



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

January 21, 2021

SPROAT LAKE ADVISORY PLANNING COMMISSION

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

- DVD20008 – 10893 Lakeshore Road (Klapstein)
- RD20003 – 7956 Pacific Rim Hwy (Stevens)

Please review these applications so that your Director can submit your recommendations to the Regional Board on Wednesday, February 10th, 2021.

Your next meeting is scheduled for **Thursday, January 28th at 7:00 pm** through Zoom Video Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Alex Dyer
Planner

Enclosures

Cc Applicants



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

Development Variance Application

MEETING DATE: February 10, 2021

ACRD FILE NO.: DVD20008

APPLICANT: Lawrence & Tammy-Lynn Klapstein

LEGAL

DESCRIPTION: LOT 1, DISTRICT LOT 622, CLAYOQUOT DISTRICT, PLAN 22615

LOCATION: 10893 Lakeshore Road, Port Alberni

ELECTORAL AREA: "D" Sproat Lake

APPLICANT'S INTENTION: The applicant has applied for a development variance permit to reduce the required front yard setback in the RA1 zone from 12.19m (40 ft) to 5.91m (19.42 ft) and to increase the maximum permitted height for an accessory building from 5.42m (17.8 ft) to 5.94m (19.5 ft). The variance would bring the siting of the existing garage accessory building into compliance with the RA1 zoning and accommodate a second storey addition to the structure.

Recommendation: *THAT the Board of Directors consider issuing development variance permit DVD20008, subject to neighbouring properties being notified as per Local Government Act s.499.*

Development Variance DVD20008:

- i. Development variance of Section 200 – Schedule No. II of the ACRD Zoning Bylaw to reduce the required front yard setback from 12.19m (40 ft) to 5.91m (19.42 ft) to bring the siting of the existing garage into compliance with the RA1 District zoning; and
- ii. Development Variance of Section 6.5(1)(d) of the ACRD Zoning Bylaw to increase the maximum allowable height of an accessory building from 5.42m (17.8 ft) to 5.94m (19.5 ft) to accommodate a second storey addition to the existing structure.

Procedure: Prior to the issuance of a development variance permit, the Board must first pass a resolution to consider issuing the permit. Staff then notify neighbouring property owners and tenants to afford them the opportunity to make written or verbal submissions to the Board. At the subsequent meeting, the Board issues or denies the development variance permit.

Advisory Planning Commission Recommendation: The next Sproat Lake Advisory Planning Commission meeting to be held January 28, 2021.

DVD20008

Observations:

- i. **Status of Property:** The +/- 0.24 ha (0.6 ac) fronts onto Sproat Lake and is bisected by Lakeshore Road. The property gradually slopes up from the lake and includes a 2,200 square foot house and a 500 square foot detached carport on the portion of the property east of the road and a 667 square foot detached garage on the portion west of the road. The detached garage is the subject of the variance application to allow for a second storey addition. The garage was constructed with a building permit in 2004, however the accessory building appears to have been constructed within the front yard setback.

The area surrounding the house has been mostly cleared, apart from a tree line buffer along the northern and southern property lines. The western portion of the property is mostly treed, apart from the area where the garage is located. The property is surrounded by residential lots to the north and west, Telus public utility lands and residential lots to the south, and Sproat Lake to the east.

ii. **Services**

- a. **Sewage Disposal:** On-site septic system. There is an existing septic field in the west end of the property behind the detached garage.
- b. **Water Supply:** On-site water system.
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** Access to the property is from Lakeshore Road. The road bisects the property with driveway accesses into the property on the east side to the house, carport and lakefront and on the west side to access the detached garage.

iii. **Existing Planning Policies Affecting the Site**

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. **Official Community Plan:** The Sproat Lake Official Community Plan (OCP) designates the subject property as Residential Use.

The addition to the garage is supported by the policies of the Residential Use designation and the proposed development is not located within a Development Permit Area.

- c. **Zoning:** The property is zoned Acreage Residential (RA1) District.

Bulk and Site Regulations for an Accessory Use in the RA1 District		
	Required	Proposed
Front lot line setback:	12.19m (40 feet)	5.91m (19.42 feet)
Rear yard setback:	0.304m (3 feet)	-
Side yard setback:	0.304m (3 feet)	-
Maximum Height:	*5.42m (17.8 feet)	5.94m (19.5 feet)

DVD20008

*Section 6.5(2)(a) permits an increase in building height by 1 foot vertical distance for every 2 foot horizontal distance, in excess of a minimum side and rear yard setback requirement. The proposed addition to the garage is setback 4.49m (14.75 feet) from the south side lot line and the required setback is 0.304m (3 feet), thus the maximum permitted accessory building height is increased from 3.65m (12 feet) to 5.42m (17.8 feet). The proposed second storey addition would have a building height of 5.94m (19.5 feet), a difference of about 1 foot 9 inches.

The existing siting of the garage does not comply with the required 12.19m (40 foot) front yard setback in the RA1 District. The garage is 5.91m (19.4 feet) from the front lot line. A variance to bring the existing structure into compliance with the front yard setback is required to facilitate the new construction on the second storey of the structure.

In order to accommodate a second storey addition to the garage, the property owner is applying for a variance to increase the maximum height of an accessory building from 5.42m (17.8 feet) to 5.94m (19.5 feet) and to reduce the required front yard setback from 12.19m (40 feet) to 5.91m (19.42 feet).

Comments: The applicant intends to remove the existing roof structure of the garage, add a 138 square foot main floor addition to the west side and add a 579 square foot second storey addition to the garage. Building permit SL04-21 was issued for the garage in 2004 but the siting of the structure did not meet the front yard setback requirements at that time. In addition to legalizing the siting of the existing garage within the front yard setback, this variance application would allow for an increase to the allowable building height from 5.42m (17.8 feet) to 5.94m (19.5 feet), resulting in a 1 foot 9 inch increase in the maximum allowable height.

