



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

November 25, 2020

SPROAT LAKE ADVISORY PLANNING COMMISSION

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

- RD20003 – 7956 Pacific Rim Hwy (Stevens)

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 **Monday, November 30th at 7:00 pm** through Zoom Video Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Alex Dyer
Planner

Enclosures

Cc Applicants



Rezoning Application

TO: ACRD Board of Directors

MEETING DATE: December 9, 2020

FROM: Alex Dyer, Planner

ACRD FILE NO: RD20003

APPLICANTS: Ross & Shary Stevens

LEGAL DESCRIPTION: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647

LOCATION: 7956 Pacific Rim Highway, Port Alberni

ELECTORAL AREA: "D" Sproat Lake

Applicants Intention: The application includes an Official Community Plan amendment and a zoning map amendment. The applicant has applied to redesignate the property from "Rural Use" to a mix of "Residential Use" and "Industrial Use" and to split-zone the existing +/- 4.53 ha (11.2 ac) property to 1.01 ha (2.5 ac) zoned Small Holdings (A1) District and the remaining 3.43 ha (8.48 ac) zoned Light Industrial (M2) District. This split-zoning application is to accommodate a single family dwelling on the A1 zoned property and to allow for mini storage, open storage, a caretaker dwelling, and a mechanical shop on the M2 zoned remainder. Following rezoning, the proposed 1.01 ha (2.5 ac) A1 District parcel would meet the requirements for future subdivision.

Recommendation: Staff recommends that the Board deny this application. If the Board is considering denying an application, the appropriate motion would be:

"THAT the Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied."

Procedure: If the Board is considering denying an application, the Board's policy is to defer a decision on the application until the next meeting and invite the applicant to address the Board prior to a decision being made on the application.

If the Board wishes to proceed with this application, the following resolutions would be

RD20003

appropriate:

- THAT Bylaw P1411 Sproat Lake Official Community Plan Amendment Bylaw be read a first time;
- THAT Bylaw P1412 Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaws P1411 and P1412 be delegated to the Director for Electoral Area 'D', the Alternate Director or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaws P1411 and P1412 are subject to:
 - a. Confirmation from a Registered On-Site Wastewater Practitioner that the property can accommodate an onsite sewage disposal system for the proposed caretaker dwelling, mechanical shop, open storage, and a mini storage facility;
 - b. Positive referral response from the Ministry of Transportation and Infrastructure regarding industrial road access off Sarenga Road;
 - c. Restrictive covenant registered on the property title restricting industrial uses to:
 - i. Closed Storage and Warehousing;
 - ii. Open Storage; and
 - iii. Motor vehicle and commercial truck repair;
 - d. Restrictive covenant registered on the property title restricting any future subdivision of the industrial zoned area and prohibiting any land clearing or development within 30 metres of adjacent properties; and
 - e. Meeting all technical referral agency requirements.

Advisory Planning Commission Recommendation:

Rationale:

This application was presented to the Sproat Lake Advisory Planning Commission on October 19th with a staff recommendation to proceed to public hearing. The applicant has since continued to expand the operation contrary to the current zoning and has cleared additional area on the property. A drainage ditch has been dug which drains the cleared low-lying area into a culvert under the highway. The outlet of the culvert is approximately 180 metres from the Sproat River located to the north of the subject property. The trees and vegetation that had protected the Highway 4 view corridor have been cleared. On October 26th staff observed additional clearing and the expanded gravel parking area which appears to be used as a marshalling area with 17 pieces of heavy equipment parked on-site.

RD20003

Observations:

i) **Status of Property:** The +/- 11.2 ac (4.53 ha) property is located on the corner of the Pacific Rim Highway and Sarenga Road. It slopes gradually from north to south and includes a treed buffer along the Pacific Rim Highway, the eastern and southern property lines, and along most of Sarenga Road. A single family dwelling and decommissioned kennel are located in the northwestern corner of the property. Approximately 2-3 acres have been cleared for storing heavy equipment and parking logging trucks. Surrounding properties include Crown Land across the Pacific Rim Highway to the north, large rural properties to the east and south, and timberland across Sarenga to the west.

ii) Services

- a. **Sewage Disposal:** On-site sewage disposal.
- b. **Water Supply:** On-site water (well).
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** Access to the property is from the Pacific Rim Highway. The applicants access the proposed industrial lands from Sarenga Road. The Ministry of Transportation and Infrastructure will review the development for commercial/industrial access requirements and for development adjacent to a Controlled Access Highway.

iii) Existing Planning Policies Affecting the Site

- A. **Agricultural Land Reserve:** Not within the ALR. The property abuts the ALR boundary to the east and north-east.
- B. **Official Community Plan:** The property is currently designated "Rural Use". The applicants are proposing two OCP designations covering the one property. The (northernmost) 1.01 ha (2.5 ac) would be redesignated as "Residential Use" and the remainder of the property redesignated "Industrial Use" to facilitate the proposed development.

