398285I) OF DISTRICT LOT 136, ALBERNI DISTRICT EXCEPT PART IN PLANS 25943, 30312 AND VIP86160 from Forest Reserve (A4) District to Light Industrial (M2) District as shown on Schedule ‘A’ 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 , 2020
Public Hearing held this day of , 2020
Read a second time this day of , 2020
Read a third time this day of , 2020

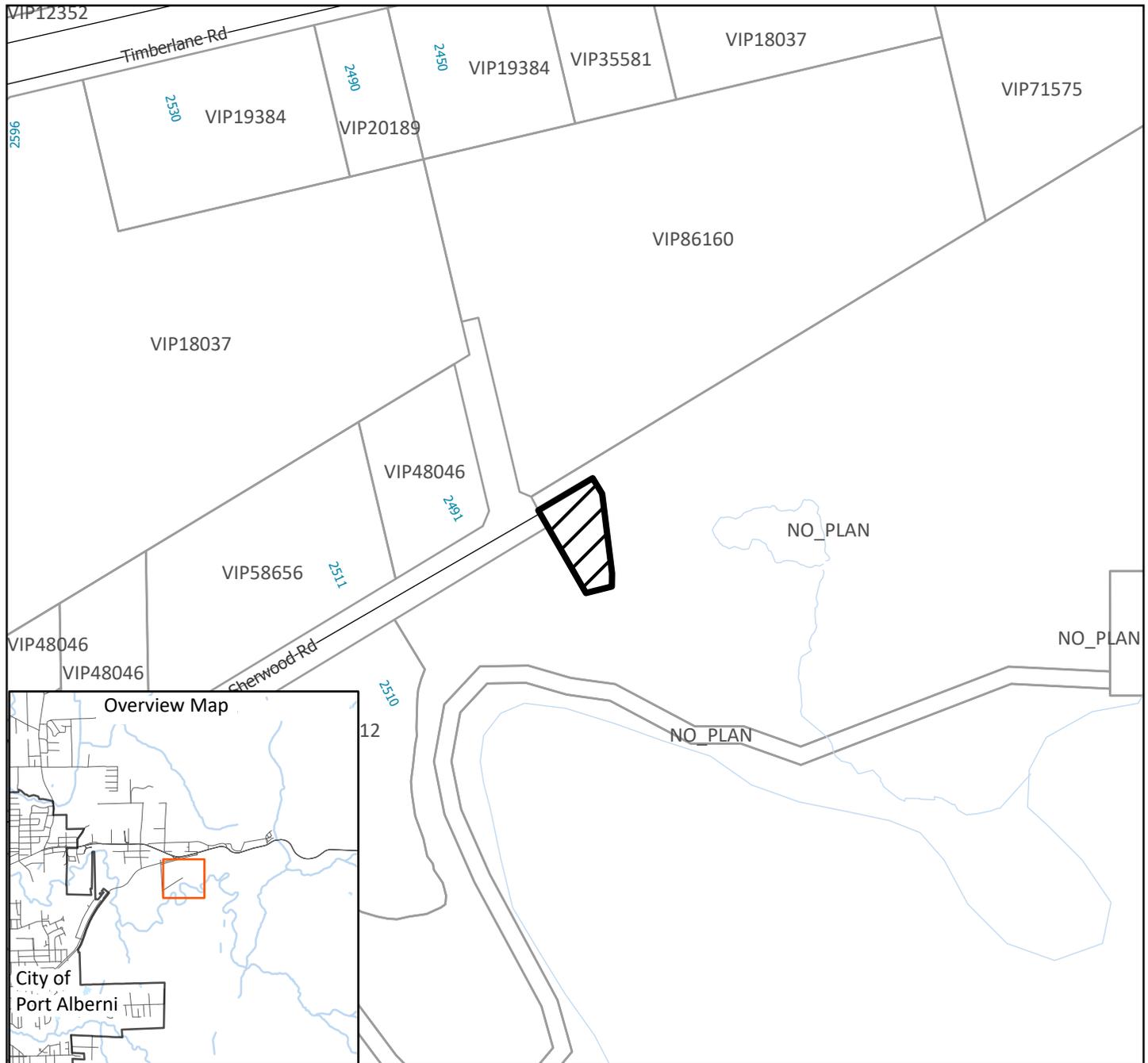
Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw 1413



P1413 Sherwood
Legal Description: PARCEL A (DD 398285I) OF DISTRICT LOT 136, ALBERNI DISTRICT EXCEPT PART IN PLANS 25943, 30312 AND VIP86160

 To be rezoned from Forest Reserve (A4) District to Light Industrial (M2) District.