The property does not meet the minimum lot size to permit an Accessory Dwelling Unit and the proposed development must not result in a second dwelling within the new second storey addition. The use of the proposed addition will be regulated at the building permit stage.

Planning staff are of the opinion that the variance application is reasonable as it represents a minimal increase to the maximum building height of an accessory structure and does not appear to have a substantial impact on surrounding properties. Staff recommend that the Board of Directors consider the application and resolve to proceed with neighbour notification to engage with neighbouring residents and property owners.

Submitted by: 
 Alex Dyer, MCIP, RPP, Planner

Reviewed by: 
 Mike Irg, MCIP, RPP, GM of Planning and Development

Approved by: 
 Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

DVD20008



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

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

APPLICATION FOR DEVELOPMENT

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Minimum Parcel Frontage Waiver |
| <input 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 checked="" type="checkbox"/> Development Variance | <input type="checkbox"/> Other: _____ |

Applicant/Property Owner Information	Agent Information (if applicable)
Name: Lawrence + Tammy Lyran	Name: Robert Aston
Mailing Address: Klapstein 113 Stacey Crescent Nanaimo B.C. V9X1B9	Mailing Address: 5611 Chapman Road. Port Alberni B.C. V9Y-8K3
Telephone:	Telephone: 250-730-7825
Fax:	Fax:
Cell: 1-250-739-2854	Cell:
Email: tklapstein@shaw.ca	Email: raston@shaw.ca

- Legal Description: Lot 1, District Lot 622, Clayoquot District, Plan 72615

- Particulars of Proposed Development:

- Existing OCP Designation: Residential use

- Proposed OCP Designation: N/A

- Text Amendment: N/A

- Existing Zone: RA1 Acreage Residential 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: Residential

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

North: Residential
South: Lot 3 residential Lot 4 undeveloped.
East: lake front
West: Residential

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

see attached

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

see attached.

- 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: Robert [Signature]

Applicant/Owner Signature: _____

Date: Sept 25/20



Alberni-Clayoquot Regional District
Building Permit Application
RESPONSIBILITY OF OWNER

Neither the granting of a Building Permit, nor the approval of the relevant drawings and specifications, nor inspections made by the authority having jurisdiction, shall in any way relieve the registered property owner(s) from full responsibility for carrying out the work, or having the work carried out, in full accordance with the requirements of the British Columbia Building Code.

When the applicant is someone other than the registered owner(s) of the property on which the construction is to be undertaken, the Building Permit Application shall be accompanied by this statement, signed by the owner(s) as follows:

I/we, Tammy-Lynn & Lawrence Klapstein, the registered owner(s) of
Name(s) of Owner(s) – Please Print

10893 Lakeshore Road, Port Alberni BC V9Y9A1 hereby
Civic or Legal Address of Property – Please Print

authorize Robert Aston as
Name of Agent – Please Print

my/our agent to apply for a Permit to undertake construction on my property. As the registered owner(s), I/we understand and agree that I/we am/are responsible to ensure that the construction is carried out according to law and in compliance with the Building Bylaw and the BC Building Code.

August 26, 2020
Date

[Signature]
Signature(s) of Owner

Mountain Design & Drafting

5611 CHAPMAN ROAD PORT ALBERNI B.C.V9Y 8K3 250-730-7825

To whom it may concern,

Friday Sept 25/2020

Please accept this application for a development variance to increase allowable building height of an existing accessory structure to accommodate construction of a second floor. Use of said structure will continue to be accessory use only and with the addition of a washroom and small wet bar to be used as a studio for personal use. Attached plans and survey depict existing and proposed development, I have been asked by owners to facilitate this variance application and will be acting as their agent, any questions/ concerns/ or follow up documentation can be directed to myself through contact information included on application.

Thank you

Sincerely

A handwritten signature in black ink, appearing to read "Robert Aston", with a long horizontal flourish extending to the right.

Robert Aston

B.C. LAND SURVEYORS BUILDING LOCATION CERTIFICATE

LOT 1, DISTRICT LOT 622, CLAYOQUOT DISTRICT, PLAN 22615.

SCALE 1:500

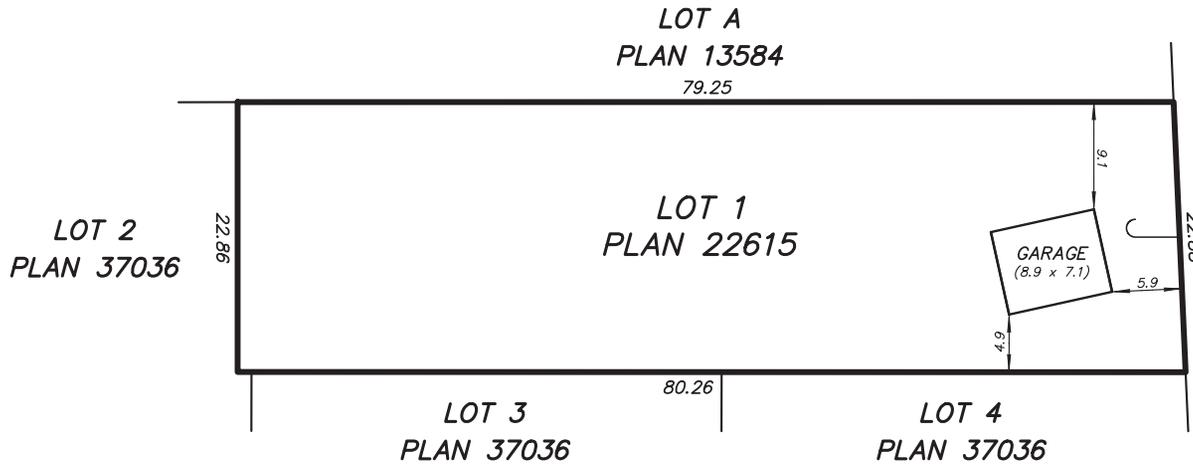
ALL DISTANCES ARE METRIC AND ARE DERIVED FROM PLAN 22615.

