



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

Rezoning Application

MEETING DATE: December 9, 2020

ACRD FILE NO.: RE20011

APPLICANTS: Karen Neuwirth

LEGAL

DESCRIPTION: LOT 2 DISTRICT LOT 23 ALBERNI DISTRICT PLAN 20587

LOCATION: 6008 Grandview Road

ELECTORAL AREA: "E" Beaver Creek

Applicant's Intention: The property owner is applying to rezone the 1.2 hectare (3 acre) property to Acreage Residential (RA3) District in order to accommodate subdivision to a 0.6 acre minimum lot size. The applicants intend to subdivide the property into three parcels: two +/- 0.6 acre vacant parcels at the rear of the property and the remainder with the existing house and improvements adjacent to the road.

Recommendations:

- THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1421 be read a first time;
- THAT the public hearing for Bylaw P1421 be delegated to the Director for Electoral Area 'E', the Alternate Director or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaw P1421 is subject to:
 - a. Confirmation from a Registered On-Site Wastewater Practitioner that the property is capable of accommodating on-site sewage disposal to a minimum 0.6 acre density;
 - b. Meeting technical referral agency requirements.

Advisory Planning Commission Recommendation: The Beaver Creek APC will consider this application at a meeting to be held December 7, 2020. Staff will provide the APC recommendation by verbal update to the Board on December 9th.

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Observations:

- i) **Status of Property:** The 1.2 hectare (3 acre) property is mostly level with all of the improvements located on a +/- 1 acre cleared portion on the east side of the lot. There is an existing house and barn located along the north lot line and a detached shop adjacent to Grandview Road. The remaining +/- 2 acres on the west side of the property is vacant and treed with second growth forest.
- ii) **Services**
- a. **Sewage Disposal:** On-site sewage disposal. As a condition of rezoning, the applicants will be required to engage a Registered On-Site Wastewater Practitioner to assess the capability of the land to accommodate on-site sewage disposal to a 0.6 acre density. Confirmation will be required prior to the public hearing.
 - b. **Water Supply:** Beaver Creek Community Water. If the rezoning is successful and the property owners proceed with subdivision, the applicants will need to satisfy the requirements of Beaver Creek Water System (BCWS) Development Cost Charge Bylaw F1133 and any BCWS water connection requirements.
 - c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
 - d. **Access:** The property is accessed from Grandview Road. The proposed new lots at the rear of the property would be accessed via a proposed panhandle access following the south lot line to Grandview. Another option would be to dedicate Ministry of Transportation and Infrastructure road right-of-way to provide access to the proposed lots. The final lot layout and orientation of access driveways would be determined at the subdivision stage.

iii) Existing Planning Policies Affecting the Site

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve. The west side of the property borders onto the ALR boundary.
- b. **Official Community Plan:** The Beaver Creek Official Community Plan designates the property as "Residential Use". The objective of this land use designation is to provide a range of housing options within the plan area. The Residential Use designation supports a 0.24 hectare (0.6 acre) minimum lot size for lots serviced by community/communal water or sewer. The lots would be connected to the Beaver Creek Water System.

There are no development permit areas that impact development on this property.

The zoning amendment and proposed subdivision complies with the policies and objectives of the Beaver Creek OCP.

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

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proposed three lot subdivision.

	A1 District (existing)	RA3 District (proposed)
Minimum Lot Area:	2 acre	0.6 acre
Minimum Lot Width:	165 ft.	98.4 ft.
Lot Coverage:	-	15%
Minimum Setbacks		
Front:	25 ft.	49.2 ft.
Rear:	30 ft.	32.8 ft.
Side:	5 ft.	16.4 ft.

The applicants intend to subdivide the property creating two vacant parcels at the west end of the property leaving the remainder with the existing improvements on the east end of the property adjacent to the road. While the property is 3 acres in lot area, the road frontage on Grandview Road is only 156.75 feet wide. The property widens to 246.4 feet wide at the rear. In order to facilitate a three lot subdivision, the applicants may require a development variance to reduce the required minimum lot width in the RA3 District and a waiver to the minimum 10% parcel frontage onto a road required by the *Local Government Act*. The development variance and parcel frontage waiver would be required at the subdivision application stage.

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

Comments: The rezoning is the first step in the applicant's proposal to subdivide the property into three lots: two vacant +/- 0.6 acre parcels at the rear of the property and the remainder lot containing the house and accessory buildings on the east side of the property adjacent to the road.

