



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

October 14, 2020

## SPROAT LAKE ADVISORY PLANNING COMMISSION

Please find enclosed the following applications for your review and consideration:

- RD20003 – 7956 Pacific Rim Hwy (Stevens)

Please review these applications so that your Director can submit your recommendations to the Regional Board on Wednesday, October 28, 2020.

Your next meeting is scheduled for **Monday, October 19<sup>th</sup> at 7:00 pm** through Zoom Video Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Alex Dyer  
Planner

Enclosures

Cc Applicants



## Rezoning Application

**TO:** ACRD Board of Directors

**MEETING DATE:** October 28, 2020

**FROM:** Sarah Holden, Junior Planner

**ACRD FILE NO:** RD20003

**APPLICANTS:** Ross & Shary Stevens

**LEGAL DESCRIPTION:** LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647

**LOCATION:** 7956 Pacific Rim Highway, Port Alberni

**ELECTORAL AREA:** "D" Sproat Lake

**Applicants Intention:** The application includes an Official Community Plan amendment and a zoning map amendment. The applicant intends to redesignate a portion of the property from "Rural Use" to "Residential Use" and "Industrial Use", to bring the Industrial portion of the property into DPA III – Objectives for Form and Character, and to split zone the existing +/- 4.53 ha (11.2 ac) property to 1.01 ha (2.5 ac) zoned Small Holdings (A1) District and the remaining 3.43 ha (8.48 ac) zoned Light Industrial (M2) District. This split-zoning application is to accommodate a Single Family Dwelling (SFD) on the 1.01 ha (2.5 ac) property and to allow for mini storage, open storage, a caretaker dwelling, and a mechanical shop on the remainder. Following rezoning, the proposed 1.01 ha (2.5 ac) Small Holdings (A1) District parcel would meet the requirements for future subdivision.

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### Recommendation:

The following are the recommendations of the staff report:

- THAT Sproat Lake Official Community Plan Amendment Bylaw P1411 be read a first time;
- THAT Bylaw P1412 Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaws P1411 and P1412 be delegated to the Director for Electoral Area 'D', the Alternate Director or the Chairperson of the Regional District;

### RD20003

- THAT the Board of Directors confirm that adoption of Bylaws P1411 and P1412 are subject to:
  - a. Confirmation from a Registered On-Site Wastewater Practitioner that the property can accommodate an onsite sewage disposal system for the proposed caretaker dwelling, mechanical shop, open storage, and a mini storage facility;
  - b. Positive referral response from the Ministry of Transportation and Infrastructure regarding industrial road access off Sarenga Road;
  - c. Restrictive covenant registered on the property title restricting industrial uses to:
    - i. Closed Storage and Warehousing;
    - ii. Open Storage; and
    - iii. Motor vehicle and commercial truck repair;
  - d. Restrictive covenant registered on the property title restricting any future subdivision of the industrial zoned area and prohibiting any land clearing or development within 30 metres of adjacent properties; and
  - e. Meeting all technical referral agency requirements.

**Observations:**

i) **Status of Property:** The +/- 11.2 ac (4.53 ha) is located on the corner of the Pacific Rim Highway and Sarenga Road. It slopes gradually from north to south and includes a treed buffer along the Pacific Rim Highway, the eastern and southern property lines, and along most of Sarenga Road. A single family dwelling and decommissioned kennel are located in the northwestern corner of the property. Approximately 0.6 ha (1.5 ac) have been cleared for storing heavy equipment and parking logging trucks. Surrounding properties include Crown Land across the Pacific Rim Highway to the north, large rural properties to the east and south, and timberland across Sarenga to the west.

ii) **Services**

- a. **Sewage Disposal:** On-site sewage disposal.
- b. **Water Supply:** On-site water (well).
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** Access to the property is from the Pacific Rim Highway. The applicants access the proposed industrial lands from Sarenga Road. The Ministry of Transportation and Infrastructure will review the development for commercial/industrial access requirements and for development adjacent to a Controlled Access Highway.

