



## 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, June 12, 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 #:** DVA24002

**Property Owners/Applicants:** Greg and Nicole Poznikoff

**The subject property** is located at Lot 67, Haggard Cove and is legally described as STRATA LOT 67 DISTRICT LOT 1630 CLAYOQUOT DISTRICT STRATA PLAN VIS1238 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V

**The property owners have applied for a development variance permit to reduce the front yard setback from 7.6 m (25 ft) to 5.8 m (19 ft) to allow for the construction of a single family vacation home.**

### 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/12-06-2024/> 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/12-06-2024/>

### 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](mailto: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, June 11, 2024.**

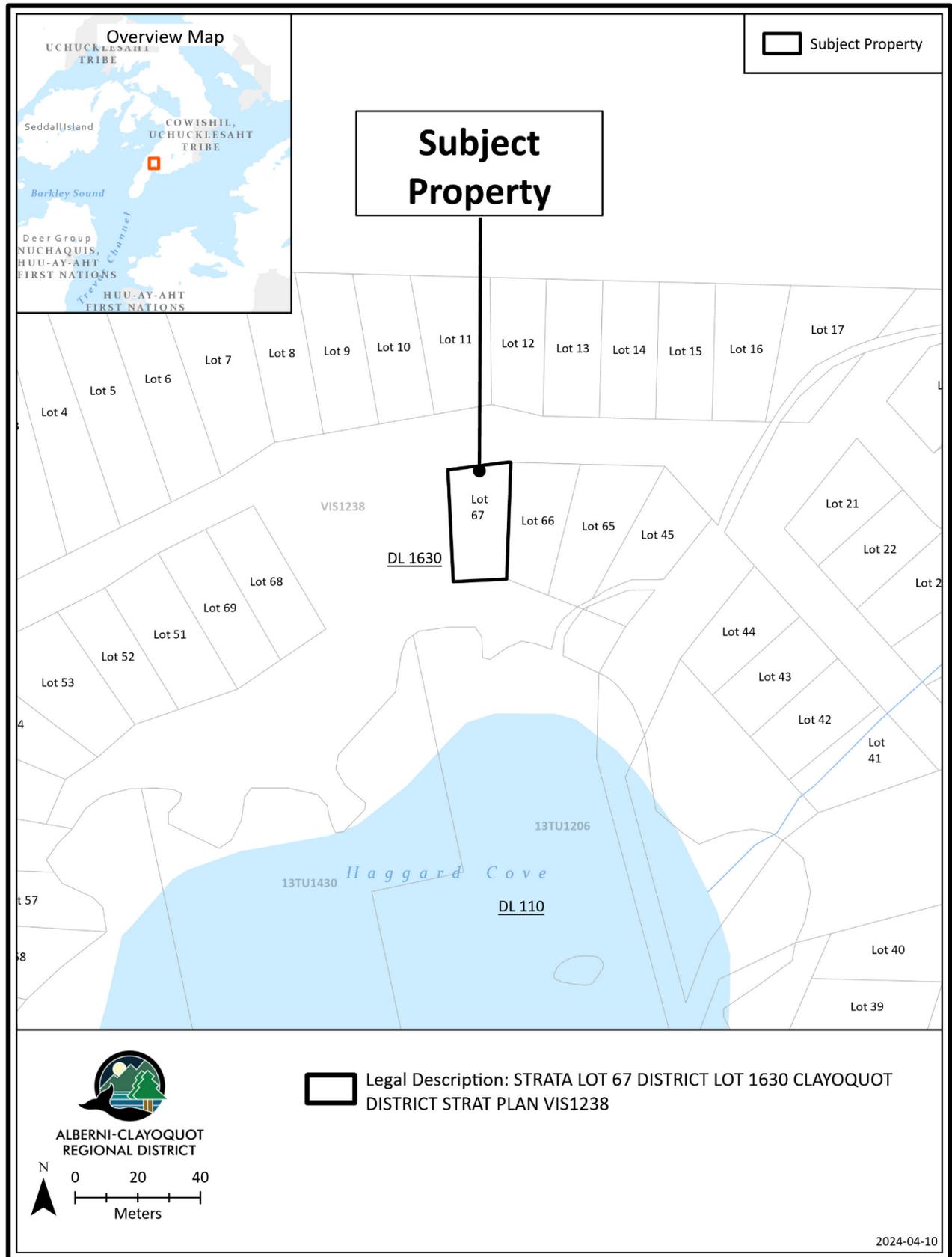
Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at [www.acrd.bc.ca/delegation](http://www.acrd.bc.ca/delegation) and submit the completed form by **12:00 pm on Thursday, June 6, 2024.** 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](mailto:planning@acrd.bc.ca)