As a condition of rezoning, the applicants will be required to engage a Registered On-Site Wastewater Practitioner to assess the capability of the land to accommodate subdivision to a 0.6 acre minimum lot size. The sewage capability assessment would be required prior to the public hearing.

If the rezoning application proceeds, a number of matters relating to the subdivision would need to be addressed at the subdivision application stage if the applicants proceed with a three lot subdivision. This would include:

- Development variance to reduce the required minimum lot width in the RA3 District to accommodate three lots.
- Parcel frontage waiver to waive the *Local Government Act* requirement that a lot must have a minimum of 10% of the perimeter of the lot fronting onto a road.
- Development Cost Charge payment of \$5,023 for each new lot created to satisfy the requirements of ACRD Bylaw F1133.

Planning staff are generally supportive of proceeding with the public hearing process for the

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application as it complies with policies and objectives of the Beaver Creek OCP and provides an opportunity for infill development that is not out of character with the surrounding area.

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

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ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

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

APPLICATION FOR DEVELOPMENT



- Official Community Plan Amendment
- Zoning Map Amendment
- Zoning Text Amendment
- Development Permit
- Development Variance

- Minimum Parcel Frontage Waiver
- Board of Variance Application
- Temporary Commercial Use Permit
- Temporary Industrial Use Permit
- Other: _____

Applicant/Property Owner Information	Agent Information (if applicable)
Name: <u>Karen Newirth</u>	Name:
Mailing Address: <u>6008 Grandview Road, Port Alberni, BC V9Y8W1</u>	Mailing Address:
Telephone: <u>250-731-9252</u>	Telephone:
Fax:	Fax:
Cell: <u>250-731-9252</u>	Cell:
Email: <u>rknewirth@gmail.com</u>	Email:

• Legal Description: Lot 2 Plan V1P20587 District Lot 23 Alberni Land District, PID: 003-593-207

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

• Other (explain): Septic system (New) and city water

• Describe the existing land use of the subject property: We are using less than an acre for our hobby farm. We have a small house, shop and barn. We have some farm animals. Would like to subdivide into 2 - one acre lots at back and keep the rest.

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

North: Rural Residential
 South: Rural Residential
 East: Rural Residential
 West: Rural Residential

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

Would like to Rezone to RA3 and subdivide
Back into 2 one acre lots - with a panhandle
to the Back

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

We don't use the 2 back acres and would eventually
Rezone, subdivide and would like to sell them.

- 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.

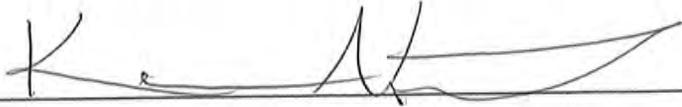
If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.

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: November 6th 2020

To ACRD - Proposed Rezoning of
Lot 2 plan VIP 20587
District Lot 23 - Alberni Land District
PID 003-593-207

Nov 6/2020

To whom it may concern.

I have attached a plan of the subdivision and the measurements that were given to me. They are what I know to the best of my knowledge. There are two small homes on each side of our home. On the plan VIP 20587, they are Lot 1 and 3. Lot 1 was fixed up about 3 years ago and Lot 3 has no one living in it. I would like to put the panhandle

along the side of our
pasture beside ² { Lot 3^{is} (South)
Fence piece }

and run it along to swing
up behind our home and
split between the proposed
two 1 acre lots at the
back of our property.

The back of the property
backs onto 30 acres
of Greenspace I believe
owned by the city or ACRD.