The north-east section of the proposed industrial portion of the property abuts the Pacific Rim Highway, approximately 1 km north of Tseshaht Market and a property where a mini storage facility was approved by the ACRD in 2016. While the Sproat Lake OCP encourages economic diversification, industrial uses are not supported along the Pacific Rim Highway. Potential impacts could be mitigated by incorporating the subject property into DPA III – Objectives for Form and Character.

Policy 7.2.2 - Requirements include buffering and screening of industrial uses where they are located adjacent to non-industrial land.

RD20003

Policy 7.2.4 - Encourages industrial uses to locate in areas so designated, such as the airport area and Hector road.

The Pacific Rim Highway is one of the most heavily traveled roads in the ACRD and the scale and character of the built environment along this travel corridor have an impact on the impression formed by both residents and visitors as they travel through. Bringing the proposed Industrial portion of this property into DPA III – Objectives for Form and Character would intend to protect the visual aesthetics along the Pacific Rim Highway. Guidelines included in DPA III include, but are not limited to:

- a. Screening and buffering of sites adjacent to residential uses;
- b. Appropriate scaling, massing, and shape of buildings;
- c. Maintenance of view planes; and
- d. Requirements for landscaping and use of native plant species.

Planning staff have significant concerns with the clearing of the former vegetative buffer adjacent to the highway and with the visual impact of un-screened industrial uses along the highway corridor. This high visibility location along a heavily trafficked highway corridor represents the main connection between the Alberni Valley and the west coast and staff have concerns about the aesthetic impression formed by those traveling the highway corridor.

This proposal would be inconsistent with the current Rural Use policies and objectives of the Sproat Lake OCP and with Section 7.2.4 which encourages locating industrial uses to the airport and Hector Road. Redesignating a portion of the property to Industrial Use would be required in order to facilitate the industrial rezoning of this site.

Zoning: The property is zoned Rural (A2) District and the property owner is applying to rezone to a split zoning of Small Holdings (A1) District and Light Industrial (M2) District.

	A2 District (existing)	A1 District (proposed)	M2 District (proposed)
Minimum Lot Area:	5 ac	2 ac	10,000 m ² (2.4 ac)
Minimum Lot Width	330 ft	165 ft	100 ft
Lot Coverage:	-	-	60%
Minimum Setbacks			
Front:	50 ft	25 ft	10 ft
Rear:	30 ft	30 ft	10 ft
Side:	15 ft	5 ft	Total > than 20ft

RD20003

The property owners intend to maintain 1.01 ha (2.5 ac) for residential use. The current Rural (A2) District zoning requires a minimum lot size of 2.02 ha (5 ac) and would not support the proposed residential lot size. The Small Holdings (A1) District permits minimum lot areas of 0.8 ha (2 ac) and would support the proposed residential lot size of 1.01 ha (2.5 ac).

The property includes a single family dwelling, outbuildings, and a decommissioned former dog kennel. Section 6.18(4) of the Zoning Bylaw restricts kennels used for commercial purposes to lots that are 2.02 ha (5 ac) or greater. The applicants do not intend to reopen the kennels. The remaining improvements on the parcel comply with the proposed Small Holdings (A1) District zoning.

The property owners intend to rezone 3.43 ha (8.48 ac) from Rural (A2) District to Light Industrial (M2) District. The owners have cleared 2-3 acres for storing heavy equipment and parking logging trucks and access this storage area from a constructed driveway off Sarenga Road.

The applicants intend to use the property for a mechanic shop to service the logging industry, outdoor storage for larger equipment related to the mechanic shop, mini storage, and a caretaker dwelling to oversee the mini storage facility. The Light Industrial (M2) District permits these uses. If the Board wishes to proceed with industrial zoning for this site, planning staff recommend placing a Restrictive Covenant on the property title that restricts uses to the aforementioned and consequently prohibits the additional uses otherwise permitted in the Light Industrial (M2) District.

