



August 15, 2024

BEAVER CREEK ADVISORY PLANNING COMMISSION

A meeting has been scheduled for **Tuesday, August 20, 2024 at 7:00 pm**

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

- RE24006 – 6416 Beaver Creek Road (Smith-Stephens)

Your recommendations will be provided to the Board of Directors at the August 28, 2024 Board meeting.

If you have any questions or need additional information, please reach out to the ACRD Planning Department.

Phone: 250-720-2700

Email: planning@acrd.bc.ca



To: ACRD Board of Directors

Meeting Date: August 13th, 2024

From: Brooke Eschuk, Planner I

Voting Structure: Electoral Area Directors

Electoral Area: "E" Beaver Creek

Subject: Rezoning Application RE24006 – 6416 Beaver Creek Road (Smith – Stephens)

Recommendation:

THAT the Board of Directors consider first reading of Bylaw P1511, Regional District of Alberni – Clayoquot Zoning Amendment Bylaw at a future date, and that notice be given in accordance with section 467 of the Local Government Act.

THAT the Board of Directors confirm that adoption of Bylaw P1511 is subject to:

- a. Confirmation from a Registered On-Site Wastewater Practitioner (ROWP) that the portion of the property to be rezoned is capable of supporting on-site sewage disposal to a minimum 0.24 hectare density according to the RA3 zone.***
- b. Meeting all technical referral agency requirements.***

Note: The *Housing Statutes (Residential Development) Amendment Act* (Bill 44) was enacted in November 2023 as part of several legislative changes relating to housing. The new legislation phased out one-off, site-by-site public hearings for housing projects that are consistent with area OCPs. As this rezoning is consistent with the Residential Use policies in the Beaver Creek Official Community Plan, a public hearing will not be held. The neighbour notification and public notice advertising provides the opportunity for public input on the application process.

Development Proposal: The property owners are applying to rezone the parcel from Small Holdings (A1) District to Acreage Residential (RA3) as the first stage of creating a two-lot subdivision. Once subdivided, the applicants propose to construct a single family dwelling (SFD) on the rear lot and provide the single family dwelling fronting Beaver Creek Road as a long term rental.

Advisory Planning Commission Recommendation:

That the Beaver Creek Advisory Planning Commission review the application at their August 20th meeting and forward their recommendations to the ACRD Board.

Property Owner(s)/Applicant(s): Caden Smith – Stephens

Property Information:

Civic Address	6416 Beaver Creek Road						
Legal Description	LOT 2, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 7729						
PID	005-669-090	Folio	0737.000	ALR? (Y/N)	N	Lot Size (ha)	0.8 (1.9 ac)

PL20240052 / RE24006

Current Zoning	Small Holdings (A1) District	Proposed Zoning	Acreage Residential (RA3) District
Current OCP	Residential Use	Proposed OCP	N/A
Development Permit Area(s)	N/A		
Current Use & Description	The parcel is 600' x 132' and fronts Beaver Creek Road. It contains a single family dwelling and a small accessory building is used as a garage/workshop located adjacent to the single family dwelling. The parcel is roughly divided in half with the rear of the parcel cleared of trees and used as pasture for livestock. Surrounding properties along Beaver Creek Road are of similar size.		
Surrounding Zoning and Land Use			
North	Small Holdings (A1) District	South	Small Holdings (A1) District
	Beaver Creek Road		
East	Acreage Residential (RA2) District	West	Small Holdings (A1) District

Services:

- a) **Sewage Disposal:** Onsite Septic. The applicant has submitted a report from a Registered Onsite Wastewater Practitioner indicating the site meets the standards for sewerage system installation and Island Health's requirements for subdivision.
- b) **Water Supply:** Beaver Creek Community Water System. If the property owner proceeds with subdivision, the applicant will need to apply for new Beaver Creek Water System (BCWS) services, satisfy the requirements of Development Cost Charge Bylaw F1133-1, and satisfy any BCWS water connection requirements identified by ACRD Community Services staff.
- c) **Fire Protection:** The parcel is within the Beaver Creek Fire protection Area.
- d) **Access:** Access to the property is via Beaver Creek Rd.

