



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

NOTICE OF DEVELOPMENT

The Alberni-Clayoquot Regional District (ACRD) Board of Directors will consider first reading of **Bylaw P1493, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw** at their regular meeting as scheduled below:

MEETING DETAILS

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

Where: ACRD office at 3008 Fifth Avenue, Port Alberni, BC. Electronic, call-in, or in-person attendance options are available.

WHAT'S THIS ABOUT?

Property Owners/Applicants: Melissa Tardif, Joseph Tardif & Marlene Tardif

Subject Property: 6467 Walker Road

Legal Description: LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT, PLAN 15614

Bylaw P1493 will rezone the 0.93 hectare (2.3 acre) property from Small Holdings (A1) District to Acreage Residential (RA3) District to facilitate a three-lot bare-land strata subdivision.

HOW CAN I LEARN MORE?

Copies of Bylaw P1493 and all related correspondence are available at the ACRD office and linked as supplementary information 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.

PROVIDE YOUR INPUT!

Providing an opportunity for public input is a top priority for the ACRD.

A public hearing is not held for Bylaw P1493 as the rezoning is consistent with the Beaver Creek Official Community Plan.

If you would like to provide your input on this bylaw, please submit your comments to the ACRD 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**. Submissions provided after this time will not be considered by the Board before first reading of the bylaw.

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



To: ACRD Board of Directors

Meeting Date: July 24, 2024

From: Brooke Eschuk, Planner I

File #: PL2024006 / RE24001

Application Type: Rezoning Application

Voting Structure: Electoral Area Directors

Electoral Area: "E" Beaver Creek

Subject: Rezoning Application RE24001 – 6467 Walker Road (Tardif)

Recommendation:

THAT the Board of Directors consider first reading of Bylaw P1493, 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 P1493 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.***
- 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 Official Community Plans (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 applicants wish to rezone the 0.93 ha (2.3 ac) parcel from Small Holdings (A1) District to Acreage Residential (RA3) District as the first step in creating a three-lot bare-land strata subdivision. Proposed Strata Lot A (SL A) is 0.22 ha; SL B is 0.12 ha and SL C is 0.29 ha. SL B and C would each hold one single family dwelling and a series of accessory buildings used as sheds and for farm purposes. SL A is currently vacant. The applicants will utilize strata lot averaging of the common property to ensure the lots meet the required minimum lot size of 0.24 ha for the Acreage Residential (RA3) District zone. The bare land strata development would incorporate a communal wastewater disposal system.

Advisory Planning Commission Recommendation: The Beaver Creek Advisory Planning Commission (APC) reviewed this application on July 16, 2024 and the APC passed a motion to support the application as presented.

Property Owner(s)/Applicant(s): Melissa Tardif; Joseph Tardif; Marlene Tardif

PL20240006 / RE24001

Property Information:

Civic Address	6467 Walker Road						
Legal Description	LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT, PLAN 15614						
PID	004-523-245	Folio	659.000	ALR? (Y/N)	N	Lot Size (ha)	0.93
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	<p>The parcel contains two single family dwellings, both occupied by the applicant's family members on the west side of the parcel accessed by Walker Road. The parcel is level and has been mostly cleared of trees. There are no development permit areas (DPAs) located on the property, however there is a large parcel of Agricultural Land Reserve (ALR) land located to the east of the property. A 10 metre road right-of-way separates the two parcels.</p> <p>In addition to containing two single family homes and a series of outbuildings, the parcel is used for agricultural purposes. The parcel contains a series of accessory buildings including barns and sheds to care for animals.</p>						

Surrounding Zoning and Land Use				
North	Small Holdings (A1) District		South	Small Holdings (A1) District
East	Rural (A2) District / ALR		West	Small Holdings (A1) District

Services:

- a) **Sewage Disposal:** On-site 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. The current system is 15 years old, meets all Island Health requirements and is performing as intended according to Island Health regulations.
- b) **Water Supply:** Beaver Creek Community Water System. Beaver Creek Community Water. 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 Walker Road. The applicant must provide comment from Beaver Creek Volunteer Fire Department indicating access to each of the three proposed lots is sufficient at the subdivision stage.

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

The Beaver Creek OCP designates this parcel as 'Residential Use'. A minimum lot size of 0.24 hectare is permitted when subdividing a lot connected to community water services. The objective of the Residential Use designation is to provide a range of housing options within the plan area.