# SUBJECT PROPERTY MAP





**To:** ACRD Board of Directors

**Meeting Date:** May 8, 2024

**From:** Brooke Eschuk, Jr. Planner

**File #:** PL20210026 / DVA24002

**Application Type:** Development Variance Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** "A" Bamfield

**Subject:** Development Variance DVA24002 – Lot 67, Haggard Cove (Poznikoff)

**Recommendation:**

***THAT the Alberni- Clayoquot Regional District Board of Directors consider issuing Development Variance Permit DVA24002, subject to neighbouring properties being notified as per Local Government Act s. 499.***

Development Variance DVA24002:

- i. Development variance of the ACRD Zoning Bylaw, Section 200, Schedule II – Bulk and Site Regulations, to reduce the required front yard setback in the Single Family Residential (R1) District from 7.6 m (25 ft) to 5.8 m (19 ft) to allow for the construction of a single family vacation home.

**Development Proposal:** The applicants intend to construct a two-bedroom, two-storey single-family vacation home on the parcel located in the Haggard Cove strata development. The 978 square foot house with 383 square foot deck would face the waterfront and be partially constructed on stilts to account for the sloping topography. The applicants have applied for a development variance to reduce the front yard building setback from 7.6 m (25 ft) to 5.8 m (19 ft) to allow for a more suitable building setback on an existing plateau and overall reduction in the building height.

**Advisory Planning Commission Recommendation:** The Bamfield Advisory Planning Commission (APC) reviewed this application at their May 2<sup>nd</sup> meeting. The APC passed a recommendation to support the application as presented.

**Property Owner(s)/Applicant(s):** Greg and Nicole Poznikoff

**Property Information:**

|                            |  |                 |          |            |   |               |      |
|----------------------------|--|-----------------|----------|------------|---|---------------|------|
| Civic Address              | Lot 67, Haggard Cove   |                 |          |            |   |               |      |
| Legal Description          | STRATA LOT 67 DISTRICT LOT 1630 CLAYOQUOT DISTRICT STRATA PLAN VIS1238 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V |                 |          |            |   |               |      |
| PID                        | 027-764-842  | Folio           | 3637.067 | ALR? (Y/N) | N | Lot Size (ha) | 0.06 |
| Current Zoning             | Single Family Residential (R1) District  | Proposed Zoning | n/a      |            |   |               |      |
| Current OCP                | Residential Use  | Proposed OCP    | n/a      |            |   |               |      |
| Development Permit Area(s) | The parcel is not impacted by any DPAs   |                 |          |            |   |               |      |
| Current Use & Description  | The 0.06 ha parcel is 19m (62.3 ft) wide by 35.8m (117.6 ft) deep. The lot is part   |                 |          |            |   |               |      |

PL20240026 / DVA24002

of a 69-lot bare land strata development and is currently vacant with shrub vegetation from the strata road to the highwater mark of Haggard Cove. The parcel slopes from the road toward the water. The neighbouring two properties are vacant and similarly vegetated. There is common property area along the beach and to the west of the parcel with the front edge of the parcel being approximately 15m from the natural boundary of the ocean. The surrounding properties are of similar size and contain single family homes. The community has a communal dock for access.

#### Surrounding Zoning and Land Use

|       |   |       |  |
|-------|---|-------|--|
| North | Single Family Residential (R1) District | South | Haggard Cove waterfront zoned Forest Reserve (A4) District |
| East  | Single Family Residential (R1) District | West  | Single Family Residential (R1) District                    |

#### Services:

- Sewage Disposal:** Communal sewage disposal system within the strata with each residence individually connected.
- Water Supply:** Communal water system within the strata with each residence individually connected.
- Fire Protection:** This parcel is not within a fire protection area.
- Access:** The parcel is only accessible by water. There is an existing dock in Haggard Cove for community access.

