



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 #: DVF24009

Property Owners/Applicants: Dwight & Candace Dockendorff (Agent – Cory Kozlowski)

The subject property is located at 6635 Cypress Boulevard and is legally described as LOT 103, ALBERNI DISTRICT, EXCEPT THE NORTH 26 CHAINS 25 LINKS AND EXCEPT THOSE PARTS DESCRIBED AS (1) THE WEST 50 LINKS AND (2) THAT PART OF THE SOUTH 50 LINKS LYING WEST OF THE EXTENSION NORTHERLY OF THE EAST BOUNDARY OF ARLINGTON STREET SHOWN ON [PLAN 1768](#)

The property owners have applied for a development variance permit to reduce the watercourse setback from 30 m to 25 m to allow for the siting of a proposed accessory building to be used as a pool shed.

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

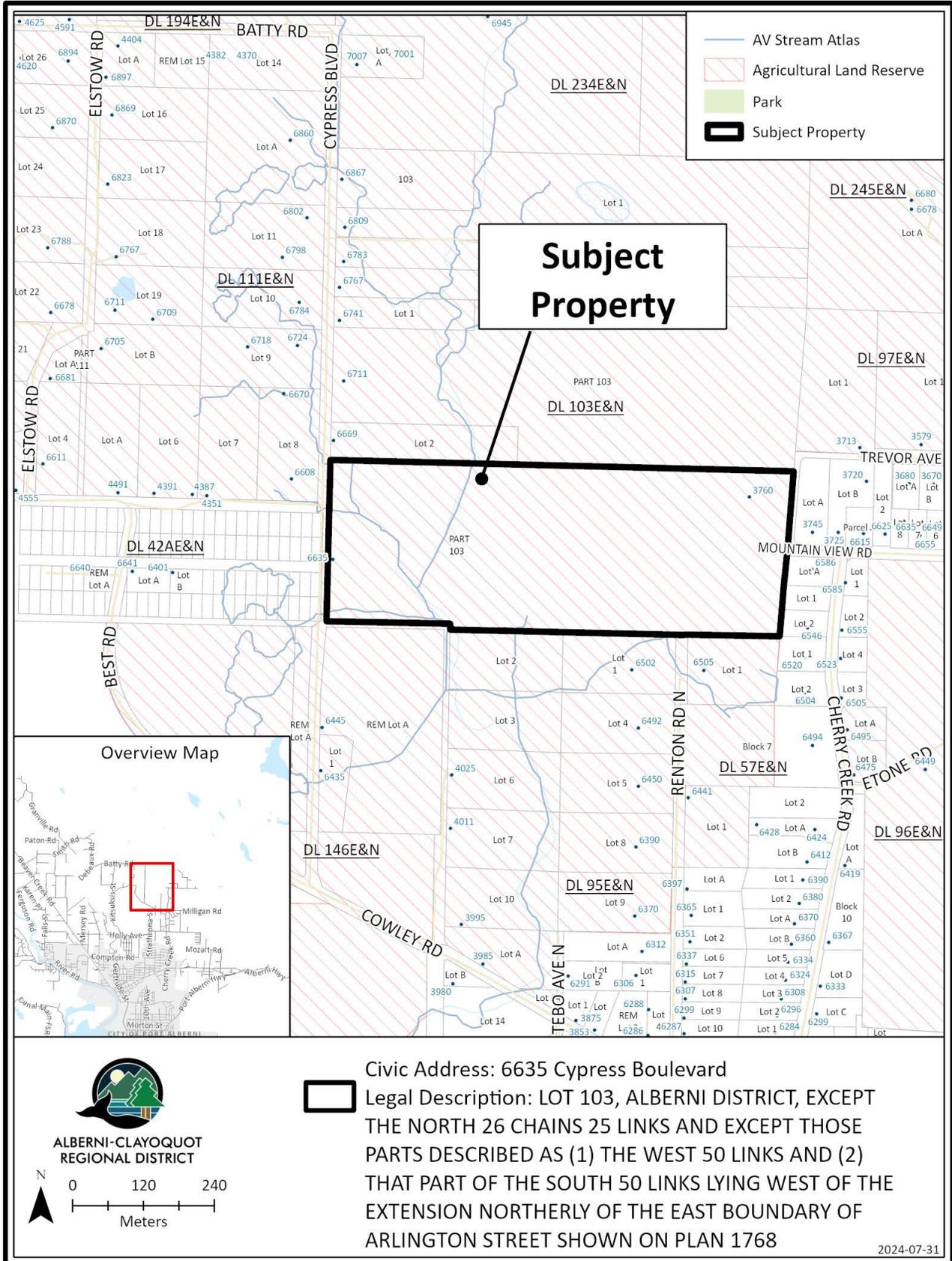
Planning Department

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: Charity Hallberg Dodds, Planning Technician

