



## 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 #:** DVE24003

**Property Owners/Applicants:** Duncan and Roberta Wilson

**The subject property** is located at 7250 Beaver Creek Road and is legally described as PARCEL 1 (DD 26540W), LOT A, DISTRICT LOT 166, ALBERNI DISTRICT, PLAN 18342.

**The property owners have applied for a development variance permit to reduce the side yard setback from 4.57 m (15 ft) to 0.9 m (3 ft) to accommodate the siting and construction of a detached 585 square foot garage with a maximum 16 foot building height.**

### 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**

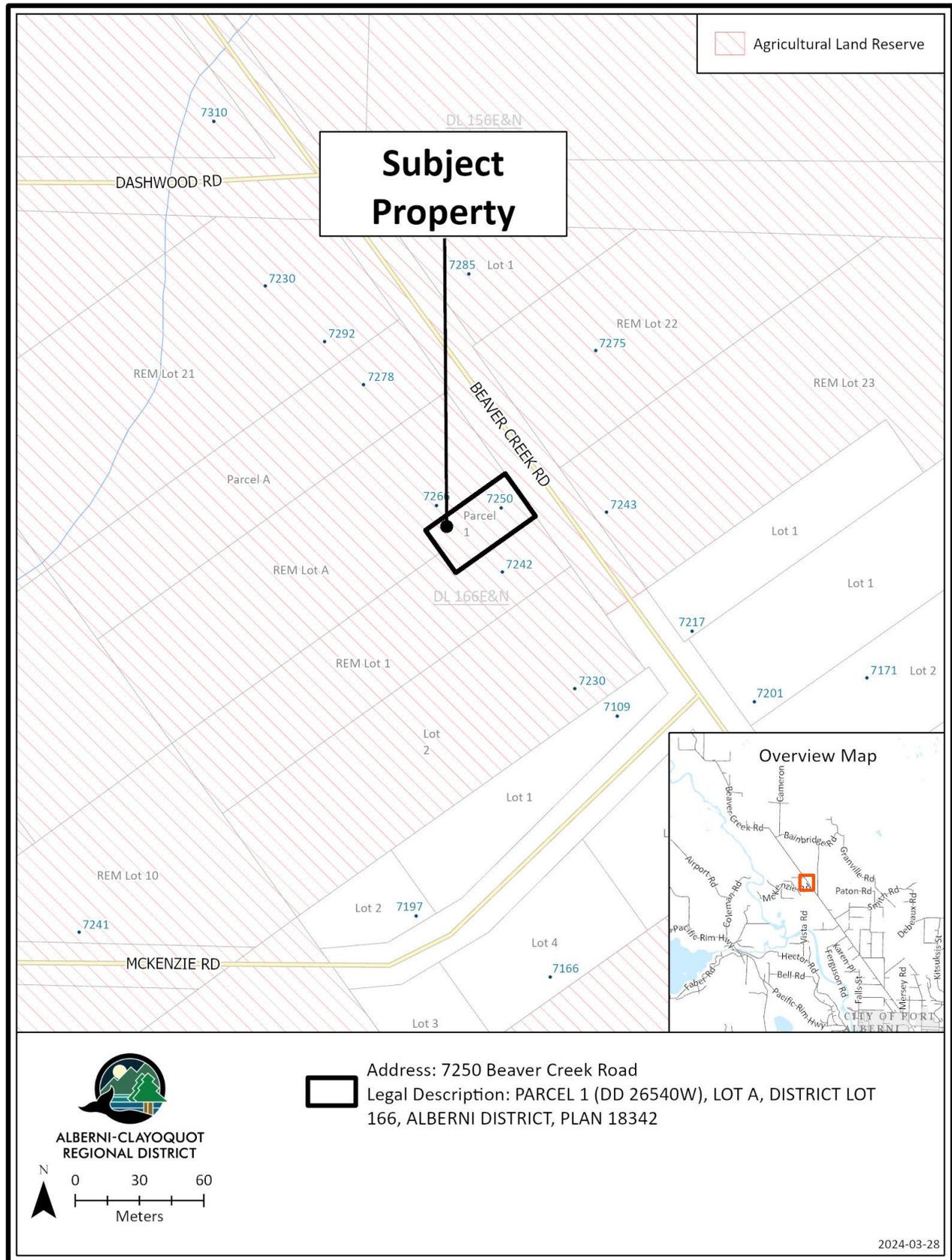
Planning Department

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 #:** PL20240025 / DVE24003

**Application Type:** Development Variance Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** 'E' Beaver Creek

**Subject:** Development Variance DVE24003 – 7250 Beaver Creek Road (Wilson)

**Recommendation:**

*THAT the Board of Directors consider issuing Development Variance Permit DVE24003 subject to neighbouring properties being notified as per Local Government Act s. 499.*

