ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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, January 10, 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 #: DVD23008

Property Owner(s)/Applicant(s): Deanna Dauncey, Matthew Kupnicki and Rick Sherwood

The subject property is located at 7636 Bell Road and is legally described as LOT 6, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN 13469.

The property owners have applied for a development variance permit to reduce the rear yard setback from 9.14 m (30 ft) to 4.0 m (13.1 ft) to accommodate the construction of an addition to their home.

HOW CAN I LEARN MORE?

All related information, including background documents, report and permit, is available for review at the ACRD office and is available as supplementary information on the ACRD website at https://www.acrd.bc.ca/events/10-01-2024/
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. The ACRD office will be closed from December 23, 2023 to January 2, 2024.

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/10-01-2024/

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, January 9, 2024.**

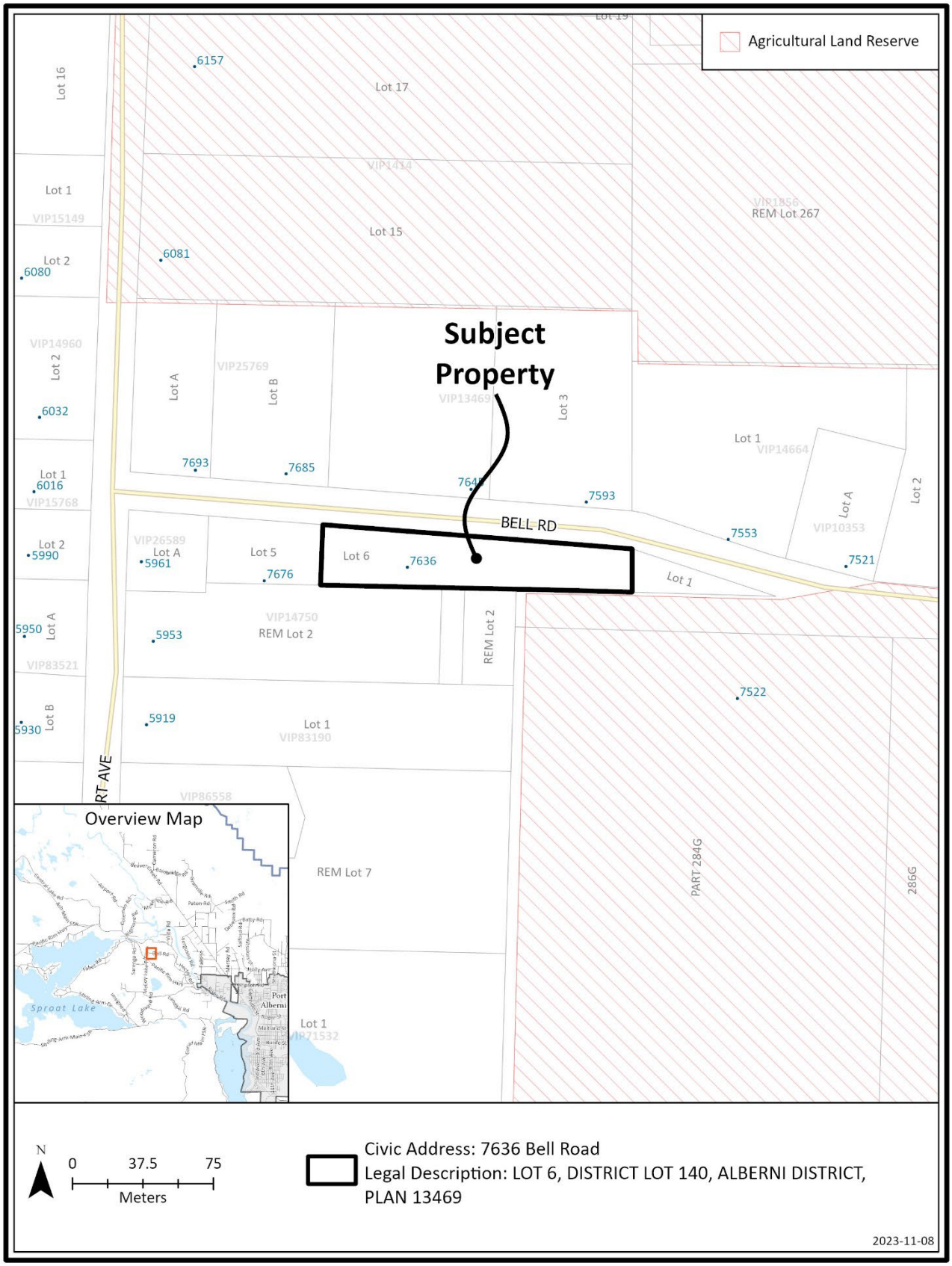
Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at www.acrd.bc.ca/delegation and submit the completed form by **12:00 pm on Thursday, January 4, 2024**. For further information or assistance 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 and excluding the ACRD office holiday closure from December 23, 2023 to January 2, 2024. 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



