



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

## Rezoning Application

**MEETING DATE:** February 26, 2020

**ACRD FILE NO.:** RE20001

**APPLICANTS:** Erin & Steve Anker

### LEGAL

**DESCRIPTION:** LOT B DISTRICT LOT 108 ALBERNI DISTRICT PLAN VIP71560

**LOCATION:** 6261 Lamarque Road

**ELECTORAL AREA:** "E" Beaver Creek

**Applicant's Intention:** The property owners have applied to rezone the +/- 0.89 ha (2.21 ac) parcel from Small Holdings (A1) District to Acreage Residential (RA3) District to facilitate a subdivision of the subject property into a +/- 0.49 ha (1.2 ac) parcel and a remainder +/- 0.40 ha (1.0 ac) parcel.

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### Recommendations:

- THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1404 be read a first time;
- THAT the public hearing for Bylaw P1404 be delegated to the Director for Electoral Area 'E', the Alternate Director or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaw P1404 is subject to:
  - a. Confirmation from a Registered On-Site Wastewater Practitioner that the proposed lots are capable of accommodating on-site sewage disposal to a minimum 0.6 acre density; and
  - b. Meeting technical referral agency requirements.

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### Observations:

- i) **Status of Property:** The +/- 0.89 ha (2.21 ac) subject property is mostly flat and has been cleared apart from a treed buffer along Lamarque Road. The parcel includes a mobile dwelling and multiple outbuildings without foundations. An

## RE20001

undeveloped right-of-way borders the east side of the property. Similar residential properties border the property to the north, south, east, and across Lamarque Road to the west.

## ii) Services

- a. **Sewage Disposal:** On-site sewage disposal. As a condition of rezoning, the ACRD requires confirmation from a Registered On-Site Wastewater Practitioner that the proposed lots are capable of accommodating on-site sewage to a minimum 0.6 acre density.
- b. **Water Supply:** Beaver Creek Community Water.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** Access to the property is off Lamarque Road. Proposed panhandle access to the new lot along the southern property line running from Lamarque Road.

## iii) Existing Planning Policies Affecting the Site

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. **Official Community Plan:** The Beaver Creek Official Community Plan designates the property as "Residential Use". The objective of this land use designation is to provide a range of housing options within the plan area.

Policy 8.2.7 requires that lots created by subdivision that are smaller than 1 ha are serviced with communal or community water or sewer system or both. The parcel is currently serviced by the Beaver Creek Community Water system.

The subject property is not within a Development Permit Area.

***The proposed development conforms to the policies and objectives of the Beaver Creek OCP.***

- c. **Zoning:** The property is zoned Small Holdings (A1) District and the property owner is applying to rezone to Acreage Residential (RA3) District.

	<b>A1 District (existing)</b>	<b>RA3 District (proposed)</b>
Minimum Lot Area:	2 acres	0.6 acres
Minimum Lot Width:	165 feet	98.425 feet
Lot Coverage:	-	15%
Minimum Setbacks		
Front:	25 feet	49.21 feet
Rear:	30 feet	32.8 feet
Side:	5 feet	16.4 feet

The applicant intends to rezone the property to allow for a subdivision of the +/- 0.89 ha (2.21 ac) parcel into a +/- 0.49 ha (1.2 ac) parcel and a remainder +/- 0.40 ha (1.0 ac) parcel. Rezoning the property to Acreage Residential (RA 3) District

## RE20001

from Small Holdings (A 1) District would allow this subdivision.

***The proposed development requires a rezoning of the subject property from Small Holdings (A1) District to Acreage Residential (RA3) District.***

**Comments:**

This rezoning is the first step in the applicant's plan to subdivide the property into two (2) lots. However, rezoning this +/- 0.89 ha (2.21 ac) from A1 to RA3 could potentially allow for a three (3) lot subdivision based on the minimum lot size in the RA3 zone. In that case, the proposed panhandle driveway may pose access challenges.

