



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: March 24, 2021

ACRD FILE NO.: RF20010

APPLICANTS: Gordon & Dawn McIntyre

LEGAL

DESCRIPTION: LOT B, DISTRICT LOT 146, ALBERNI DISTRICT, PLAN 35521

LOCATION: 6124 Strathcona Street

ELECTORAL AREA: "F" Cherry Creek

Applicant's Intention: The property owner is applying to rezone the 1.4 hectare (3.5 acre) property to Acreage Residential (RA2) District in order to facilitate a proposed two lot subdivision. The applicants intend to create a +/- 1 acre parcel containing the existing house and a +/- 2.5 acre vacant remainder parcel.

Recommendations:

- THAT Bylaw P1424 Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaw P1424 be delegated to the Director for Electoral Area 'F', the Alternate Director or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaw P1424 is subject to:
 - a. Confirmation from a Registered On-Site Wastewater Practitioner that the property can accommodate on-site sewage disposal to a minimum 1 acre density.
 - b. Meeting technical referral agency requirements.

Advisory Planning Commission Recommendation: The Cherry Creek APC considered the application at their March 15, 2021 meeting where they passed a motion to support the application and concur with the staff recommendation.

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Observations:

i) **Status of Property:** The 1.4 hectare (3.5 acre) property is located on Strathcona Street. The property is partially cleared with an existing single family dwelling located in the east portion of the property adjacent to the road and a detached shop located to the west of the house. The rear of the property backs onto the Maplehurst Park property and the east edge of the Kitsuksis Creek ravine.

ii) **Services**

- a. **Sewage Disposal:** An existing sewage disposal system provides on-site sewage disposal for the house on the property. As a condition of rezoning, staff recommend that a Registered On-Site Wastewater Practitioner confirm the capability of the land to accommodate on-site sewage disposal to a minimum 1 acre density.
- b. **Water Supply:** The existing house is connected to the Cherry Creek Waterworks District community water system. The new vacant parcel at the rear of the property would require an additional connection to the Cherry Creek water system.
- c. **Fire Protection:** Cherry Creek Volunteer Fire Department.
- d. **Access:** The property is accessed from Strathcona Street. The existing house and accessory building are accessed via an existing driveway along the south east frontage of the property. The proposed vacant lot would be accessed separately from Strathcona Street along the north side of the property. The conceptual subdivision plan provided by the applicant indicates that the proposed 2.5 acre vacant lot would not meet the 10% minimum parcel frontage onto a public road as required by the *Local Government Act*. A parcel frontage waiver issued by the Board may be required as a condition of future subdivision approval.

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

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. **Official Community Plan:** The Cherry Creek Official Community Plan designates the property as "Residential Use". The Residential Use designation supports a 0.24 hectare (0.6 acre) minimum lot size for subdivision where the parcels are connected to communal or community water or sewer. The property is connected to the Cherry Creek Waterworks District community water system and the proposal would comply with the policies of the Residential Use designation of the OCP.

The west boundary of the property appears to dissect a portion of Development Permit Area I – Riparian Areas Protection, which is designated as a 15 metre riparian area surrounding the natural watercourse. If the zoning amendment is adopted, a development permit may be required as a condition of final subdivision approval to satisfy the OCP guidelines of DPA I to protect, restore and enhance the riparian area surrounding Kitsuksis Creek ravine and riparian area.

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The zoning amendment complies with the policies and objectives of the Residential Use designation in the Cherry Creek OCP. A development permit to satisfy the requirements of the DPA I guidelines for riparian area protection may be required as a condition of future subdivision approval.

- c. **Zoning:** The property is zoned Small Holdings (A1) District. The property owners are applying to rezone the property to Acreage Residential (RA2) District in order to facilitate a two lot subdivision proposal. Other properties in the immediate area have been rezoned to RA2 in recent years including a property directly across the road to the east in 2019 and a property 200 metres to the south in 2014.

	A1 District (current)	RA2 District (proposed)
Minimum Lot Area:	2 acres	1 acre
Minimum Lot Width:	165 feet	120 feet
Lot Coverage:	-	25%
Minimum Setbacks		
Front:	25 feet	40 feet
Rear:	30 feet	30 feet
Side:	5 feet	15 feet

The applicants have provided a conceptual subdivision plan that demonstrates a two lot subdivision proposal that would create a +/- 1 acre parcel containing the existing improvements and a +/- 2.5 acre vacant remainder parcel. The conceptual plan indicates that the proposal will comply with the minimum lot size and lot width requirements of the proposed RA2 District and that a waiver of the 10% minimum parcel frontage requirements will likely be required.