Planning Policy Discussion:**a) Official Community Plan:**

The Beaver Creek OCP designates this parcel as 'Residential use'. A minimum lot size of 0.24 ha is permitted when subdividing. The objective of the Residential Use designation is to provide a range of housing options within the plan area. The proposed development would result in the addition of one residential property to the Beaver Creek housing stock.

The parcel is not impacted by a Development Permit Area.

This proposal complies with the objectives and policies of the Beaver Creek Official Community Plan.

b) Zoning:

The parcel is designated Small Holdings (A1) District. The applicants are proposing to rezone the parcel to RA3 Acreage Residential District as the first stage in a future subdivision. The applicants intend to construct a single family dwelling as permitted by the RA3 district and provide the existing SFD as a long term rental.

	Current: Small Holdings (A1) District	Proposed: Acreage Residential (RA3)
Minimum Lot Area (ha)	0.8	0.24
Minimum Lot Width (m)	50.2	29.9
Principal & Accessory Front Yard Setback (m)	7.6	14.9
Principal Side Yard Setback (m)	1.5	4.9
Principal Rear Yard Setback (m)	9.1	9.9
Accessory Side Yard Setback (m)	4.5	0.9
Accessory Rear Yard Setback (m)	4.5	0.9
Watercourse Setback (m)	30	30

This proposal does not comply with the ACRD zoning bylaw. The parcel will need to be rezoned to RA3 to accommodate the proposed subdivision.

Comments:

The applicants have submitted a subdivision application to the Ministry of Transportation and Infrastructure. Planning staff advised the applicants they must first rezone the parcel to facilitate the proposed subdivision. The applicants intend to construct a single family dwelling on the rear lot once the parcel is subdivided. They then intend to rent the existing SFD on a long term basis. The parcel is not out of character with neighbouring properties.

The parcel is long, necessitating a panhandle driveway. The applicants will need to apply for a parcel frontage waiver as a condition of subdivision.



Looking from top of driveway on Beaver Creek Road south. Proposed lot to the rear of the parcel.



Looking north from midpoint of property toward Beaver Creek Road.



Looking southeast from midpoint of property toward proposed new lot

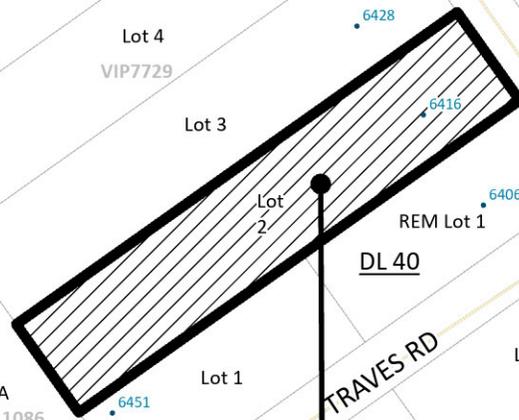
Michael Irg

Submitted by: Mike Irg, MCIP, RPP, General Manager of Planning and Development

Reviewed by: Cynthia Dick, General Manager of Administrative Services

Approved by: Daniel Sailland, Chief Administrative Officer

 Park
 Subject Property



Subject Property

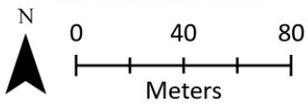


Overview Map

 Civic Address: 6416 Beaver Creek Road
Legal Description: LOT 2, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 7729