File #: PL20240064 / DVF24009

Application Type: Development Variance Permit

Voting Structure: Electoral Area Directors

Electoral Area: 'F' Cherry Creek

Subject: Development Variance DVF24009 – 6635 Cypress Boulevard (Dockendorff)

Recommendation:

THAT the Board of Directors consider issuing Development Variance Permit DVF24009 subject to neighbouring properties being notified as per Local Government Act s. 499.

Development Variance DVF24009:

- i. Development variance of the ACRD Zoning Bylaw, Section 6.2(4)(a), to reduce the watercourse setback from 30 m (100 ft) to 25 m (82 ft) to allow for construction of an accessory building to be used as a pool shed.

Development Proposal: The applicants intend to construct an accessory building to be used as a pool shed. The proposed shed is sited within 30 m of the present natural boundary of a watercourse but outside the 15 m Development Permit Area I (DPA I) – Riparian Areas Protection as identified in the Cherry Creek Official Community Plan (OCP).

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

Property Owners/Applicants: Dwight and Candace Dockendorff (Cory Kozlowski – Agent)

Property Information:

Civic Address	6635 Cypress Boulevard						
Legal Description	LOT 103, ALBERNI DISTRICT, EXCEPT THE NORTH 26 CHAINS 25 LINKS AND EXCEPT THOSE PARTS DESCRIBED AS (1) THE WEST 50 LINKS AND (2) THAT PART OF THE SOUTH 50 LINKS LYING WEST OF THE EXTENSION NORTHERLY OF THE EAST BOUNDARY OF ARLINGTON STREET SHOWN ON PLAN 1768						
PID	001-169-467	Folio	01224.000	ALR? (Y/N)	Y	Lot Size (ha)	21.6 (53.4 ac)
Current Zoning	Rural (A2) District			Proposed Zoning	n/a		
Current OCP	Agricultural Use			Proposed OCP	n/a		
Development Permit Area(s)	DPA I – Riparian Areas Protection (minor 15 m)						
Current Use & Description	The parcel is relatively level and partly cleared with remaining forested areas. Improvements include a single family dwelling accessed from Cypress						

PL20240064 / DVF24009

Boulevard on the west side of the property and a mobile home and large accessory shop structure accessed from Mountain View Road on the east side of the property. A watercourse runs north/south in the western portion.

Surrounding Zoning and Land Use			
North	Rural (A2) District	South	Rural (A2) District
East	Acreage Residential (RA3) District / Small Holdings (A1) District	West	Forest Rural (A3) District / Small Holdings (A1) 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 and Mountain View Road.

Planning Policy Discussion:

- a) **Official Community Plan:** The Cherry Creek Official Community Plan (OCP) designates this property as ‘Agricultural Use’. This designation aims to maintain and support agricultural use and food production, promote diversification of products, protect groundwater, and facilitate activities identified in the AV Agricultural Plan. The parcel is impacted by DPA I – Riparian Protection Areas (15 m) however, the property owners do not intend to develop within the DPA.

This proposal complies with the Cherry Creek OCP.

- b) **Zoning:** The parcel is zoned Rural (A2) District. The A2 district supports the conservation of agricultural and non-urban land in large parcels.

The siting of the proposed accessory building is within the required 30 m setback outlined in the ACRD zoning bylaw, but outside the 15 m DPA I – Riparian Protection Areas. 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: A2	Proposed:
Minimum Lot Area (ha)	2	-
Minimum Lot Width (m)	100.5	-
Principal & Accessory Front Yard Setback (m)	15.2	-
Principal Side Yard Setback (m)	4.5	-
Principal Rear Yard Setback (m)	9.1	-
Accessory Side Yard Setback (m)	4.57	-
Accessory Rear Yard Setback (m)	4.57	-
Watercourse Setback (m)	30	25

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 25 m to allow for the siting of a proposed accessory building to be used as a pool shed.

Comments:

The applicants have submitted a building permit application for a pool. As part of the project, they intend to build an accessory building to be used as a pool shed. The proposed accessory building 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.

