



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

January 28, 2021

LONG BEACH ADVISORY PLANNING COMMISSION

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

- DVC20009 – 1170 Fifth Avenue, Salmon Beach (Huggins)
- DVC20007 – 1150 Sixth Avenue, Salmon Beach (Laing)

Please review these applications so that your Director can submit your recommendations to the Regional Board on Wednesday, February 10th, 2020.

Your next meeting is scheduled for **Tuesday, February 2nd at 7:00 pm** through Zoom Video Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Charity Hallberg Dodds
Planning Assistant

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.: DVC20009

APPLICANT: Richard & Breigh Huggins

LEGAL

DESCRIPTION: LOT F (EW79450) BLOCK 49 SECTION 49 CLAYOQUOT DISTRICT PLAN 510

LOCATION: 1170 Fifth Ave, Salmon Beach

ELECTORAL AREA: "C" Long Beach

APPLICANT'S INTENTION: The applicants intend to construct a 560 square foot cabin on their property and have applied to reduce the required front yard setback from 20 feet to 8 feet to allow for the cabin to be constructed a minimum of 30 metres (100 feet) from Wendy Creek and in a location recommended by a Geotechnical Engineer.

Recommendation: THAT the Board of Directors consider issuing development variance permit DVC20009 subject to:

- Support from the Ministry of Transportation and Infrastructure (MOTI) to reduce the required 4.5 metre MOTI building setback from a public roadway.
- Neighbouring properties being notified as per Local Government Act s.499.

Development Variance DVC20009:

- i. Development variance of Section 143.3(7)(i) of the ACRD Zoning Bylaw to reduce the required minimum front yard setback in the Salmon Beach (SB) District from 6.1 m (20 ft) to 2.43 m (8 ft).

Advisory Planning Commission Recommendation: Long Beach APC meeting to be held February 2, 2021.

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 a subsequent meeting, the Board can issue or deny the development variance.

DVC20009

Observations:

- i. **Status of Property:** The 60 foot by 240 foot property is accessed from Fifth Avenue with Wendy Creek dissecting the property on the east side of the lot. The property backs onto Fourth Avenue to the east although there is no physical road access to that side of the property. The west side of the property is relatively flat and developed with an existing travel trailer, storage building and small shed. The proposed cabin would replace the travel trailer.
- ii. **Services**
 - a. **Sewage Disposal:** Community pump and haul septic system.
 - b. **Water Supply:** On-site water.
 - c. **Fire Protection:** Not within a fire protection area.
 - d. **Access:** The property is accessed from Fifth Avenue. The property backs onto Fourth Avenue on the east lot line, however no physical access is constructed to the east end of the lot.
- iii. **Existing Planning Policies Affecting the Site**
 - a. **Agricultural Land Reserve:** Not within the ALR.
 - b. **Official Community Plan:** The South Long Beach OCP designates the property as “Salmon Beach Neighbourhood”. This OCP designation supports recreational residential development. The OCP designates Development Permit Area II – Freshwater Riparian Areas Protection which includes the land within 30 metres of Wendy Creek along the east side of the property. The applicants intend to construct the proposed cabin 37 metres away from Wendy Creek and outside of the Development Permit Area.
 - c. **Zoning:** The property is zoned Salmon Beach (SB) District which permits one cabin and one storage building. The minimum setback requirements are as follows:

	Required	Proposed
Minimum setbacks		
Front lot line	6.1 m (20 ft)	2.43 m (8 ft)
Rear lot line	6.1 m (20 ft)	65 m (213 ft)
Side lot line	3.05 m (10 ft)	4.5 m (14.75 ft)
Watercourse	30 m (100 ft)	37 m (121 ft)

The applicants intend to replace the existing travel trailer on the property with a 560 square foot cabin plus loft area. They engaged Lewkowich Engineering Associates to complete a Geotechnical Assessment of the site to determine geotechnical suitability of a building envelope on the west side of the lot. The assessment found that a portion along the east side of the proposed cabin footprint would require excavation in excess of 3 metres and recommended that a variance to the front yard setback would allow for the building site to shift further to the west onto land that is more geotechnically suitable.

DVC20009

Shifting the building site further to the west and closer to Fifth Avenue would also allow for a greater setback from Wendy Creek. The cabin would be located 37 metres (121 feet) from Wendy Creek which complies with the required 30 metre minimum setback from a natural watercourse.

The proposal requires a development variance to allow for a reduction in the required minimum front yard setback from 6.1 m (20 ft) to 2.43 m (8 ft).

Comments: The Ministry of Transportation and Infrastructure (MOTI) requires a minimum 4.5 metre (14.75 foot) building setback from a public road right-of-way. The development variance would reduce the front yard setback to 2.43 metres (8 feet), which would be more restrictive than the MOTI setback. As a condition of approval of the development variance, staff recommend that the applicants obtain support from MOTI to reduce the 4.5 metre setback from a public roadway.

A Restrictive Covenant is registered to the property, in favour of the ACRD, which restricts any building or vegetation removal within 10 metres of the centreline of Wendy Creek. The proposed development does not impact the requirements of the covenant.

The applicants submitted the following documents in support of their application:

- Letter detailing rationale for variance application.
- Site plan detailing existing layout of the property and proposed cabin site.
- Geotechnical assessment prepared by Lewkowich Engineering Associates certifying that the land is safe for the intended use provided development recommendations outlined in the report are followed.

It is planning staff's opinion that the reduction in the required front yard setback would allow for a building site that is more suitable from a geotechnical perspective and that is situated at a greater distance from Wendy Creek which dissects the east end of the property. Planning staff recommend that the Board of Directors consider this variance application a first time and proceed with the neighbour notification process to gather input from surrounding property owners.

Submitted by: 
 Alex Dyer, MCIP, RPP, Planner

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

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

DVC20009



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: Richard Huggins	Name:
Mailing Address: 280 Dogwood Drive, Ladysmith, BC, V9G 1T3	Mailing Address:
Telephone: 250-713-7041	Telephone:
Fax:	Fax:
Cell: 250-713-7041	Cell:
Email: huggins_22@hotmail.com	Email:

Lot F, Block 49, Section 49, Land District 09, Plan VIP510, PID: 025-969-391

- Legal Description: _____
- Particulars of Proposed Development:
 - Salmon Beach Neighbourhood
 - Existing OCP Designation: _____
N/A
 - Proposed OCP Designation: _____
N/A
 - Text Amendment: _____
 - Salmon Beach (SB) District
 - Existing Zone: _____
N/A
 - 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: Recreational property with a travel trailer currently on a flat pad of the property that is about 25 M from the front of the property. East of the trailer is a small shed (96 sq ft) and service building (20 sq ft). See attached sketch.

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

Undeveloped treed lot.

North:

Lot owner has a cabin. Slope of land and property layout is similar to subjects property.

South:

Lot extends over Wendy Creek to the 4th Avenue Road Bridge.

East:

5th Avenue road and overlooking treed lots that are accessed via 6th Avenue.

West:

- Describe the proposed development of the subject property (attach additional pages if necessary):
See attached additional pages and referenced Geotechnical Assessment Report.

- Reasons and comments in support of the application (attach additional pages if necessary):
See attached additional pages and referenced Geotechnical Assessment Report.

- 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.

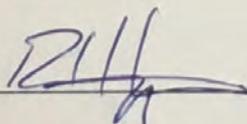
I accept responsibility for delays in processing caused by incorrect or insufficient submission. Personal information contained on this form is collected under the *Local Government Act*. Contact the Planning Department if you have any further questions.