The parcel is not impacted by the ALR and is separated from the ALR to the east by a 10 metre wide road right of way. Conflicts with agricultural lands, operations, and uses may occur when development occurs adjacent to ALR land. Policy 3.2.3 of the Beaver Creek OCP supports the establishment of a vegetated

buffer between agricultural land and non-agricultural development to help mitigate these issues. Agricultural edge planning should be considered at subdivision for the new residential parcels that border the ALR land.

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

b) Zoning:

The parcel is zoned Small Holdings (A1) District. The applicants are proposing to rezone the parcel to RA3 District as the first stage in a future subdivision. The applicants propose to utilize lot averaging of the common property as part of a bare land strata subdivision to ensure the lots meet the required minimum size of 0.24 ha for the Acreage Residential (RA3) District zone.

	Current: Small Holdings (A1) District	Proposed: Acreage Residential (RA3) District
Minimum Lot Area (ha)	0.8	0.24
Minimum Lot Width (m)	50.2	30
Principal & Accessory Front Yard Setback (m)	7.6	12.1
Principal Side Yard Setback (m)	1.5	4.5
Principal Rear Yard Setback (m)	9.1	9.1
Accessory Side Yard Setback (m)	4.5	0.9
Accessory Rear Yard Setback (m)	4.5	0.9
Watercourse Setback (m)	30	30

Proposed Lot A would be accessed by a 6m wide panhandle along the southern property line. The applicants intend to register an encroachment agreement on title to allow the building located on the property directly to the south to encroach onto the shared access panhandle by 0.1 m and overhang the panhandle by 0.5 m. An additional encroachment agreement must be registered to allow Lot B to have an overhang of the panhandle of 0.4 m.

The existing dwellings on proposed Lots B and C were built to the A1 setback requirements. The property owner will require a development variance to recognize the siting of the existing buildings from new lot lines according to the setbacks in the RA3 zone. A parcel frontage waiver will also be required to account for the limited direct access to proposed Lot A. The variances would be considered at the subdivision stage.

This proposal does not comply with the ACRD zoning bylaw. The property owners have applied to rezone to RA3 District in order to facilitate the proposed three-lot subdivision.

Comments:

The rezoning will facilitate a three-lot bare land strata subdivision for the applicant's family members. The proposed lots are smaller than the required 0.24 ha minimum parcel size for the RA3 zone, however the applicants are proposing to use lot averaging utilizing common property within the bare land strata development to accommodate the lot sizes. The subdivision will allow the entire immediate family to occupy the property.

Proposed Lot A is accessed by a 6.1 meter wide panhandle along the southern boundary of the property.

An easement must be registered to allow the building located on the property to the south to encroach the panhandle by 0.1 m and overhang the panhandle by 0.5 m. An additional easement would be registered to allow the accessory building on proposed Lot B to have an overhang of the panhandle by 0.4 m. If the rezoning is successful, and the applicant applies to subdivide the parcel, development variances for the siting of existing buildings and a frontage waiver will be required, and the easements would be registered, at the subdivision stage.

Planning staff are initially supportive of the proposed development to allow in-fill housing in a serviced area where the Beaver Creek OCP supports a 0.24 ha minimum lot size. Staff recommend that the Board proceed with the public notice process for Bylaw P1493 to gather public input on the rezoning application.

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

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

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



Looking east at proposed SL B towards existing single family house (constructed in the 1950s).



Looking west at proposed SL C and panhandle common property access.



Looking east at proposed SL C and existing septic field. Common property access and proposed Lot A beyond accessory buildings.



