



NOTICE OF DEVELOPMENT VARIANCE PERMIT

The Alberni-Clayoquot Regional District's Board of Directors will consider issuing a Development Variance Permit at their next meeting.

MEETING DETAILS

When: Wednesday, August 28, 2024 at 1:30 pm

Where: Electronic or in-person attendance at the Alberni-Clayoquot Regional District (ACRD) office located at 3008 Fifth Avenue, Port Alberni, BC

WHAT'S THIS ABOUT?

File #: DVF24007

Property Owners/Applicants: Mark & Patricia Palmer (Agent – Dave Knudsen)

The subject property is located at 6860 Cypress Boulevard and is legally described as LOT A (DD ES36271) DISTRICT LOT 111 ALBERNI DISTRICT PLAN 1731

The property owners have applied for a development variance permit to reduce the watercourse setback from 30 m to 15 m to allow for the siting of a proposed single family dwelling.

HOW CAN I LEARN MORE?

All related information, including background documents and report, is available at the ACRD office and on the ACRD website at

<https://www.acrd.bc.ca/events/28-8-2024/>.

Planning staff can answer questions in person, through email, or by phone during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

If you would like to attend the Board of Directors Meeting, you can do so in person at the ACRD

office, or electronically on our website at <https://www.acrd.bc.ca/events/28-8-2024/>.

PROVIDE INPUT!

Providing an opportunity for public input is a top priority for the ACRD. Written correspondence can be submitted by:

- Hard copy delivered to the ACRD office in person or by mail
- Email sent to planning@acrd.bc.ca

Email submissions will only be considered received if receipt confirmation is provided by ACRD staff.

Written submissions must be received by **4:30 pm on Tuesday, August 27, 2024**

Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at www.acrd.bc.ca/delegation and submit the completed form by **12:00 pm on Thursday, August 22, 2024**. For further information or assistance with the Delegation Request Form contact us at 250-720-2700.

ASK US!

If you have questions or experience technical difficulties with website access, Planning staff are available to provide assistance during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays. We can be reached at:

Alberni-Clayoquot Regional District

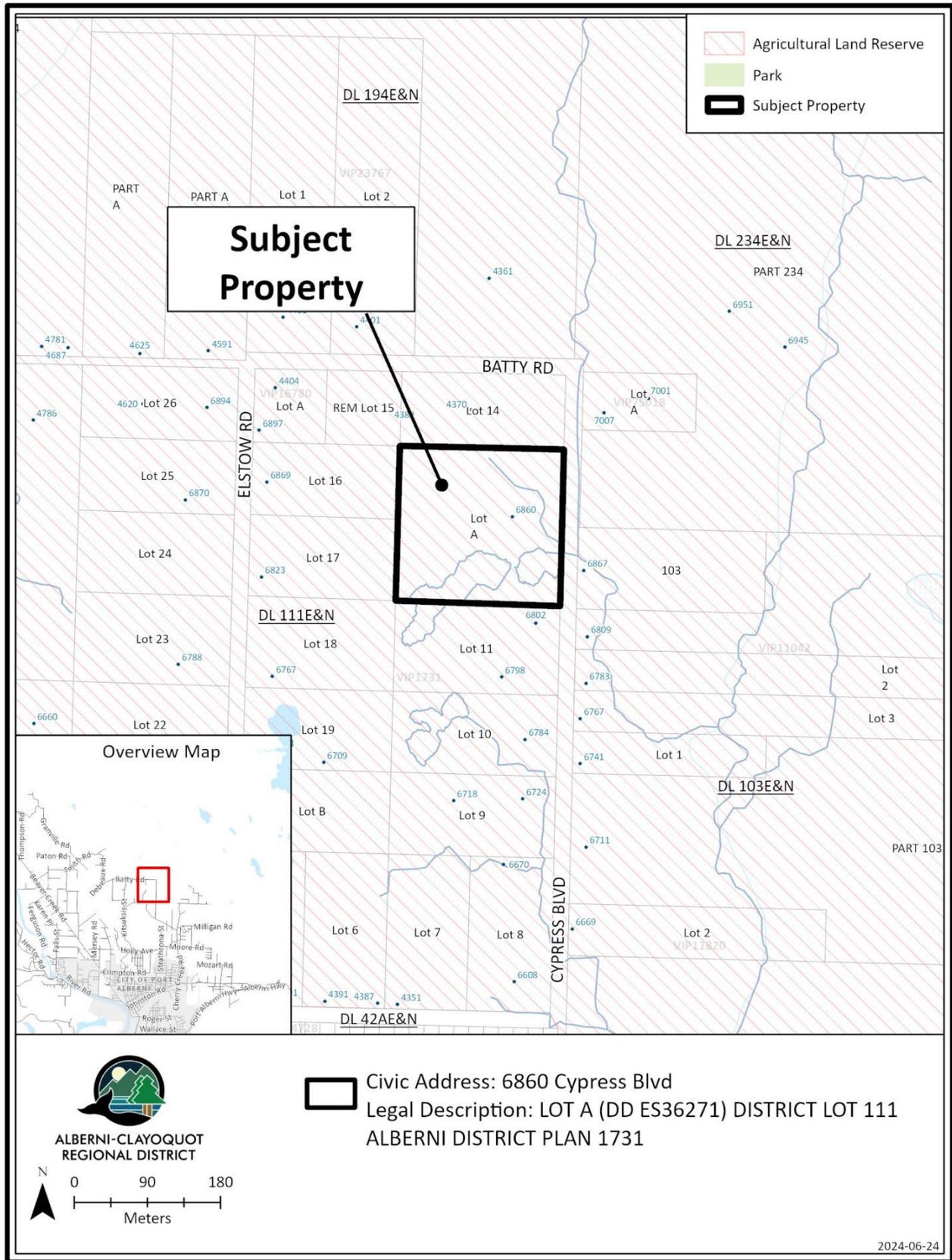
Planning Department

3008 Fifth Ave, Port Alberni, BC V9Y 2E3

Phone: 250-720-2700

Email: planning@acrd.bc.ca

SUBJECT PROPERTY MAP





To: ACRD Board of Directors

Meeting Date: July 24, 2024

From: Brooke Eschuk, Jr. Planner

File #: PL20240051 / DVF24007

Application Type: Development Variance Permit

Voting Structure: Electoral Area Directors

Electoral Area: 'F' Cherry Creek

Subject: Development Variance DVF24007 – 6860 Cypress Boulevard (Palmer)

Recommendation:

THAT the Board of Directors consider issuing Development Variance Permit DVF24007 subject to neighbouring properties being notified as per Local Government Act s. 499.

Development Variance DVF24007:

- i. Development variance of the ACRD Zoning Bylaw, Section 6.2(4)(a), to reduce the watercourse setback from 30 m (100 ft) to 15 m (50 ft) for a single family dwelling on the subject property.

Development Proposal: The applicants intend to construct a new single family dwelling (sfd) on the 3.8 ha (9.5 ac) property. They have applied for a variance to reduce the required watercourse setback from 30 m to 15 m to allow for optimal siting of the dwelling on the parcel. The proposed location does not encroach into the 15 m Development Permit Area I (DPA I) – Riparian Areas Protection. Once the new home has been constructed the original home will be demolished.

Advisory Planning Commission Recommendation: The Cherry Creek Advisory Planning Commission (APC) will review this application at their July 22, 2024 meeting and staff will provide a verbal recommendation and update at the Board meeting.

Property Owners/Applicants: Mark and Patricia Palmer (Dave Knudsen – Agent)

Property Information:

Civic Address	6860 Cypress Boulevard						
Legal Description	LOT A (DD ES36271) DISTRICT LOT 111 ALBERNI DISTRICT PLAN 1731						
PID	025-036-700	Folio	01288.100	ALR? (Y/N)	Y	Lot Size (ha)	3.8 (9.5 ac)
Current Zoning	Small Holdings (A1) District			Proposed Zoning	n/a		
Current OCP	Rural Use			Proposed OCP	n/a		
Development Permit Area(s)	DPA I – Riparian Areas Protection (minor 15 m)						
Current Use & Description	The 3.8 ha parcel contains a single family dwelling and accessory buildings. A minor watercourse runs along the east and southeast portion of the parcel. The parcel is entirely within the Agricultural Land Reserve and is mostly covered with mature trees. The new SFD will require the removal of trees to take advantage of sunlight and optimal siting on the parcel.						