JURISDICTION: ALBERNI-CLAYOQUOT REGIONAL DISTRICT

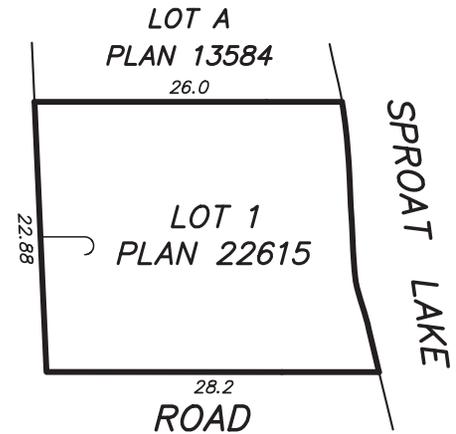
PID NO: 000-051-934

THIS LOT IS NOT SUBJECT TO ANY LTO CHARGE NUMBERS.

CIVIC ADDRESS: 10893 LAKESHORE ROAD,
PORT ALBERNI, BC



LAKESHORE ROAD



SPROAT LAKE

NOTE:

1. THIS SURVEY PURPORTS TO SHOW ONLY THE NEW CONSTRUCTION ON THE ABOVE DESCRIBED PARCEL(S) AND THEIR RELATIVE LOCATION THEREON.
2. THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO ANY OTHER BUILDING, PATIO, RETAINING WALL, PARKING FACILITY, FENCE, UNDERGROUND, ABOVEGROUND OR OVERHEAD UTILITY OR ANY OTHER IMPROVEMENTS AND THEIR RELATIVE LOCATION TO ANY INTERNAL OR EXTERNAL BOUNDARIES OF THE ABOVE DESCRIBED PARCEL(S) AND IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES.
3. SIMS ASSOCIATES LAND SURVEYING LTD. AND MICHAEL A. SIMS 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.

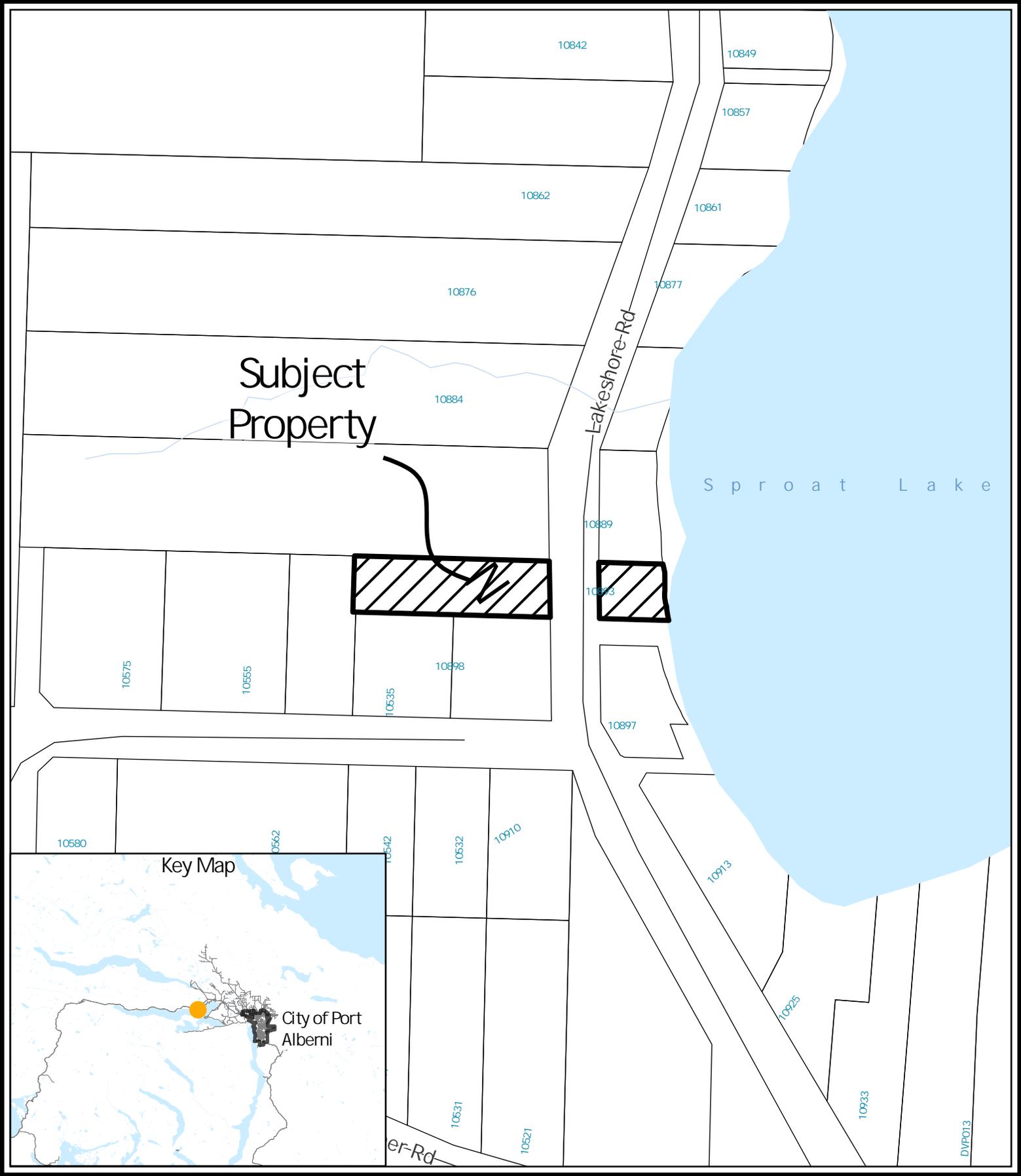
THIS SURVEY IS NOT VALID UNLESS DIGITALLY SIGNED.