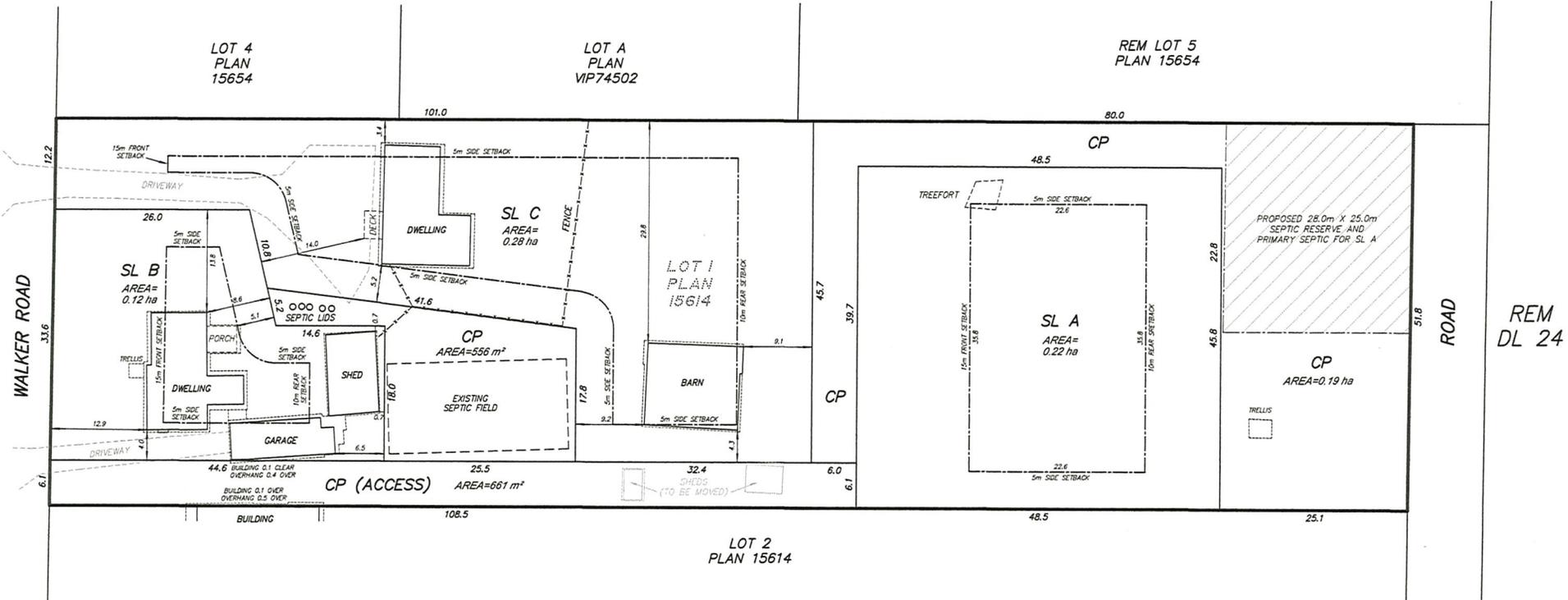
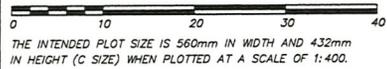
Looking east at proposed SL A 33 m road right of way and ALR beyond tree line.



Looking north at proposed SL A.

PROPOSED BARE LAND STRATA PLAN OF LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT, PLAN 15614.

SCALE 1:400



SL B - RA3 ZONING VARIANCE TABLE

BUILDING	ZONING SETBACK	BUILDING OFFSET	VARIANCE NEEDED
DWELLING	SIDE 5.0m	4.0m	1.0m
DWELLING	SIDE 5.0m	13.8m	-
DWELLING	SIDE 5.0m	5.1m	-
DWELLING	FRONT 15.0m	12.9m	2.1m
GARAGE	SIDE 5.0m	0.1m	4.9m
GARAGE	REAR 10.0m	6.5m	3.5m
SHED	SIDE 5.0m	0.7m	4.3m
SHED	REAR 10.0m	0.7m	9.3m

SL B - RA2 ZONING VARIANCE TABLE

BUILDING	ZONING SETBACK	BUILDING OFFSET	VARIANCE NEEDED
DWELLING	SIDE 4.6m	4.0m	0.6m
DWELLING	SIDE 4.6m	13.8m	-
DWELLING	SIDE 4.6m	5.1m	-
DWELLING	FRONT 12.2m	12.9m	-
GARAGE	SIDE 4.6m	0.1m	4.5m
GARAGE	REAR 9.1m	6.5m	2.6m
SHED	SIDE 4.6m	0.7m	3.9m
SHED	REAR 9.1m	0.7m	8.4m

SL C - RA3 ZONING VARIANCE TABLE

BUILDING	ZONING SETBACK	BUILDING OFFSET	VARIANCE NEEDED
DWELLING	SIDE 5.0m	3.4m	1.6m
DWELLING	SIDE 5.0m	5.2m	-
BARN	ACCESSORY 9.1m	9.2m	-
BARN	ACCESSORY 9.1m	4.3m	4.8m
BARN	ACCESSORY 9.1m	9.1m	-

SL C - RA2 ZONING VARIANCE TABLE

BUILDING	ZONING SETBACK	BUILDING OFFSET	VARIANCE NEEDED
DWELLING	SIDE 4.6m	3.4m	1.2m
DWELLING	SIDE 4.6m	5.2m	-
BARN	ACCESSORY 9.1m	9.2m	-
BARN	ACCESSORY 9.1m	4.3m	4.8m
BARN	ACCESSORY 9.1m	9.1m	-