The applicant is applying to rezone the property to a split-zone with 1.01 ha (2.5 ac) zoned Small Holdings (A1) District and the remaining 3.43 ha (8.48 ac) zoned Light Industrial (M2) District.

Comments: A site visit conducted on September 9, 2020 found that vehicles and equipment were currently stored on the property, contrary to the current A2 District zoning. Subsequent site visits on October 26th and November 25th indicated that the industrial equipment storage and marshalling use on the site appears to be ongoing and expanding. A 2-3 acre portion of the property accessed off Sarenga Road has already been cleared. A drainage ditch has been dug to drain the low-lying wetted area in the vicinity of the industrial storage area. The ditch drains into a culvert that crosses under the highway approximately 180 metres from the edge of the Sproat River on the north side of the highway.

The applicants have indicated they intend to construct a berm along the northeast property line bordering the Pacific Rim Highway to provide a noise and

RD20003

visual buffer. A portion of the land adjacent to the highway has already been cleared.

The applicants have also not received Ministry of Transportation and Infrastructure permits for industrial access off Sarenga Road or for direct access to the Pacific Rim Highway. If this application is furthered by the Board, the Ministry must approve the OCP and zoning amendments as per the *Transportation Act* requirements for development adjacent to a Controlled Access Highway. This requirement would be noted as part of the referral process to the Ministry prior to Public Hearing.

The proposed industrial use on this property represents a significant change from the current land use supported in the Sproat Lake Official Community Plan. The OCP designates the property as Rural Use, which supports the predominantly rural character to the area. The property is also directly adjacent to the Agricultural Land Reserve boundary to the east and north-east. The OCP supports regulation of the form and character of development along the Highway 4 corridor recognizing the highway represents one of the most heavily travelled roads in the region providing the primary access between the Alberni Valley and the west coast.

Recognizing the importance of protecting the visual aesthetic along the highway corridor, the significant change to the land use in the area represented by the proposed industrial use directly adjacent to rural residential and agricultural land, and the potential for negative environmental impact from surface runoff, planning staff do not support the rezoning application.

Submitted by: 

Alex Dyer, MCIP, RPP, Planner

Reviewed by: 

Mike Irg, MCIP, RPP, General Manager of Planning and Development

Approved by: 

Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

RD20003



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

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

APPLICATION FOR DEVELOPMENT

- | | |
|---|--|
| <input checked="" 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: Ross Stevens + Shary Stevens	Name:
Mailing Address: 5601 Sarenga Road Port Alberni BC V9Y 8Y8	Mailing Address:
Telephone: 250-724-5451	Telephone:
Fax:	Fax:
Cell:	Cell:
Email: ross-shary@shaw.ca	Email:

- Legal Description: Lot 1, Dh 149, Alberni District, VIP1647, PID: 003-418-600
7956 Pacific Rim Highway.

- Particulars of Proposed Development:

- Existing OCP Designation: Rural use
- Proposed OCP Designation: _____
- Text Amendment: _____
- Existing Zone: Rural A2 district
- Proposed Zone: _____
- 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: private residence

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

North: Highway and undeveloped park/crown land
 South: Rural residential
 East: Rural residential - undeveloped park/crown land
 West: Island Timberlands Forest land

- Describe the proposed development of the subject property (attach additional pages if necessary):
8.48 acres for mini storage, Mechanical shop, residence for care taker. 2.52 acres from A2 rural to A1 rural
- Reasons and comments in support of the application (attach additional pages if necessary):

- 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: Ross Stevens - Shay Stevens