Planning staff note the 1 acre minimum lot size of the RA2 District zoning could result in a three lot subdivision of the 3.5 acre parent parcel subject to technical considerations and approval of a development variance for minimum lot width and a waiver of the minimum parcel frontage requirements.

The proposed subdivision to a 1 acre minimum density requires a rezoning of the property to Acreage Residential (RA2) District.

Comments: The zoning amendment to the RA2 District would facilitate the proposed two lot subdivision of the 3.5 acre property. As a condition of rezoning, staff recommend that the applicants be required to engage a Registered On-Site Wastewater Practitioner to confirm that the property can accommodate on-site sewage disposal to a minimum 1 acre density.

The conceptual subdivision plan provided by the applicants indicates that the proposed 2.5 acre parcel would contain an existing 2,400 square foot accessory building. The RA2 District zoning requires the siting of a principal dwelling on a parcel prior to the siting of an accessory building. At the time of subdivision, the applicants will be required to either remove the accessory building from the proposed lot, apply for a building permit to place a single family dwelling on the

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proposed lot or adjust the subdivision plan to include the existing accessory building with the parcel containing the existing single family dwelling.

As a condition of future subdivision approval, the Regional District may require a waiver of the minimum 10% parcel frontage requirements onto a public road depending on the final lot layout and may require a development permit to satisfy the requirements of DPA I – Riparian Areas Protection for a portion of the Kitsuksis Creek ravine on the western most portion of the property.

Planning staff are generally supportive of proceeding with the public hearing process for the application with final support of the application subject to public input received and the satisfaction of the conditions of approval outlined in this report.

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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EMailed Oct 31/2020

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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

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Minimum Parcel Frontage Waiver |
| <input checked="" type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Board of Variance Application |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Temporary Commercial Use Permit |
| <input checked="" 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: GORDON MCINTYRE	Name:
Mailing Address: 6124 STRATHCONA ST PORT ALBERNI BC V9Y 8S4	Mailing Address:
Telephone: 250-735-0809	Telephone:
Fax:	Fax:
Cell:	Cell:
Email: gord@skytectecontracting.ca	Email:

• Legal Description: LOT B, PLAN VIP35521, DISTRICT LOT 146, ALBERNI LAND DISTRICT PID:000-349-089

• Particulars of Proposed Development:

- Existing OCP Designation: "RESIDENTIAL"
- Proposed OCP Designation: N/A
- Text Amendment: N/A
- Existing Zone: A1
- Proposed Zone: RA2
- 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: RUAL RESIDENTIAL

Q Co

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

North: RUAL RESIDENTIAL

South: RUAL RESIDENTIAL

East: RUAL RESIDENTIAL

West: FORESTED PARK

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

1 1 ACRE LOT AND 1 2.53 ACRE LOT

- 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.

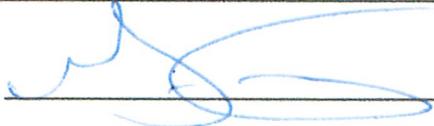
If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.

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: 

Applicant/Owner Signature: _____

Date: ~~APRIL 29 2020~~ Oct 31 2020

Date: Oct. 31, 2020

Development Application

LotB, Plan VIP35521, Alberni Land District, PID: 000-349-089

This Application for Development consist of turning a 3.53 Acre Lot on Strathcona st into two Lots, One lot to be One Acre and the other Lot to be 2.53 Acres.

The One acre lot consists with the existing residents and shed, The road frontage with be 165' and the depth of the Lot will be 264' the grade of this lot is gently sloped to the west, almost level to the eye.

The 2.53 acre lot will be a L shape with 79' of road frontage at the longest depth it is 627' deep and at its widest point the lot is 244' the north side adjacent to the neighboring and behind the proposed 1 ace lot is 363' deep. This lot as well is sloped gently to the west, there is an existing shop on this property.

On Strathcona street there have been two successful development applications of this nature one of these is located across the street from this proposed development application, the other is just north on the same side of the Strathcona Street as this application.