#### Planning Policy Discussion:

- Official Community Plan:** This parcel is not within any Official Community Plan area; there are no development permit areas present impacting the construction or siting of the proposed building.
- Zoning:** The parcel is zoned Single Family Residential (R1) District and permits single family homes in addition to accessory buildings and uses. There are covenants registered to the property that restrict the use of a dwelling to a vacation home not exceeding 180 days per year, restricts any building within 20 metres horizontally and within 4 metres elevation above the natural boundary of the sea.

|   | Current: R1 | Proposed:   |
|---|-------------|-------------|
| Minimum Lot Area (ha)                                   | 0.06        | -           |
| Minimum Lot Width (m)                                   | 18.2        | -           |
| <b>Principal &amp; Accessory Front Yard Setback (m)</b> | <b>7.62</b> | <b>5.79</b> |
| Principal Side Yard Setback (m)                         | 1.5         | -           |
| Principal Rear Yard Setback (m)                         | 9.1         | -           |
| Accessory Side Yard Setback (m)                         | 3           | -           |
| Accessory Rear Yard Setback (m)                         | 3           | -           |
| Watercourse Setback (m)                                 | 30          | -           |

The zoning bylaw requires a 7.62m (25 ft) front yard setback for a principal building in the R1 district. The property owners are seeking a variance down to 5.79m (19 ft) to enable optimal siting of a two-storey house. Reducing the front yard setback and cutting further into the natural plateau at the top of the property will enable a reduction in building height and reduce the visual impact of the structure from neighbouring properties and from the waterfront. The proposed siting would be approximately 36 m (118 ft) from the natural boundary of the sea, and above the minimum flood construction level, which complies with the requirements of the

restrictive covenant registered on title.

***This proposal is not in compliance with the ACRD Zoning Bylaw. A development variance permit is required to reduce the front yard setback from 25 feet to 19 feet.***

**Comments:** The proposed siting of the single-family dwelling has been dictated by the topography of the parcel and the visual impact from the waterfront and from the strata road. The applicants aim to utilise the flat plateau at the front of the property. The requested variance allows for a reduction in building height by approximately 3-4 feet. The applicants have adjusted the siting and building plans to lessen the visual impact of the home on neighbouring properties as well as from Haggard Cove. The requested variance will allow the proposed structure to be sited in the most ideal position within the property while meeting all other setback requirements of the R1 district and the restrictive covenants registered to the property.

Planning staff recommend that the Board proceed with the neighbour notification process for the development variance application as per Section 499 of the *Local Government Act*.

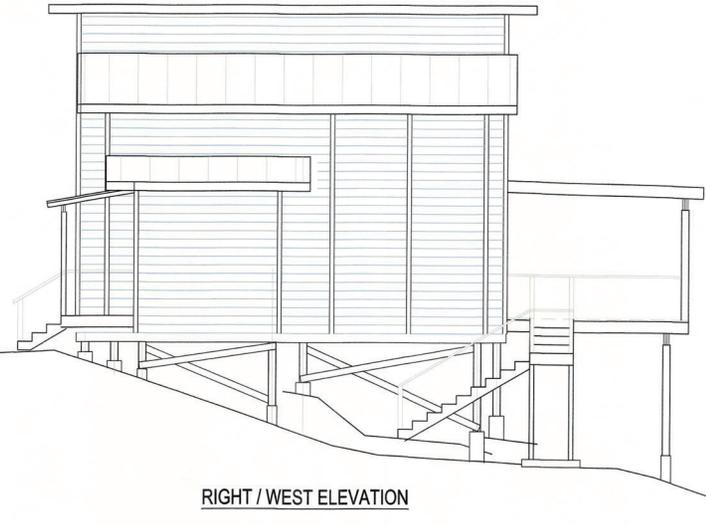
Submitted by: *Alex Dyer*  
Alex Dyer, MCIP, RPP, Planning Manager