Applicant/Owner Signature: _____

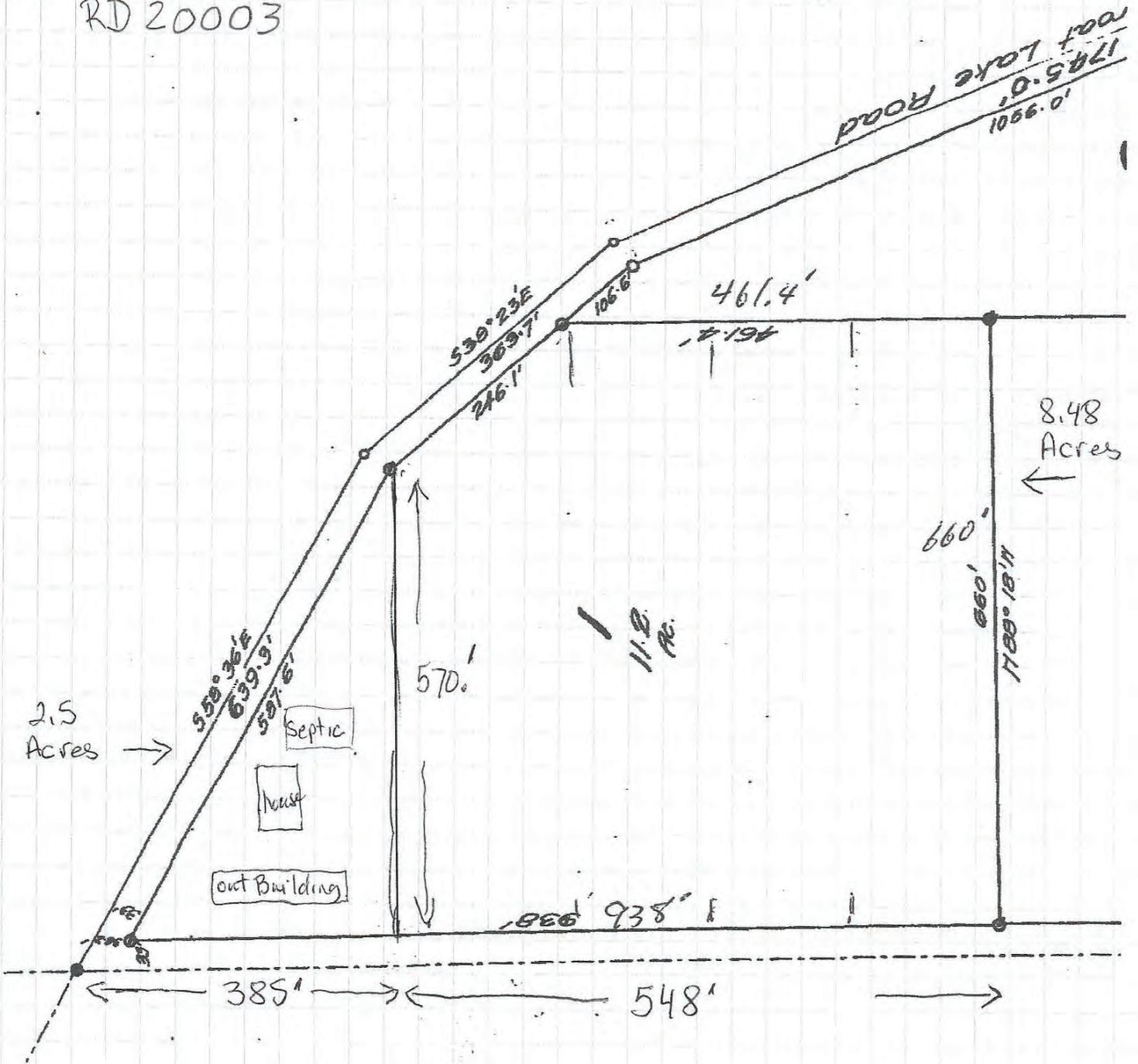
Date: July 22, 2020

2.5 acre lots +

8.4 acre lot

7956 Pacific Rim Highway

RD 20003



Parking Lot #1
2020/11/25



Parking Lot #2
2020/11/25



Parking Lot #3
2020/11/25



Temp Power Pole
2020/11/25

View from edge of parking
lot towards highway
2020/11/25



View from edge of parking lot
towards highway
2020/11/25



View from edge of highway
2020/11/25



Ditch from property joins highway ditch.
2020/11/25



View from edge of highway #2
2020/11/25



Culvert outlet on opposite
side of highway
2020/11/25



View from across highway
2020/11/25



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1411

**A BYLAW TO AMEND BYLAW NO. P1310
SPROAT LAKE 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 Sproat Lake Official Community Plan Amendment Bylaw No. P1411.
2. Schedule A of Bylaw P1310, Plan Map 2 – Land Use Designations, is hereby amended by redesignating a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from “Rural Use” to “Industrial Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
3. Schedule A of Bylaw P1310, Plan Map 2 – Land Use Designations, is hereby amended by redesignating a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from “Rural Use” to “Residential Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
4. Schedule A of Bylaw P1310, Plan Map 3 – Development Permit Areas and Development Approval Information Area map, is hereby amended by including a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 within “Development Permit Area III – Objectives for Form and Character” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.
5. 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