THIS SURVEY IS PROTECTED BY COPYRIGHT AND MAY NOT BE REPRODUCED.

CERTIFIED CORRECT THIS 21ST DAY OF AUGUST, 2020 ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.

SIMS ASSOCIATES

LAND SURVEYING LTD.
223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 20-148-BL
DRAWING FILE: 20-148 BLC1.dwg



Subject Property

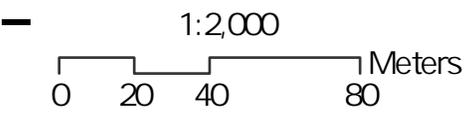
Lakeshore Rd

Sproat Lake

Key Map

City of Port Alberni

er-Rd



Legal Description on: LOT 1, DISTRICT LOT 622, CLAYOQUOT DISTRICT, PLAN 22615







Rezoning Application

TO: ACRD Board of Directors

MEETING DATE: February 10, 2020

FROM: Alex Dyer, 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 has applied to redesignate the property from "Rural Use" to a mix of "Residential Use" and "Industrial Use" 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 on the A1 zoned property and to allow for mini storage, open storage, a caretaker dwelling, and a mechanical shop on the M2 zoned remainder. Following rezoning, the proposed 1.01 ha (2.5 ac) A1 District parcel would meet the requirements for future subdivision.

Recommendation: Staff recommends that the Board deny this application. If the Board is considering denying an application, the appropriate motion would be:

"THAT the Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied."

Procedure: If the Board is considering denying an application, the Board's policy is to defer a decision on the application until the next meeting and invite the applicant to address the Board prior to a decision being made on the application.

RD20003

If the Board wishes to proceed with this application, the following resolutions would be appropriate:

- THAT Bylaw P1411 Sproat Lake Official Community Plan Amendment Bylaw 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;
- 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.

Advisory Planning Commission Recommendation: APC meeting to be held January 28, 2021.

January 2021 Update: It does not appear that any substantive additional work has been completed at the site since October. The applicants provided a letter to the ACRD on December 3, 2020 highlighting additional information for consideration by the APC and ACRD Board. The applicants have proposed dedicating a 3 metre (10 foot) wide buffer with a dirt berm or fence between the highway corridor and the proposed M2 zoned property. The letter, attached to the staff report as Appendix 'A', highlights the applicants' rationale for the proposed industrial use.

November 2020 Update: This application was presented to the Sproat Lake Advisory Planning Commission a first time on October 19th with a staff recommendation to proceed to public hearing. The applicant has since continued to expand the operation contrary to the current zoning and has cleared additional area on the property. A drainage ditch has been dug which drains the cleared low-lying area into a culvert under the highway. The outlet of the culvert is approximately 180 metres from the Sproat River located to the north of the subject property. The trees and

RD20003

vegetation that had protected the Highway 4 view corridor have been cleared. On October 26th staff observed additional clearing and the expanded gravel parking area which appears to be used as a marshalling area with 17 pieces of heavy equipment parked on-site.

Observations:

i) **Status of Property:** The +/- 11.2 ac (4.53 ha) property 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 2-3 acres 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.

iii) Existing Planning Policies Affecting the Site

- A. **Agricultural Land Reserve:** Not within the ALR. The property abuts the ALR boundary to the east and north-east.
- 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" and the remainder of the property redesignated "Industrial Use" to facilitate the proposed development.

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

RD20003

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.

The Pacific Rim Highway is one of the most heavily traveled 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. Bringing the proposed Industrial portion of this property into DPA III – Objectives for Form and Character would intend to protect the visual aesthetics along the Pacific Rim Highway. 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.

Planning staff have significant concerns with the clearing of the former vegetative buffer adjacent to the highway and with the visual impact of un-screened industrial uses along the highway corridor. This high visibility location along a heavily trafficked highway corridor represents the main connection between the Alberni Valley and the west coast and staff have concerns about the aesthetic impression formed by those traveling the highway corridor.

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 would be required in order to facilitate the industrial rezoning of this site.

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.

	A2 District (existing)	A1 District (proposed)	M2 District (proposed)
Minimum Lot Area:	5 ac	2 ac	10,000 m ² (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 > than 20ft

RD20003

The property owners intend to maintain 1.01 ha (2.5 ac) for residential use. The current Rural (A2) District zoning requires a minimum lot size 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 property includes a single family dwelling, outbuildings, and a decommissioned former dog kennel. Section 6.18(4) of the Zoning Bylaw restricts kennels used for commercial purposes to lots that are 2.02 ha (5 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 2-3 acres 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. If the Board wishes to proceed with industrial zoning for this site, planning staff recommend placing a Restrictive Covenant on the property 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 were currently stored on the property, contrary to the current A2 District zoning. Subsequent site visits on October 26th and November 25th indicated that the industrial equipment storage and marshalling use on the site appears to be ongoing and expanding. A 2-3 acre portion of the property accessed off Sarenga Road has already been cleared. A drainage ditch has been dug to drain the low-lying wetted area in the vicinity of the industrial storage area. The ditch drains into a culvert that crosses under the highway approximately 180 metres from the edge of the Sproat River on the north side of the highway.