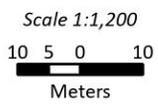


ALBERNI-CLAYOQUOT REGIONAL DISTRICT





6416 Beaver Creek Road
 LOT 2, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN
 7729



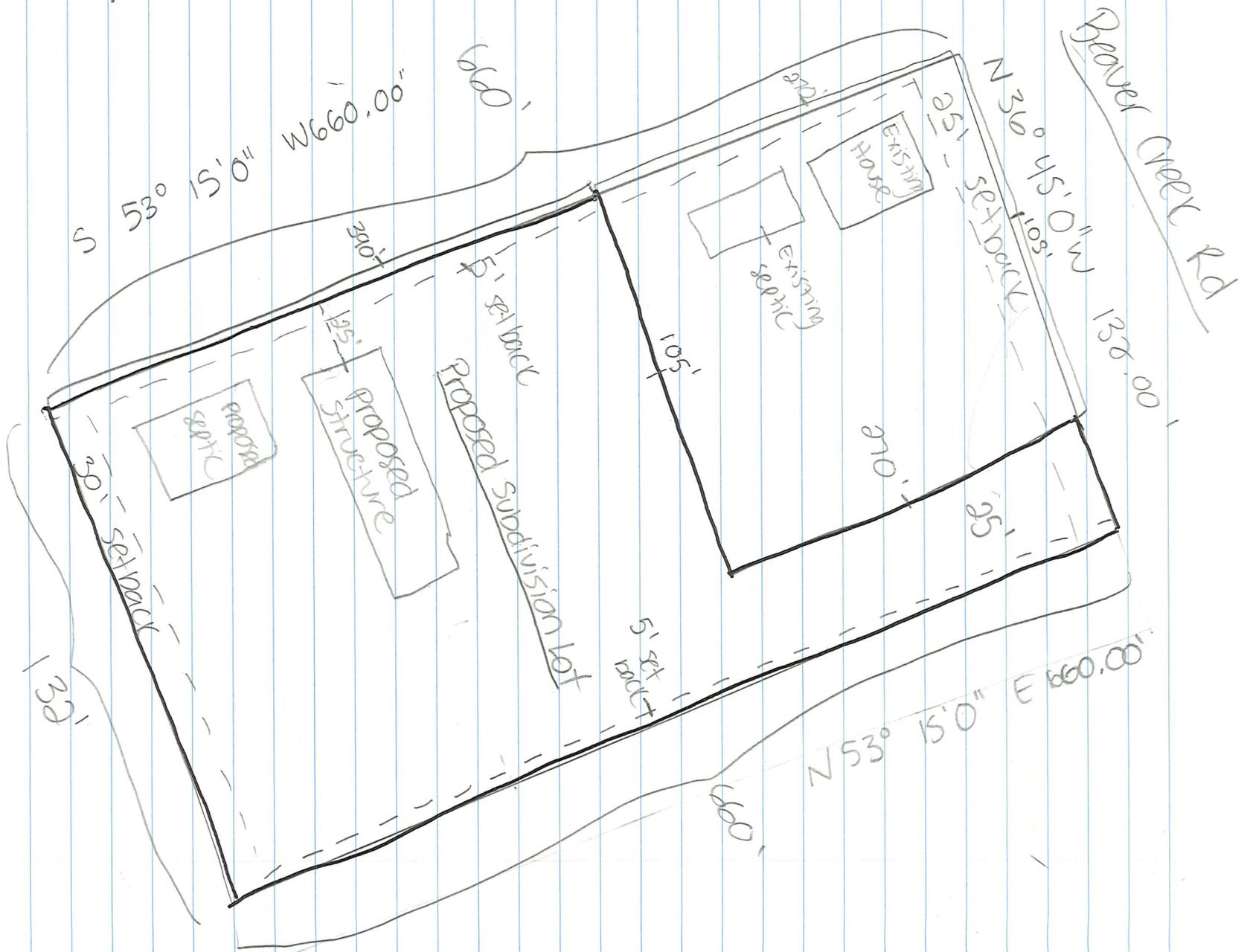
-  Subject Property
-  Parcels



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Legal Lot 2 District Lot 40, Alberni District, Plan V1P 7729





REGIONAL DISTRICT OF ALBERNI-

CLAYOQUOT BYLAW NO. P1511

**OFFICIAL ZONING ATLAS
AMENDMENT NO. 788**

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 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. P1511.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT 2, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 7729 from Small Holdings (A1) District to Acreage Residential (RA3) 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, 2024