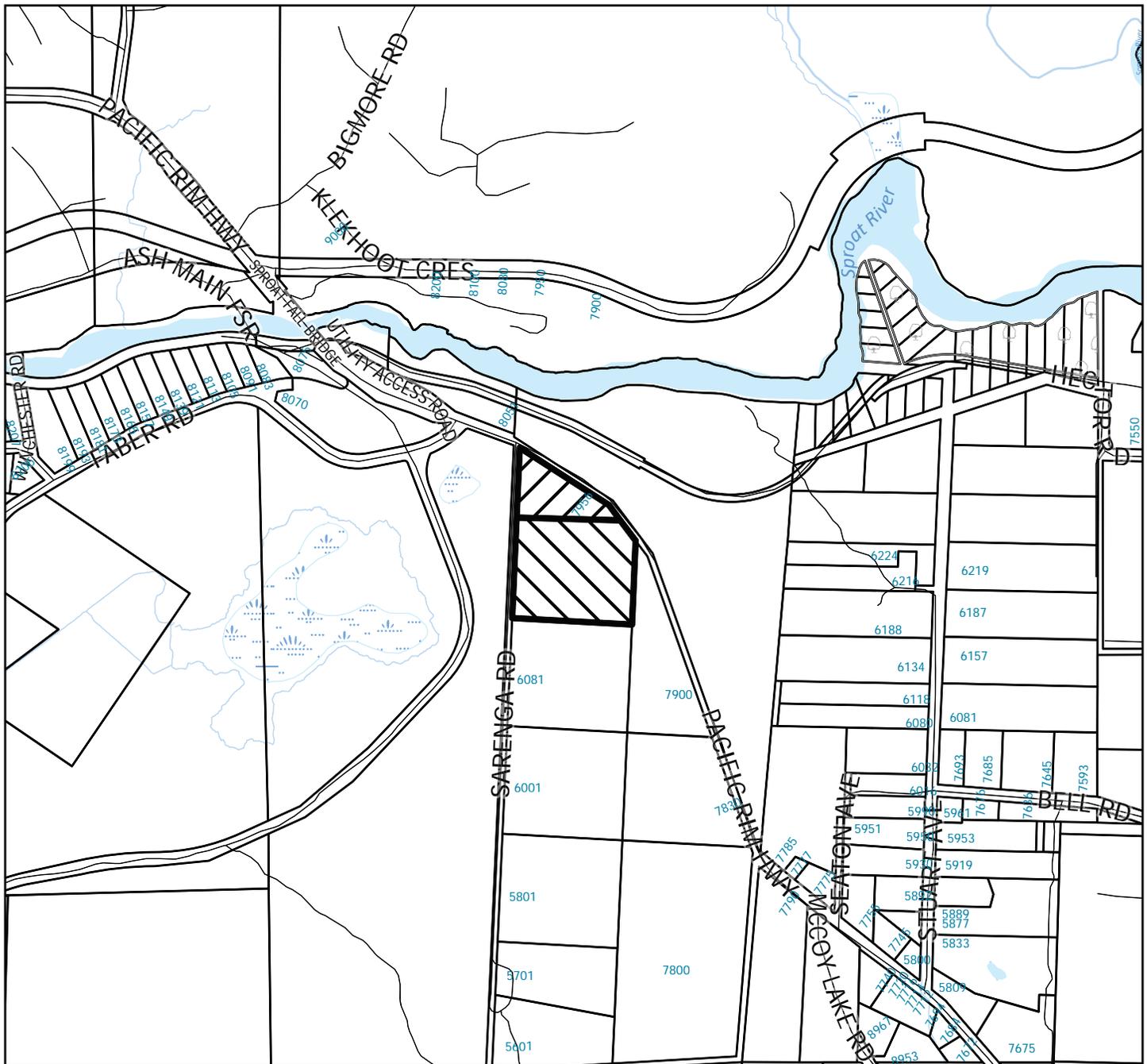
Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

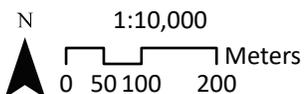
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of
Bylaw 1411



P1411 Stevens
Legal Description: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647



To be redesignated from "Rural Use" to "Residential Use"



To be redesignated from "Rural Use" to "Industrial Use" and to be included within DPA III – Objectives for Form and Character