The reduction in the watercourse setback from 30 m to 25 m represents a relatively minor variance and aligns 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 July 17, 2024



Excavation and site prep area for pool and accessory pool shed structure.



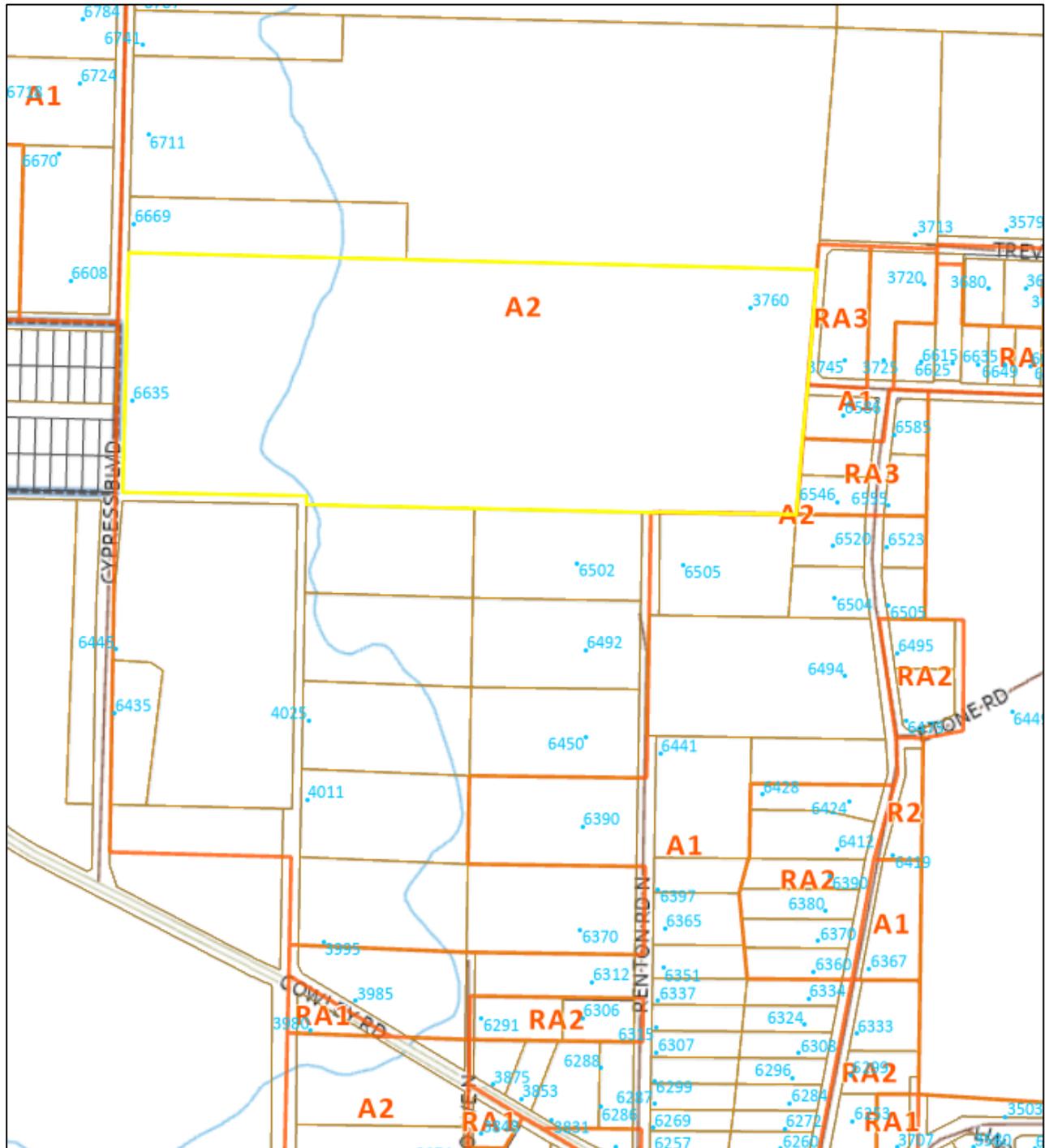
Site prep area for accessory pool shed location at its nearest point to the watercourse.

