



## ALBERNI-CLAYOQUOT REGIONAL DISTRICT

# NOTICE OF DEVELOPMENT

The Alberni-Clayoquot Regional District (ACRD) Board of Directors will consider first reading of **Bylaw P1487, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw** at their regular meeting as scheduled below:

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### MEETING DETAILS

**When:** February 14, 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.

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### WHAT'S THIS ABOUT?

**Property Owners/Applicants:** Rajbahadur Brar & Gurdev Brar

**Subject Property:** 6210 Drinkwater Road

**Legal Description:** DISTRICT LOT 24 ALBERNI DISTRICT EXCEPT THE WEST 10 CHAINS THEREOF AND EXCEPT THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY AS SAID RIGHT OF WAY IS SHOWN ON PLAN DEPOSITED UNDER DD 19321 EXCEPT EPP96269

**Bylaw P1487** will rezone the subject property from Acreage Residential (RA2) District to Acreage Residential (RA3) District to facilitate a four-lot subdivision.

### HOW CAN I LEARN MORE?

Copies of Bylaw P1487 and all related correspondence are available at the ACRD office and on the ACRD website at:

<https://www.acrd.bc.ca/events/14-2-2024/>.

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 P1487 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](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 February 13, 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**

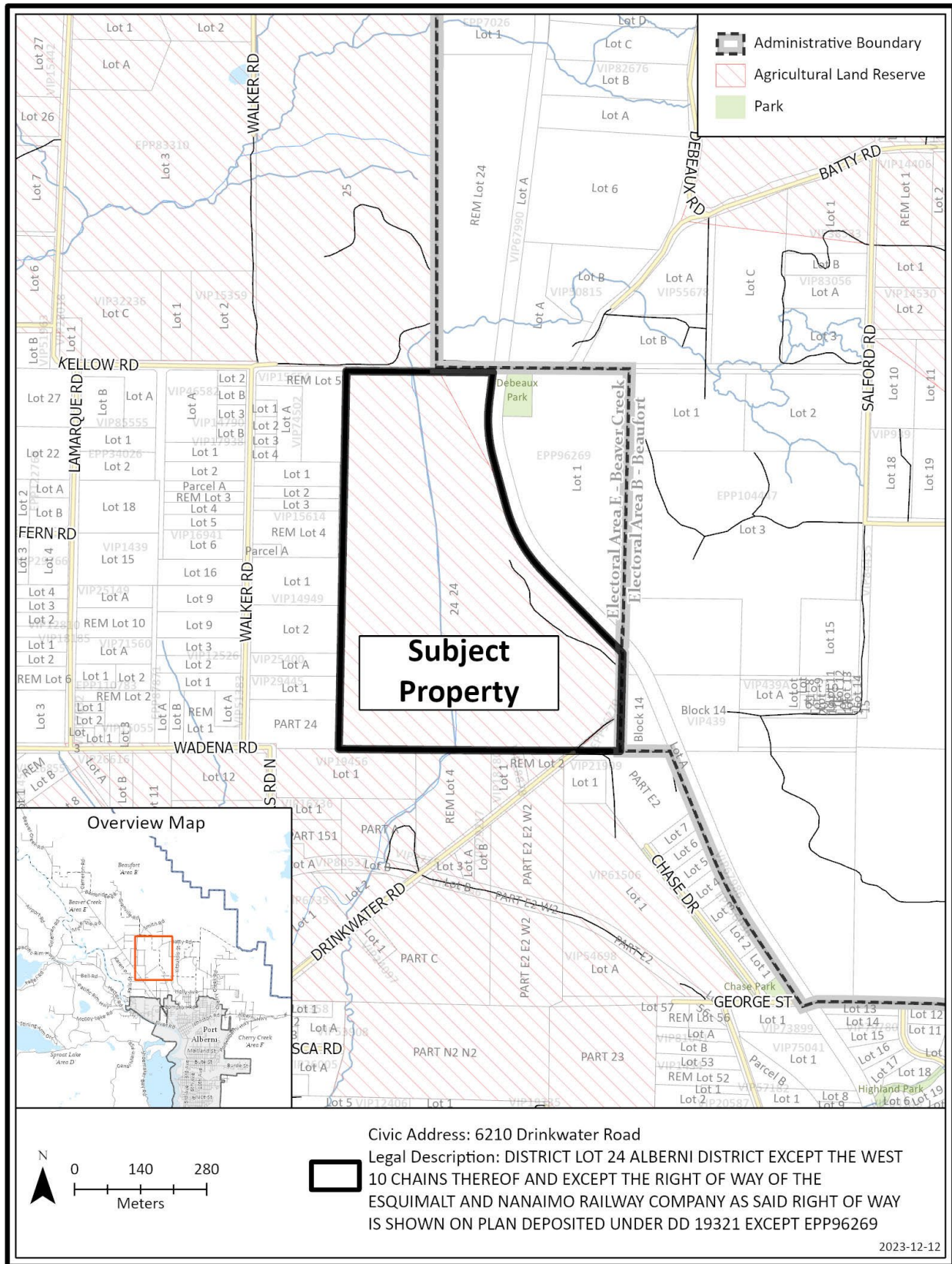
Planning Department

3008 Fifth Ave, Port Alberni, BC V9Y 2E3

Phone: 250-720-2700

Email: [planning@acrd.bc.ca](mailto:planning@acrd.bc.ca)

# SUBJECT PROPERTY MAP





**To:** ACRD Board of Directors

**Meeting Date:** January 10, 2024

**From:** Alex Dyer, MCIP, RPP, Planning Manager

**File #:** RE23007 / PL20230046

**Application Type:** Rezoning

**Voting Structure:** Electoral Area Directors Only

**Electoral Area:** "E" Beaver Creek

**Subject:** Rezoning application RE23007 – 6210 Drinkwater Road (Brar)

**Recommendation:**

*THAT the Board of Directors consider first reading of Bylaw P1487, Regional District of Alberni-Clayoquot Zoning Atlas 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 P1487 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 technical referral agency requirements.*

**Development Proposal:** The property owner is applying to rezone two portions of the subject property from Acreage Residential (RA2) District to Acreage Residential (RA3) District to facilitate subdivision to a 0.24 ha (0.6 ac) minimum lot size. The north portion to be rezoned is a 1.09 ha (2.69 ac) area that is accessed from Kellow Road. The south east portion to be rezoned is 0.36 ha (0.88 ac) in area and is accessed from Drinkwater Road. The applicants intend to create a total of four vacant lots – three lots in the north end and one lot in the south east. Both portions of the property to be rezoned are located outside the Agricultural Land Reserve (ALR) with the remainder of the 35.9 ha (88.7 ac) farm property remaining as one parcel within the ALR.

**Advisory Planning Commission Recommendation:** The Beaver Creek Advisory Planning Commission (APC) reviewed this application at their December 19, 2023 meeting and motioned to support the application as presented.

**Property Owner(s)/Applicant(s):** Rajbahadur Brar and Gurdev Brar

**Property Information:**

Civic Address	6210 Drinkwater Road						
Legal Description	DISTRICT LOT 24 ALBERNI DISTRICT EXCEPT THE WEST 10 CHAINS THEREOF AND EXCEPT THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY AS SAID RIGHT OF WAY IS SHOWN ON PLAN DEPOSITED UNDER DD 19321 EXCEPT EPP96269						
PID	008-410-585	Folio	655.000	ALR? (Y/N)	N	Lot Size (ha)	35.9

Current Zoning	Acreage Residential (RA2) District; and Rural (A2) District	Proposed Zoning	Acreage Residential (RA3) District; and Rural (A2) District
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**RE23007 / PL20230046**