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: _____

27 OCTOBER 2020

Development Variance Application

Huggins - Additional Pages

We will refer to the attached file “1170 Fifth Avenue, Salmon Beach, BC - Geotechnical Assessment.pdf” as the “Geotechnical Assessment”.

Describe the Proposed Development of the Subject Property

Additional Information:

We are proposing to build a 30 feet (ft) x 18 ft cabin at our property at Salmon Beach. This cabin will be for our small family (2 adults, 2 children) to use for recreational purposes. During 2020 we have stayed at our property upwards of 50 nights. This total was similar in 2019. At the moment the property has a travel trailer (20 ft x 8 ft), shed (12 ft x 8 ft) and service building (5 ft x 4 ft) on it. None of these buildings are permanent structures but will be used for hospitality and storage of tools during the construction phase. See attached PDF sketch / plan for the current layout. Once the cabin is erected the travel trailer will be moved off the property.

As for the cabin, we are planning on building a 1.5 storey cabin, with the ground floor being 560 square (sq) ft and the loft measuring in at 126 sq ft. We are proposing to have the minimum allowable setback at the front of a lot reduced from 20 ft to 8 ft. The front of our lot is the west side where the Fifth Avenue road is.

Reasons and Comments in Support of the Application

Additional Information:

We decided to have a Geotechnical Assessment completed on our property as our neighbour has a very similar property layout as ours and ran into numerous problems during his initial development of his cabin due to his lot being full of unstable fill. It ended up costing him upwards of \$60,000 plus to rectify the situation due to excavating and fill costs. The purpose of our Geotechnical report was to identify if this was a similar issue on our lot (1170 5th Avenue).

The Geotechnical Assessment found that “miscellaneous fill materials were encountered with increasing depth from west to east to a maximum encountered depth of 2.5+ m” (Pg 3, 2.4.b). The Geotechnical Assessment does note that the initial two test pits did produce dense to very dense sand, gravel and silt at a depth of 0.8 - 0.9m (Report Attachments Test Pit Locations, TP20-01 and TP20-02). Both of these test pits were completed within 20 ft of the front yard setback. Unfortunately the other two test pits (TP20-03 and TP20-04) revealed fill material beyond 2.5+m depth. These two test pits (TP20-03 and TP20-04) were further east on the lot.

As outlined on Page 4 (3.1.e) of the Geotechnical Assessment “a variance of the required front yard setback from Fifth Avenue may reduce the required volume of fill removal for the proposed cabin if sited closer to the west extent of the property”. This

will save in cost of construction as less fill and engineering work would be required to ensure a solid construction.

The other advantage of allowing this setback is it will move the cabin further away from Wendy Creek that is further east in the property. The creek is approximately 45 m from the front property line. To ensure that the permanent building (cabin) is not within the 30 m (100 ft) of the creek we need to build on the west side of the lot. A cabin that is 30 ft (north to south) x 18 ft (west to east) and built on the proposed setback would be beyond the 30 m from Wendy Creek. The closest the cabin would be to the creek would be approximately 37 m if built at the proposed site.

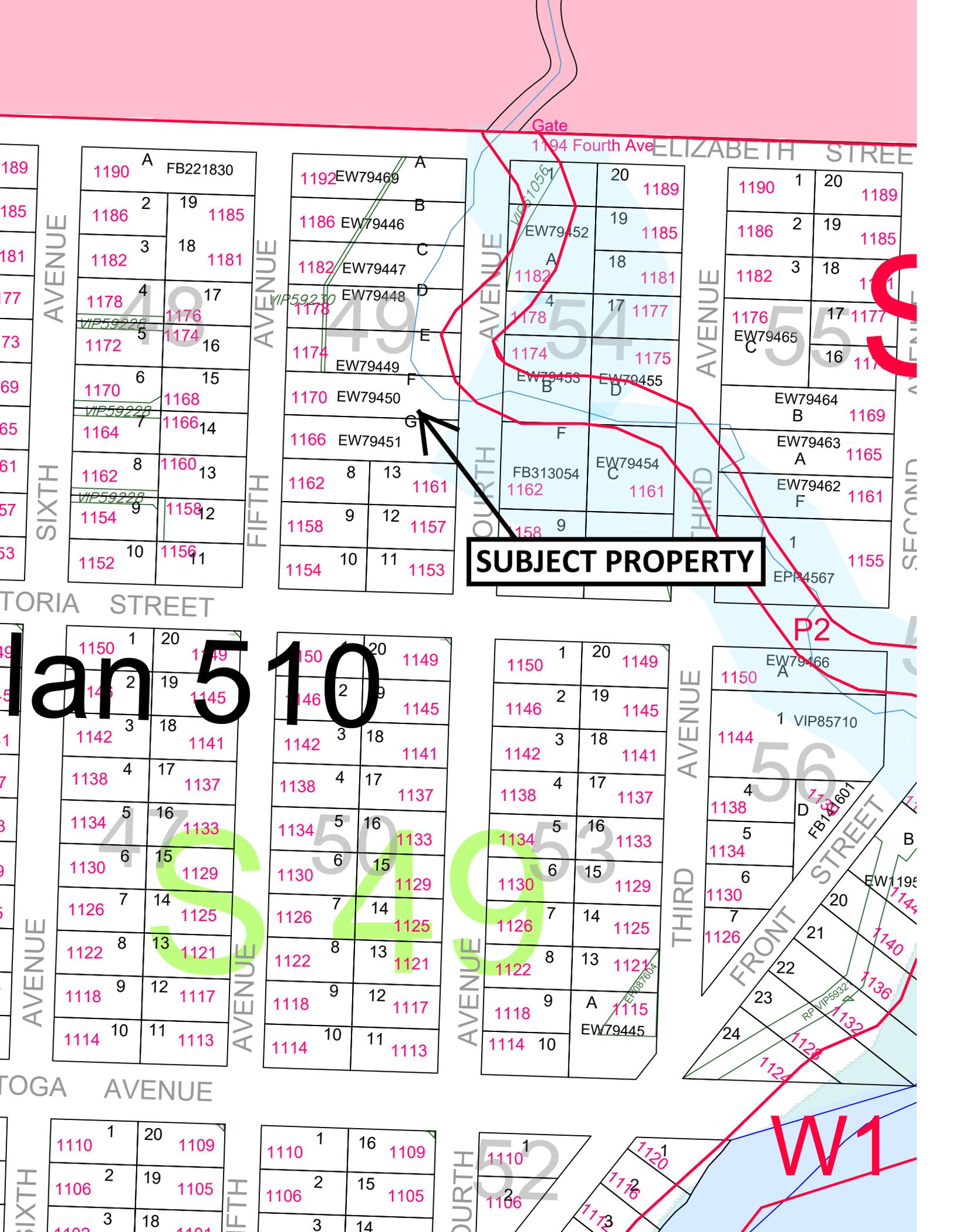
18 1181
17 1176
1174
16
15 1168
1166
14
13 1160
1158
12

LEITH AVENUE

1182 EW79447 C
1178 EW79448 D
1174 EW79449 E
1170 EW79450 F
1166 EW79451 G
1162 8
1158 9

OURTTH AVENUE

1182 A
1178 4
1174
EW794 B
FB3130
1162
1157
1150 C



Gate
1194 Fourth Ave

ELIZABETH STREET

189	1190	A	FB221830
185	1186	2	19 1185
181	1182	3	18 1181
177	1178	4	17 1177
173	1172	5	16 1168
169	1170	6	15 1166
165	1164	7	14 1160
161	1162	8	13 1158
157	1154	9	12 1156
153	1152	10	11 1153