**RD20003**

### iii) Existing Planning Policies Affecting the Site

- A. **Agricultural Land Reserve:** Not within the ALR.
- B. **Official Community Plan:** The property is currently designated “Rural Use”. The applicants are proposing two OCP designations covering the one property. The (northernmost) 1.01 ha (2.5 ac) would be redesignated as “Residential Use”, to be consistent with the minimum lot areas supported in the OCP, and the remainder of the property redesignated “Industrial Use” to facilitate the proposed development.

The northeast section of the proposed industrial portion of the property abuts the Pacific Rim Highway, approximately 1 km north of Tseshaht Market and a property where a mini storage facility was approved by the ACRD in 2016. Under *Section 20.6 Category* of the Sproat Lake OCP, all industrial, commercial, and multi-family designated properties fronting on Highway 4 (Pacific Rim Highway) are included within DPA III – Objectives for Form and Character. The Pacific Rim Highway is one of the most heavily trafficked roads in the ACRD and the scale and character of the built environment along this travel corridor have an impact on the impression formed by both residents and visitors as they travel through. Guidelines included in DPA III include, but are not limited to:

- a. Screening and buffering of sites adjacent to residential uses;
- b. Appropriate scaling, massing, and shape of buildings;
- c. Maintenance of view planes; and
- d. Requirements for landscaping and use of native plant species.

**Bringing the proposed Industrial portion of this property into DPA III – Objectives for Form and Character will help to maintain the visual quality of the built environment along the Pacific Rim Highway. A development permit application with detailed building and site plans will be required prior to any development of the industrial operation at this site. The development permit is not required as a condition of approval for the rezoning and OCP amendment application, but will be required prior to issuing any future building permits for the site.**

Objectives for Industrial Use in the Sproat Lake OCP include facilitating the growth of the local economy, and ensuring that opportunities for home industry are provided and implemented with minimal disturbance to neighbours.

Policy 7.2.2 Requirements include buffering and screening of industrial uses where they are located adjacent to non-industrial land.

Policy 7.2.4 Encourages industrial uses to locate in areas so designated, such as the airport area and hector road.

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While the Sproat Lake OCP encourages economic diversification, industrial uses are not supported along the Pacific Rim Highway. Potential impacts may be mitigated by incorporating the subject property into DPA III – Objectives for Form and Character.

***This proposal would be inconsistent with the current Rural Use policies and objectives of the Sproat Lake OCP and with Section 7.2.4 which encourages locating industrial uses to the airport and Hector Road. Redesignating a portion of the property to Industrial Use is required in order to facilitate rezoning of this site. Extending the DPA III designation into that same portion of the property will allow the Regional District to regulate the form and character of any industrial development on the property.***

**Zoning:** The property is zoned Rural (A2) District and the property owner is applying to rezone to a split zoning of Small Holdings (A1) District and Light Industrial (M2) District.

	<b>A2 District (existing)</b>	<b>A1 District (proposed)</b>	<b>M2 District (proposed)</b>
Minimum Lot Area:	5 ac	2 ac	10,000 m <sup>2</sup> (2.4 ac)
Minimum Lot Width	330 ft	165 ft	100 ft
Lot Coverage:	-	-	60%
Minimum Setbacks			
Front:	50 ft	25 ft	10 ft
Rear:	30 ft	30 ft	10 ft
Side:	15 ft	5 ft	Total not less than 20 ft

The property owners intend to maintain 1.01 ha (2.5 ac) for residential use. The current Rural (A2) District zoning allows for a Minimum Lot Area of 2.02 ha (5 ac) and would not support the proposed residential lot size. The Small Holdings (A1) District permits minimum lot areas of 0.8 ha (2 ac) and would support the proposed residential lot size of 1.01 ha (2.5 ac).