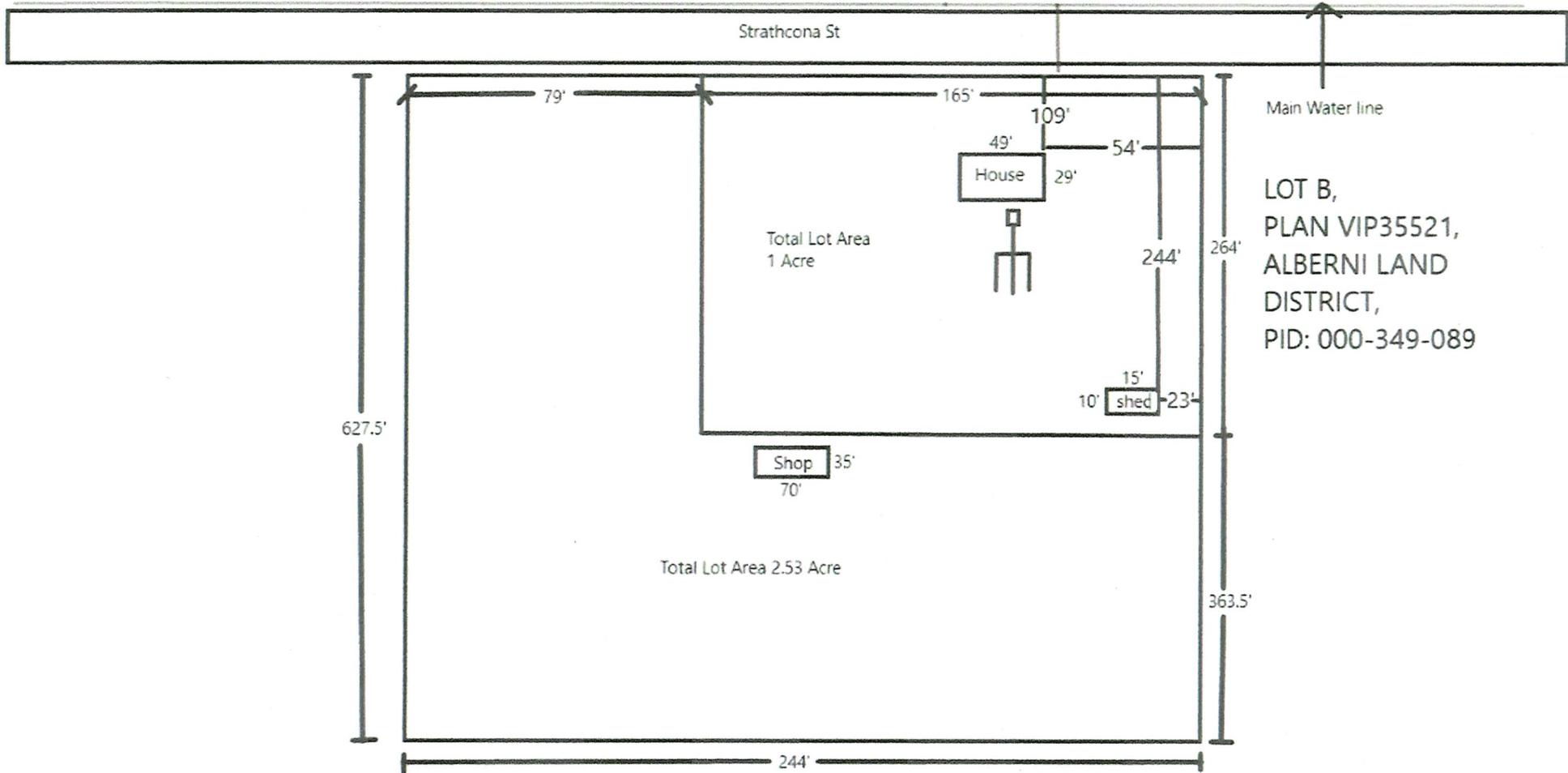
This area is in the Cherry Creek District and is on community water, and Septic wastewater, There is enough volume of water in the district to undertake this development in adding 1 more service, as well the properties can individually support there own septic systems.

Thank you for excepting this application for development, and your time in reviewing this plan if there is any further questions please feel free to contact me directly at 250-735-0809 by email at gord@skYTEcontracting.ca by mail to 6124 Strathcona St Port Alberni BC V9Y 8S4

Regards;



Gordon McIntyre



Strathcona St

Main Water line

LOT B,
 PLAN VIP35521,
 ALBERNI LAND
 DISTRICT,
 PID: 000-349-089

Total Lot Area
 1 Acre

House



shed

Shop

Total Lot Area 2.53 Acre

627.5'

79'

165'

109'

49'

29'

54'

264'

244'

15'

10'