NOTES:

THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH PROPERTY BOUNDARIES. ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE INDICATED AND ARE DERIVED FROM FIELD OBSERVATIONS AND LTO RECORDS. JURISDICTION: ALBERNI-CLOYQUOT REGIONAL DISTRICT
 PROPOSED PARCEL ZONING: ACREAGE RESIDENTIAL DISTRICT (RA 3)
 PID NO: 004-523-245
 THIS LOT IS SUBJECT TO LTO CHARGE NUMBER: M76300
 CIVIC ADDRESS: 6467 WALKER ROAD, PORT ALBERNI, BC

LEGEND

DL DENOTES DISTRICT LOT
 REM DENOTES REMAINDER
 ha DENOTES HECTARES
 SL DENOTES STRATA LOT
 CP DENOTES COMMON PROPERTY
 ----- DENOTES ROOF OVERHANG
 - - - - - DENOTES BUILDING SETBACK FROM RA3 ZONING

No.	DATE	REVISION
1	2023/12/21	INITIAL CONFIGURATION FOR DISCUSSION
2	2023/01/10	REVISED PROPOSED LAYOUT ADDED BUILDING OFFSETS AND SETBACKS
3	2023/01/15	ADDED BUILDING SETBACKS AND VARIANCE TABLES FOR LOTS B AND C

PRISM
 LAND SURVEYING LTD.
 223 FERN ROAD W,
 QUALICUM BEACH, B.C. V9K 1S4
 PHONE: 250-752-9121
 FAX: 250-752-9241
 FILE NUMBER: 23-177-S
 DRAWING NUMBER: 23-177 P3.DWG
 DATE: 2024/01/18

5925 VIP15359

5905

DL 25

5803

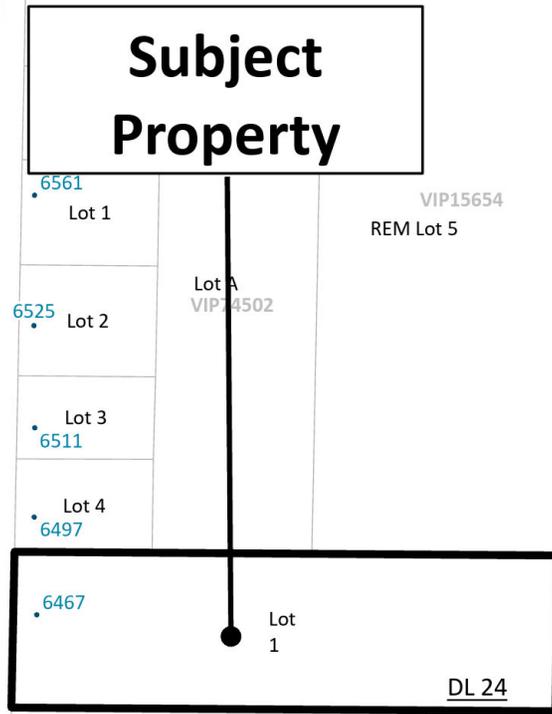
 Agricultural Land Reserve

 Subject_Property

KELLOW RD

WALKER RD

Subject Property



6594 Lot 2

6574 Lot B

VIP46582

Lot A

VIP14790

6550 Lot 3

VIP17938

6524 Lot B

Lot 1 6494

Lot 2 6470

DL 108E&N

Parcel A 6456

REM Lot 3 6440

Lot 4 6426

Lot 5 6412

Lot 6 6398

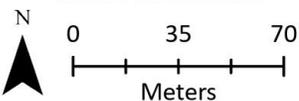
Lot 16 6362

VIP1439

Lot 9 6336



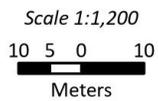
ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



Address: 6467 Walker Road
Legal Description: LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT,
PLAN 15614



6467 Walker Road
 LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT, PLAN
 15614



- Subject Property
- Agricultural Land Reserve
- Parcels



Prepared 2024-04-02
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 ParcelMapBC; GeoBC; ACRD

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 only and should not be used for navigation or legal
 purposes.*



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1493

OFFICIAL ZONING ATLAS AMENDMENT NO. 778

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. P1493.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT 1, DISTRICT LOT 24, ALBERNI DISTRICT, PLAN 15614 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 ,

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