The intent of Section 102 Rural (A2) District is to provide for the *conservation of agricultural and non-urban land by the holding of land in large parcels, (i.e. Minimum Lot Area of 2.02 ha (5 ac) or more), and for the protection of public health, safety and welfare in areas which being subject to periodic floods and overflow are unsuitable for urban-type uses and intensive development.*

The intent of Section 101 Small Holdings (A1) District is to *provide for intensive farming, truck gardening, orchard or nursery cultivation, greenhouses and other*

### **RD20003**

*intensive rural uses, and for the holding of Potential urban land in large parcels for future development.*

While the intent of the current Rural (A2) District zoning is to maintain large parcels that are unsuitable for urban-type and intensive uses, the Small Holdings (A1) District promotes the holding of large parcels for future development. The minimum lot area in the Small Holdings (A1) District maintains a minimum lot area of 0.8 ha (2 ac) and would not support future subdivision of the proposed 1.01 ha (2.5 ac) parcel prior to rezoning to a zone with a smaller Minimum Lot Area.

The property includes a single family dwelling, outbuildings, and a decommissioned former dog kennel. Kennels are permitted in the proposed Small Holdings (A1) District zoning, however; Section 6.18(4) restricts kennels used for commercial purposes to lots that are 2.02 ha (4.99 ac) or greater. The applicants do not intend to reopen the kennels. The remaining improvements on the parcel comply with the proposed Small Holdings (A1) District zoning.

The property owners intend to rezone 3.43 ha (8.48 ac) from Rural (A2) District to Light Industrial (M2) District. The owners have cleared +/- 0.6 ha (1.5 ac) for storing heavy equipment and parking logging trucks and access this storage area from a constructed driveway off Sarenga Road.

The applicants intend to use the property for a mechanic shop to service the logging industry, outdoor storage for larger equipment related to the mechanic shop, mini storage, and a caretaker dwelling to oversee the mini storage facility. The Light Industrial (M2) District permits these uses. Planning staff recommend placing a Restrictive Covenant on title that restricts uses to the aforementioned and consequently prohibits the additional uses otherwise permitted in the Light Industrial (M2) District.

***The applicant is applying to rezone the property to a split-zone with 1.01 ha (2.5 ac) zoned Small Holdings (A1) District and the remaining 3.43 ha (8.48 ac) zoned Light Industrial (M2) District.***

**Comments:** A site visit conducted on September 9, 2020 found that vehicles and equipment are currently stored on the property. An area of +/- 0.6 ha (1.5 ac) has been cleared and this portion of the property is accessed off Sarenga Road. The existing kennels are not in use. The applicants intend to construct a berm along the northeast property line bordering the Pacific Rim Highway to provide a noise and visual buffer and to maintain a vegetative buffer around the remaining property boundaries.

The current equipment storage is contrary to the Rural (A2) District zoning.

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Further, the applicants did not receive MOTI access permits for the property. Section 52 of the *Transportation Act* requires Ministry of Transportation and Infrastructure approval of any rezoning bylaw for property located within 800 metres of a Controlled Access Highway. This requirement will be noted as part of the referral process to the Ministry prior to Public Hearing with final approval required prior to adoption. Staff recommend that access to the proposed industrial area is gained off Sarenga Road and are not supportive of industrial access off the Pacific Rim Highway in this area.

This rezoning includes an OCP Amendment, zoning atlas amendment, restrictive covenants, and the inclusion of the proposed industrial lands into DPA – III – Objectives for Form and Character.

Subject to the rezoning conditions outlined in the report, ACRD Staff are supportive of moving this application forward to the public hearing process. Staff are supportive of proceeding to the public hearing stage to garner input from the public. This is a significant change to the OCP. Economic development opportunities need to be balanced with the impact on the surrounding neighbours. What is proposed exceeds the scope of what is permitted in the OCP under home industry.