The applicants have indicated they intend to construct a berm along the

RD20003

northeast property line bordering the Pacific Rim Highway to provide a noise and visual buffer. A portion of the land adjacent to the highway has already been cleared.

The applicants have also not received Ministry of Transportation and Infrastructure permits for industrial access off Sarenga Road or for direct access to the Pacific Rim Highway. If this application is furthered by the Board, the Ministry must approve the OCP and zoning amendments as per the *Transportation Act* requirements for development adjacent to a Controlled Access Highway. This requirement would be noted as part of the referral process to the Ministry prior to Public Hearing.

The proposed industrial use on this property represents a significant change from the current land use supported in the Sproat Lake Official Community Plan. The OCP designates the property as Rural Use, which supports the predominantly rural character to the area. The property is also directly adjacent to the Agricultural Land Reserve boundary to the east and north-east. The OCP supports regulation of the form and character of development along the Highway 4 corridor recognizing the highway represents one of the most heavily travelled roads in the region providing the primary access between the Alberni Valley and the west coast.

Recognizing the importance of protecting the visual aesthetic along the highway corridor, the significant change to the land use in the area represented by the proposed industrial use directly adjacent to rural residential and agricultural land, and the potential for negative environmental impact from surface runoff, planning staff do not support the rezoning application.

Submitted by: 

Alex Dyer, MCIP, RPP, Planner

Reviewed by: 

Mike Irg, MCIP, RPP, General Manager of Planning and Development

Approved by: _____
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

RD20003

Ross and Shary Stevens
PO Box 1173
Port Alberni, BC V9Y 7M1

December 3, 2020

RE: RD20003
Lot 1, District Lot 149, Alberni District, Plan 1647
7956 Pacific Rim Highway, Port Alberni, BC

After reviewing our Rezoning Application received from the Staff at ACRD / APC, Ross and I decided to postpone our meeting November 30, 2020 at 7pm. It was evident to us that we had not provided enough information for the APC to precede with our application.

The APC has voiced concerns that we have:

1. Continued to expand our operations contrary to current zoning and cleared additional area of the property. Trees and vegetation that protected the said section of highway 4 view corridor have been cleared.
2. A drainage ditch has been dug which drains the low-lying area into a culvert under the highway approximately 180 metres from Sproat River.
3. Expanded gravel parking area appears to be used as a marshalling area with 17 pieces of equipment parked.
4. The OCP encourages industrial uses to locate in areas so designated.
5. Concerns of the high visibility location and the aesthetic impressions formed by those travelling the highway corridor.
6. Ministry of Transportation and Infrastructure permits of industrial access off Sarenga Road.

Over the last 2 years we have been clearing and cleaning out a portion of our property located 7956 Pacific Rim Highway. The Gravel parking area was completed October 2019. We have not done any more clearing or gravelling of the parking lot since. We have engaged in pushing dirt, levelling and cleaning up on the land between the parking lot and the highway. There were never any trees removed along the highway 4 view corridor; this area was basically buck brush, shrubbery and black berries. This area has recently had the buck brush, shrubbery and blackberries removed. We will be installing a proper catch basin to provide surface runoff from low lying areas before it drains in to a culvert under the highway and disperses. We are aware that the removal of buck brush and shrub along the highway has horribly increased the visibility into our property from the highway 4 corridor. We propose to create a 10 foot buffer of private land to isolate the "M2" property from the highway and install a dirt berm or fence along the corridor.

Ross and Shary Stevens

RE: RD20003

Our expanded gravel parking lot is just that, a gravelled lot. It is not a marshalling yard in any way and people do not come and go from the yard.

The OCP encourages industrial land uses to locate in areas so designated i.e. the Airport and Hector Road. Our property is within walking distance of both locations. Back in the 1940's this property was the sight of a saw mill. In 1969 it was established as a commercial/industrial business. Question, why was it not grandfathered as a commercial/industrial business in 1976?

It's interesting to note, one kilometre west of Sarenga Road, both sides of the highway, from Coleman Road to Great Central Lake Road have been heavily logged with out leaving a treed buffer. This has significantly affected the visual aesthetics along the Pacific Rim Highway for years to come.

Extensive heavy industrial logging operations are going on today between Ash Main and Sarenga Road. They have logged from Ash Main up to Sarenga Road across from Lots 3, 4 and 5. There have not been any considerations to buffer zones along Sarenga Road. Next year Mosaic is planning to continue to log from Ash Main to Sarenga Road across from Lots 1 and 2. Sections of the Ash Main logging road are already visible from Sarenga Road. Another note, residents along Faber Road and Stirling Arm have experienced the same interruptions of their aesthetic view corridor.

We have been in contact with the Ministry of Transportation and Infrastructure. They are familiar with us as about 10 years ago they opened up the entrance of Sarenga Road from Pacific Rim Highway to comfortably accommodate the use of heavier vehicles. Also, they saw no issues with our plan at this time.

Chatting with neighbours in the area they have been supportive of our development ideas. We are aware ACRD Policies in place require a substantial buffer between the properties and we will insure this. Calvin developing the storage yard next to Sproat Lake Fire Hall supports my plan as his storage facility will be catering to RV's and boat owners.

Our development will be an asset to the community of Sproat Lake, Port Alberni and to the occasional traveller along the highway corridor between the Alberni Valley and the West Coast. Not only do we support local businesses, we will be hiring local to help to construct buildings and fencing. Our Shop will employ local trade's people; we are supporters of the "Industry Training Authority" and will be able to better mentor students breaking into the Heavy Duty Mechanical trade.

If any members of the ACRD or APC need a site visit or would like to view and discuss our project ideas, we request that you call first. If you have additional questions that do not require a site visit, please call.