Development Variance DVE24003:

- i. Development variance of the ACRD Zoning Bylaw, Section 6.5(2)(c)(ii), to reduce the required accessory building setback from the north side lot line in the Rural (A2) District from 4.572 metres (15 feet) to 0.914 metre (3 feet) to allow for the construction of a detached 585 square foot garage with a maximum 16 foot building height.

**Development Proposal:** The applicant has applied to reduce the side yard setback from 4.57 m (15 ft) to 0.9 m (3 ft) to accommodate the siting and construction of a detached garage along the north lot line behind the existing house. The proposed one-storey 565 ft<sup>2</sup> garage would be 6.86 m (22.5 ft) by 7.9 m (26 ft). The 0.11 ha (0.27 ac) property is a small residential-sized lot located in an area of primarily acreage rural residential properties. The applicants are seeking a variance to provide a suitable building envelope in a location behind the house after the removal of older garage and shed structures directly adjacent to the house.

**Advisory Planning Commission Recommendation:** The Beaver Creek Advisory Planning Commission (APC) reviewed this application at their April 29<sup>th</sup> meeting. The APC supported the application as presented.

**Property Owner(s)/Applicant(s):** Duncan and Roberta Wilson

**Property Information:**

|                            |  |       |          |                 |     |               |      |
|----------------------------|--|-------|----------|-----------------|-----|---------------|------|
| Civic Address              | 7250 Beaver Creek Road   |       |          |                 |     |               |      |
| Legal Description          | PARCEL 1 (DD 26540W), LOT A, DISTRICT LOT 166, ALBERNI DISTRICT, PLAN 18342  |       |          |                 |     |               |      |
| PID                        | 000-895-687  | Folio | 1939.020 | ALR? (Y/N)      | N   | Lot Size (ha) | 0.11 |
| Current Zoning             | Rural (A2) District  |       |          | Proposed Zoning | n/a |               |      |
| Current OCP                | Rural Use  |       |          | Proposed OCP    | n/a |               |      |
| Development Permit Area(s) | n/a  |       |          |                 |     |               |      |
| Current Use & Description  | The 24.4 m (80 ft) wide by 45.7 m (150 ft) deep property is 0.11 ha (0.27 ac) in lot area. The parcel contains a single family dwelling and accessory buildings, |       |          |                 |     |               |      |

PL20240025 / DVE24003

including a detached garage located at the front of the property directly beside the house, and a shed and tent structure located toward the rear of the parcel. The existing accessory buildings are located within the current side yard setback. This parcel is narrow and is much smaller than surrounding properties at only 0.11 ha; most neighbouring parcels are in the 0.8 ha range or larger. The minimum lot size for parcels zoned A2 is 2 ha and the subdivision of the parcel pre-dates the adoption of the ACRD Zoning Bylaw. The larger lots surrounding the property are all located within the Agricultural Land Reserve (ALR) although this parcel is not subject to ALR regulations.

#### Surrounding Zoning and Land Use

|       |                     |       |                     |
|-------|---------------------|-------|---------------------|
| North | Rural (A2) District | South | Rural (A2) District |
| East  | Rural (A2) District | West  | Rural (A2) District |

#### Services:

- a) **Sewage Disposal:** Onsite sewage disposal.
- b) **Water Supply:** The parcel is serviced by the Beaver Creek Community Water System.
- c) **Fire Protection:** The property is located within the Beaver Creek Fire Protection Area.
- d) **Access:** The property is accessed from Beaver Creek Road.

#### Planning Policy Discussion:

- a) **Official Community Plan:** The Beaver Creek Official Community Plan (OCP) designates this property as 'Rural Use'. The objective of this designation is to maintain the predominantly rural character of the area with policies that permit a variety of compatible uses and support a 2-hectare minimum lot size for new development. The property is not impacted by any development permit areas.