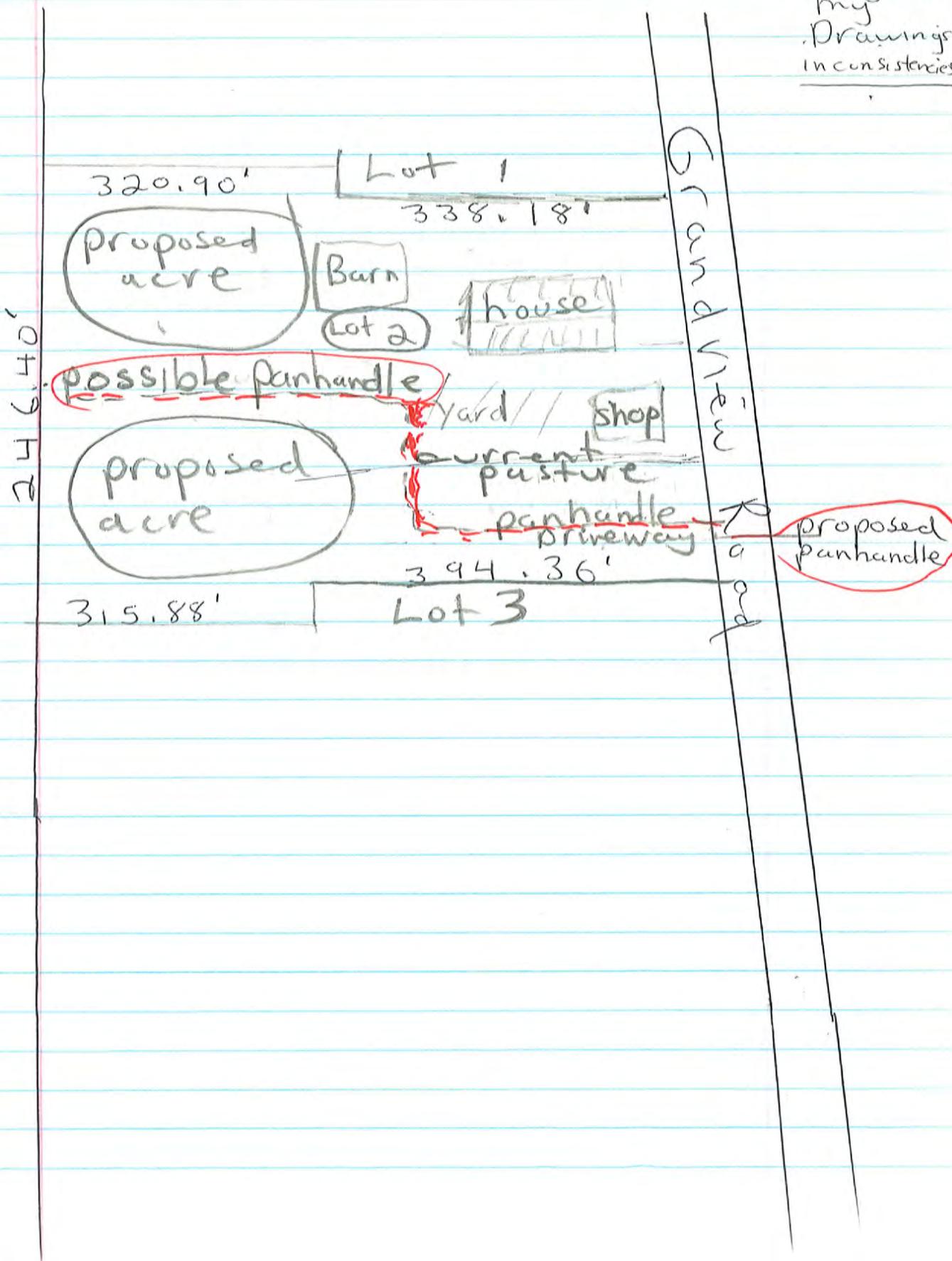
It was suggested to me
that this could be
a shared strata subdivision
and Ruted or Rezoned RA3.

Thank you for your time and
consideration, Sincerely, Karen
Newitt

Plan of Subdivision of Lot 2 Plan VIP 20587

6008 Grandview Road
Port Alberni

please
Forgive
my
Drawings
inconsistencies



320.90' Lot 1
338.18'
proposed acre
Barn
Lot 2 house
possible panhandle
Yard / shop
current pasture
panhandle driveway
394.36'
315.88' Lot 3

Grandview Road

proposed panhandle

PLAN OF SUBDIVISION OF LOTS 50, 51 AND PART OF 52, D.L. 23, ALBERNI DISTRICT, PLAN 1434.