PL20240051 / DVF24007

Surrounding Zoning and Land Use

North	Small Holdings (A1) District	South	Small Holdings (A1) District
East	Rural (A2) District	West	Rural (A2) District

Services:

- a) **Sewage Disposal:** Onsite Sewage disposal.
- b) **Water Supply:** Cherry Creek Community Water System.
- c) **Fire Protection:** Cherry Creek Fire Protection Area.
- d) **Access:** Cypress Boulevard.

Planning Policy Discussion:

- a) **Official Community Plan:** The Cherry Creek Official Community Plan (OCP) designates this property as 'Rural Use'. This designation aims to maintain the predominately rural character of the area. The parcel is impacted by DPA I – Riparian Areas Protection (15 m) however, the property owners do not intend to develop within the DPA.

The proposal complies with the Cherry Creek OCP.

- b) **Zoning:** The parcel is zoned Small Holdings (A1) District. The A1 District supports the development of single family dwellings as well as rural farming activities.

The siting of the proposed house is within the required 30 m watercourse setback outlined in the ACRD zoning bylaw, but outside the 15 m DPA I – Riparian Areas Protection. The current Zoning Bylaw requirements for a 30 metre setback from all watercourses does not align with the OCP guidelines for minor and major streams. Any construction within 30 metres of a watercourse requires a variance.

	Current: A1	Proposed:
Minimum Lot Area (ha)	0.8	-
Minimum Lot Width (m)	50.2	-
Principal & Accessory Front Yard Setback (m)	7.6	-
Principal Side Yard Setback (m)	1.5	-
Principal Rear Yard Setback (m)	9.1	-
Accessory Side Yard Setback (m)	4.5	-
Accessory Rear Yard Setback (m)	4.5	-
Watercourse Setback (m)	30	15

This proposal is not in compliance with the ACRD Zoning Bylaw. A development variance permit is required to reduce the watercourse setback from 30 m to 15 m to allow for the siting of a proposed single family dwelling.

Comments:

The proposed dwelling will be sited outside the 15 m DPA I – Riparian Areas Protection, as designated in the Cherry Creek OCP, but within in the 30 m watercourse setback set out in the ACRD zoning bylaw.

Planning staff feel the variance is reasonable given the existing watercourses dissecting the property and the applicant's preferred siting of the house. The location of the dwelling would align with the DPA I requirements for the protection of riparian areas along minor watercourses. Staff recommends that the Board consider issuing the variance following the neighbour notification process.

Submitted by: *Alex Dyer*
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: *Cynthia Dick*
Cynthia Dick, General Manager of Administrative Services

Approved by: *Daniel Sailland*
Daniel Sailland, MBA, Chief Administrative Officer

Site Photos

Taken May 28, 2024



Looking west, the proposed SFD will be sited here. Existing SFD is to the right of the mature cedar trees.



Looking northeast at proposed site of SFD. Existing SFD is to the rear of the stand of trees. Driveway to Cypress Boulevard extends to the right of the photo.



Looking northeast at proposed site of SFD (beyond garden). Existing SFD is visible in the rear.