Read a second time this day of ,

Read a third time this day of ,

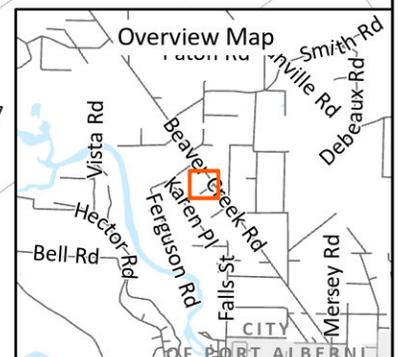
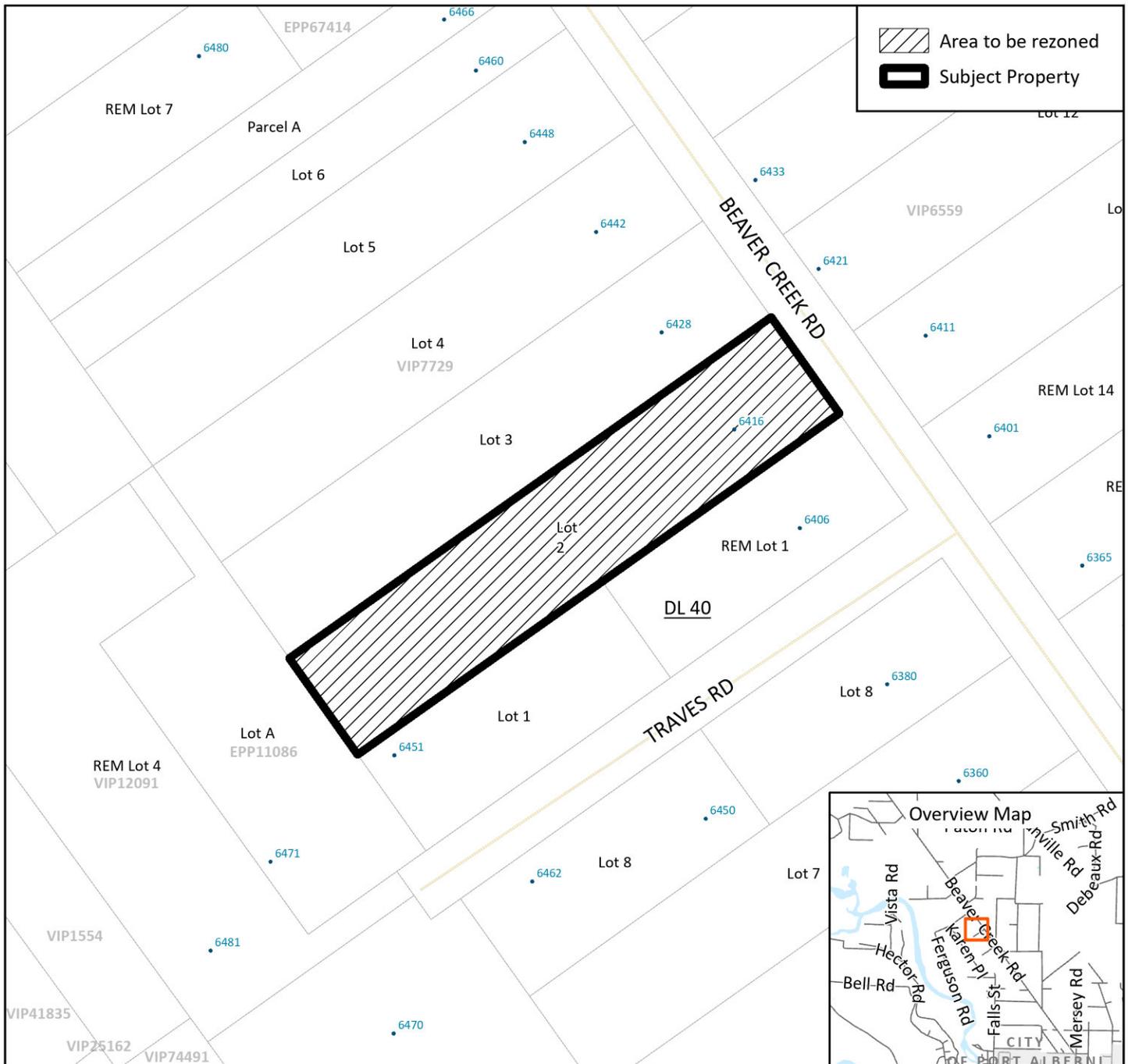
Adopted this day of ,

Corporate Officer

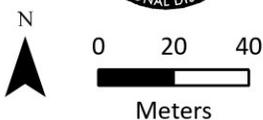
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1511, 2024



Civic Address: 6416 Beaver Creek Road
Legal Description: LOT 2, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 7729



 To be rezoned from Small Holdings (A1) District to Acreage Residential (RA3) District.