A restrictive covenant, EP94367, registered to title in 2000 in favour of Island Health and the ACRD, requires the property owners to install sewage disposal systems in the southeast corner of the parcel. The applicants' preliminary panhandle layout includes a driveway access dissecting the covenant area. Discharge of the covenant for driveway access and proof of capability of accommodating sewage disposal everywhere on the property will be a condition of the future subdivision.

The proposed panhandle lot does not meet the required 10% of the perimeter of a lot fronting a public road. As part of future subdivision approval, the ACRD will require a parcel frontage waiver for the proposed panhandle. The proposed panhandle frontage on Lamarque does not meet the minimum lot with requirement in the RA3 zone of 98.425 feet (29.9 m). An application to vary the minimum lot width will be requirement of subdivision approval.

ACRD Staff are supportive of the application as it provides a good opportunity for infill development and is not out of character for the area, provided the technical requirements of subdivision are resolved at the subdivision application stage.

Submitted by:




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Sarah Holden, Junior Planner

Reviewed by:




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Alex Dyer, MCIP, RPP  
Planner

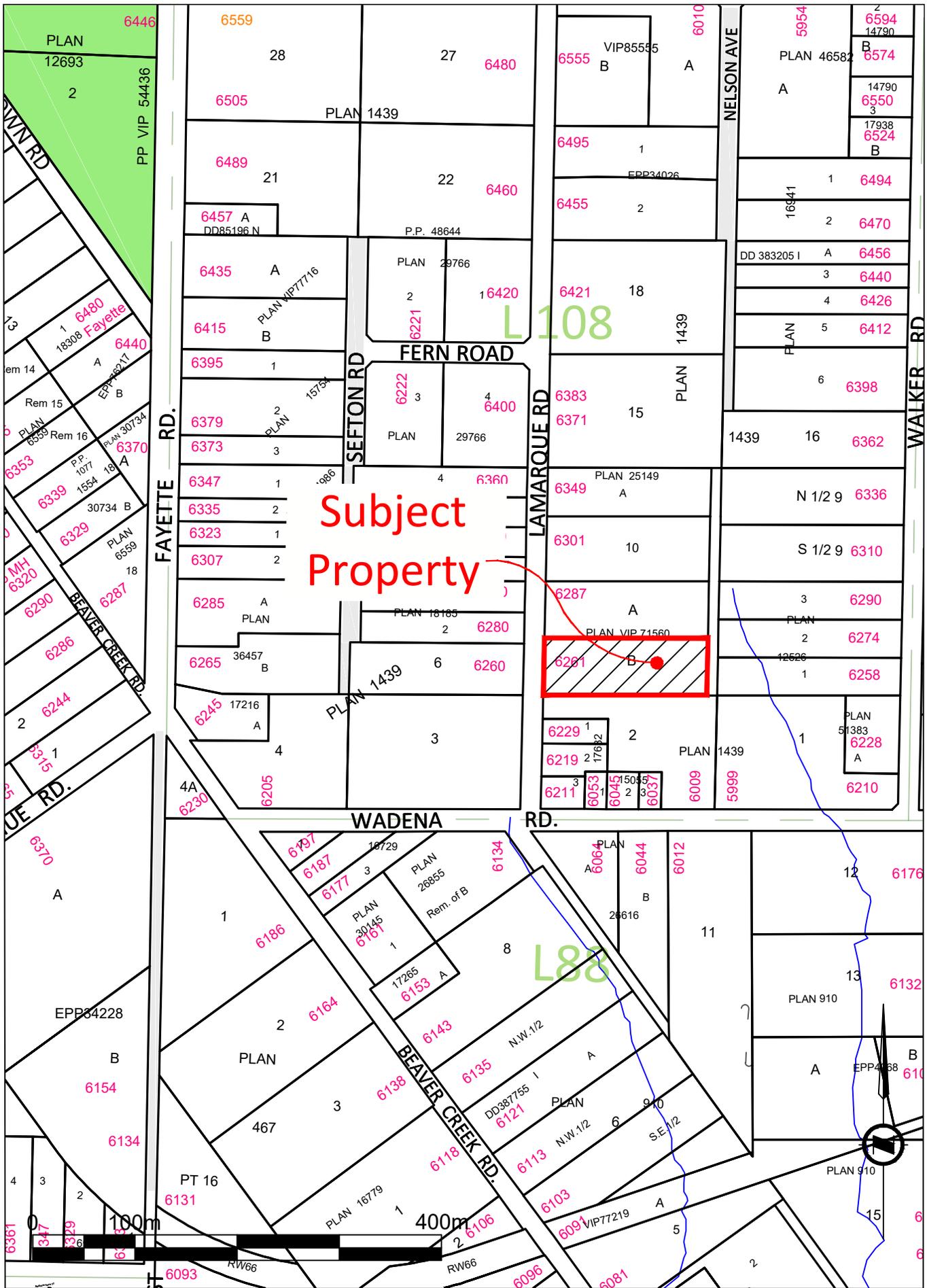
Approved by:




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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

**RE20001**



Legal Description: LOT B DISTRICT LOT 108 ALBERNI DISTRICT PLAN VIP71560



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

Phone: (250) 720-2700 Fax: (250) 723-1327

6261 Lamarque  
624-883-930

## APPLICATION FOR DEVELOPMENT PL20200005 RE20001

- |  |  |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Minimum Parcel Frontage Waiver  |
| <input checked="" type="checkbox"/> Zoning Map Amendment   | <input type="checkbox"/> Board of Variance Application   |
| <input type="checkbox"/> Zoning Text Amendment             | <input type="checkbox"/> Temporary Commercial Use Permit |
| <input type="checkbox"/> Development Permit                | <input type="checkbox"/> Temporary Industrial Use Permit |
| <input type="checkbox"/> Development Variance              | <input type="checkbox"/> Other: _____                    |

Applicant/Property Owner Information	Agent Information (if applicable)
Name: <u>Erin + Steve Anker</u>	Name: _____
Mailing Address: <u>4011 Ext A St</u> <u>Port Alberni BC</u> <u>V94 3X8</u>	Mailing Address: _____
Telephone: <u>250 720 7047</u>	Telephone: _____
Fax: _____	Fax: _____
Cell: _____	Cell: _____
Email: <u>eandsanker@gmail.com</u>	Email: _____

**ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT**

**JAN 14 2020**

**RECEIVED**

• Legal Description: 6261 Lamarque Rd.

• Particulars of Proposed Development:

- Existing OCP Designation: Residential
- Proposed OCP Designation: n/a
- Text Amendment: n/a
- Existing Zone: A1
- Proposed Zone: RA3
- Within the Agricultural Land Reserve (ALR)?:  No  Yes
- Within a Development Permit Area?:  No  Yes
- Method of Sewage Disposal:  Community System  Onsite Septic System  Other
- Method of Water Supply:  Community System  Onsite Water System  Other

• Other (explain): \_\_\_\_\_

• Describe the existing land use of the subject property: Residential

- Describe the existing land use of lands adjacent to the subject property:

North: Residential

South: Residential

East: Residential

West: Residential

- Describe the proposed development of the subject property (attach additional pages if necessary):

2x 1 acre lots for residential use

- Reasons and comments in support of the application (attach additional pages if necessary):

See attached sheet.

- The following information is required. Failure to provide any of the following may delay the application.

A sketch/plan of the subject property showing:

- the legal boundaries and dimensions of the subject property;
- boundaries, dimensions, and area of any proposed lot (if subdivision is being proposed);
- the location of permanent building and structures on the subject property with distances to property lines;
- the location of any proposed building, structures, or additions hereto, with distances to property lines;
- the location of any existing sewage disposal systems and/or property water source; and
- topographic features (rock outcroppings, etc.).

- Additional or more detailed information may be requested by the Regional District following review or your application.