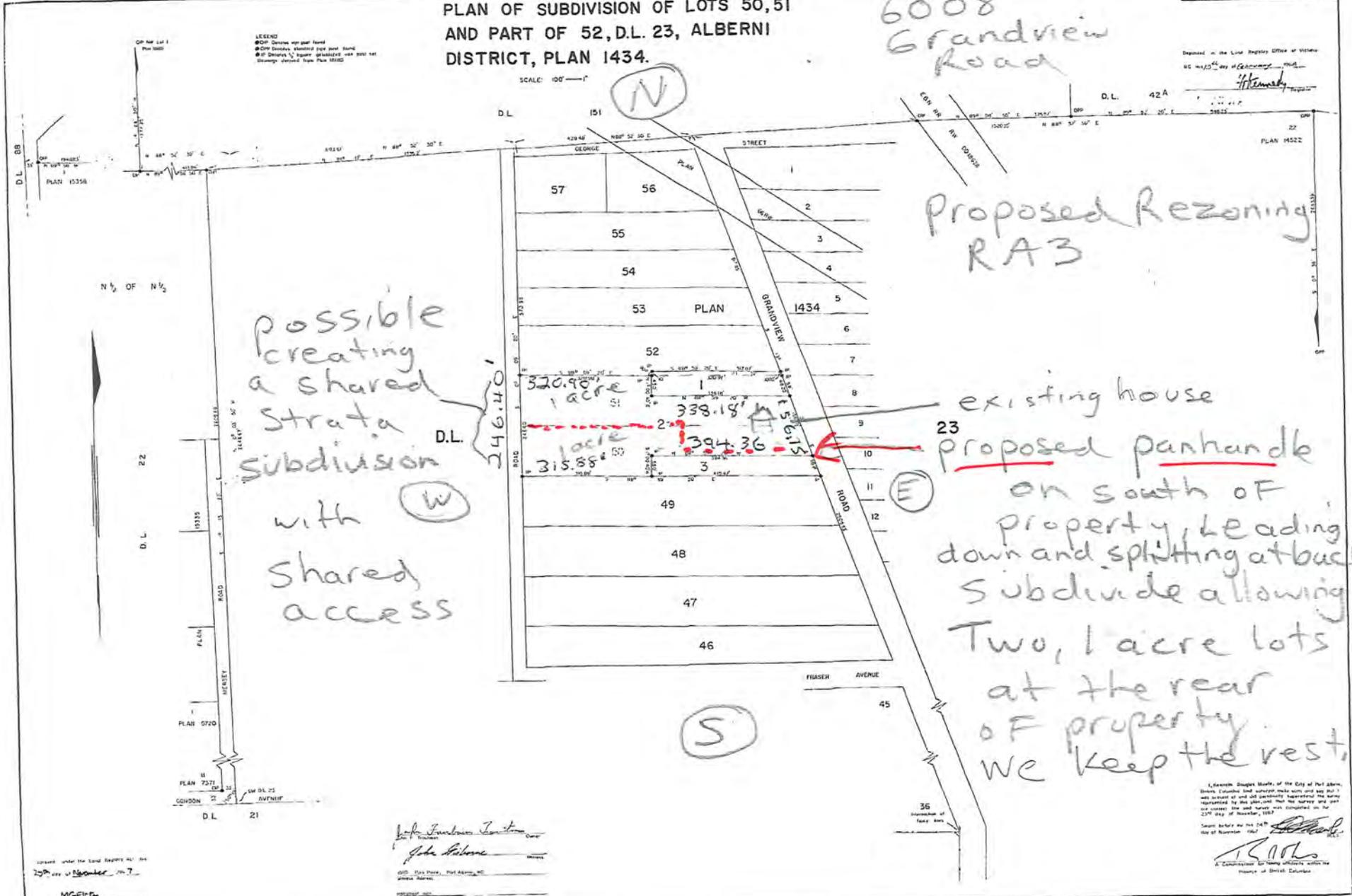
PLAN N^o 20587

6008 Grandview Road

LEGEND
 ● CIP Shows water found
 ○ CIP Shows standard pipe and band
 ⊗ CIP Shows 1/2" square electrical meter box
 ⊕ Shows electrical meter box
 ⊙ Shows electrical meter box

SCALE: 100' = 1"

Deposited in the Land Registry Office of Victoria
 BC s. 123(4) of the Land Registry Act
 H. Kennedy