Ross and Shary Stevens

250-724-5451



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, Dh 149, Alberni District, V1P1B47, 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: _____

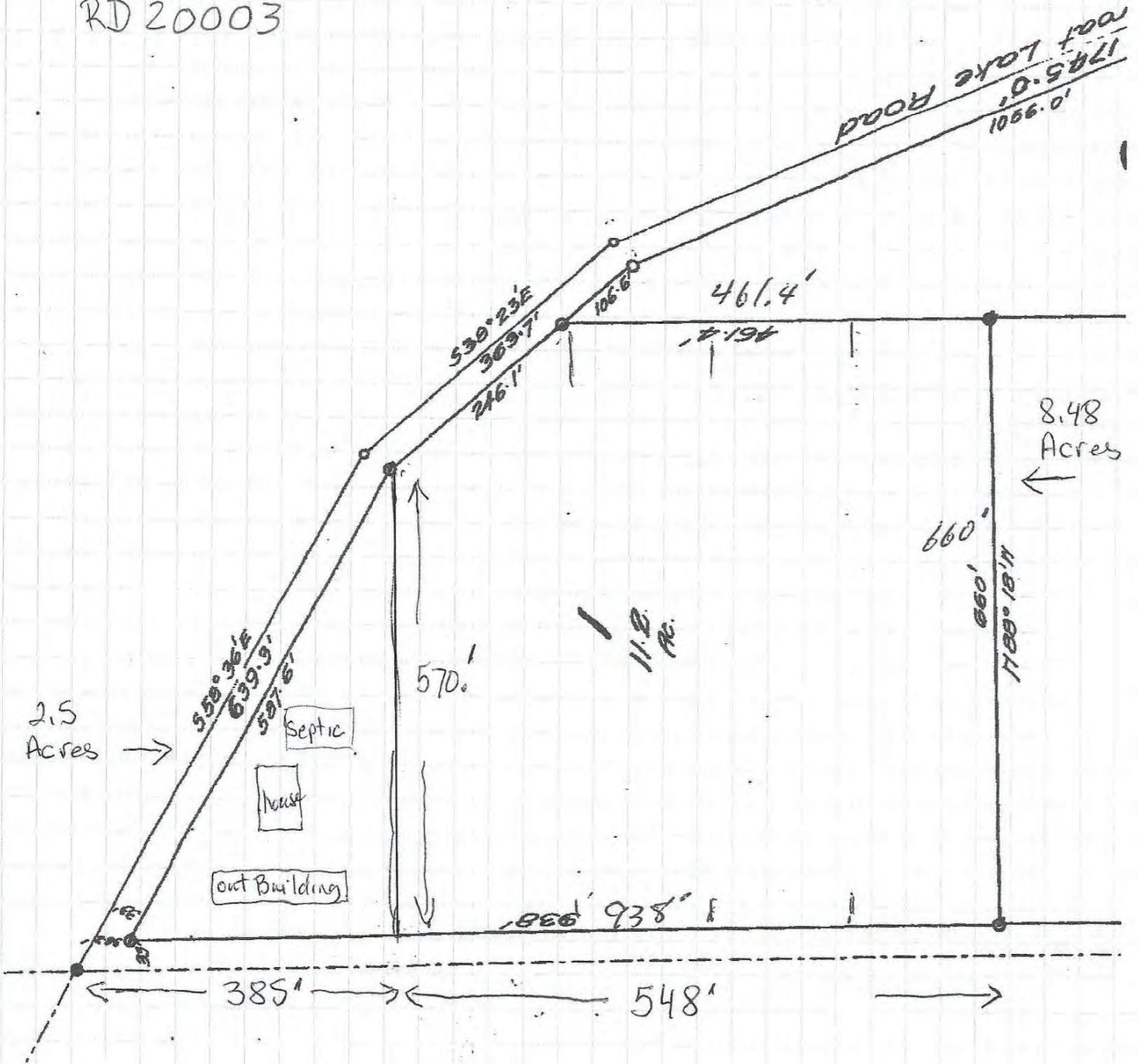
Date: July 22, 2020

2.5 acre lots +

8.4 acre lot

7956 Pacific Rim Highway

RD 20003



Parking Lot #1
2020/11/25



Parking Lot #2
2020/11/25



Parking Lot #3
2020/11/25



Temp Power Pole
2020/11/25

View from edge of parking
lot towards highway
2020/11/25



View from edge of parking lot
towards highway
2020/11/25



View from edge of highway
2020/11/25



Ditch from property joins highway ditch.
2020/11/25



View from edge of highway #2
2020/11/25



Culvert outlet on opposite
side of highway