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

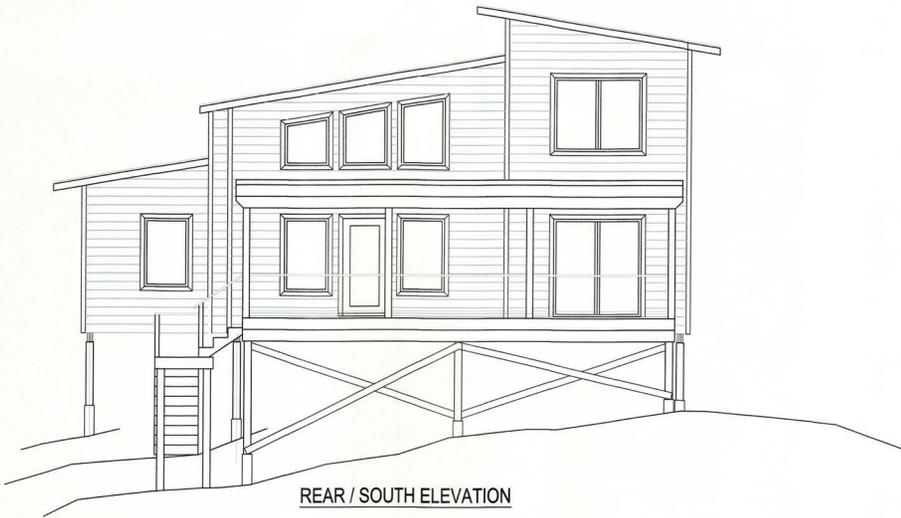
Approved by: *Daniel Sailland*  
Daniel Sailland, MBA, Chief Administrative Officer



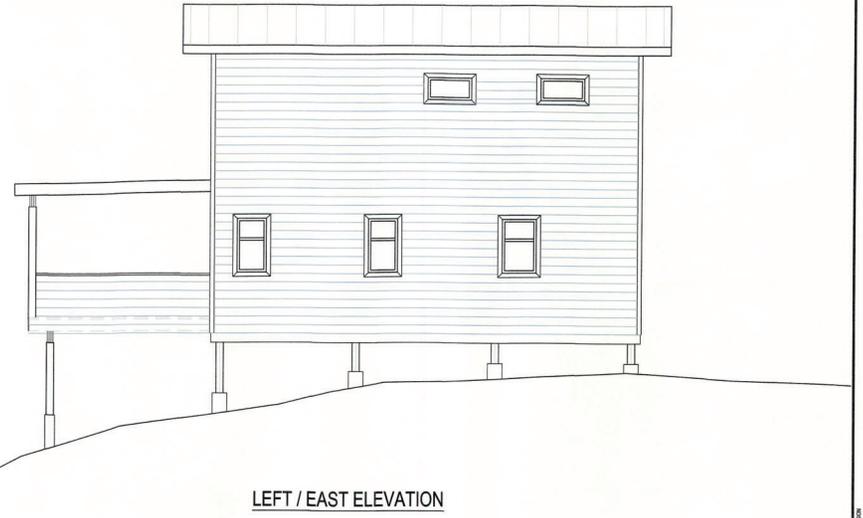
FRONT / NORTH ELEVATION



RIGHT / WEST ELEVATION

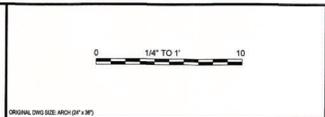


REAR / SOUTH ELEVATION



LEFT / EAST ELEVATION

| Rev | Date      | Description                 | Drawn | Design | App'd |
|-----|-----------|-----------------------------|-------|--------|-------|
| PA  | JAN 17/24 | VARIANCE PERMIT APPLICATION | GDP   | GDP    |       |