Submitted by:



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Sarah Holden  
Junior Planner

Reviewed by:



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Mike Irg MCIP, RPP  
General Manager of Planning and Development

Approved by:

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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

**RD20003**



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

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

## APPLICATION FOR DEVELOPMENT

- |   |  |
|---|--|
| <input checked="" 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: Ross Stevens + Shary Stevens	Name:
Mailing Address: 5601 Sarenga Road Port Alberni BC V9Y 8Y8	Mailing Address:
Telephone: 250-724-5451	Telephone:
Fax:	Fax:
Cell:	Cell:
Email: ross-shary@shaw.ca	Email:

- Legal Description: Lot 1, DL 149, Alberni District, VIP 1647, PID: 003-418-600  
7956 Pacific Rim Highway.
- Particulars of Proposed Development:
  - Existing OCP Designation: Rural use
  - Proposed OCP Designation: \_\_\_\_\_
  - Text Amendment: \_\_\_\_\_
  - Existing Zone: Rural A2 district
  - Proposed Zone: \_\_\_\_\_
  - 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: private residence

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

North: Highway and undeveloped park/crown land  
South: Rural residential  
East: Rural residential - undeveloped park/crown land  
West: Island Timberlands Forest land

- Describe the proposed development of the subject property (attach additional pages if necessary):  
8.48 acres for mini storage, mechanical shop, residence for care taker. 2.52 acres from A2 rural to A1 rural
- Reasons and comments in support of the application (attach additional pages if necessary):

- 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: Ross Stevens - Shay Stevens