possible creating a shared strata subdivision with shared access

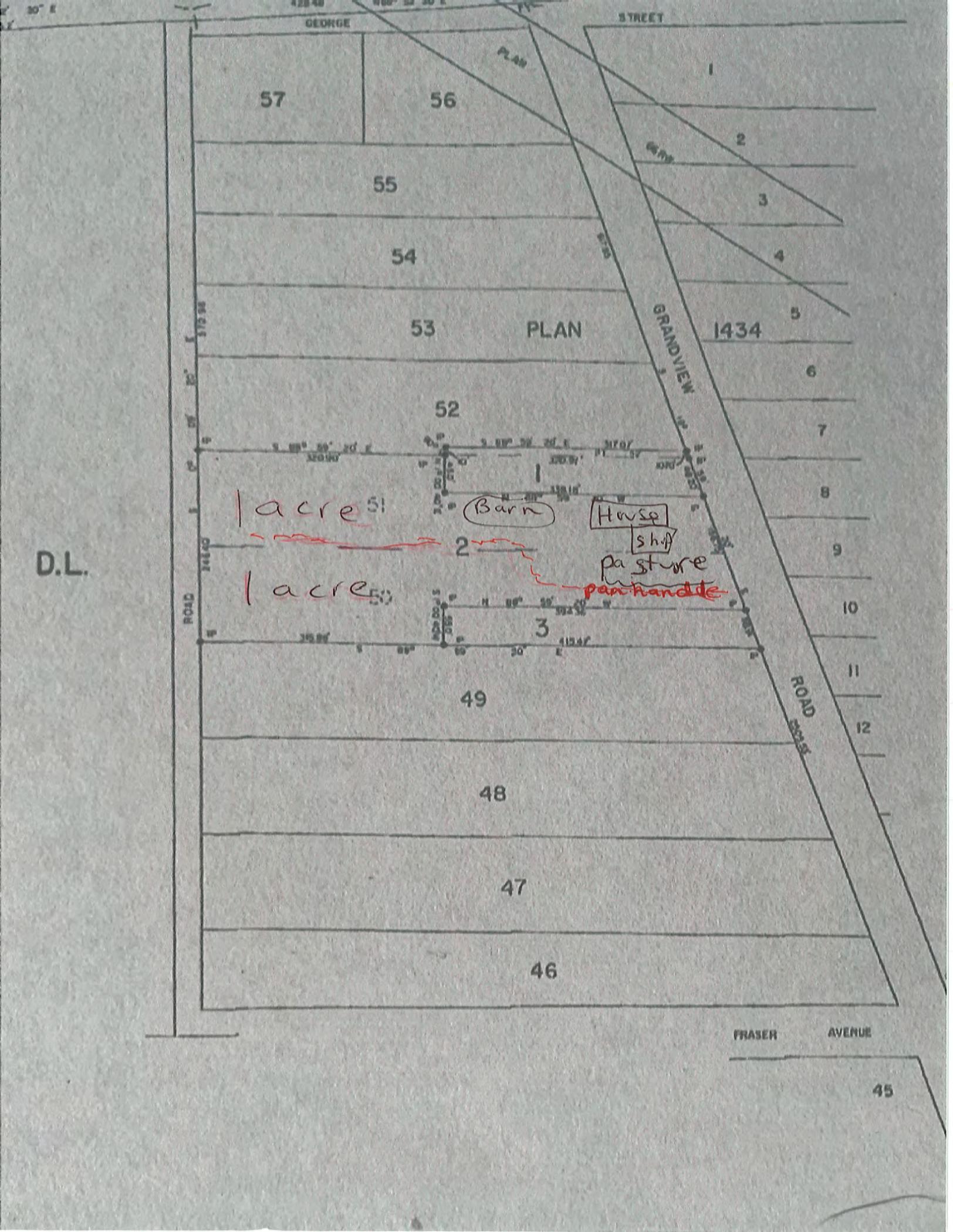
Proposed Rezoning RA3

existing house
 proposed panhandle on south of property, leading down and splitting at back
 subdivide allowing two, 1 acre lots at the rear of property.
 we keep the rest.

John Johnson
 John Johnson
 20587 Plan No., 2014-08-10, BC
 address address

I, Kenneth Douglas Macleod, of the City of Port Alberni, British Columbia, land surveyor, make sworn and say that I was present at and did personally supervise the survey represented by this plan, and that the survey was done in correct accordance with the Land Survey Act, R.S.B.C. 1997, c. 247, and the regulations made thereunder on the 27th day of November, 1997.
 Signed before me this 24th day of November 1997.
K. Macleod
 A Commissioner of Swearing Officers under the Statute in British Columbia

Approved under the Land Registry Act, 1997, by the Registrar, 2017-07-06 09:06:45
 MCGEIL
 in Department of Registrar



GEORGE

STREET

57

56

1

2

55

3

54

4

53

PLAN

1434

5

52

6

7

1 acre 51

Barn

House

ship

pasture

pan handle

8

9

D.L.