1192	EW79469	A
1186	EW79446	B
1182	EW79447	C
1178	EW79448	D
1174	EW79449	E
1170	EW79450	F
1166	EW79451	G
1162	8	13 1161
1158	9	12 1157
1154	10	11 1153

20	1189
19	1185
18	1181
17	1177
16	1173
15	1169
14	1165
13	1161
12	1157
11	1153

1190	1	20	1189
1186	2	19	1185
1182	3	18	1181
1176	4	17	1177
1170	5	16	1173
1164	6	15	1169
1158	7	14	1165
1152	8	13	1161
1146	9	12	1157
1140	10	11	1153

SUBJECT PROPERTY

VICTORIA STREET

1150	1	20	1149
1146	2	19	1145
1142	3	18	1141
1138	4	17	1137
1134	5	16	1133
1130	6	15	1129
1126	7	14	1125
1122	8	13	1121
1118	9	12	1117
1114	10	11	1113

1150	1	20	1149
1146	2	19	1145
1142	3	18	1141
1138	4	17	1137
1134	5	16	1133
1130	6	15	1129
1126	7	14	1125
1122	8	13	1121
1118	9	12	1117
1114	10	11	1113

1150	1	20	1149
1146	2	19	1145
1142	3	18	1141
1138	4	17	1137
1134	5	16	1133
1130	6	15	1129
1126	7	14	1125
1122	8	13	1121
1118	9	12	1117
1114	10	11	1113

1150	1	20	1149
1146	2	19	1145
1142	3	18	1141
1138	4	17	1137
1134	5	16	1133
1130	6	15	1129
1126	7	14	1125
1122	8	13	1121
1118	9	12	1117
1114	10	11	1113

TOOGA AVENUE

1110	1	20	1109
1106	2	19	1105
1102	3	18	1101

1110	1	16	1109
1106	2	15	1105
1102	3	14	1101

1110	1	11	1105
1106	2	10	1101

W1

GEOTECHNICAL ASSESSMENT

Recreational Cabin
1170 Fifth Avenue,
Salmon Beach, BC

Legal Address:
Lot F, Block 49, Section 49,
Land District 09, Plan VIP510
PID: 025-969-391

Prepared For:
Richard Huggins
280 Dogwood Drive
Ladysmith, BC,
V9G 1T3

Attention:
Mr. Richard Huggins

September 14, 2020



File No.: F8586.01
Revision No.: 00
Prepared by: Paul Fraser, B.A., CTech.
Reviewed by: Chris Hudec, M.A.Sc., P.Eng.

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LEA Lewkowich
Engineering
Associates Ltd.



ENGINEERS &
GEOSCIENTISTS
B.C. REG. NO. 1234

OQM
CERTIFIED

DISCLAIMER

1. Lewkowich Engineering Associates Ltd. (LEA) acknowledges that this report, from this point forward referred to as “the Report,” may be used by the Alberni-Clayoquot Regional District (ACRD) as a precondition to the issuance of a development and/or building permit. We also acknowledge that this Report and any conditions contained within may be included in a restrictive covenant under Section 56 of the Community Charter and registered against the title of the Property at the discretion of the ACRD.
2. This report has been prepared in accordance with standard geotechnical engineering practice solely for and at the expense of Mr. Richard Huggins. We have not acted for or as an agent of the ACRD in the preparation of this report.
3. The conclusions and recommendations submitted in this report are based upon information from relevant publications, a visual site-assessment of the Property, anticipated and encountered subsurface soil conditions, current construction techniques, and generally accepted engineering practices. No other warrantee, expressed or implied, is made. If unanticipated conditions become known during construction or other information pertinent to the structure becomes available, the recommendations may be altered or modified in writing by the undersigned.
4. The conclusions and recommendations issued in this report are valid for a maximum of two (2) years from the date of issue. The 2-year term may be reduced as a result of updated bylaws, policies, or requirements by the authority having jurisdiction, or by updates to the British Columbia Building Code (BCBC). Updates to professional practice guidelines may also impact the 2-year term. If no application of the findings in this report has been made to the subject development, the conclusions issued in this report become void and re-assessment of the Property will be required.
5. This report has been prepared by Mr. Paul Fraser, B.A., CTech, and reviewed by Mr. Chris Hudec, M.A.Sc., P.Eng. Messrs. Fraser and Hudec are both adequately experienced in geotechnical engineering and hazard assessments and are also members in good standing with their respective associations, Mr. Fraser with the Applied Science Technologists & Technicians of British Columbia (ASTTBC), and Mr. Hudec with the Engineers and Geoscientists of British Columbia (EGBC).

EXECUTIVE SUMMARY

1. The following is a brief synopsis of the Property, assessment methods, and findings presented in the Report. The reader must read the Report in its entirety; the reader shall not rely solely on the information provided in this summary.
2. The Property, 1170 Fifth Avenue, Salmon Beach, BC, from this point forward referred to as “the Property,” is located on the west coast of Vancouver Island in the recreational community of Salmon Beach within the jurisdictional boundaries of the ACRD. At the time of this Report, the proposed development for the Property includes the siting of a permanent recreational cabin.
3. A site-specific assessment was conducted to identify potential geotechnical hazards and to determine the buildable area for the subject Property. The primary geotechnical hazards identified relates to the presence of unsuitable fill materials and slope stability relating to foundation support of the proposed recreational cabin.
4. A subsurface investigation by way of test-pitting revealed miscellaneous fill materials overlying naturally-deposited sand and gravel with increasing thickness and depth from west to east across the Property within all four excavated test pits, at depths ranging from 0.0m to 2.5m+. The sloping nature of the encountered bearing soils and miscellaneous fill materials will require significant excavation and placement of engineered fill to create a level building pad for the proposed cabin. We anticipate a variance from the road frontage may be required to incise the cabin into the existing slope, with expected engineered fills throughout the east side of the structure. The existing slope above Wendy Creek is generally less than 2 Horizontal to 1 Vertical (2H:1V or 26°) and comprised of miscellaneous fill materials covered by moderate to dense vegetation. It is LEA’s opinion the slope is considered stable and we do not anticipate any stability concerns relating to foundation support.
5. The findings confirm the land can be developed safely, given the recommendations in this report are followed.

List of Abbreviations Used in the Report

Abbreviation	Title
ACRD	Alberni-Clayoquot Regional District
ASTTBC	Applied Science Technologists & Technicians of British Columbia
BCBC	British Columbia Building Code
EGBC	Engineers and Geoscientists of British Columbia
LEA	Lewkowich Engineering Associates Ltd.
SLS	Service Limit State
ULS	Ultimate Limit State



TABLE OF CONTENTS

DISCLAIMER.....	I
EXECUTIVE SUMMARY	II
TABLE OF CONTENTS.....	III
1.0 INTRODUCTION	1
1.1 General	1
1.2 Background.....	1
1.3 Assessment Methodology	1
2.0 SITE CONDITIONS.....	1
2.1 Physical Setting.....	1
2.2 Terrain and Features	2
2.3 Regional Geology.....	2
2.4 Soil Conditions	3
2.5 Groundwater Conditions	3
2.6 Covenant Review	4
3.0 DESIGN PHASE	4
3.1 Foundation Design and Construction	4
3.2 Slope Review	5
3.3 Seismic Criteria	5
3.4 Foundation Drainage.....	5
4.0 CONSTRUCTION PHASE.....	6
4.1 General Excavation	6
4.2 Structural Fill	6
4.3 Stormwater Management	7
5.0 CONCLUSIONS	8
5.1 Local Government Conformance Statement.....	8
5.2 Geotechnical and Quality Assurance Statement.....	8
5.3 Acknowledgements	8
5.4 Limitations	8
6.0 CLOSURE	9
7.0 ATTACHMENTS	10
8.0 REFERENCES.....	10

1.0 INTRODUCTION

1.1 General

- a. As requested, LEA has carried out a geotechnical assessment with respect to the above noted development. This Report provides a summary of our findings and recommendations.