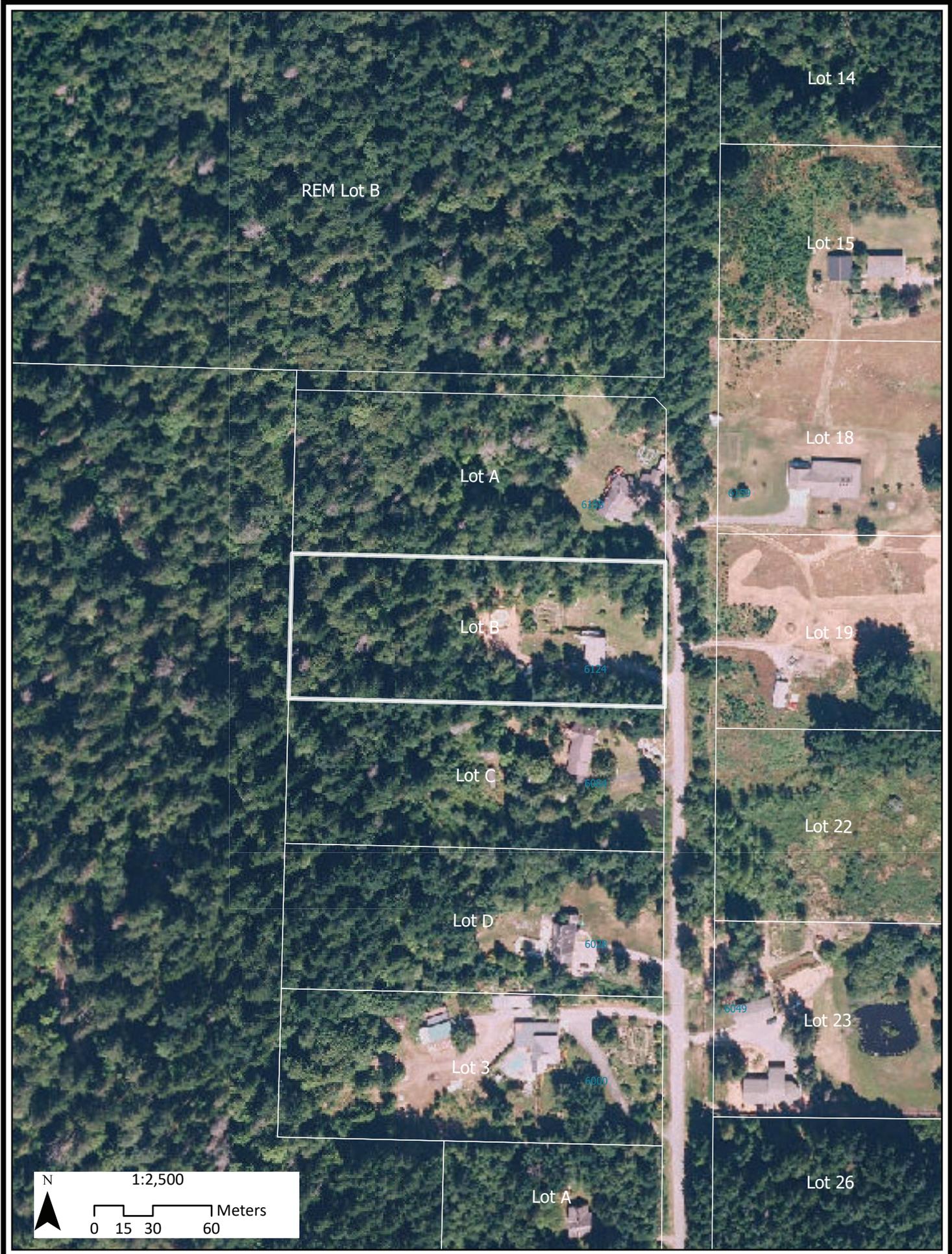
23'

35'

70'

363.5'

244'