**6635 CYPRESS BOULEVARD
Satellite Image Map**

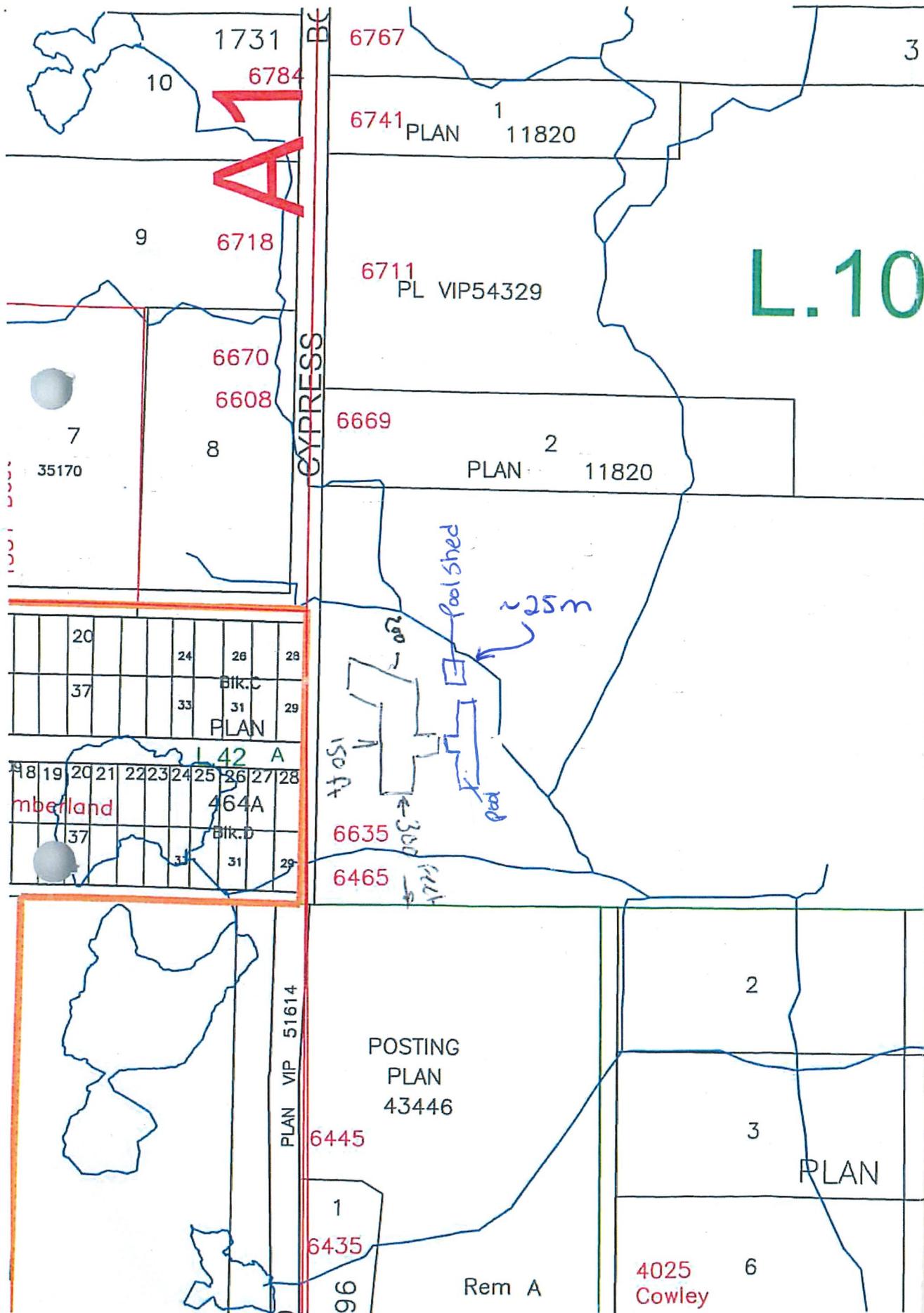


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6635 CYPRESS BOULEVARD Subject Property Map



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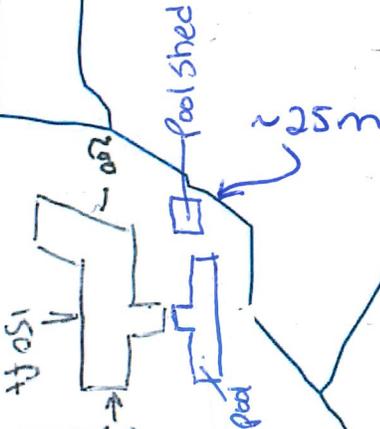
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CYPRESS

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