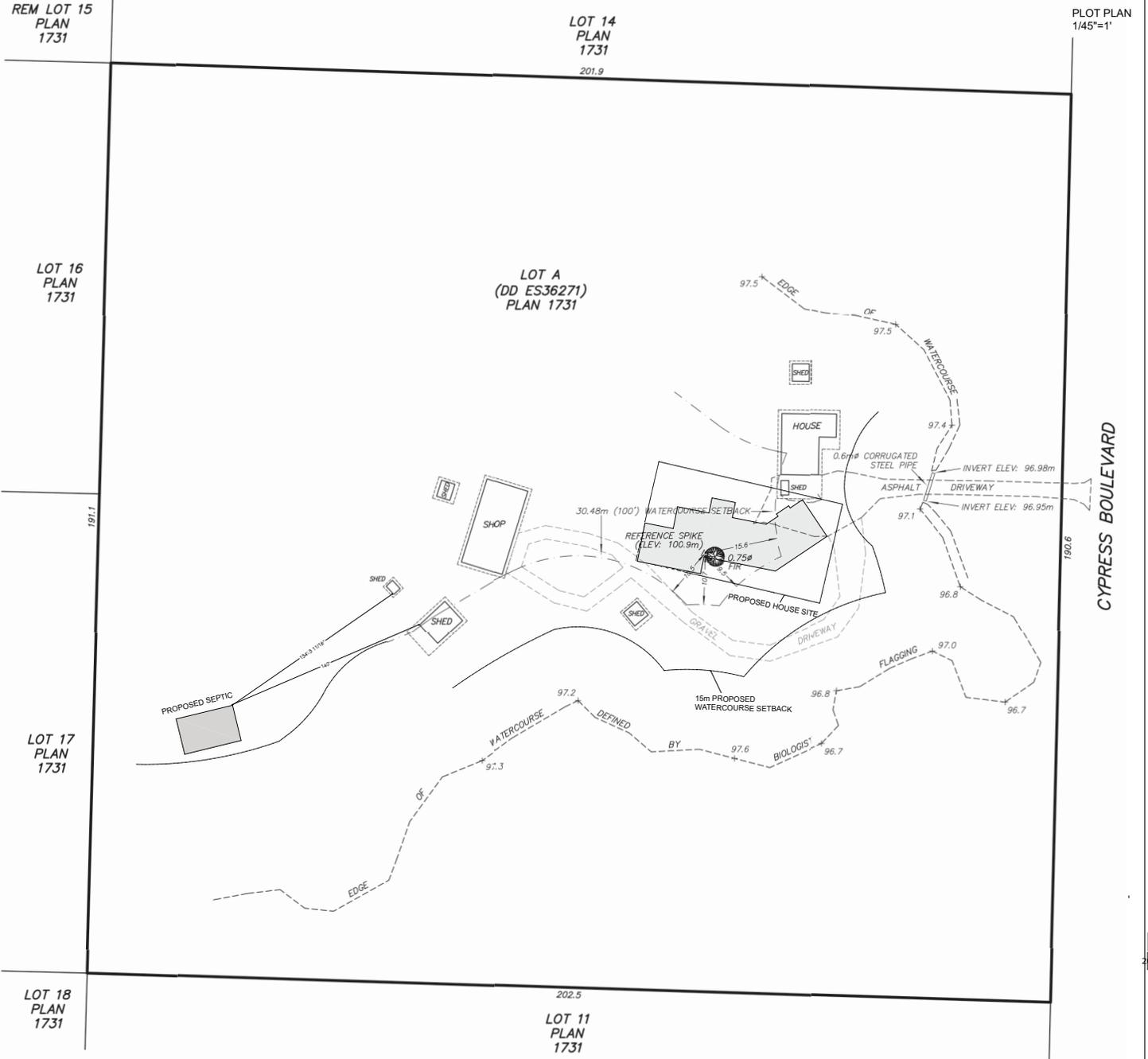
Looking Southeast at minor watercourse (DPA I – Areas Protection).

NOTES:

THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES.
 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF AND ARE DERIVED FROM PLANS 1731 AND EPP112393.
 ELEVATIONS ARE GEODETIC IN METRES, REFERENCED TO CGVD28 DATUM, DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS POST-PROCESSED USING NATURAL RESOURCE CANADA'S PRECISE POINT POSITIONING (PPP) SERVICE.
 JURISDICTION: JURISDICTION:
 PARCEL ZONING: SMALL HOLDINGS DISTRICT (A 1)
 PID NO: 025-036-700
 THIS LOT IS SUBJECT TO LTO CHARGE NUMBER: M76300.
 CIVIC ADDRESS: 6860 CYPRESS BOULEVARD, PORT ALBERNI, BC