REM Lot B

Lot 14

Lot 15

Lot A

Lot 18

Lot B

Lot 19

Lot C

Lot 22

Lot D

Lot 23

Lot 3

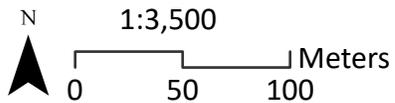
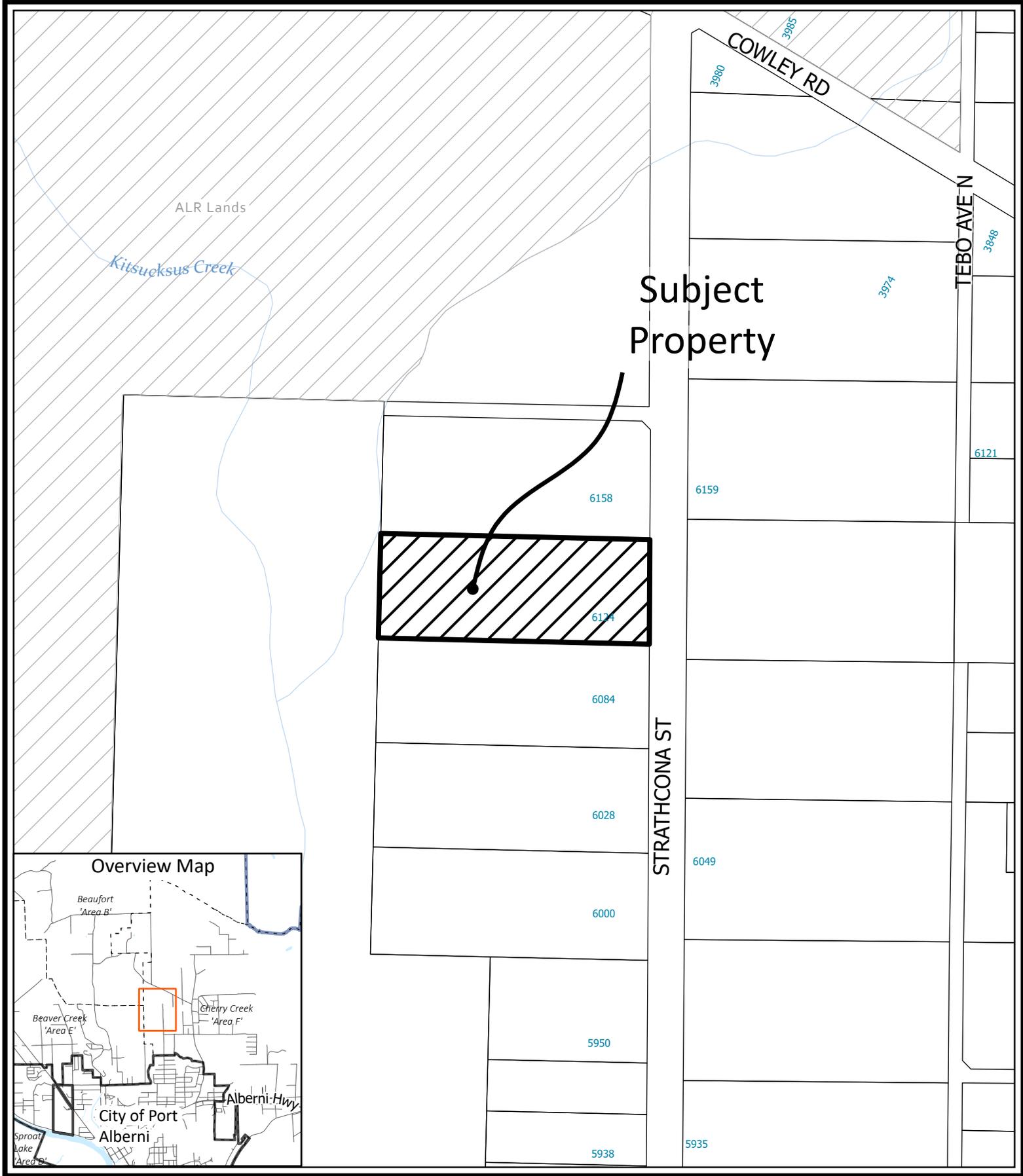
Lot 26

Lot A

N

1:2,500

0 15 30 60 Meters



Legal Description: LOT B, DISTRICT LOT 146, ALBERNI DISTRICT, PLAN 35521

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1424

OFFICIAL ZONING ATLAS AMENDMENT NO. 734

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. P1424.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning a portion of LOT B, DISTRICT LOT 146, ALBERNI DISTRICT, PLAN 35521 from Small Holdings (A1) District to Acreage Residential (RA2) 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 , 2021
Public Hearing held this day of , 2021
Read a second time this day of , 2021
Read a third time this day of , 2021