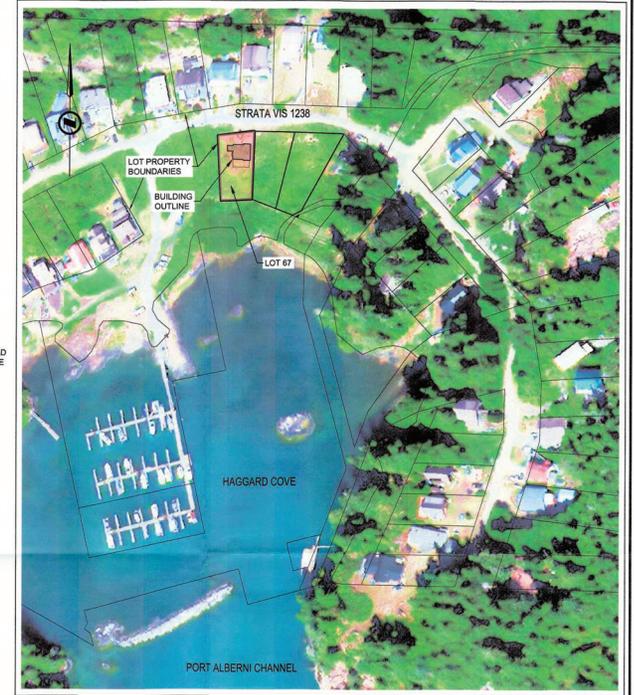


Approved Sealed

GREG & NICOLE POZNIKOFF  
 6482 MEADOWLAND CRES. N., KAMLOOPS B.C.  
 LOT 67 STRATA VIS1238  
 BUILDING ELEVATIONS  
 HAGGARD COVE, B.C.

Drawing No. A101  
 Project Number POZ1  
 Rev. PA

DATE PLOTTED: 2024-01-17 10:00:00 AM



**LEGAL:** Lot 67, PL VIS1238, DL 1630, CLAYOQUOT LAND DISTRICT  
**LOT 67 AREA:** 678 sq.m. ( 7298 sq.ft. )  
**ZONING:** R1  
**SETBACKS:** FRONT 25 ft, REAR 30 ft, SIDE 5 ft  
**MAX LOT COVERAGE:** 33%  
**MAX BUILDING HEIGHT:** 2.5 STORIES, 35 ft

**PROPOSED SETBACKS:** FRONT 19 ft (VARIANCE), REAR 30 ft, SIDE 5 ft  
**LOT COVERAGE INCLUDING BUILDING AND DECK:** 1372 sq.ft., 19%

**NOTES:**  
 1. IMAGERY IS SATELLITE IMAGERY PROVIDED BY Esri  
 DATED AUGUST 13, 2023.  
 2. TOPOGRAPHIC SURVEY COMPLETED BY  
 NICHANNEY LTD. JUNE 7, 2022.

| Rev | Date        | Description                 | Drawn | Design | App'd |
|-----|-------------|-----------------------------|-------|--------|-------|
| PA  | JAN 17 / 24 | VARIANCE PERMIT APPLICATION |       | GDP    | GDP   |