1.2 Background

- a. Through discussions with the client, LEA understands the purpose of this assessment is to determine development constraints and to provide geotechnical information relating to the safe and suitable development of the land, including a review of geotechnical hazards that may impact building design and buildable area of the Property.
- b. We have assumed the proposed recreational cabin would be constructed utilizing a cast-in-place foundation, a slab-on-grade or suspended floor (crawlspace) flooring system with a wood-framed superstructure.

1.3 Assessment Methodology

- a. A subsurface geotechnical investigation was carried out on August 19, 2020 using a Hitachi 160 excavator provided by Deer Bay Contracting Ltd. A total of four (4) test pits (TP 20-01 to TP 20-04) were excavated at locations within the Property. All test pits were backfilled upon completion of our investigation.
- b. A site plan showing the location of the test pits (Drawing F8586-01) is attached, following the text of this Report.
- c. The test pit locations were sited to provide good general coverage of the expected buildable area of the Property.

2.0 SITE CONDITIONS

2.1 Physical Setting

- a. The Property is located in the north region of the Salmon Beach Community, and jurisdictional limits of the ACRD, with the following civic and legal address:
 - i. 1170 Fifth Avenue, Salmon Beach, BC; Lot F, Block 49, Section 49, Land District 09, Plan VIP510, PID: 025-969-391
- b. The Property location is shown below in Figure 2.1, as well as on the attached Test Pit Location Plan prepared by LEA (F8586-01).



Figure 2.1 – Small Scale Location Plan (Satellite Imaging from Google Earth®)

- c. LEA understands the subject property falls within the South Long Beach Official Community Plan (OCP) and is designated as a “Salmon Beach Neighbourhood” property.
- d. Based on our desktop review and a review of the OCP the subject Property “may” be located within a defined Development Permit Area (DPA)¹, due to close proximity of Wendy Creek at the north east corner of the Property. The ACRD should confirm whether the Property is included within a defined DPA area.

2.2 Terrain and Features

- a. The terrain of the subject Property slopes gently from the road frontage to an existing level pad, followed by a moderate 2 Horizontal to 1 Vertical (2H:1V or 26°) slope down to Wendy Creek at the east extent of the Property. The slope is moderately vegetated with brush and immature trees and is expected to be comprised mainly of fill materials down to the creek boundary. Total relief across the site is estimated at approximately 12-15m.

2.3 Regional Geology

- a. Published surficial geology mapping identifies the area as marine and glaciomarine sediments, generally comprised of clayey silt deposits and intertidal deposits of sand and gravel².
- b. Bedrock geology for the area is classified as granodioritic and feldspar porphyritic intrusive rocks, part of the Island Plutonic Suite, dating back to the lower to middle Jurassic period³.

2.4 Soil Conditions

- a. Variable soil strata were encountered during the test-pitting investigation. The site is prepared with a pad comprised of import granular materials including blast rock rubble overlying naturally-deposited sand, silt and gravel and/or miscellaneous fill materials.
- b. Generally, naturally-deposited sand and gravel was encountered within the existing driveway and west extent of the level pad, increasing with in depth to the east. Miscellaneous fill materials were encountered with increasing depth from west to east to a maximum encountered depth of 2.5m+ nearest the southeast extent of the pad. Detailed description of the subsurface conditions is provided on the attached test pit logs (TP 20-01 and TP 20-04).
- c. Figure 2.4.1 shows the general subsurface conditions encountered during the test-pitting investigation.



Figure 2.4.1 – General Subsurface Conditions (TP20-04)

- d. A site plan showing the test pit locations (F8586-01) is attached, following the text of this report.

2.5 Groundwater Conditions

- a. There was no ponded or surface water observed during our field review, or any evidence of abnormal groundwater conditions.

- b. Groundwater flows may fluctuate seasonally with cycles of precipitation. If groundwater flows or conditions are different than those encountered during the test-pitting investigation, additional measures may be required during construction. Contact our office immediately if unanticipated conditions are encountered at any point during construction.

2.6 Covenant Review

- a. As part of our assessment we have reviewed the Property title relative to any restrictive covenants that may be registered.
- b. At the time of this Report our search revealed one restrictive covenant (Covenant EH109214) registered against the title of the Property. Covenant EH109214, dated August 9, 1994, states no building or structure may be constructed within a defined Covenant Area of 10.0m from the center of Wendy Creek.

3.0 DESIGN PHASE

3.1 Foundation Design and Construction

- a. Prior to construction, the building area should be stripped to remove all unsuitable materials to provide an undisturbed natural subgrade for the footing support.
- b. Foundation loads should be supported on natural undisturbed material approved for use as a bearing stratum by our office or structural fill and may be designed using the following values.
 - i. For foundations constructed on the dense to very dense, naturally-deposited sand and gravel stratum, a Service Limit State (SLS) bearing pressure of 150 kPa, and an Ultimate Limit State (ULS) bearing pressure of 200 kPa may be used for design purposes. These values assume a minimum 0.45m depth of confinement or cover.
 - ii. For foundations constructed on structural fill, as outlined in Section 4.2 of this Report an SLS bearing pressure of 150 kPa, and a ULS bearing pressure of 200 kPa may be used for design purposes. These values assume a minimum 0.45m depth of confinement or cover.
- c. Exterior footings should be provided with a minimum 0.45m depth of ground cover for frost protection purposes.
- d. We expect the east extent of the excavation will be in excess of 3.0m in depth to reach the naturally deposited sand and gravel stratum. As such, we recommend structural fill to level the desired footing elevation, as per placement and compaction requirements outlined in Section 4.2 of this Report.
- e. A variance of the required front yard setback from Fifth Avenue may reduce the required volume of fill removal for the proposed cabin if sited closer to the west extent of the Property.

- f. Prior to placement of concrete footings, any bearing soils that have been softened, loosened, or otherwise disturbed during the course of construction should be removed, or else compacted following our recommendations for structural fill. Compaction will only be feasible if the soil has suitable moisture content and if there is access to heavy compaction equipment. If no structural fill is placed, a smooth-bladed clean up bucket should be used to finish the excavation.
- g. The Geotechnical Engineer should evaluate the bearing soils at the time of construction to confirm that footings are based on appropriate and properly prepared founding material.

3.2 Slope Review

- a. From a geotechnical point of view, LEA considers the existing slope to be stable given the overall slope angle of 2H:1V or 26°. Provided footings are founded on naturally-deposited soil or approved structural fill materials it is LEA's opinion the existing slope will not impact the development.
- b. Given the slope is expected to be comprised of miscellaneous fill materials it is possible minor movement of surficial soils may occur during periods of heavy rain. If surficial soil movement occurs we recommend the installation of an interceptor drain above the crest of slope to reduce surface runoff over the slope. Please contact LEA for further details if an interceptor drain installation is requested.

3.3 Seismic Criteria

- a. No compressible or liquefiable soils were encountered during the test-pitting investigation.
- b. Based on the 2018 British Columbia Building Code, Division B, Part 4, Table 4.1.8.4.A, "Site Classification for Seismic Site Response," the naturally-deposited soils encountered during the test-pitting investigation would be "Site Class C" (Very Dense Soil or Soft Rock).