2020/11/25



View from across highway
2020/11/25



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

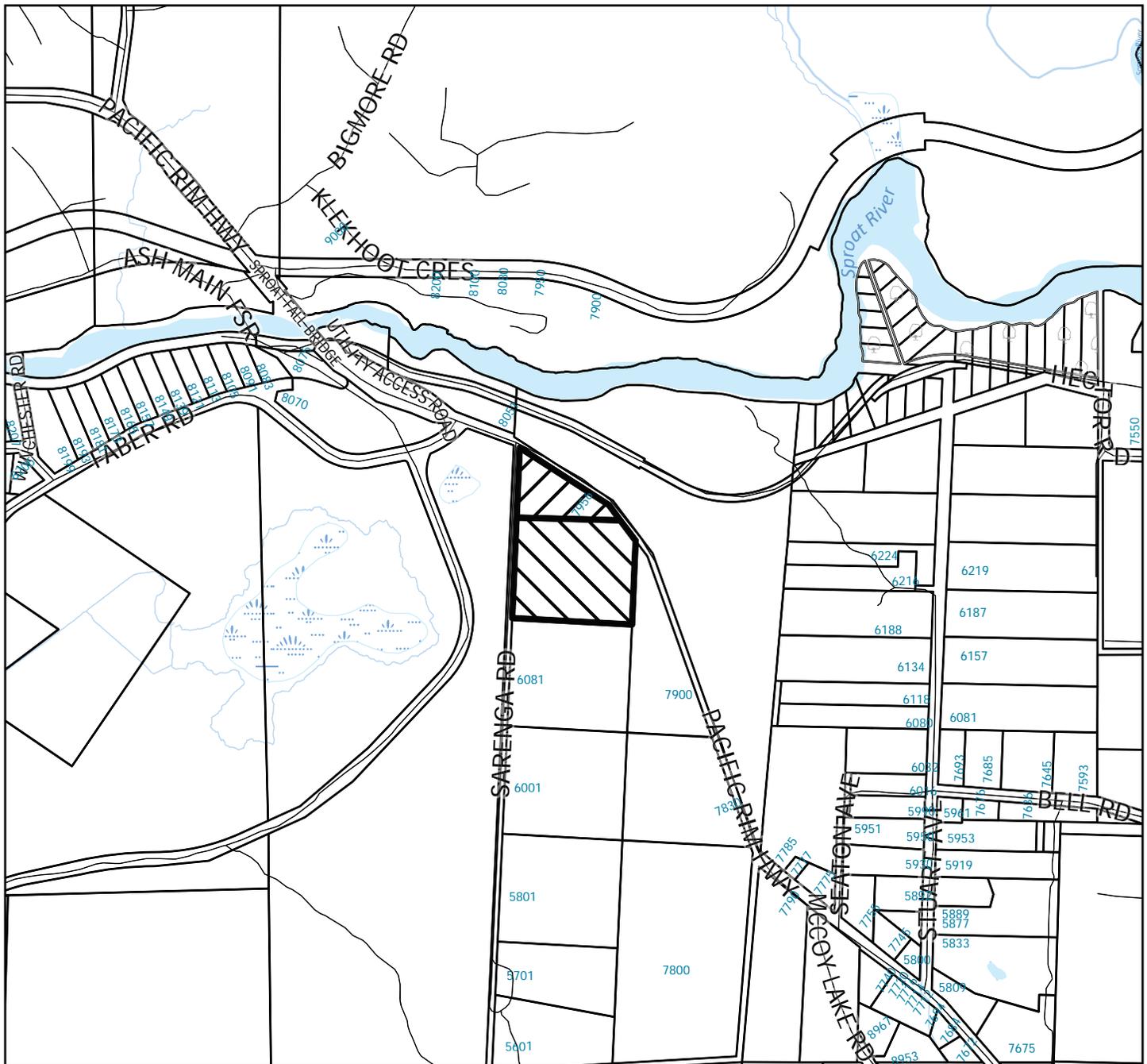
Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

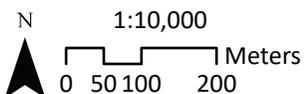
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of
Bylaw 1411



P1411 Stevens
Legal Description: LOT 1, DISTRICT LOT 149, ALBERNI DISTRICT, PLAN 1647



To be redesignated from "Rural Use" to "Residential Use"



To be redesignated from "Rural Use" to "Industrial Use" and to be included within DPA III – Objectives for Form and Character

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

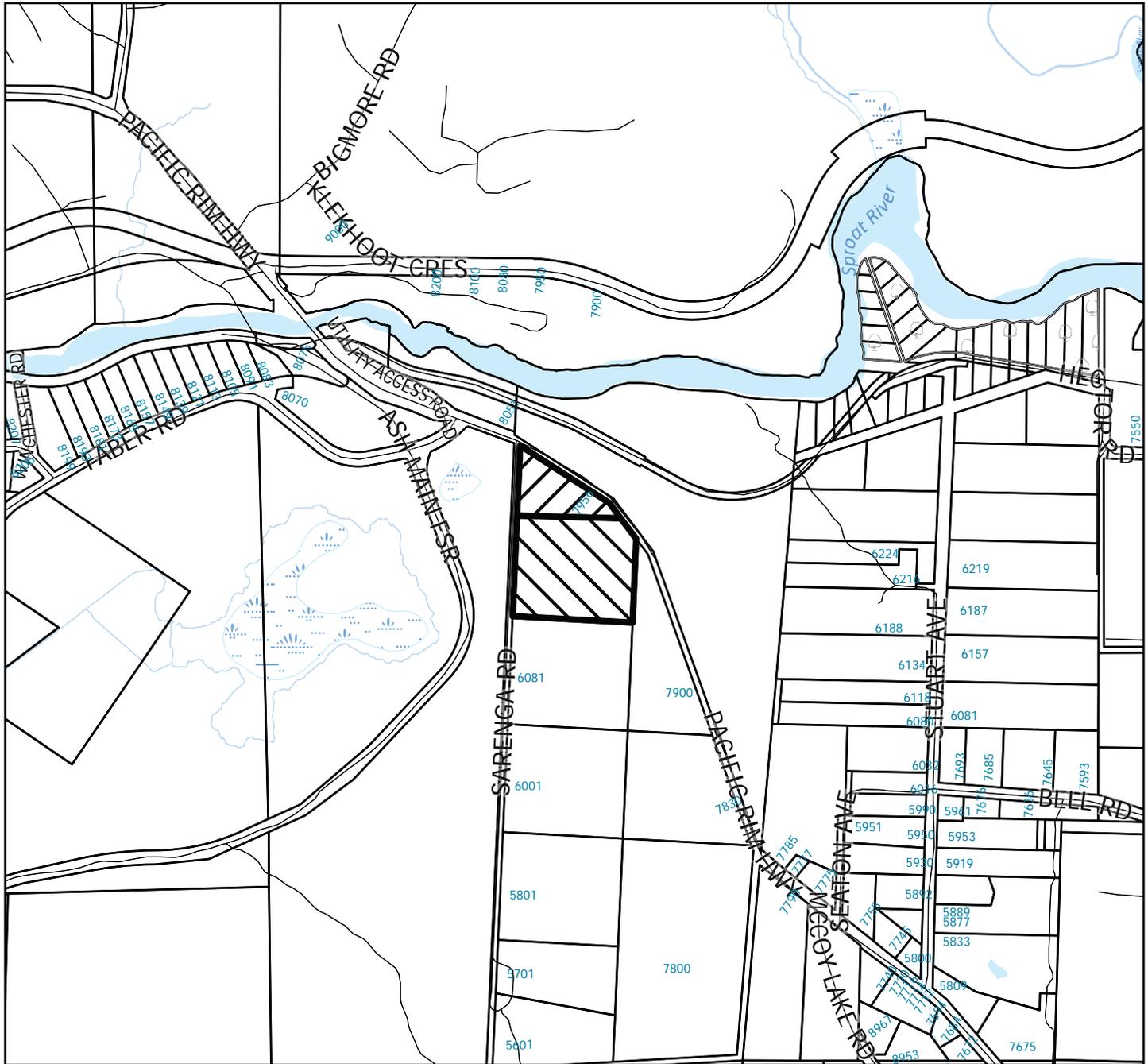
Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