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

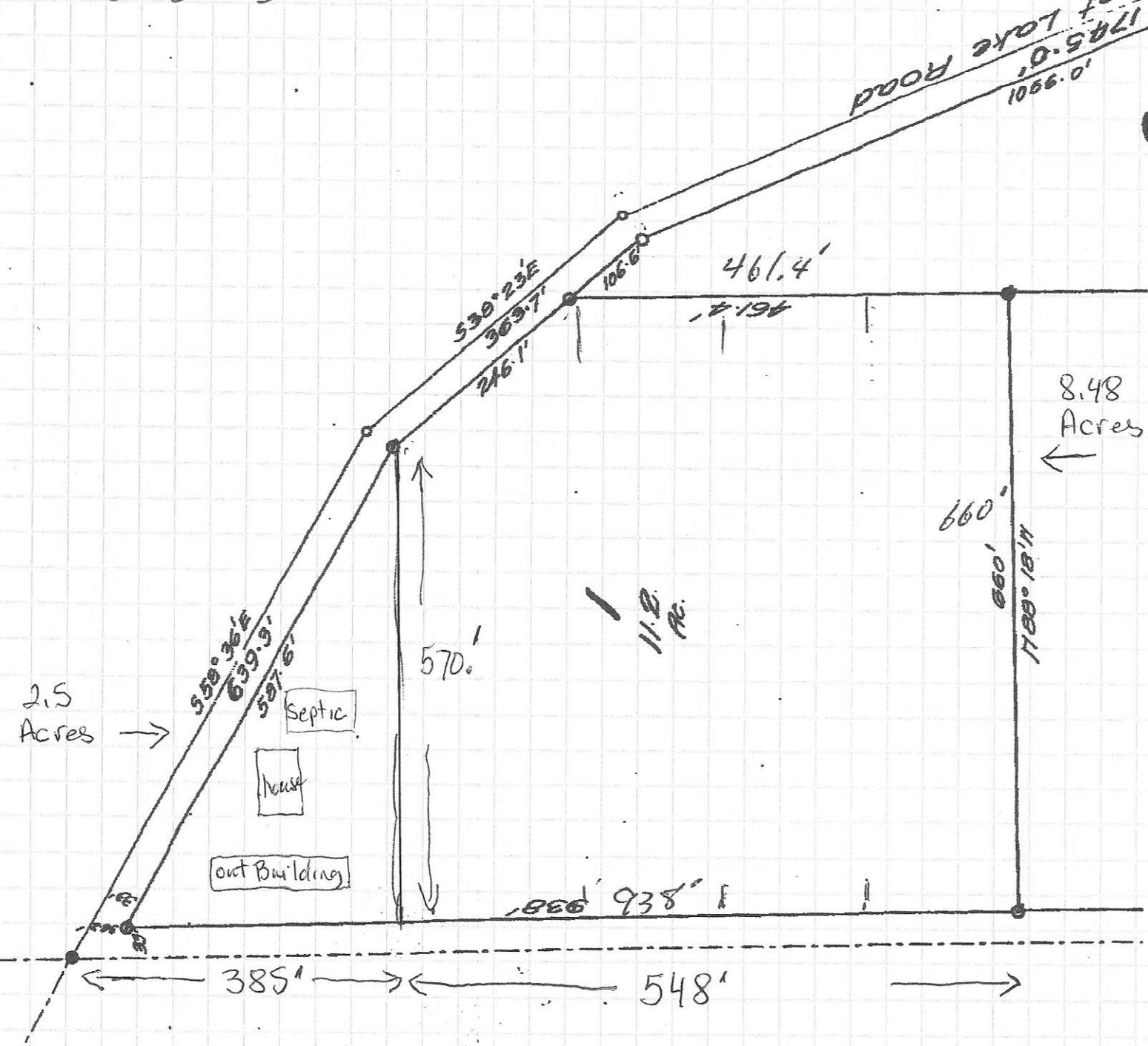
Date: July 22, 2020

2.5 acre lots +

8.4 acre lot 7956 Pacific Rim Highway

RD 20003

1745.0'  
10.9901  
1047 Lake Road





Sarenga Road Access.



Cleared heavy equipment parking area and proposed shop site.



Cleared heavy equipment parking area and proposed shop site.



Cleared heavy equipment parking area and proposed shop site.



Cleared section for proposed mini storage.



Decommissioned kennels.



Decommissioned kennels.



Single family dwelling.



Driveway access for single family dwelling off Highway 4.

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1411**

**A BYLAW TO AMEND BYLAW NO. P1310  
SPROAT LAKE OFFICIAL COMMUNITY PLAN**

WHEREAS by Section 478(2) of the *Local Government Act*, all bylaws enacted by the Regional Board must be consistent with an existing official community plan;

AND WHEREAS the Regional Board may amend an existing official community plan;

NOW THEREFORE the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. TITLE

This bylaw may be cited as the Sproat Lake Official Community Plan Amendment Bylaw No. P1411.

2. Schedule A of Bylaw P1310, Plan Map 2 – Land Use Designations, is hereby amended by redesignating a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from “Rural Use” to “Industrial Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.

3. Schedule A of Bylaw P1310, Plan Map 2 – Land Use Designations, is hereby amended by redesignating a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from “Rural Use” to “Residential Use” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.

4. Schedule A of Bylaw P1310, Plan Map 3 – Development Permit Areas and Development Approval Information Area map, is hereby amended by including a portion of LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 within “Development Permit Area III – Objectives for Form and Character” as shown on Schedule ‘A’ which is attached to and forms part of this bylaw.

5. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this    day of            , 2020  
Public hearing held this    day of            , 2020  
Read a second time this    day of            , 2020  
Read a third time this    day of            , 2020

Adopted this    day of            , 2020

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Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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Chair of the Regional Board



**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. P1412**

**OFFICIAL ZONING ATLAS AMENDMENT NO. 727**

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. P1412.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647 from Rural (A2) District to Small Holdings (A1) District and Light Industrial (M2) 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    , 2020  
Public Hearing held this    day of    , 2020  
Read a second time this    day of    , 2020  
Read a third time this    day of    , 2020