ORIGINAL DWG SIZE: AHS-D-207-1-141

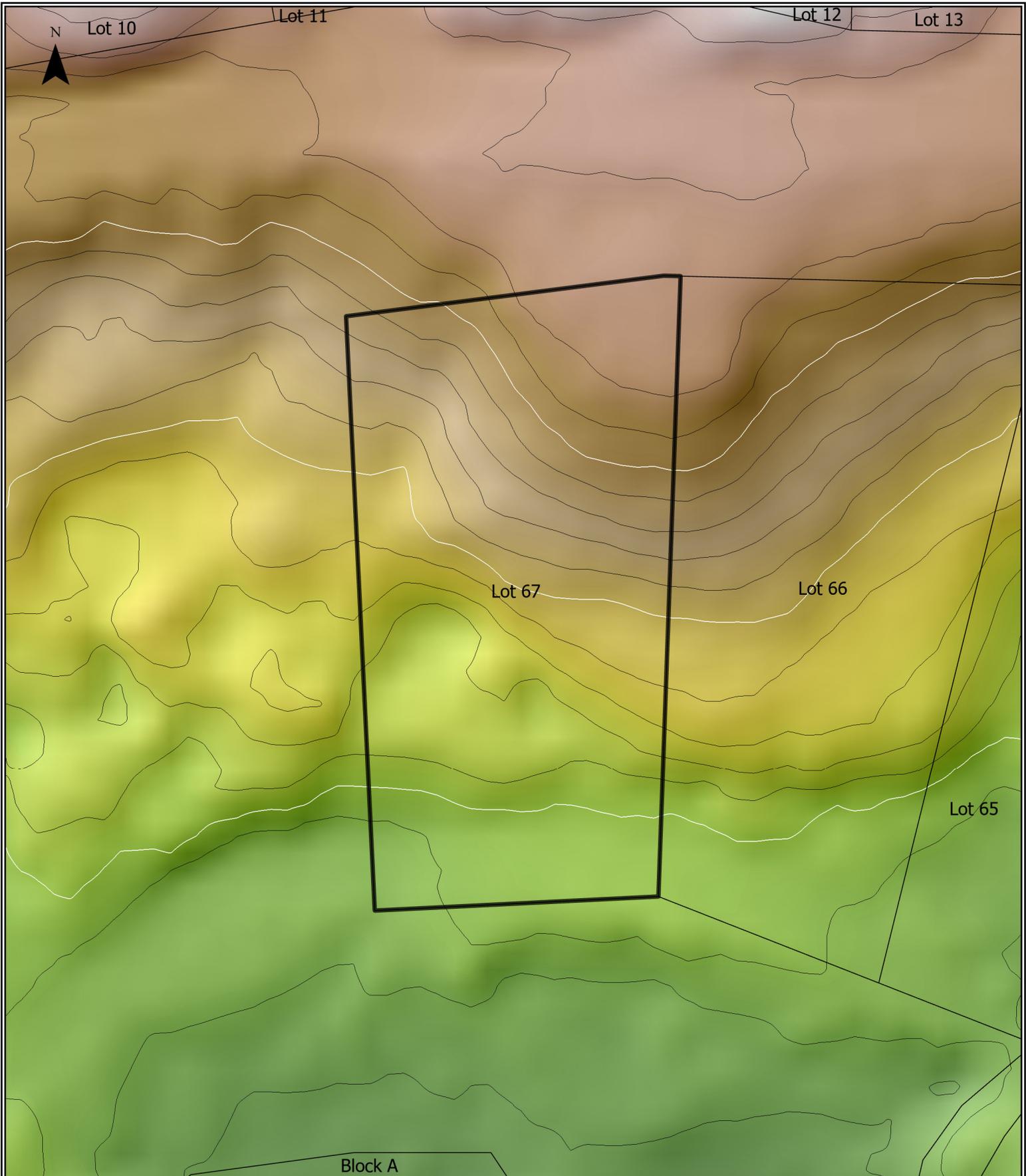


Approved Sealed

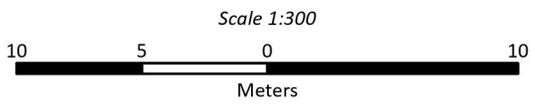
**GREG & NICOLE POZNIKOFF**  
 6482 MEADOWLAND CRESCENT NORTH, BC  
**LOT 67, STRATA VIS1238**  
**SITE AND LOCATION PLAN**  
 HAGGARD COVE, BC