3.4 Foundation Drainage

- a. Conventional requirements of the 2018 British Columbia Building Code pertaining to building drainage are considered suitable at this site.
- b. If collected perimeter and roof water will be directed towards the existing slope, we recommend a solid PVC pipe is installed to the toe of slope with an energy-dissipater (cobble-sized rock) to mitigate erosion effects of the Wendy Creek area.
- c. Alternatively, collected stormwater could be discharged into a suitable energy dissipater a minimum 5.0m away from the crest of slope to prevent surficial erosion.

4.0 CONSTRUCTION PHASE

4.1 General Excavation

- a. Prior to construction, all unsuitable materials should be removed to provide a suitable base of support. Unsuitable materials include any non-mineral material such as vegetation, topsoil, peat, fill or other materials containing organic matter, as well as any soft, loose, or disturbed soils.
- b. Unsuitable materials, including existing fill soils, were encountered in each of the subsurface explorations from depths of 0.0m to approximately 2.5m+.
- c. Groundwater ingressing into any excavations should be controlled with a perimeter ditch located just outside of the building areas, connected to positive drainage.
- d. The Geotechnical Engineer is to confirm the removal of unsuitable materials and approve the exposed competent inorganic subgrade.

4.2 Structural Fill

- a. Where fill is required to raise areas that will support buildings, slabs, or pavements, structural fill should be used. The Geotechnical Engineer should first approve the exposed subgrade in fill areas, to confirm the removal of all unsuitable materials.
- b. Structural fill should be inorganic sand and gravel. If structural fill placement is to be carried out in the wet season, material with a fines content limited to 5% passing the 75 μ m sieve should be used, as such a material will not be overly sensitive to moisture, allowing compaction during rainy periods of weather.
- c. Structural fill should be compacted to a minimum of 95% of Modified Proctor maximum dry density (ASTM D1557) in foundation and floor slab areas, as well as in paved roadway and parking areas.
- d. Structural fills under foundations, roadways, and pavements should include the zone defined by a plane extending down and outward a minimum 0.5m from the outer edge of the foundation at an angle of 45 degrees from horizontal to ensure adequate subjacent support. This support zone is shown below in Figure 4.2.

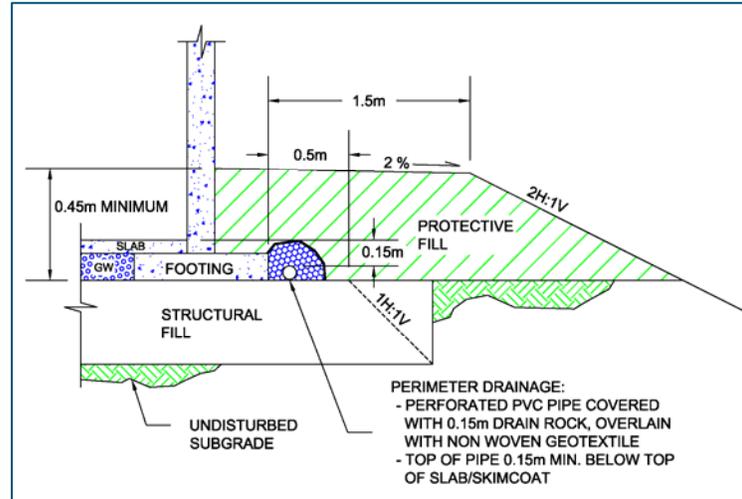


Figure 4.2 – Typical Section, Structural Fill

- e. Compaction of fill should include moisture conditioning as needed to bring the soils to the optimum moisture content and compacted using vibratory compaction equipment in lift thicknesses appropriate for the size and type of compaction equipment used.
- f. A general guideline for maximum lift thickness is no more than 100mm for light hand equipment such as a “jumping-jack,” 200mm for a small roller and 300mm for a large roller or heavy (>500 kg) vibratory plate compactor or a backhoe mounted hoe-pac or a large excavator mounted hoe-pac, as measured loose.
- g. It should be emphasized that the long-term performance of buildings, slabs, and pavements is highly dependent on the correct placement and compaction of underlying structural fills. Consequently, we recommend that structural fills be observed and approved by the Geotechnical Engineer. This would include approval of the proposed fill materials and performing a suitable program of compaction testing during construction.

4.3 Stormwater Management

- a. As part of the geotechnical investigation, field observations of the subgrade soil conditions with respect to the on-site infiltration and disposal of stormwater were carried out.
- b. Subgrade soil conditions consist of fill materials overlying sand and gravel.
- c. Based on the site topography and expected free-draining nature of the structural fill soils, it is the opinion of LEA that site conditions are conducive to the disposal of on-site stormwater (ex: rock infiltration pit).
- d. Once final plans and elevations are determined, the Geotechnical Engineer should be consulted to provide further dewatering information, as required.

5.0 CONCLUSIONS

5.1 Local Government Conformance Statement

- a. LEA confirms that the recommendations made in this Report conform to the guidelines and objectives expressed under ACRD Bylaw No. P1166, 2007⁴.
- b. From a geotechnical point of view, and provided the recommendations in this Report are followed, the land is considered safe for the use intended (defined for the purposes of this Report as a residential cabin of conventional construction methods), with the probability of a geotechnical failure resulting in property damage of less than:
 - 2% in 50 years for geotechnical hazards due to seismic events, including slope stability; and,
 - 10% in 50 years for all other geotechnical hazards.

5.2 Geotechnical and Quality Assurance Statement

- a. The 2018 BCBC requires that a geotechnical engineer be retained to provide Geotechnical Assurance services for the construction of buildings that are outside of Part 9 of the BCBC. Geotechnical Assurance services include review of the geotechnical components of the plans and supporting documents, and responsibility for field reviews of these components during construction.

5.3 Acknowledgements

- a. Lewkowich Engineering Associates Ltd. acknowledges that this report may be requested by the building inspector (or equivalent) of the Alberni-Clayoquot Regional District as a precondition to the issuance of a building or development permit. It is acknowledged that the Approving Officers and Building Officials may rely on this report when making a decision on application for development of the land. We acknowledge that this report has been prepared solely for, and at the expense of Mr. Richard Huggins.
- b. We have not acted for or as an agent of the Alberni-Clayoquot Regional District in the preparation of this report. We acknowledge the Alberni-Clayoquot Regional District and the Approving Officer(s) are authorized users of this report. We acknowledge that this report may be registered against the title of the Property as a restrictive covenant, at the discretion of the Alberni-Clayoquot Regional District.

5.4 Limitations

- a. The conclusions and recommendations submitted in this Report are based upon the data obtained from a limited number of widely spaced subsurface explorations. The nature and extent of variations between these explorations may not become evident until construction or further investigation. The recommendations given are based on the subsurface soil conditions encountered during the test-pitting

program, current construction techniques, and generally accepted engineering practices. No other warrantee, expressed or implied, is made. Subgrade conditions are known only at the test pit locations and have been used to infer conditions throughout the site in preparation of this Report. If unanticipated conditions become known during construction or other information pertinent to the development become available, the recommendations may be altered or modified in writing by the undersigned.

6.0 CLOSURE

- a. Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact us at your convenience.

Respectfully Submitted,

Lewkowich Engineering Associates Ltd.