Adopted this    day of    , 2020

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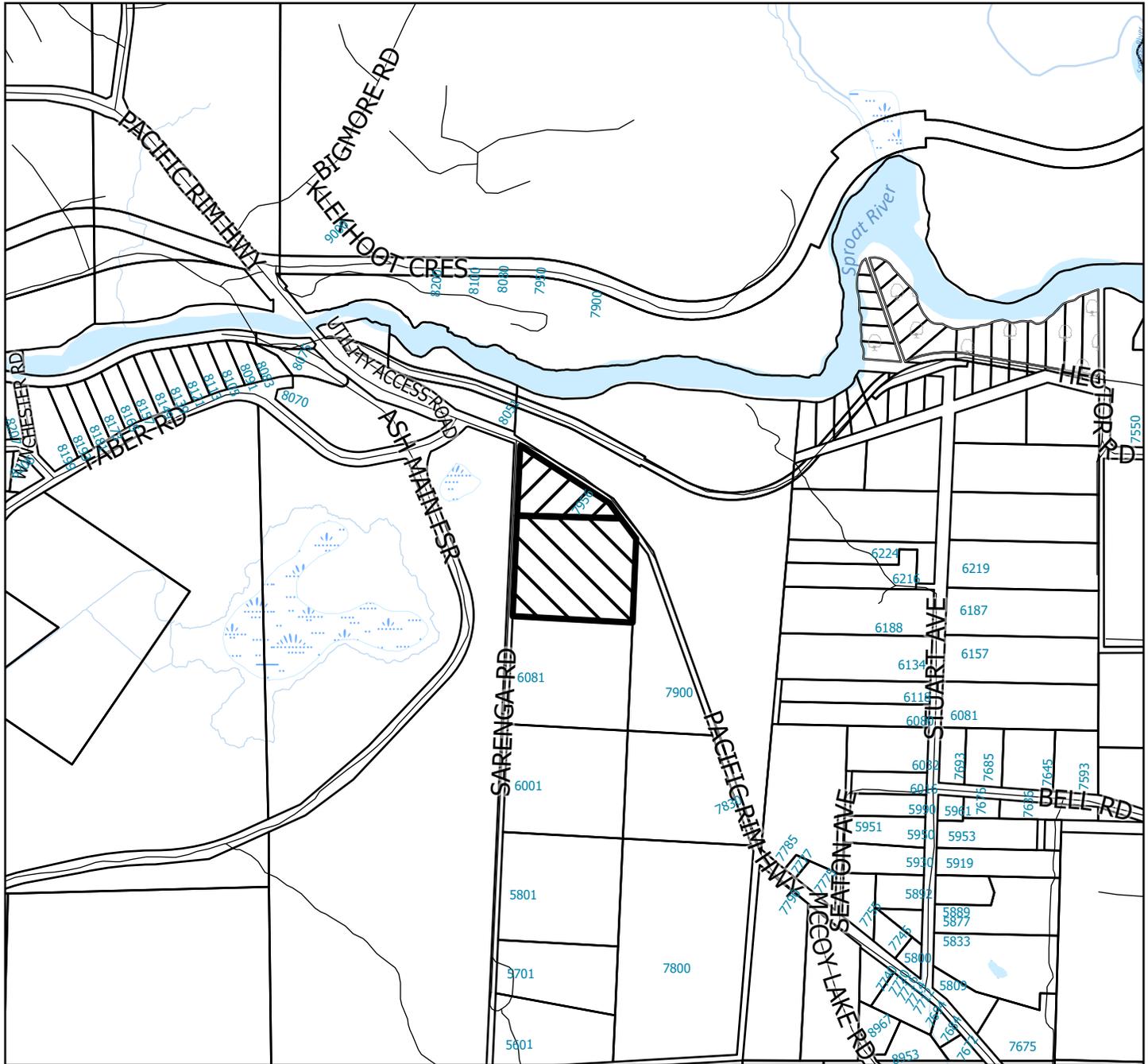
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

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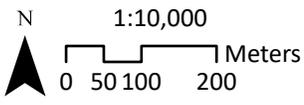
Chair of the Regional Board