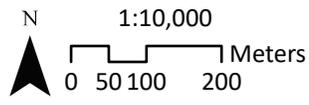
Chair of the Regional Board

Schedule 'A'

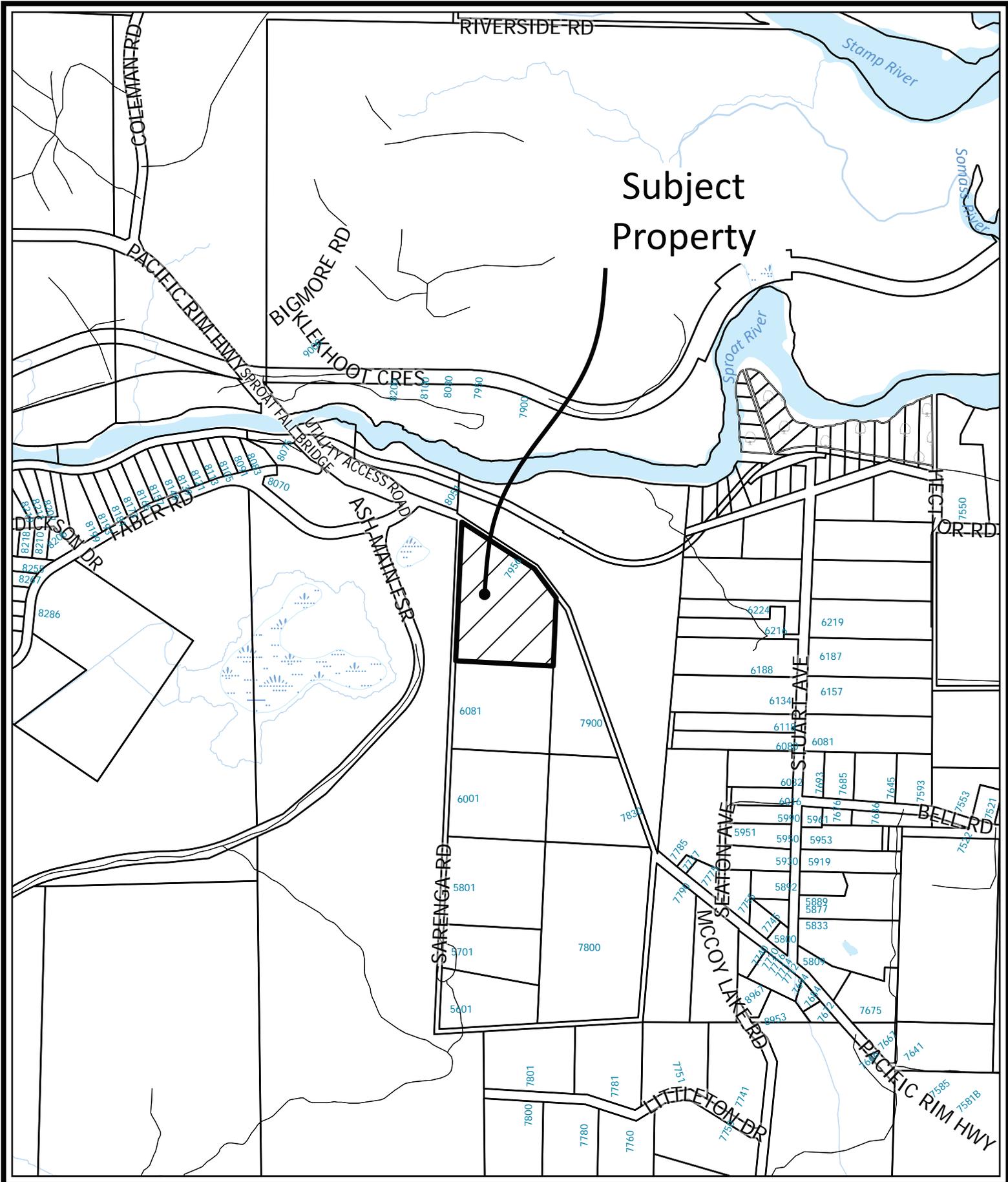
This schedule is attached to and forms part of
Bylaw P1412



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