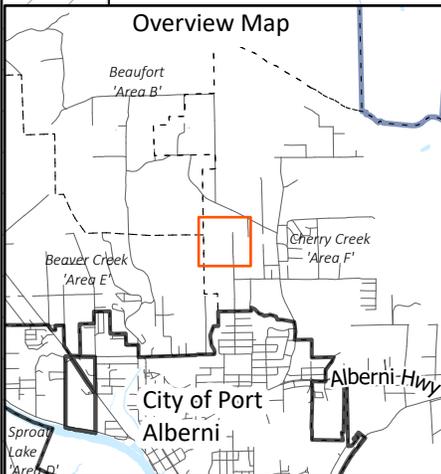
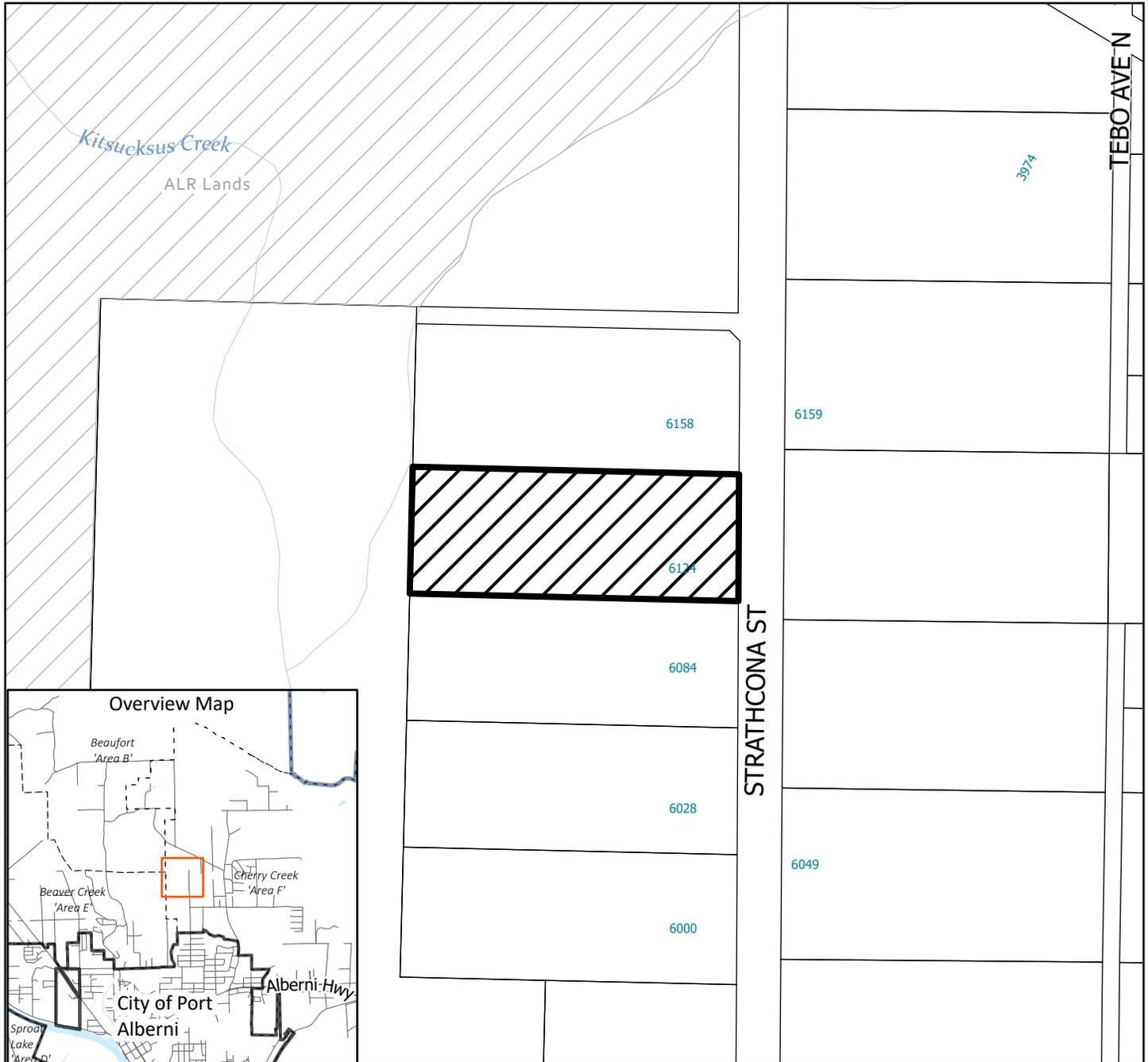
Adopted this day of , 2021

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 P1424



P1424 McIntyre
Legal Description: LOT B, DISTRICT LOT 146, ALBERNI DISTRICT, PLAN 35521

 To be rezoned from Small Holdings (A1) District to Acreage Residential (RA2) District