**If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.**

**I accept responsibility for delays in processing caused by incorrect or insufficient submission. Personal information contained on this form is collected under the *Local Government Act*. Contact the Planning Department if you have any further questions.**

**I hereby grant Regional District staff full right of access to the subject property, during the hours of 8:00 am until 4:30 pm, Monday to Friday, except statutory holidays, while this application is in effect; and**

**I/We hereby declare that the information provided in this application is, to the best of my/our knowledge, true and correct in all respects, and I/we enclose the required fee with this application.**

**NOTE: All items submitted as part of the application will not be returned to the applicant and are subject to the *Freedom of Information and Privacy Act*. All relevant correspondence will be provided to both the applicant and the agent when applicable.**

Applicant/Owner Signature: 

Applicant/Owner Signature: \_\_\_\_\_

Date: Jun 17 / 2020

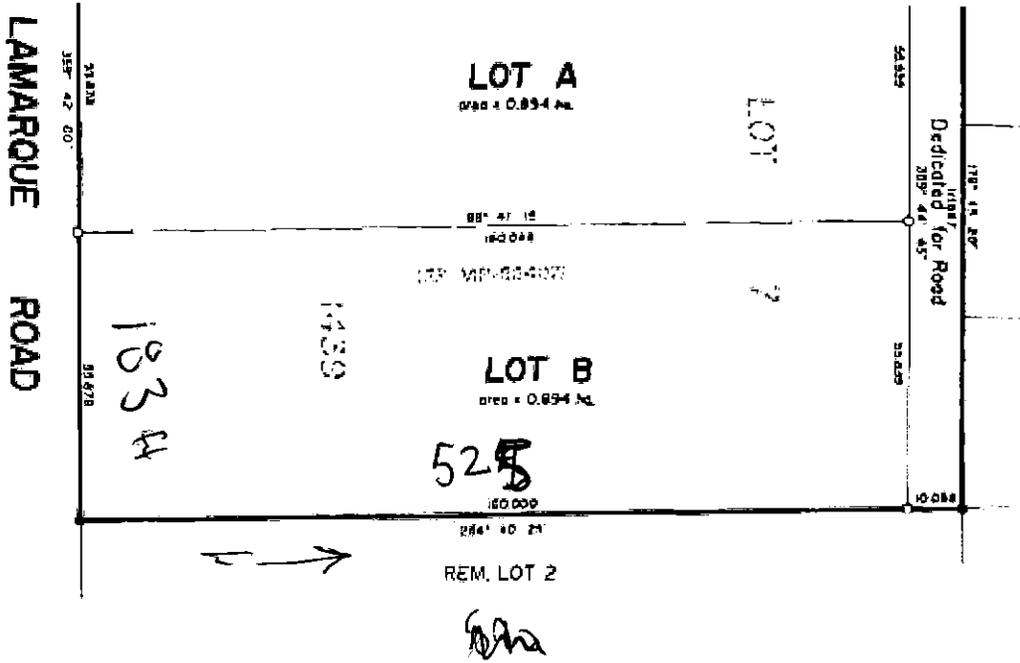


# 6261 Lamarque

Lori Wilson <lwilson@acrd.bc.ca>

Thu 2019-10-10 3:13 PM

To: Kat Dwolinsky <kat@albernirealtor.com>



## Reason and Comments in support of the application.

- It is with all intents and purposes that we intend to develop this property for our family home. It is within our desired location and we would like to see the neighbourhood remain that, a neighbourhood.
- 6455 Jamarque Rd. has just been rezoned from A1 to RA-3 with no opposition
- There is a second property in the neighbourhood undergoing the rezoning process from A1 to RA-3.