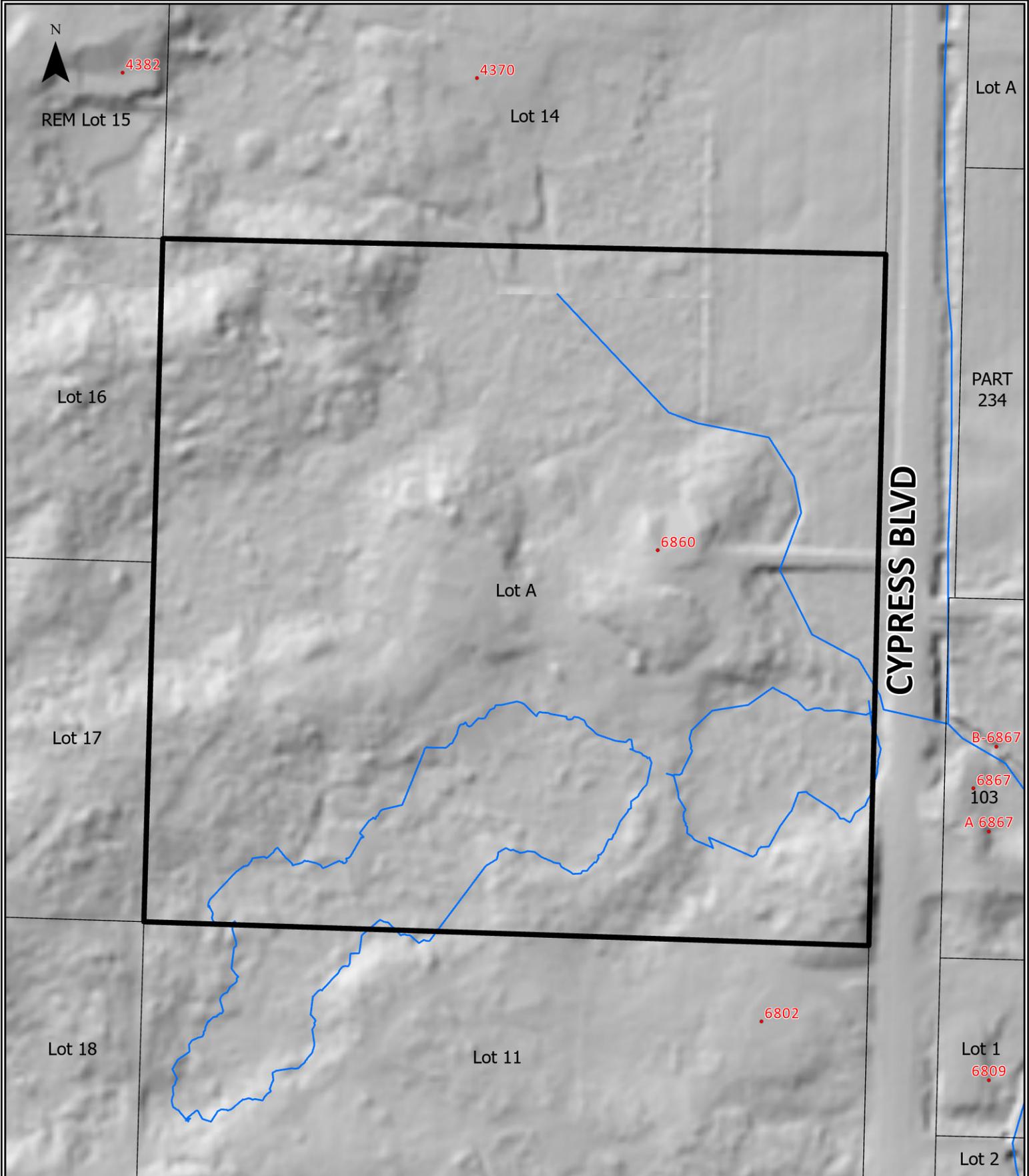
LEGEND:

- DENOTES ROOF OVERHANG
- + 00.0 DENOTES SPOT ELEVATION
- 0.75φ DENOTES TREE DIAMETER (IN METRES) AND SPECIES

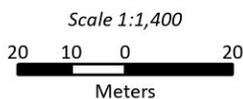


**KNUDSEN
 HOMES & DESIGN**
 6860 CYPRESS BLVD

NO.	DESCRIPTION	BY	DATE
VERSION 1.2			
PROJECT LOCATION: 6860 CYPRESS BLVD WEST COAST RANCHER - PALMS		SHEET TITLE: PLOT PLAN - VARIANCE APPLICATION	
DRAWINGS PROVIDED BY: KNUDSEN HOMES & DESIGN			
DATE:	2024-05-22		
SCALE:			
SHEET:			
A-1			