Paul Fraser, B.A., CTech
Senior Technician

Reviewed by:



Chris Hudec, M.A.Sc., P.Eng.
Senior Project Engineer



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: November 25, 2020

ACRD FILE NO.: DVC20007

APPLICANT: Lauren Laing

LEGAL DESCRIPTION: LOT 1, BLOCK 47, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510

LOCATION: 1150 Sixth Ave, Salmon Beach

ELECTORAL AREA: "C" Long Beach

APPLICANT'S INTENTION: The applicant has applied for a development variance permit to allow for an increase to the maximum height of a storage building from 3.66m (12 ft) to 4.34 m (14.25 ft) for a property in Salmon Beach. The storage building is partially constructed and the variance is required to finalize the building permit application.

Recommendation: THAT the Board of Directors consider issuing development variance permit DVC20007 subject to:

- Removing the attached covered porch from the storage building.
- Neighbouring properties being notified as per Local Government Act s.499.

Development Variance DVC20007:

- i. Development variance of Section 143.3(1) of the ACRD Zoning Bylaw to increase the maximum allowable height of a storage building from 3.66 m (12 ft) to 4.34 m (14.25 ft).

Advisory Planning Commission Recommendation: The Long Beach APC considered this application at a meeting on November 16th. The APC member in attendance expressed concerns about the height variance and noted a desire to gather additional feedback at another Long Beach APC meeting before the Board makes a final decision on the variance. Staff agreed to bring the application back to the APC while allowing the Board to proceed with neighbour notification if they desired. No formal motion was passed.

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 a subsequent meeting, the Board can issue or deny the development variance.

DVC20007

Observations:

- i. **Status of Property:** The 60 foot by 120 foot lot is relatively flat and has been mostly cleared, leveled, and covered with gravel crush to prepare the driveway, accessory building, and RV parking site. Second growth trees surround the northern and eastern property lines. A Stop Work Order was issued in July 2020 for the partially constructed accessory storage building. The ACRD received a building permit application for the structures on July 31st, 2020. The property is bounded by Victoria Street to the north, Sixth Avenue to the west, with similar recreational residential lots to the north, south, east, and west.
- ii. **Services**
- a. **Sewage Disposal:** Community pump and haul septic system.
 - b. **Water Supply:** On-site water.
 - c. **Fire Protection:** Not within a fire protection area.
 - d. **Access:** Access to the property is from Sixth Avenue.
- iii. **Existing Planning Policies Affecting the Site**
- a. **Agricultural Land Reserve:** Not within the ALR.
 - b. **Official Community Plan:** The South Long Beach OCP designates the property as “Salmon Beach Neighbourhood”. This OCP designation supports recreational residential development. The subject property is not within a Development Permit Area.
 - c. **Zoning:** The property is zoned Salmon Beach (SB) District which permits one trailer/portico accessory use and one storage building not exceeding a height of 3.66m (12 ft). The minimum setback and maximum height requirements are as follows:

	Required	Actual
Minimum setbacks		
Front lot line	6.1 m (20 ft)	12.8 m (42 ft)
Rear lot line	6.1 m (20 ft)	17.1 m (56 ft)
Side lot line	3.05 m (10 ft)	5 m (16.4 ft)
Maximum height		
Storage Building	3.66 m (12 ft)	4.34 m (14.25 ft)

The applicant is applying for a development variance permit to increase the maximum storage building accessory use height from 3.66 m (12 ft) to 4.34 m (14.25 ft) for a property zoned Salmon Beach (SB) District. The zoning does not allow for any habitable space or any recreational residential use to be located within the storage building.

The storage building is partially constructed. The applicants received a Stop Work Order in July 2020 and have since applied for a Building Permit, received by the ACRD on July 31st, 2020. The need for a Development Variance was identified in the Building Permit review. There is a 12 ft by 10 ft covered porch proposed to be attached to the storage building with

DVC20007

the covered roof area having already been constructed. The SB District only allows for a deck or porch to be attached to either a cabin or a portico building; the zoning does not allow a deck or porch to abut a storage building.

The proposal requires a development variance in order to allow for an increase to the maximum allowable height for a storage building from 3.66 m (12 ft) to 4.34 m (14.25 ft) to proceed with construction of the building. The 120 square foot covered porch area attached to the storage building must be removed in order to comply with the SB District requirements.

Comments: The applicants submitted a building permit application after receiving a Stop Work Order from the ACRD Building Department. A development variance is necessary to allow for the increased maximum height for an accessory storage building before the issuance of a building permit.

The accessory storage building, as constructed, is 2 feet 3 inches over the maximum allowable height. The maximum permitted height of a storage building is 12 feet while the permitted height of a cabin or portico in the SB District is 18 feet. There are no other improvements other than the storage building on the subject property. While the maximum building heights in the SB District help to preserve views within the development, planning staff do not believe that a minor variance to increase the permitted height of the storage building poses any significant obstruction to neighbouring property views.

There is a roof area extending from the framed storage building that is intended to cover a 120 square foot deck/porch area. The SB District only permits a deck or porch to abut a cabin or portico; the zoning does not allow for a deck or porch attached to a storage building. The storage building does not allow for any habitable space or recreational residential use within the structure. As a condition of approval for the variance, planning staff recommend that the covered porch be removed from the structure.

Planning staff recommend that the Board of Directors consider this variance application a first time and proceed with the neighbour notification process to gather input from surrounding property owners.

Submitted by: 
 Alex Dyer, MCIP, RPP, Planner

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

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

DVC20007



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: <u>Lauren Laing</u>	Name:
Mailing Address: <u>6020 Driftwood Pl</u>	Mailing Address:
<u>Nanaimo BC</u>	
<u>V9V 1B2</u>	
Telephone: <u>604 816 0129 (cell)</u>	Telephone:
Fax:	Fax:
Cell:	Cell:
Email: <u>adamslaurenclizabeth@gmail.com</u>	Email:

• Legal Description: Lot 1, Block 47, section 49, Clayoquot District, Plan 510

• Particulars of Proposed Development:

➤ Existing OCP Designation: one storage building not exceeding 12 feet

➤ Proposed OCP Designation: Storage building of 14 feet 3 inches

➤ Text Amendment: _____

➤ Existing Zone: Recreational

➤ Proposed Zone: same

➤ 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 RV + Blue Boy

➤ Method of Water Supply: Community System Onsite Water System Other Planned Rain water collection

• Other (explain): _____

• Describe the existing land use of the subject property: Recreational, RV camping

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

North: Vacant land and Victoria St.

South: ^{Neighbors} with Cabin and accessory building

East: Mobile home

West: Cabins with accessory buildings

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

Two story shed for storage of camping furniture, fridge, surf boards. RV stored on site.

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

There is already a large number of second accessory buildings at Selmon beach that are over 12 feet, between 12-18 feet high.

- 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.