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

PLANNING REPORT

To: ACRD Board of Directors

Meeting Date: December 13, 2023

From: Charity Hallberg Dodds, Planning Technician

File #: PL20230054/DVD23008

Application Type: Development Variance Permit

Voting Structure: EA Directors Only

Electoral Area: "D" Sproat Lake

Subject: 7636 Bell Road (Kupnicki & Sherwood)

Recommendation:
THAT the Board of Directors consider issuing Development Variance Permit DVD23008, subject to neighbouring properties being notified as per Local Government Act s. 499.

Development Variance DVD23008:

i. Development variance of the ACRD Zoning Bylaw, Schedule No. II – Bulk and Site Regulations to reduce the required rear yard setback in the Small Holdings (A1) District from 9.14 m (30 ft) to 4 m (13.1 ft) for the single family dwelling including new addition.

Development Proposal: The property owners intend to build a two-storey addition to the existing home. The proposed addition will be approximately 10.7 m by 9.2 m and will contain a garage and mudroom on the lower floor, and a bedroom on the upper floor. To keep construction of the addition in line with the existing home, they have requested a reduction to the rear yard setback.

Advisory Planning Commission Recommendation: The Sproat Lake APC reviewed the application at their November 20th meeting. The APC passed a motion to support the development variance application as presented.

Property Owner(s)/Applicant(s): Deanna Dauncey, Matthew Kupnicki and Rick Sherwood

Property Information:

Civic Address	7636 Bell Road						
Legal Description	LOT 6, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN 13469						
PID	002-741-318	Folio	01785.025	ALR? (Y/N)	N	Lot Size (ha)	0.445 (1.1 ac)

Current Zoning	Small Holdings (A1) District	Proposed Zoning	n/a
Current OCP	Rural Use	Proposed OCP	n/a
Development Permit Area(s)	n/a		
Current Use & Description	Rural residential. The property is mostly developed with a principal family dwelling and smaller secondary dwelling. The eastern portion of the property is landscaped with a playground area and pond. An easement for BC Hydro and Telus crosses the eastern portion of the property.		

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

Services:

a) **Sewage Disposal:** Onsite sewage disposal.

b) **Water Supply:** Shared communal well located on 5953 Stuart Avenue. The well is shared by 3 parcels and an easement is registered to property titles for access to service and maintain the waterlines.

c) **Fire Protection:** Sproat Lake Fire Protection Area.

d) **Access:** Bell Road.

Planning Policy Discussion:

a) **Official Community Plan:** The Sproat Lake Official Community Plan (OCP) designates this property Rural Use. There are no development permit areas on the property.

This proposal complies with the Sproat Lake OCP.

b) **Zoning:** The ACRD Zoning Bylaw zones this property Small Holdings (A1) District.

	Current:	Proposed:
Minimum Lot Area (ha)	0.809	-
Minimum Lot Width (m)	50	-
Principal & Accessory Front Yard Setback (m)	7.62	-
Principal Side Yard Setback (m)	1.5	-
Principal Rear Yard Setback (m)	**9.14**	**4.0**
Accessory Side Yard Setback (m)	4.6	-
Accessory Rear Yard Setback (m)	4.6	-
Watercourse Setback (m)	30	-

This proposal is not in compliance with the ACRD Zoning Bylaw. A development variance permit to reduce the rear yard setback from 9.14 m (30 ft) to 4.0 m (13.1 ft) is required.

Comments: The property owners would like to build an addition to their home. The existing home is located within the rear yard setback. A permit was issued in 1977 for placement of a mobile home. The property was sold in 1990 and the new owner completed extensive renovations and additions without permits. The property was later sold again, and the subsequent owners rectified the situation by completing all requirements, as directed by ACRD Building staff at the time, and was issued a building permit and occupancy in 2010. The encroachment into the rear yard setback was not identified during this time.