***This proposal to construct an accessory building generally complies with the policies and objectives of the Beaver Creek OCP.***

- b) **Zoning:** The parcel is zoned Rural (A2) District. The zoning allows single family homes and accessory buildings. The subject property is significantly smaller than the surrounding parcels and the applicant is requesting the variance as siting options on the parcel are limited.

|  | Current:    | Proposed:    |
|--|-------------|--------------|
| Minimum Lot Area (ha)                        | 2           | -            |
| Minimum Lot Width (m)                        | 100.5       | -            |
| Principal & Accessory Front Yard Setback (m) | 15.2        | 19.5         |
| Principal Side Yard Setback (m)              | 4.57        | -            |
| Principal Rear Yard Setback (m)              | 9.1         | -            |
| <b>Accessory Side Yard Setback (m)</b>       | <b>4.57</b> | <b>0.914</b> |
| Accessory Rear Yard Setback (m)              | 4.57        | 18.3         |
| Watercourse Setback (m)                      | 30          | -            |

The applicants intend to construct a small one-storey garage. The A2 zone permits a larger 20 foot maximum building height for accessory buildings but the variance would limit the new structure to a 16 foot building height, measured from natural grade to mid-truss. The applicants intend to construct the

garage with 12 foot high walls which can be accommodated in a 16 foot overall building height. Including the maximum height intends to limit the impact on the neighbouring parcel considering the reduced side yard setback.

The Zoning Bylaw restricts the maximum combined floor area of all accessory buildings on a parcel to 5% of the lot area. In this case, the combined floor area of accessory buildings must not exceed 588 square feet on the subject property. The proposed new structure would comply with the 5% maximum if the existing garage and shed structures are removed.

***This proposal is not in compliance with the ACRD Zoning Bylaw. A development variance permit to reduce the side yard setback on the north lot line from 4.57 m to 0.91 m is required to facilitate the proposed siting of the garage.***

**Comments:** The property, created by subdivision in 1960s, is non-conforming to the existing A2 District zoning and much smaller than the surrounding parcels at just 0.11 ha. The minimum lot size in the A2 zone is 2 ha. The property contains a single family dwelling and existing small garage, shed, and tent structure accessory buildings. The accessory structures and the single family dwelling appear to have been constructed within the side yard setbacks required in the A2 zone and may pre-date the adoption of the ACRD Zoning Bylaw in 1973. The existing garage and shed, located directly adjacent to the house on the north side, would be removed to allow for access to the building site for the new garage and to comply with the 5% combined floor area maximum for accessory buildings. The width of the parcel is approximately 24 m making the current 4.57 m side yard setback for principal buildings and accessory buildings in the A2 zone limiting to the permitted building envelope.

The reduction in the side yard setback from 4.57 m to 0.9 m for the proposed one-storey 585 square foot accessory building would align with the setback required for an accessory building in a Residential zone. The dimensions and lot size of the parcel are more typical of parcels found within the Residential zones. The new garage would not appear to impact the neighbouring property located to the north.

Planning staff recommend that the Board proceed with the neighbour notification process for the development variance application.

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

Reviewed by: \_\_\_\_\_  
Cynthia Dick, General Manager of Administrative Services