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1404**

**OFFICIAL ZONING ATLAS AMENDMENT NO. 722**

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. P1404.
2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT B DISTRICT LOT 108 ALBERNI DISTRICT PLAN VIP71560 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      ,

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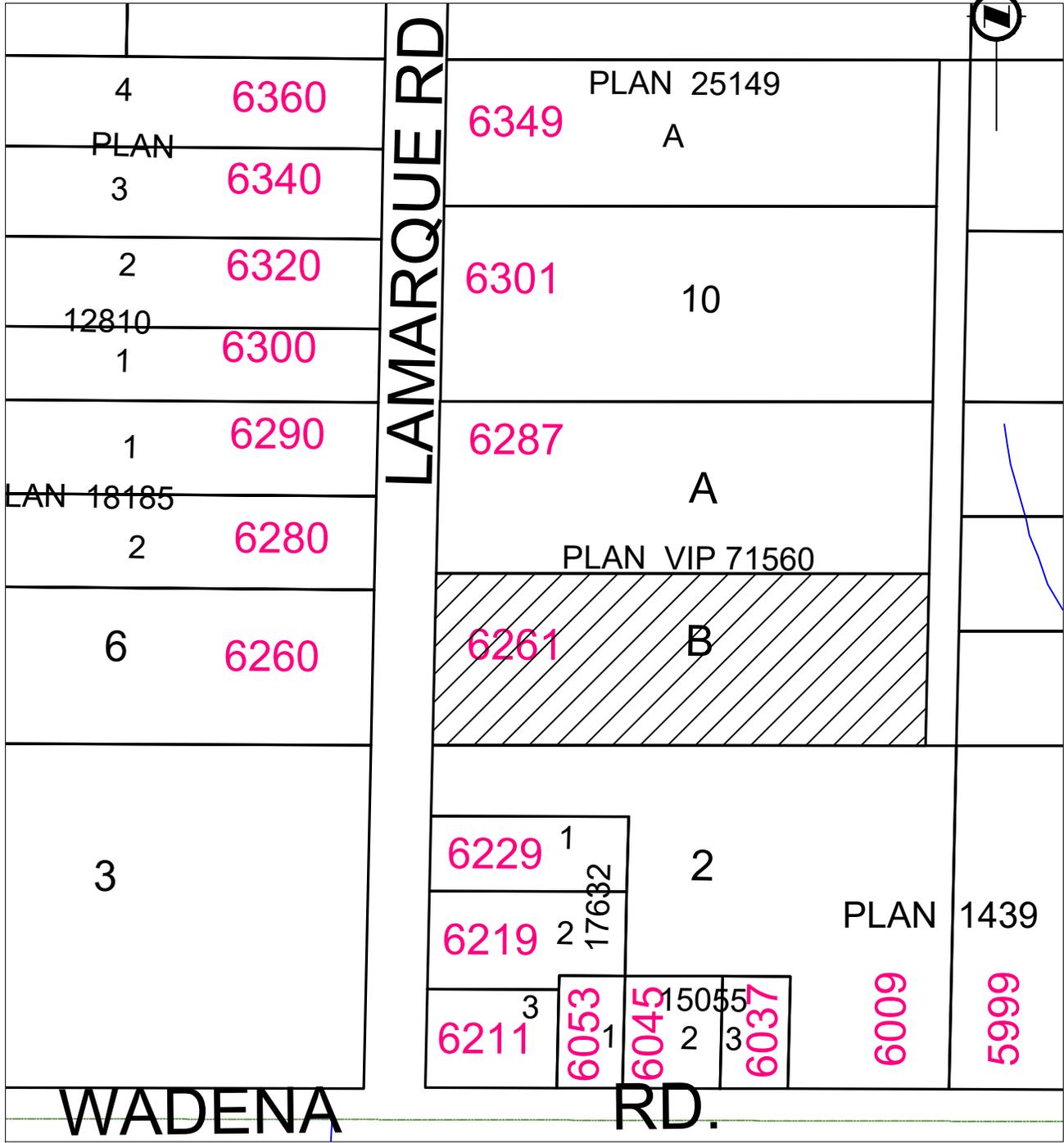
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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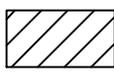
Chair of the Regional Board

# Schedule 'A'

This schedule is attached to and forms part of Bylaw P1404



Legal Description: LOT B DISTRICT LOT 108 ALBERNI DISTRICT PLAN VIP71560



To be rezoned from Small Holdings (A1) District to Acreage Residential (RA3) District.



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