To keep the new addition in line with the existing home, a reduction of the rear yard setback is required. Issuance of this development variance permit will also bring the existing structure into compliance.

Due to the history and location of the existing home, and the ~30 m property width, Planning staff feel the variance is reasonable and recommend that the Board consider issuing the permit and proceed with neighbour notification.

Reviewed by: Alex Dyer
_____
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: _____
Wendy Thomson, General Manager of Administrative Services

Reviewed by: _____
Daniel Sailland, MBA, Chief Administrative Officer

DVD23008 – Kypnicki & Sherwood, 7636 Bell Road
Site Photos taken November 14, 2023

Principal dwelling on property. Addition is proposed to be added to the east end (left side of photo).

Looking west toward the east end of the principal dwelling and location of the proposed addition.

Landscaped playground and pond area located below the powerlines and within the eastern portion of the subject property.

Secondary dwelling on the property. Note the neighbour's metal shop in behind.

SITE PLAN OF PART OF LOT 6, DL 140, ALBERNI DISTRICT, PLAN 13469.
SHOWING PROPOSED ADDITION (FOR BUILDING PERMIT APPLICATION).

SCALE 1:250

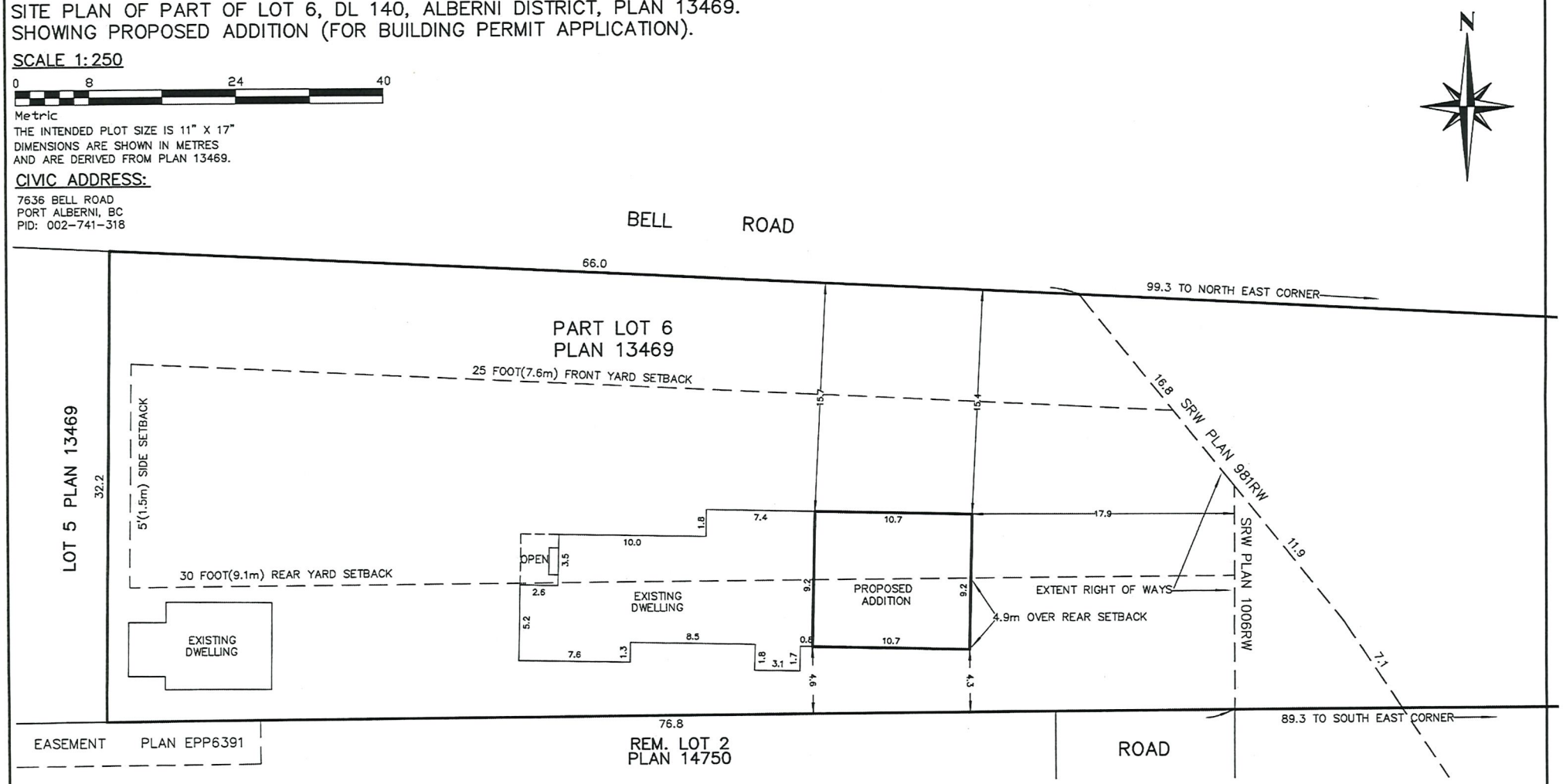
0 8 24 40

Metric

THE INTENDED PLOT SIZE IS 11" X 17"
DIMENSIONS ARE SHOWN IN METRES
AND ARE DERIVED FROM PLAN 13469.

CIVIC ADDRESS:

7636 BELL ROAD
PORT ALBERNI, BC
PID: 002-741-318



NOTES

ELEVATIONS ARE METRIC AND ASSUMED
JURISDICTION: ALBERNI CLAYOQUOT REGIONAL DISTRICT