Current OCP	Residential Use; and Agricultural Use	Proposed OCP	N/A
Development Permit Area(s)		DPA I – Riparian Areas Protection	
Current Use & Description		<p>The 35.9 ha (88.7 ac) subject property is primarily accessed from the end of Drinkwater Road and bordered by the E &amp; N Railway right-of-way to the east and by Kellow Road to the north. The majority of the property is located within the ALR. The two portions of the property located outside of the ALR that are the subject of the rezoning application include a 1.09 ha (2.69 ac) portion in the north where Kellow Road abuts the railway and a 0.36 ha (0.88 ac) portion at the end of Drinkwater Road where the main driveway access into the property is located in the south east corner.</p> <p>The west end of the property, and the majority of the land in the ALR, is mostly level and cleared for pasture. The property slopes up toward the north and east to the railway corridor. The 1.09 ha non-ALR area in the north was cleared in 2021. There is an existing single family dwelling, barn, accessory buildings, and irrigation pond located on the slope along the east side of the property. As part of the farm operation, the property owners have recently developed a 1.6 ha blueberry production area in the ALR portion of the property below the house. A 10.7 ha portion of the property located east of the rail right-of-way was previously subdivided off the parent parcel in 2019.</p>	

Surrounding Zoning and Land Use			
North	Large acreage agricultural parcels located within the ALR and zoned Rural (A2) District.	South	Agricultural and rural residential parcels zoned Rural (A2) District
East	Rural residential property zoned Acreage Residential (RA2) District for a 20-lot development and a 0.54 ha community park owned by the ACRD.	West	Rural residential parcels zoned Small Holdings (A1) District

**Services:**

- a) **Sewage Disposal:** On-site sewage disposal. As a condition of rezoning, planning staff recommend that the applicants be required to engage a Registered On-site Wastewater Practitioner to assess the capability of the land within the two rezoning areas to accommodate on-site sewage disposal to a 0.24 ha density.
- b) **Water Supply:** Beaver Creek Community Water. If the rezoning is successful and 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:** Beaver Creek Fire Department
- d) **Access:** The south end of the property is accessed from Drinkwater Road and the north end of the property is accessed from Kellow Road. As a condition of subdivision, the Ministry of Transportation & Infrastructure may require additional road dedication on Drinkwater Road. There is currently no road access to the east across the railway right-of-way.
  - i. **Parcel Frontage Waiver:** A parcel frontage waiver may be required for the proposed lots in the north end depending on the final lot layout.

**Planning Policy Discussion:**

- a) **Official Community Plan:** The Beaver Creek Official Community Plan designates the portion of the property to be rezoned as “Residential Use.” The objective of the Residential Use designation is to provide a range of housing options within the plan area and the proposed development would result in the addition of up to four residential properties. The designation supports a 0.24 hectare (0.6 acre) minimum lot size for lots serviced by community/communal water or sewer. The proposed lots would all be connected to the Beaver Creek Water System. The remainder of the property located within the ALR is designated as Agricultural Use.

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 requirement 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.

The property is impacted by Development Permit Area I – Riparian Areas Protection which designates a 15 metre riparian area surrounding the natural watercourse that dissects the field within the ALR portion of the property. If the rezoning application proceeds, a development permit application would be required at the subdivision stage.

***The subject property complies with the policies and objectives of the Residential Use in the Beaver Creek OCP.***

- b) **Zoning:** The non-ALR portion of the property is currently zoned Acreage Residential (RA2) District. The northern portion of the property was rezoned to RA2 in 2021 in order to facilitate subdivision to a 0.4 ha (1 ac) minimum density. The applicants have since amended their proposal to subdivide to a 0.24 ha (0.6 ac) minimum density and have applied to rezone to the RA3 District to accommodate the proposed development.
- i. **Park land Dedication:** Park land dedication or cash-in-lieu would be required as a condition of subdivision approval, in accordance with Section 510 of the *Local Government Act* where the subdivision would create more than three new parcels. At the subdivision stage, the applicants would be required to dedicate up to 5% of the land under development as park land or up to 5% of the appraised market value of the land as cash-in-lieu.

	Current: RA2	Proposed: RA3
Minimum Lot Area (ha)	0.4	0.24
Minimum Lot Width (m)	36	30
Principal & Accessory Front Yard Setback (m)	12	15
Principal Side Yard Setback (m)	4.5	5
Principal Rear Yard Setback (m)	9	10
Accessory Side Yard Setback (m)	0.91	0.91
Accessory Rear Yard Setback (m)	0.91	0.91

The rezoning of the two non-ALR portions of the property would not impact the siting of any existing structures or uses. There may be road dedication in the south east corner that would extend Drinkwater Road to the farm property boundary but there would be no impact on any existing improvements. The final layout of the proposed subdivision at the subdivision application stage would determine whether any lot width variance or parcel frontage waiver would be required.