Reviewed by: \_\_\_\_\_  
Daniel Sailland, MBA, Chief Administrative Officer



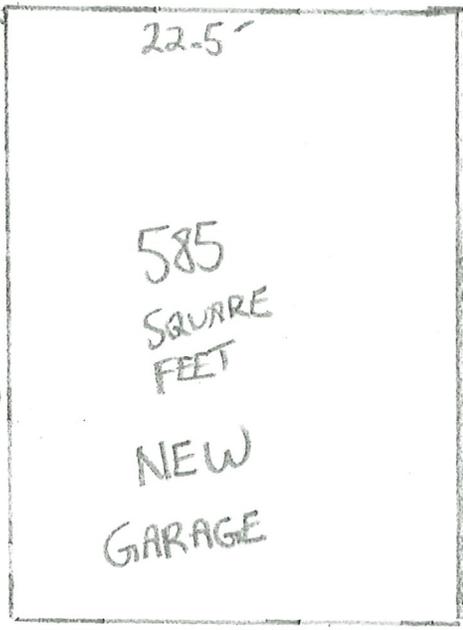
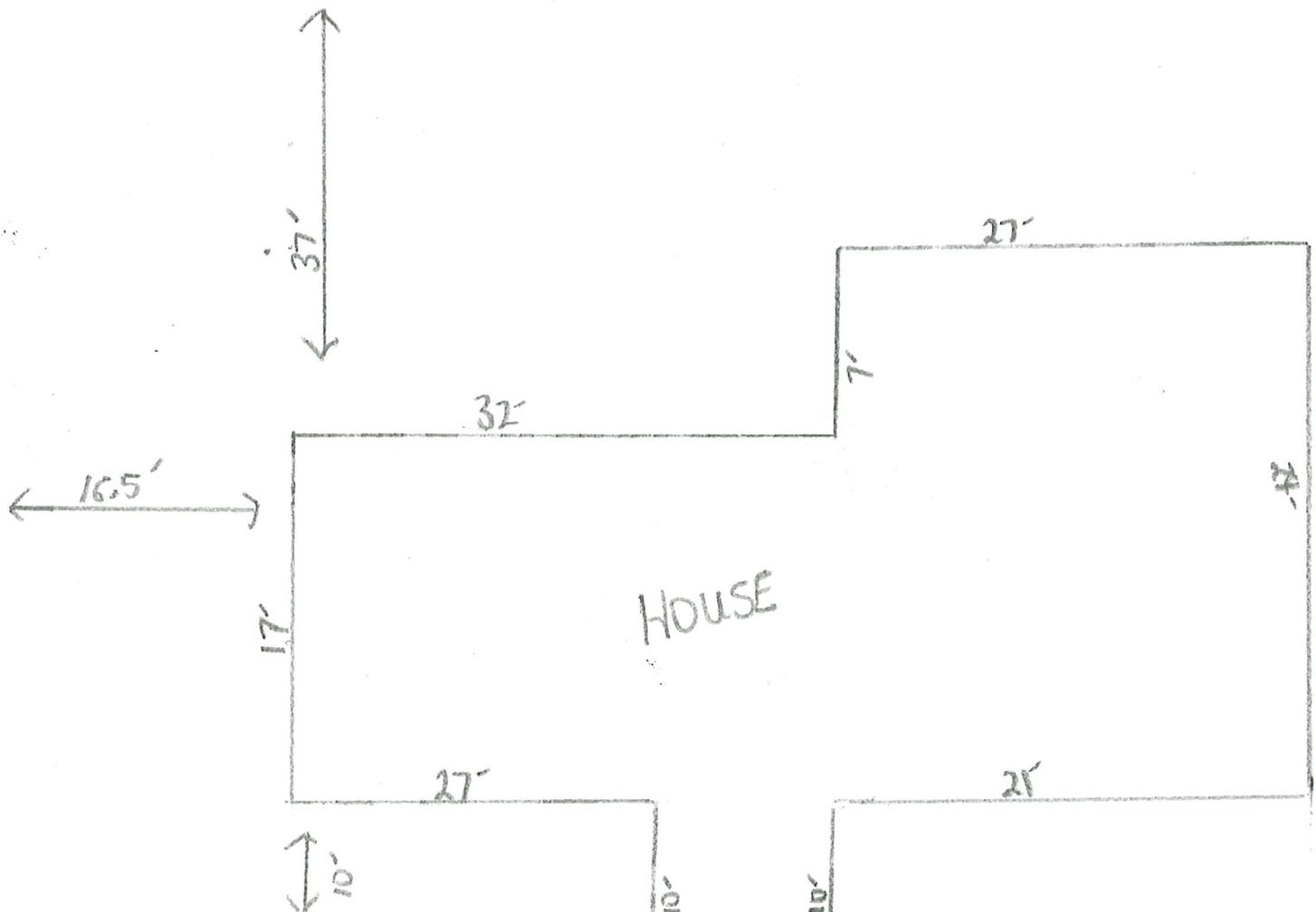
View along the north side lot line looking down the driveway accessed from Beaver Creek Road. The existing fence is located along the property line. The existing garage would be demolished and the new garage would be located at the rear of the house.



View of the rear of existing garage, tent shelter, and shed.