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1412

OFFICIAL ZONING ATLAS AMENDMENT NO. 727

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. P1412.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from Rural (A2) District to Small Holdings (A1) District and 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

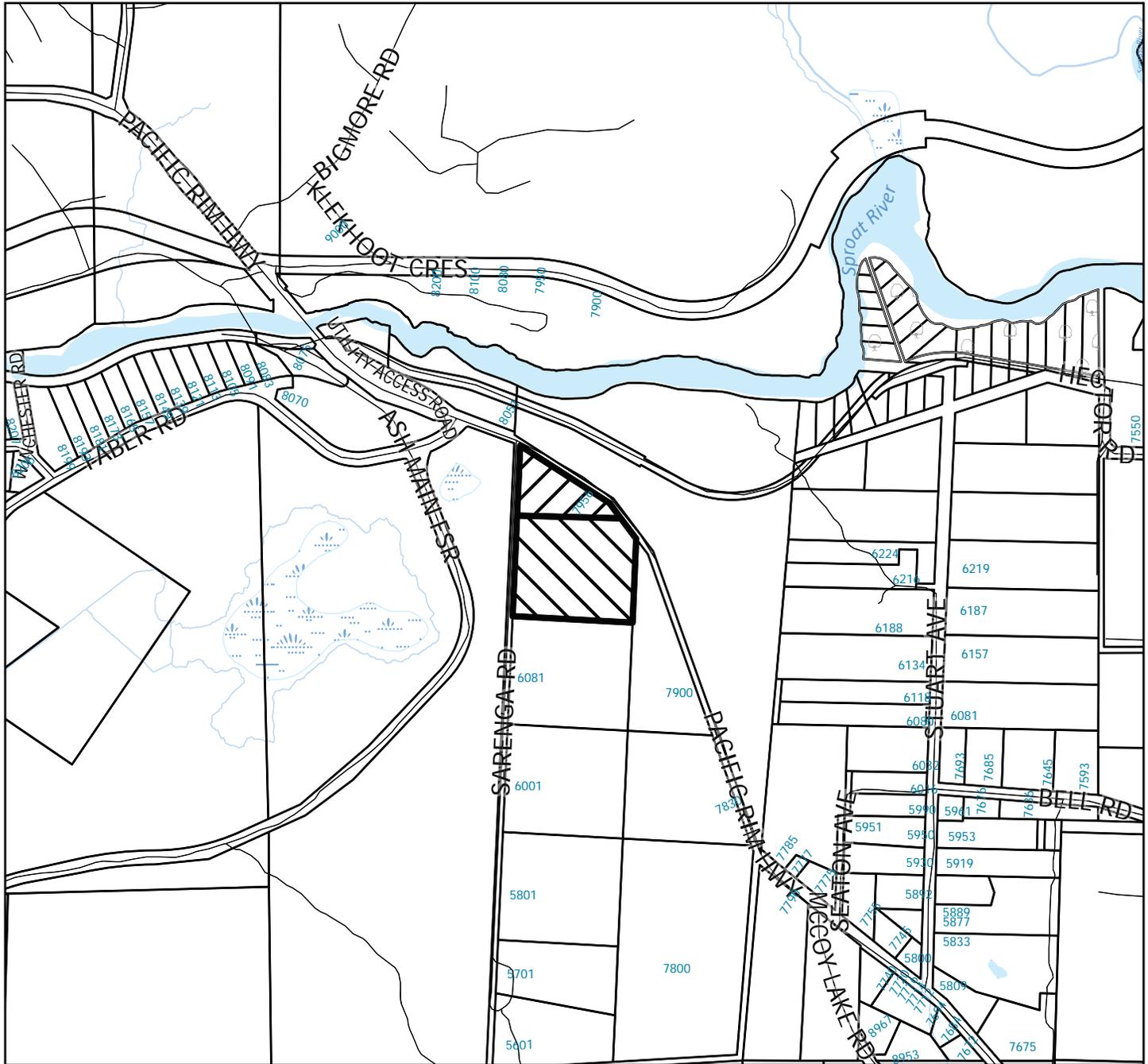
Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

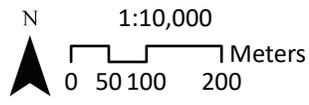
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of
Bylaw P1412



P1412 Stevens
Legal Description: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647



-  To be rezoned from Rural (A2) District to Small Holdings (A1) District
-  To be rezoned from Rural (A2) District to Light Industrial (M2) District