***This proposal requires a rezoning of the subject property from Acreage Residential (RA2) District to Acreage Residential (RA3) District to facilitate the proposed four lot subdivision.***

**Comments:** The rezoning is the first step in the applicant's proposal to subdivide the property to create four vacant lots. If the rezoning application proceeds, the following items would need to be addressed at the subdivision application stage:

- Meeting all parkland dedication requirements as per s. 510 of the *Local Government Act*.
- Development Cost Charge payment to satisfy the requirements of the Beaver Creek Water System Development Cost Charge Bylaw F1133-1, and meeting all requirements for connection to the water system as identified by ACRD staff.
- Lot width and parcel frontage requirements for the proposed lots in the north end of the property depending on the proposed subdivision layout.

As a condition of rezoning, staff recommend that the applicants be required to engage a Registered On-site Wastewater Practitioner to assess the capability of the land in accommodating on-site sewage disposal to a 0.24 ha density.

The proposed development complies with the policies and objectives of the Residential Use designation in the Beaver Creek OCP. The subdivision provides an opportunity for additional housing in the community and development in a serviced area located outside of the Agricultural Land Reserve. Planning staff are initially supportive of the rezoning application and recommend that the Board proceed with neighbourhood notification in accordance with Section 467 of the *Local Government Act*. Staff recommend that the Board consider first reading of Bylaw P1487 at a later date following public notice given in lieu of a public hearing as the proposal is consistent with the policies in the Beaver Creek OCP.

*Michael Irg*

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Reviewed by: Mike Irg, MCIP, RPP, General Manager of Planning & Development

*Cynthia Dick*

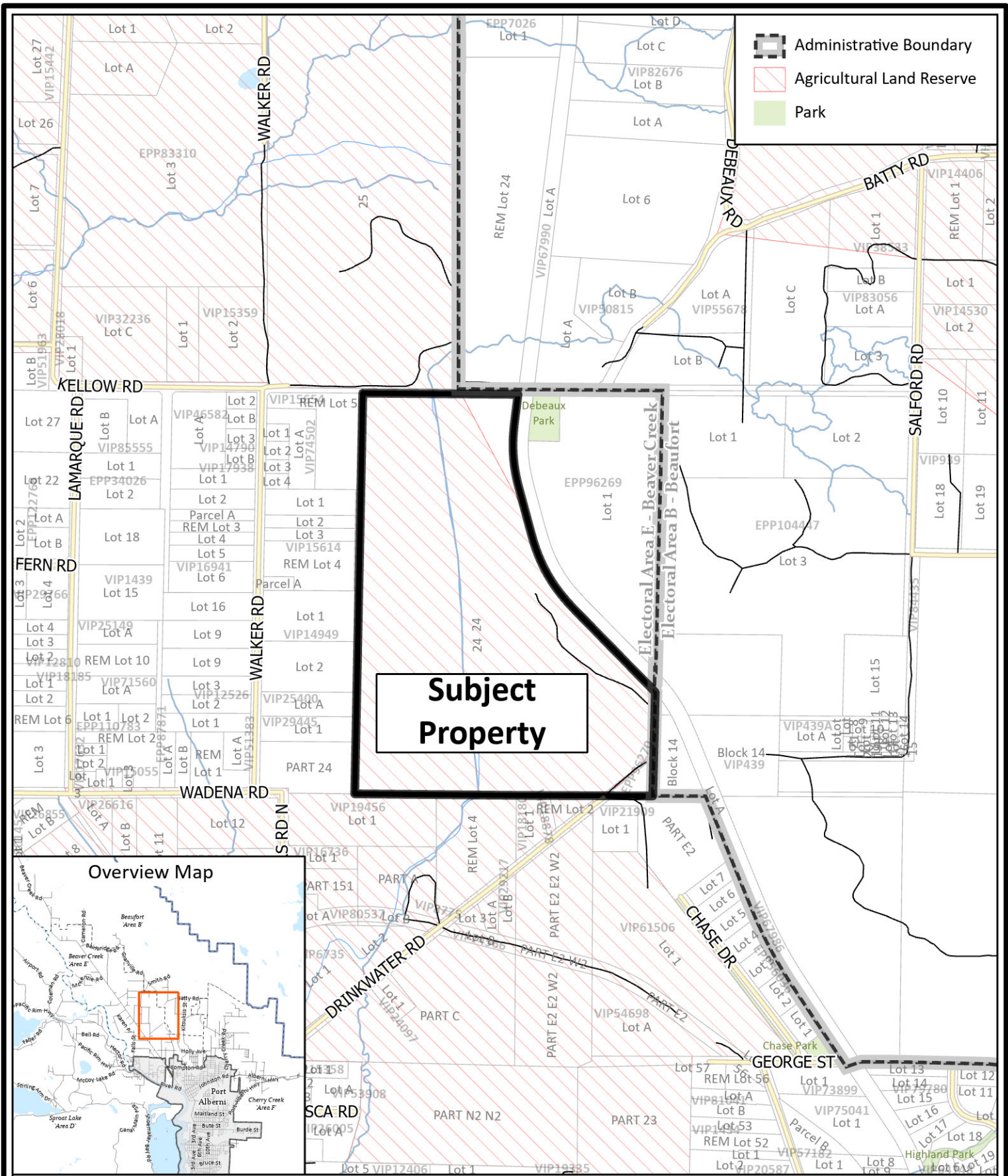
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Reviewed by: Cynthia Dick, General Manager of Administrative Services