80' PROPERTY LINE

150' PROPERTY LINE



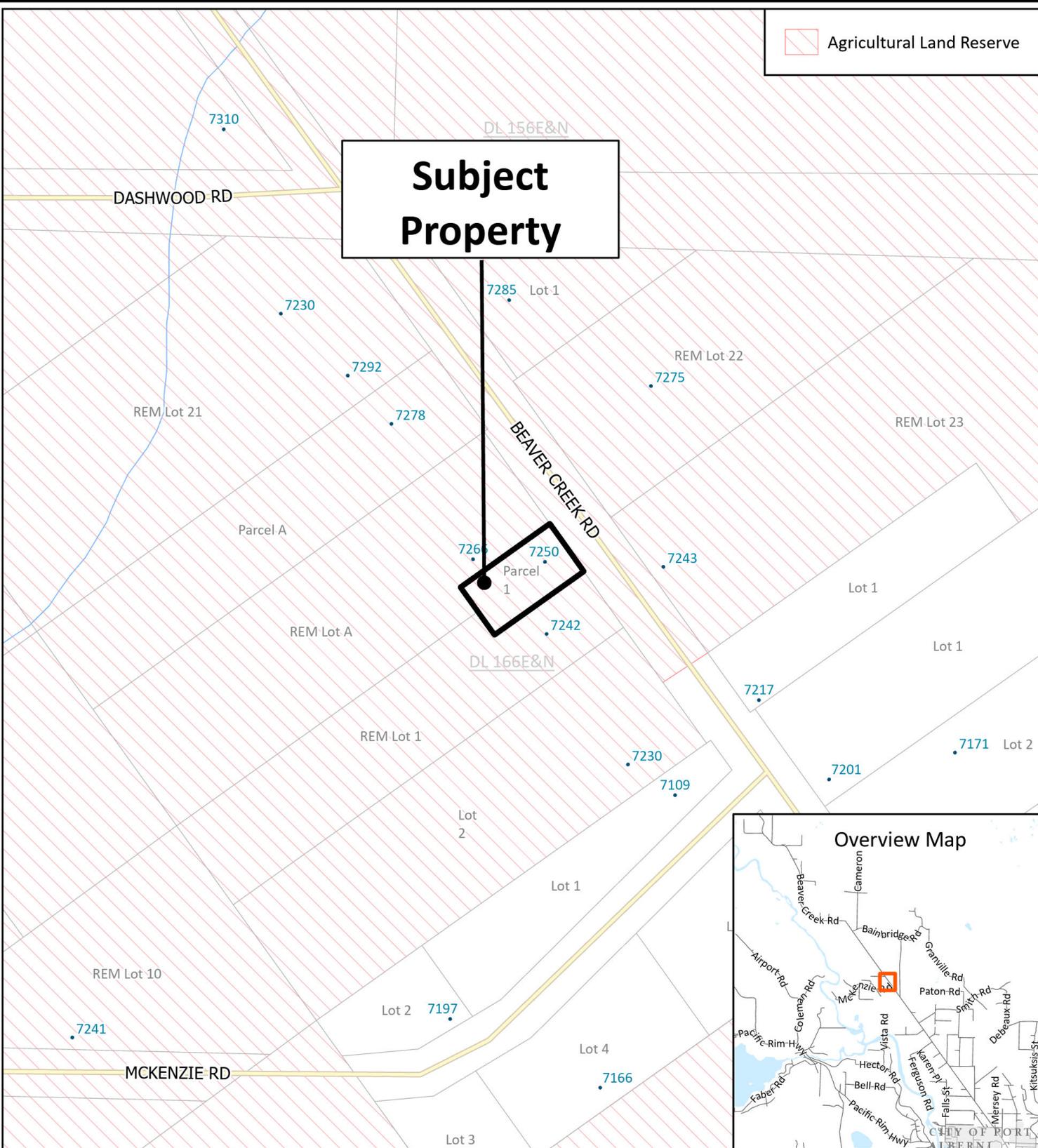
3' WALKWAY

4 1/2' WALKWAY

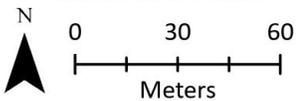
60' TO BACK TO PROPERTY LINE

 Agricultural Land Reserve

# Subject Property



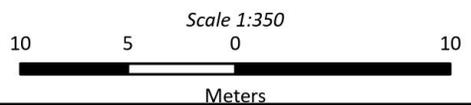
ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



Address: 7250 Beaver Creek Road  
Legal Description: PARCEL 1 (DD 26540W), LOT A, DISTRICT LOT  
166, ALBERNI DISTRICT, PLAN 18342



7250 Beaver Creek Road  
PARCEL 1 (DD 26540W), LOT A, DISTRICT LOT 166,  
ALBERNI DISTRICT, PLAN 18342



-  Subject Property
-  Agricultural Land Reserve
-  Parcels



Prepared 2024-03-28  
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