6860 Cypress Blvd
 LOT A (DD ES36271) DISTRICT LOT 111 ALBERNI
 DISTRICT PLAN 1731

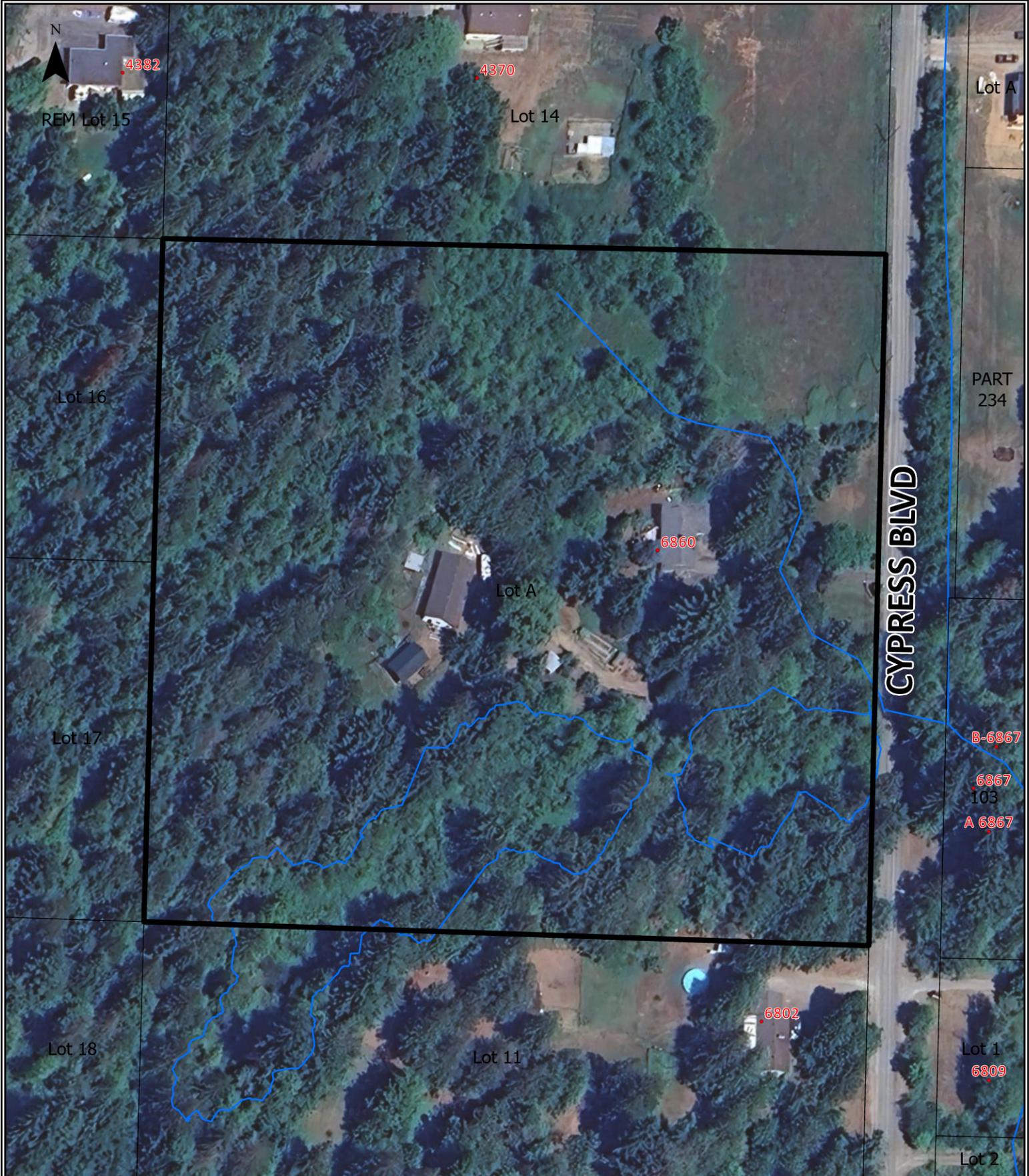


-  Subject Property
-  AV Stream Atlas
-  Parcels

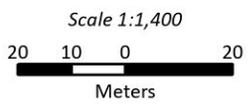


Prepared 2024-06-24
 Sources: ParcelMapBC; GeoBC;
 ACRD

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6860 Cypress Blvd
 LOT A (DD ES36271) DISTRICT LOT 111 ALBERNI
 DISTRICT PLAN 1731



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Prepared 2024-06-24
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