*Daniel Sailland*

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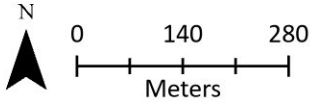
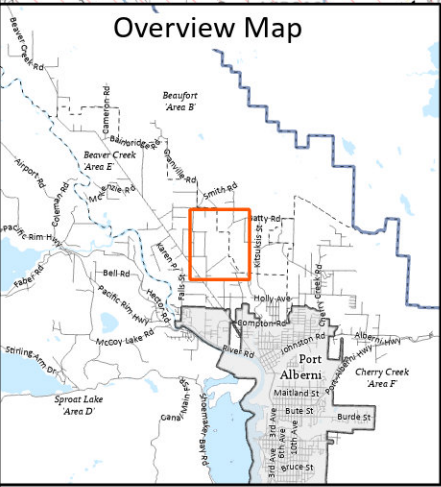
Approved by: Daniel Sailland, MBA, Chief Administrative Officer



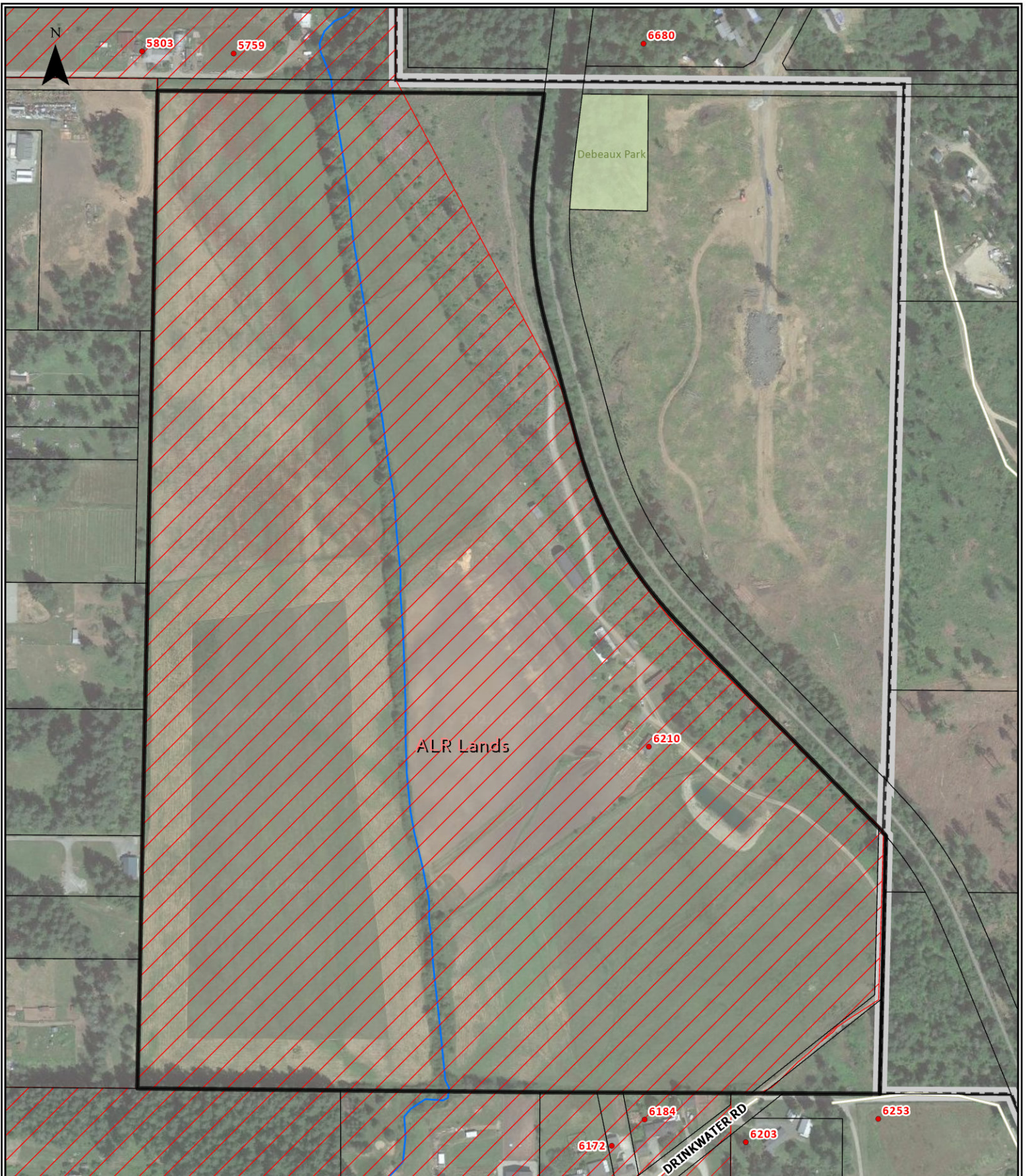
**Subject Property**

-  Administrative Boundary
-  Agricultural Land Reserve
-  Park

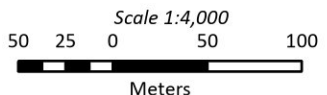
**Overview Map**



Civic Address: 6210 Drinkwater Road  
 Legal Description: DISTRICT LOT 24 ALBERNI DISTRICT EXCEPT THE WEST 10 CHAINS THEREOF AND EXCEPT THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY AS SAID RIGHT OF WAY IS SHOWN ON PLAN DEPOSITED UNDER DD 19321 EXCEPT EPP96269



6210 Drinkwater Road  
 DISTRICT LOT 24 ALBERNI DISTRICT EXCEPT THE WEST 10  
 CHAINS THEREOF AND EXCEPT THE RIGHT OF WAY OF THE  
 ESQUIMALT AND NANAIMO RAILWAY COMPANY



- Subject Property
- Agricultural Land Reserve
- Parcel Map BC Cadastre
- AV Stream Atlas
- Park



Prepared 2023-12-12  
 Sources: © OpenStreetMap  
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 ParcelMapBC; GeoBC; ACRD

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





Looking south from northern portion of the property to be rezoned.



Looking west/southwest from northern portion of the property to be rezoned.



Looking northwest from northern portion of the property to be rezoned.