Drawing No.  
**C100**  
 Project Number  
 PO21  
 Rev.  
 PA

REVISIONS TO THE ORIGINAL DRAWING



STRATA LOT 67 DISTRICT LOT 1630 CLAYOQUOT  
DISTRICT STRAT PLAN VIS1238



 Subject Property  
 Parcel  
**Elevation (m)**  
 20m  
 0m



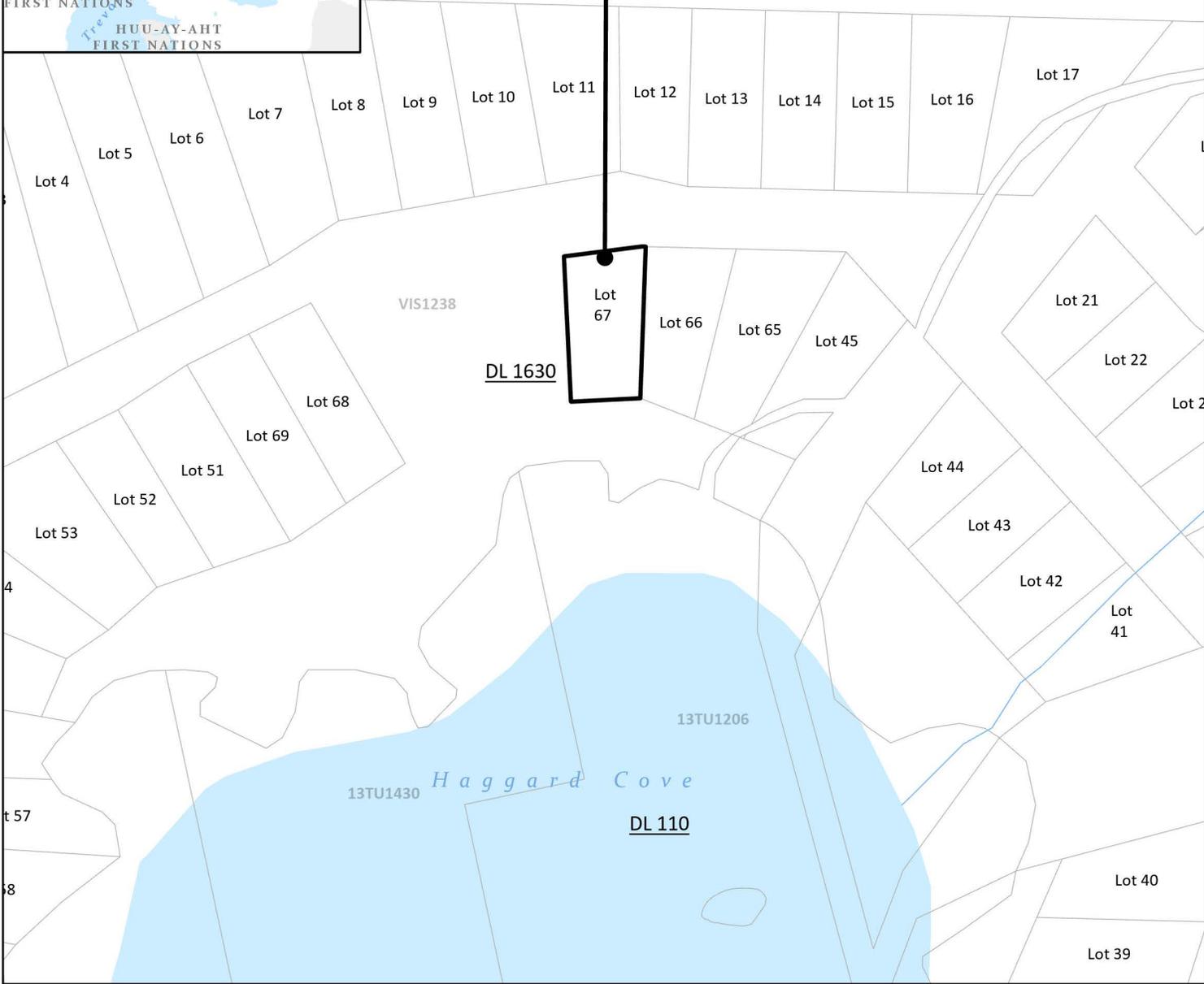
Prepared 2024-04-11  
Sources: Esri Community Maps  
Contributors, Esri Canada, Esri,  
TomTom, Garmin, SafeGraph,  
GeoTechnologies, Inc, METI/NASA,  
USGS, EPA, US Census Bureau,

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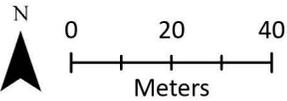


 Subject Property

**Subject  
Property**



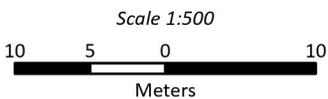
ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



Legal Description: STRATA LOT 67 DISTRICT LOT 1630 CLAYOQUOT  
DISTRICT STRAT PLAN VIS1238



STRATA LOT 67 DISTRICT LOT 1630 CLAYOQUOT  
DISTRICT STRAT PLAN VIS1238



-  Subject Property
-  Parcel



Prepared 2024-04-11  
Sources: ESRI and contributors,  
ParcelMapBC; GeoBC; ACRD

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