ZONING 2023: A1

LOT 6 IS SUBJECT TO THE FOLLOWING
NON FINANCIAL CHARGES AND
INTERESTS;
M76300, 226553G, FB150532 AND
FB150533.

LEGEND

SRW DENOTES STATUTORY RIGHT OF WAY

PACIFIC RIM LAND SURVEYING LTD. AND JAMES BRUCE ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE.

PACIFIC RIM
LAND SURVEYING LTD.
PHONE: 250-248-7268
EMAIL: JAMES@PACIFICRIMSURVEYING.COM
FILE: 1381 PBP1.DWG

ALBERNI-CLAYOQUOT REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

DVD23008

Whereas, pursuant to Section 498 of the *Local Government Act*, a local government may by resolution, on application of a property owner, vary the provisions of a bylaw under Division 5 of Part 14 of the *Local Government Act*;

A Development Variance Permit is hereby issued to:

Name: Deanna Dauncey, Matthew Kupnicki and Rick Sherwood
Address: 7636 Bell Road, Port Alberni

With respect to:

Legal Description: LOT 6, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN 13469
PID: 002-741-318

The provisions of the Regional District of Alberni-Clayoquot Bylaw No. 15 are hereby varied as follows:

- Development variance of the ACRD Zoning Bylaw, Schedule No. II – Bulk and Site Regulations to reduce the required rear yard setback in the Small Holdings (A1) District from 9.14 m (30 ft) to 4 m (13.1 ft) for the single family dwelling including new addition.

In accordance with the provision of Section 498 of the *Local Government Act*, approval of this permit was given by resolution of the Board of the Regional District of Alberni-Clayoquot on "[INSERT DATE]" .

This permit was issued this [DAY] of [MONTH], [YEAR].