1 acre 50

3

10

11

49

ROAD

12

48

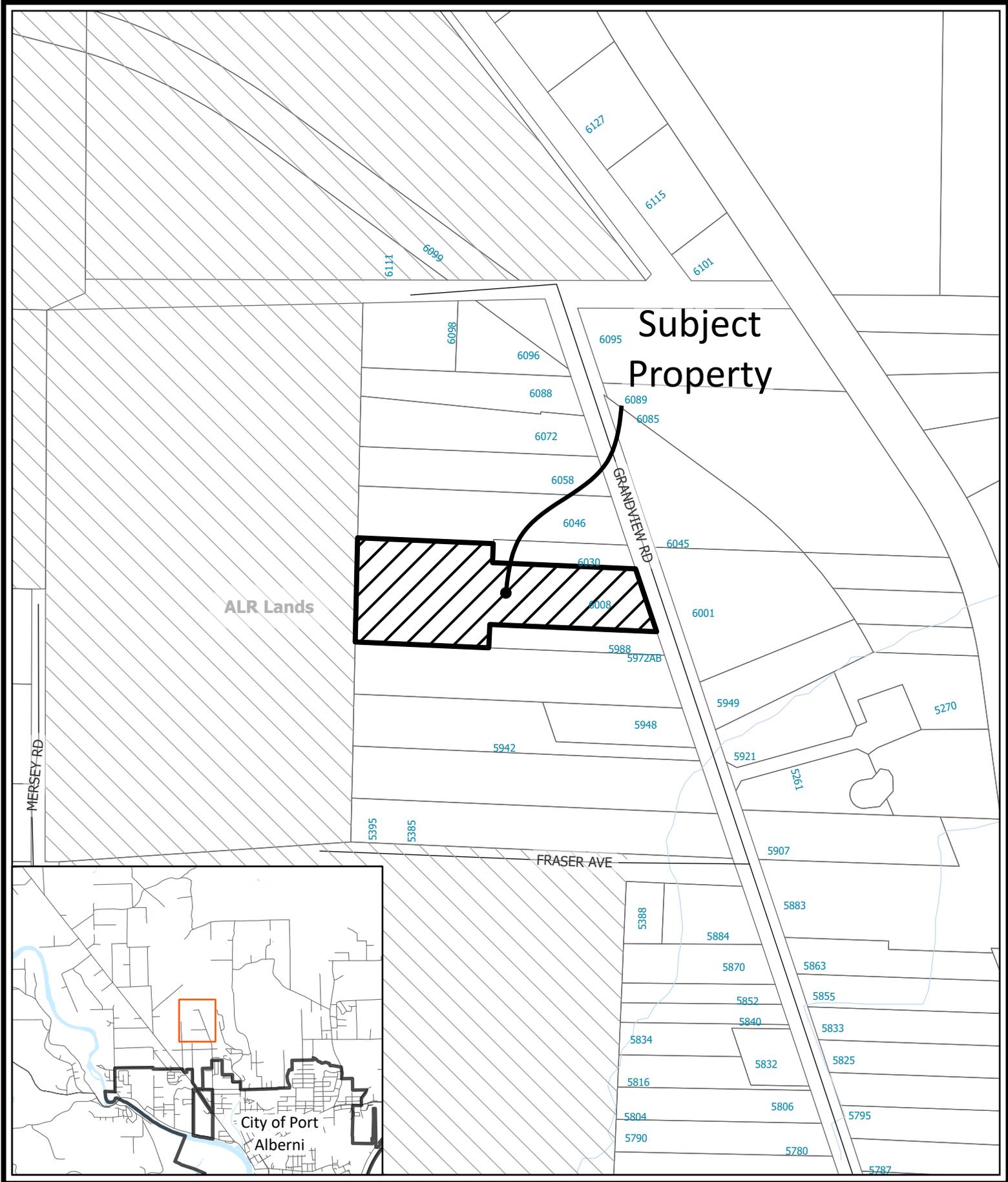
47

46

FRASER

AVENUE

45



Subject Property

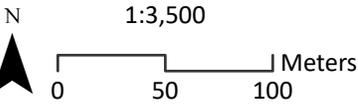
ALR Lands

City of Port Alberni

MERSEY RD

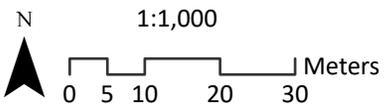
FRASER AVE

GRANDVIEW RD



Legal Description: LOT 2 DISTRICT LOT 23 ALBERNI DISTRICT PLAN 20587

Subject
Property



Legal Description: LOT 2 DISTRICT LOT 23 ALBERNI DISTRICT PLAN 20587