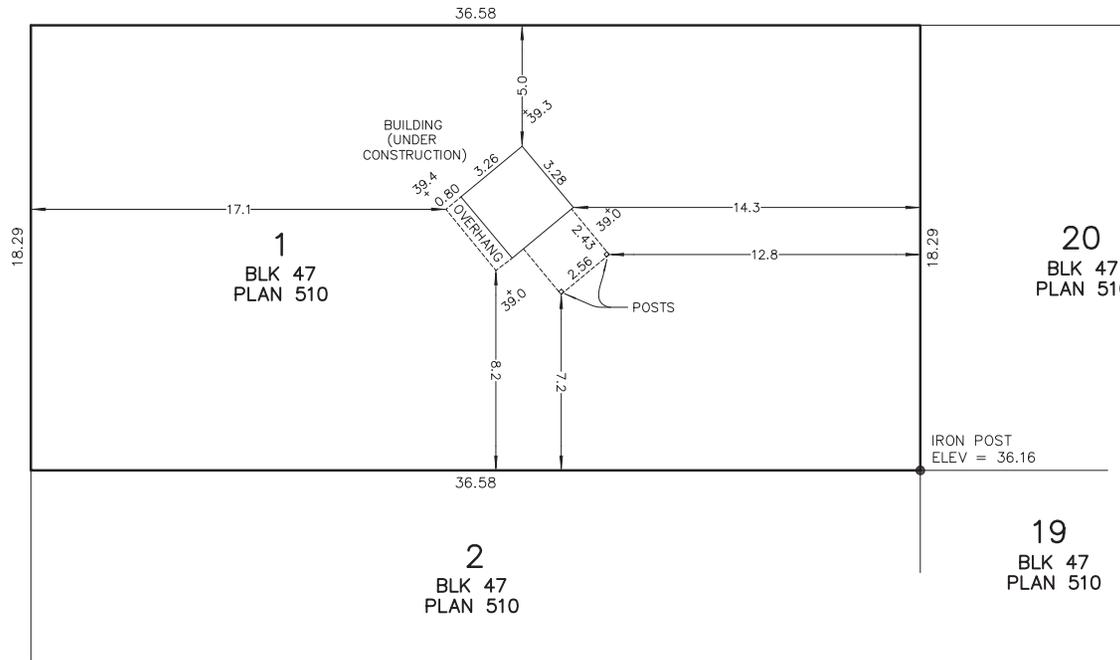
Applicant/Owner Signature: 

Applicant/Owner Signature: _____

Date: October 4, 2020

SIXTH AVENUE

VICTORIA STREET



JEA JE ANDERSON
& ASSOCIATES
SURVEYORS AND ENGINEERS

203 - 177 WELD ST., PO BOX 247
PARKSVILLE, B.C. V9P 2G4
250-248-5755 parksville@jeanderson.com

**BC LAND SURVEYOR'S
BUILDING LOCATION CERTIFICATE**

**LOT 1, BLOCK 47, SECTION 49,
CLAYOQUOT DISTRICT, PLAN 510.**

PID 008-366-021

PREPARED FOR
LAUREN LAING

OUR FILE : 61725-1

REVISION :

LEGAL NOTATIONS:
STATUTORY BUILDING SCHEME - ED73217, EX69483

This sketch has been prepared for building location purposes and does not constitute a redefinition of the legal boundaries hereon described.

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No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

This Plan has been Prepared in Accordance with the Professional Reference Manual and is Certified Correct this 29th Day of July, 2020.

This document is not valid unless digitally signed.

ELEVATIONS:

Elevations are to an Assumed Datum.
BENCH MARK - Top of Iron Post at SE Corner Lot 1 - Elevation = 36.16 m.

3.3. Denotes interpolated natural grade elevation

Average Grade around perimeter = 39.18 m.
Top Peak of Roof = 43.52 m
Therefore Height of Top Peak of Roof = 4.34 m (14' 3")

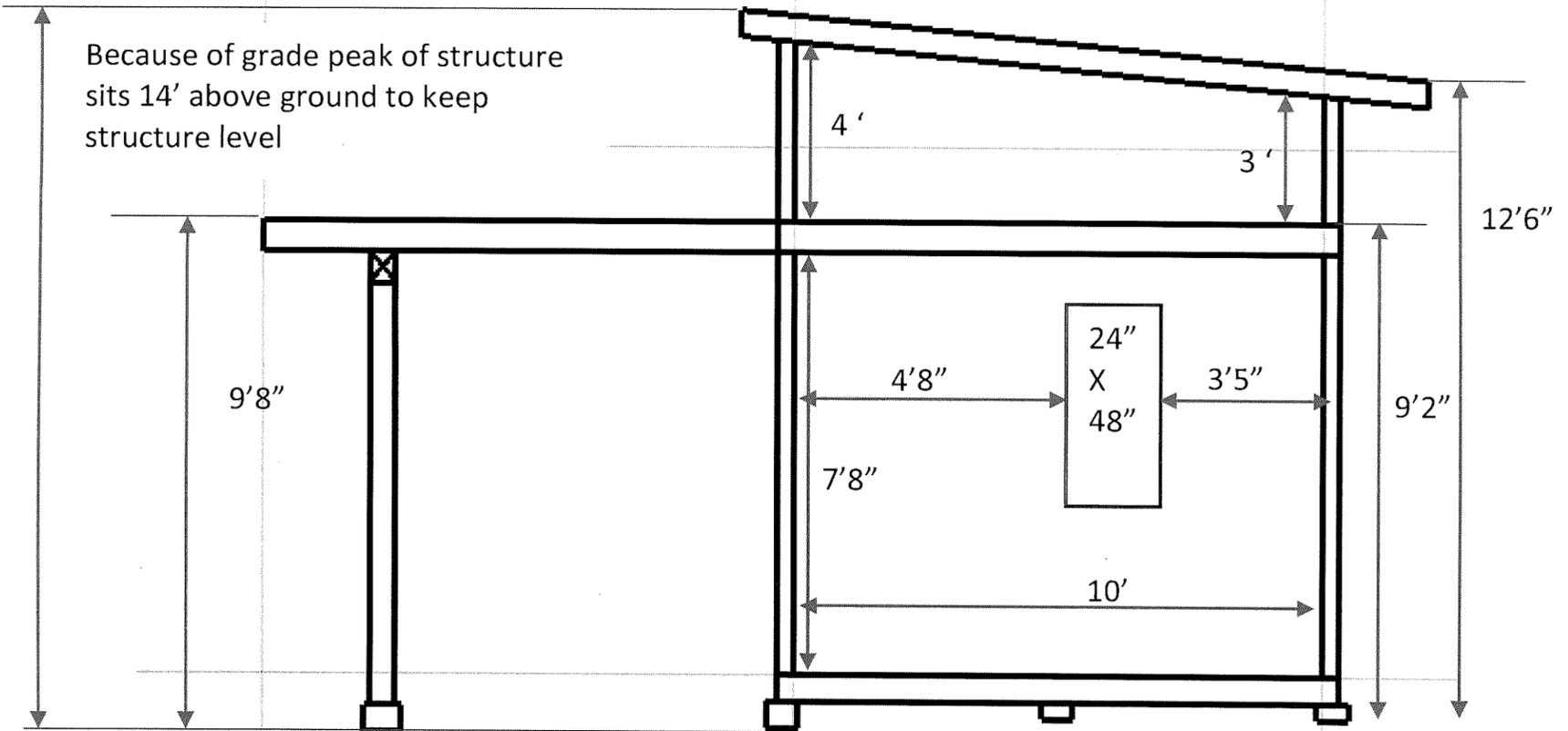
All Dimensions are in Metres and decimals thereof