Daniel Sailland, MBA
Chief Administrative Officer

Chair of the Board of Directors

7636 Bell Road
LOT 6, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN 13469

Scale 1:1,000

10 5 0 10 20

Meters

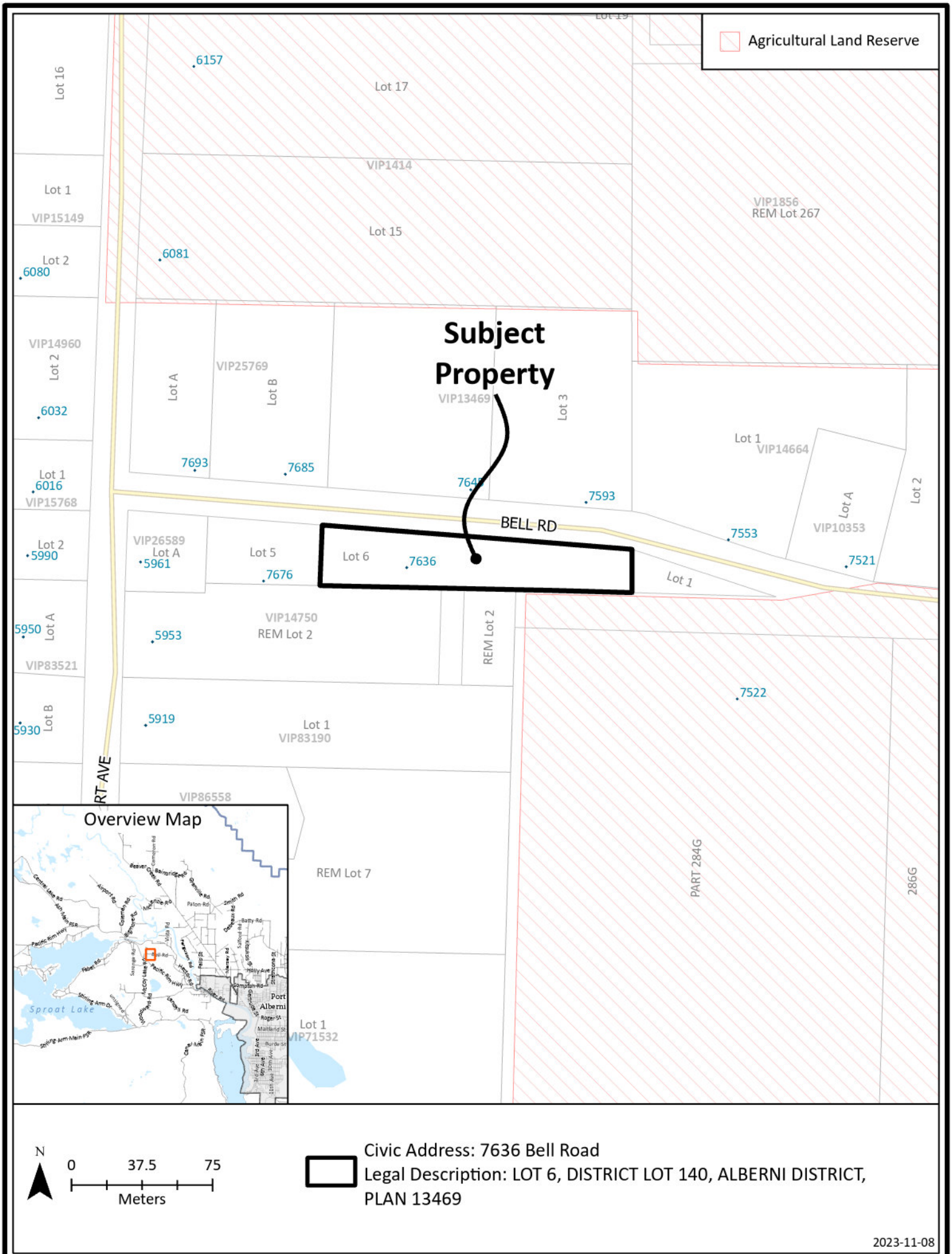
Subject Property

Agricultural Land Reserve

Prepared 2023-11-08

Sources: © OpenStreetMap (and) contributors, CC-BY-SA; ParcelMapBC; GeoBC; ACRD

This product is intended for general reference use only and should not be used for navigation or legal purposes.


Agricultural Land Reserve
Subject Property
BELL RD
PORT AVE
Lot 16
Lot 17
VIP1414
Lot 1
VIP15149
Lot 15
VIP1856
REM Lot 267
Lot 2
VIP14960
Lot 2
Lot A
VIP25769
Lot B
VIP13469
Lot 3
Lot 1
VIP14664
Lot A
VIP10353
Lot 2
Lot 1
VIP15768
Lot 6
Lot 5
VIP26589
Lot A
Lot 2
VIP14750
REM Lot 2
REM Lot 2
Lot A
VIP83521
Lot B
Lot 1
VIP83190
VIP86558
REM Lot 7
PART 284G
286G
Lot 1
VIP71532
6157
6081
6080
6032
7693
7685
7648
7593
7553
7521
6016
5990
5961
7676
7636
5950
5953
5919
5930
7522
Overview Map
Sproat Lake
Port Alberni
N
0
37.5
75
Meters
Civic Address: 7636 Bell Road
Legal Description: LOT 6, DISTRICT LOT 140, ALBERNI DISTRICT, PLAN 13469
2023-11-08