# Schedule 'A'

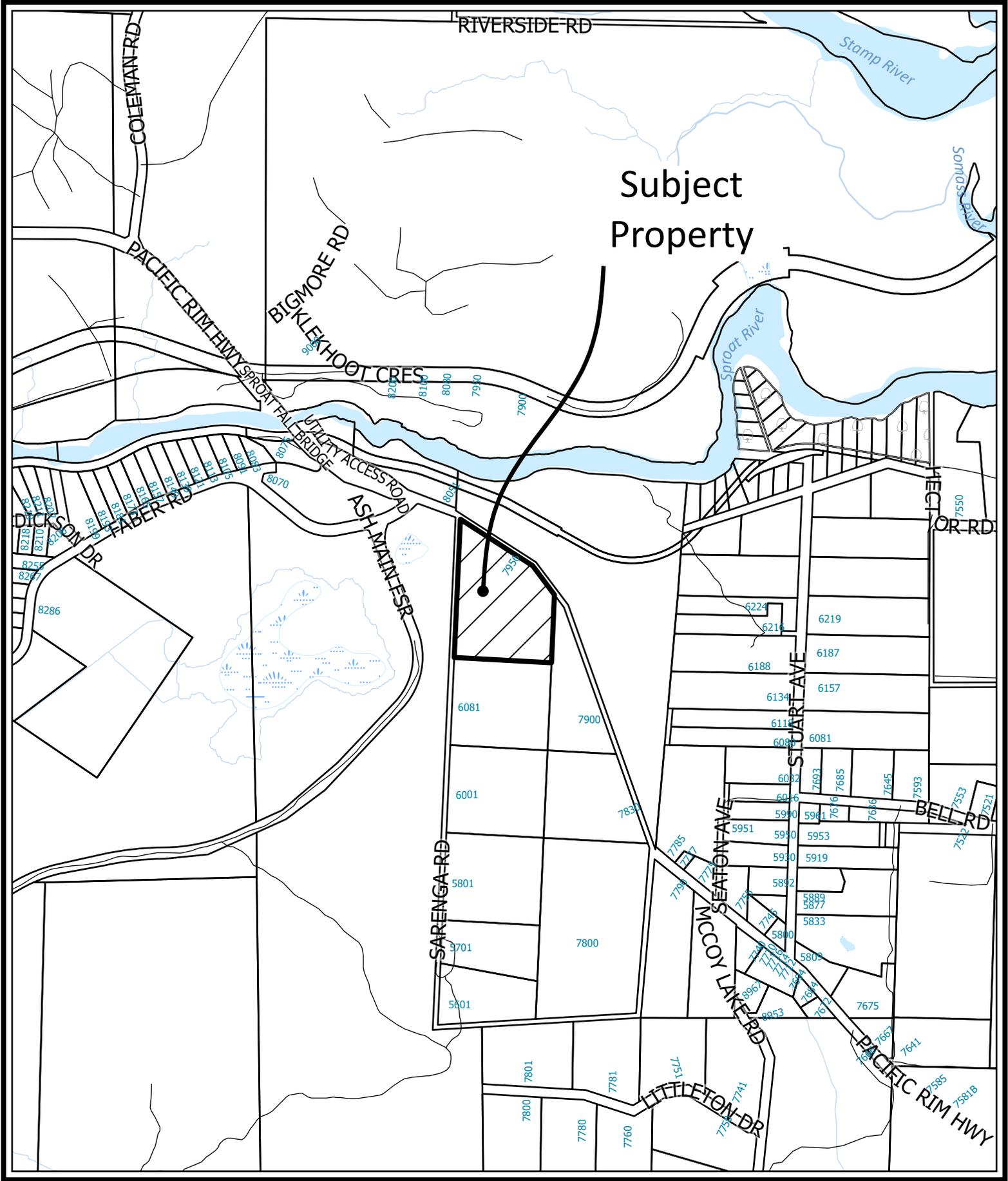
This schedule is attached to and forms part of  
Bylaw P1412



P1412 Stevens  
Legal Description: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647



-  To be rezoned from Rural (A2) District to Small Holdings (A1) District
-  To be rezoned from Rural (A2) District to Light Industrial (M2) District



Subject  
Property

Legal Description: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647