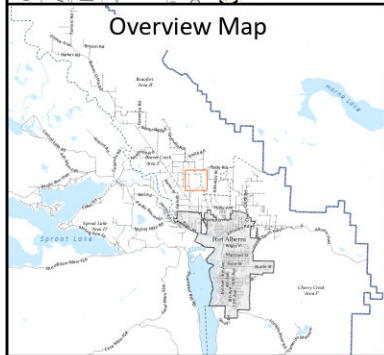
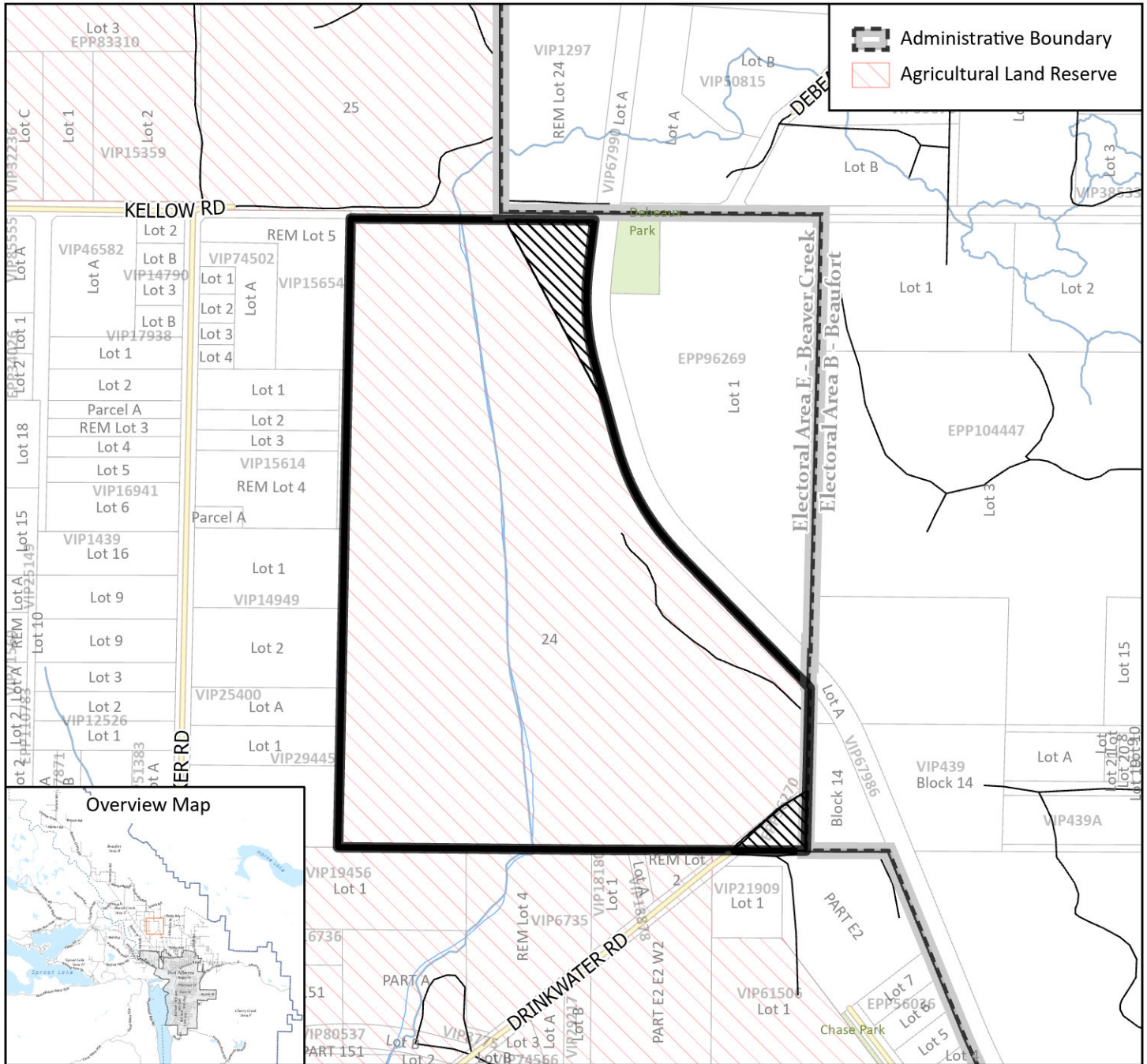


Looking north along internal access road on the property.



# Schedule 'A'

This schedule is attached to and forms part of Bylaw No. P1487,  
Zoning Atlas Amendment Bylaw, 2023



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 To be rezoned from Acreage Residential (RA2) District to Acreage Residential (RA3) District.