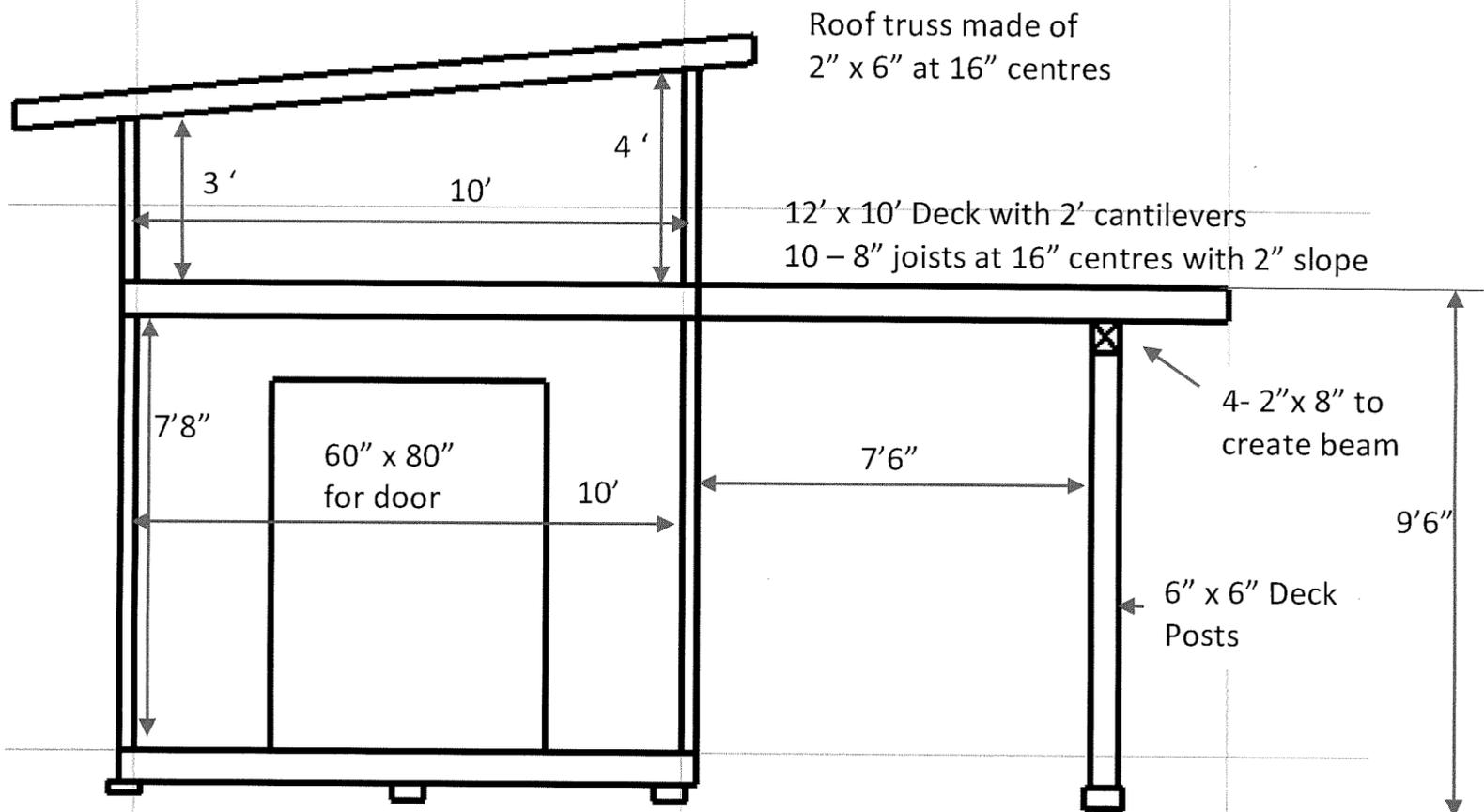
The Intended Scale of this Plan is 1:200
when plotted on a 280 mm x 432 mm (11"x17") Sheet

Lauren Laing
 Shed
 1150 Sixth Ave, Salmon Beach
 Lot 1, Block 47, Section 49
 Clayoquot District

North East Side



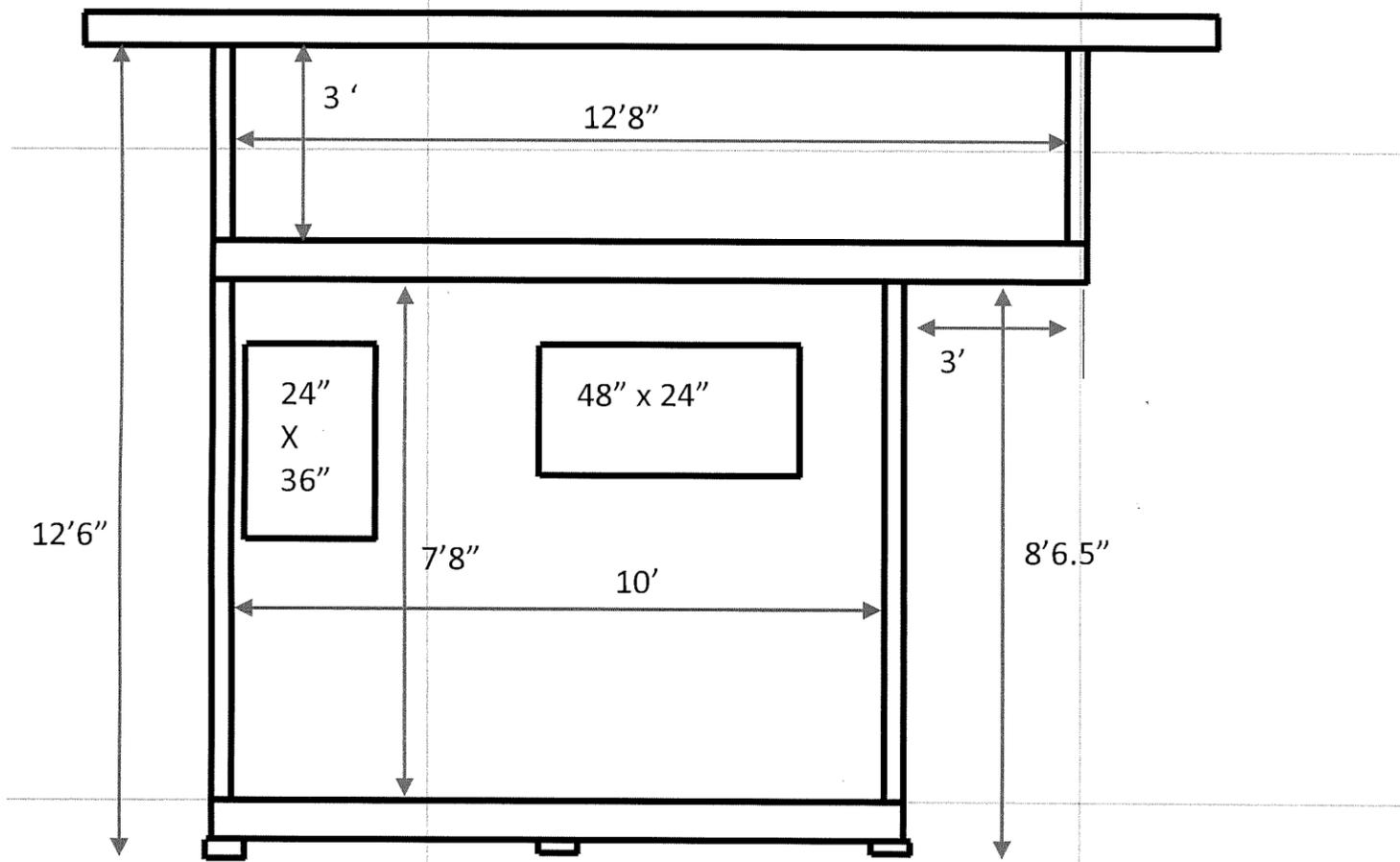
South West Side



Both floor surfaces and deck
 5/8" T&G glued and screwed

Walls fabricated with 2x4s at 16" centres, or less to accommodate windows
 All windows and doors have headers; 2 ply 2" x 8" with 1/2" plywood spacer between (all laminated from both sides)

North West Side



South East Side

