



## ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

August 11, 2021

### BEAVER CREEK ADVISORY PLANNING COMMISSION

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

- RE21007 – 6420 Lamarque Road (Hamelin)
- SE19002 – 8088 Cameron Road (Charlesworth)

Please review these applications so that your Director can submit your recommendations to the Board of Directors on August 25th, 2021.

Your next meeting is scheduled for **Monday, August 16th at 7:00 pm** through Zoom Video Conferencing. Please refer to the email for details and Zoom invitation.

Thanks in advance!

Sincerely,

Alex Dyer, MCIP, RPP  
Planning Manager

Enclosures

Cc Applicants



# 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:** August 25, 2021

**ACRD FILE NO.:** RE21007

**APPLICANTS:** Brent & Judy Hamelin

### LEGAL

**DESCRIPTION:** LOT 1, DISTRICT LOT 108, ALBERNI DISTRICT, PLAN 29766

**LOCATION:** 6420 Lamarque Road

**ELECTORAL AREA:** "E" Beaver Creek

**Applicant's Intention:** The property owners are applying to rezone the 0.85 hectare (2.1 acre) property from Small Holdings (A1) District to Acreage Residential (RA3) District in order to facilitate a two lot subdivision.

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### Recommendations:

- THAT Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1428 be read a first time;
- THAT the public hearing for Bylaw P1428 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 P1428 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 lot size;
  - b. Meeting technical referral agency requirements.

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**Advisory Planning Commission Recommendation:** The Beaver Creek APC will consider this application at a meeting to be held August 16, 2021.

### Observations:

- i) **Status of Property:** The property is relatively level with the existing improvements including a single family dwelling and accessory building located on the south half of the

**RE21007**

property adjacent to the intersection of Lamarque Road and Fern Road. The property is mostly cleared with second growth conifers adjacent to the house and bordering the lot lines. The property is located in a neighbourhood of similar one to five acre rural residential properties.

## 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.
- b. **Water Supply:** Beaver Creek Community Water. If the rezoning is successful and the property owner proceeds with subdivision, the applicant will need to satisfy the requirements of Beaver Creek Water System (BCWS) Development Cost Charge Bylaw F1133, including a development cost charge of \$5,023, and satisfy any BCWS water connection requirements.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** The existing residence is accessed from Lamarque Road. The property is also bordered by Fern Road to the south where a second driveway is constructed to access the accessory building located on the south side of the property. The proposed new lot would be accessed from Lamarque Road north of the existing house. The final lot layout and orientation of the new access driveway would be determined at the subdivision stage.

## iii) Existing Planning Policies Affecting the Site

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- 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 BCWS. There are no development permit areas that impact development on the property.

***The zoning amendment and proposed subdivision comply 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 proposed two lot subdivision.

|                    | <b>A1 District<br/>(existing)</b> | <b>RA3 District<br/>(proposed)</b> |
|--------------------|-----------------------------------|------------------------------------|
| Minimum Lot Area:  | 2 acres                           | 0.6 acre                           |
| Minimum Lot Width: | 165 ft.                           | 98.4 ft.                           |
| Lot Coverage:      | -                                 | 15%                                |
|                    |                                   |                                    |

## RE21007

|                  |        |          |
|------------------|--------|----------|
| Minimum Setbacks |        |          |
| Front:           | 25 ft. | 49.2 ft. |
| Rear:            | 30 ft. | 32.8 ft. |
| Side:            | 5 ft.  | 16.4 ft. |

The existing property is 2.09 acres in lot area and 333 feet wide at the Lamarque Road frontage. The proposed RA3 zoning with a minimum lot size of 0.6 acre and lot width of 98.4 feet would facilitate the proposed two lot subdivision. The applicant's intent is to subdivide the property into two lots and the RA3 District zoning will allow the flexibility to create a smaller vacant parcel while leaving a larger remainder parcel containing the existing improvements and landscaping.

***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 two lots. If the rezoning application proceeds, the Beaver Creek Water System connection requirements will need to be addressed at the subdivision application stage. This includes a Development Cost Charge payment of \$5,023 for the new lot to satisfy the requirements of ACRD Bylaw F1133 and confirmation that the new lot can be serviced by the Beaver Creek Water System.

Planning staff are generally supportive of proceeding with the public hearing process for the application as the zoning amendment complies with the policies and objectives of the Beaver Creek OCP and provides an opportunity for in-fill development that is similar in character with the surrounding area. Planning staff recommend that confirmation of on-site sewage disposal capability to a 0.6 acre minimum density be required as a condition of rezoning approval.

Submitted by:   
 Alex Dyer, MCIP, RPP, Planning Manager

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

Approved by: \_\_\_\_\_  
 Teri Fong, CPA, CGA, Acting Chief Administrative Officer

**RE21007**



# 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: Brent & Judy Hamelin.          | Name:                             |
| Mailing Address: 6420 Lamargue Rd    | Mailing Address:                  |
| Telephone: 250-724-6524              | Telephone:                        |
| Fax:                                 | Fax:                              |
| Cell: 250-735-4416                   | Cell:                             |
| Email: fourcitycreekers@shaw.ca      | Email:                            |

• Legal Description: Plan 29766 District Lot 108 (lot 1)

• Particulars of Proposed Development:

➤ Existing OCP Designation: Residential Use

➤ Proposed OCP Designation: Residential use.

➤ Text Amendment: NA.

➤ 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: Residential

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

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

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

Rezone to facilitate 2 lot subdivision.

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

Our son would like to build house on subdivided lot

- 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**

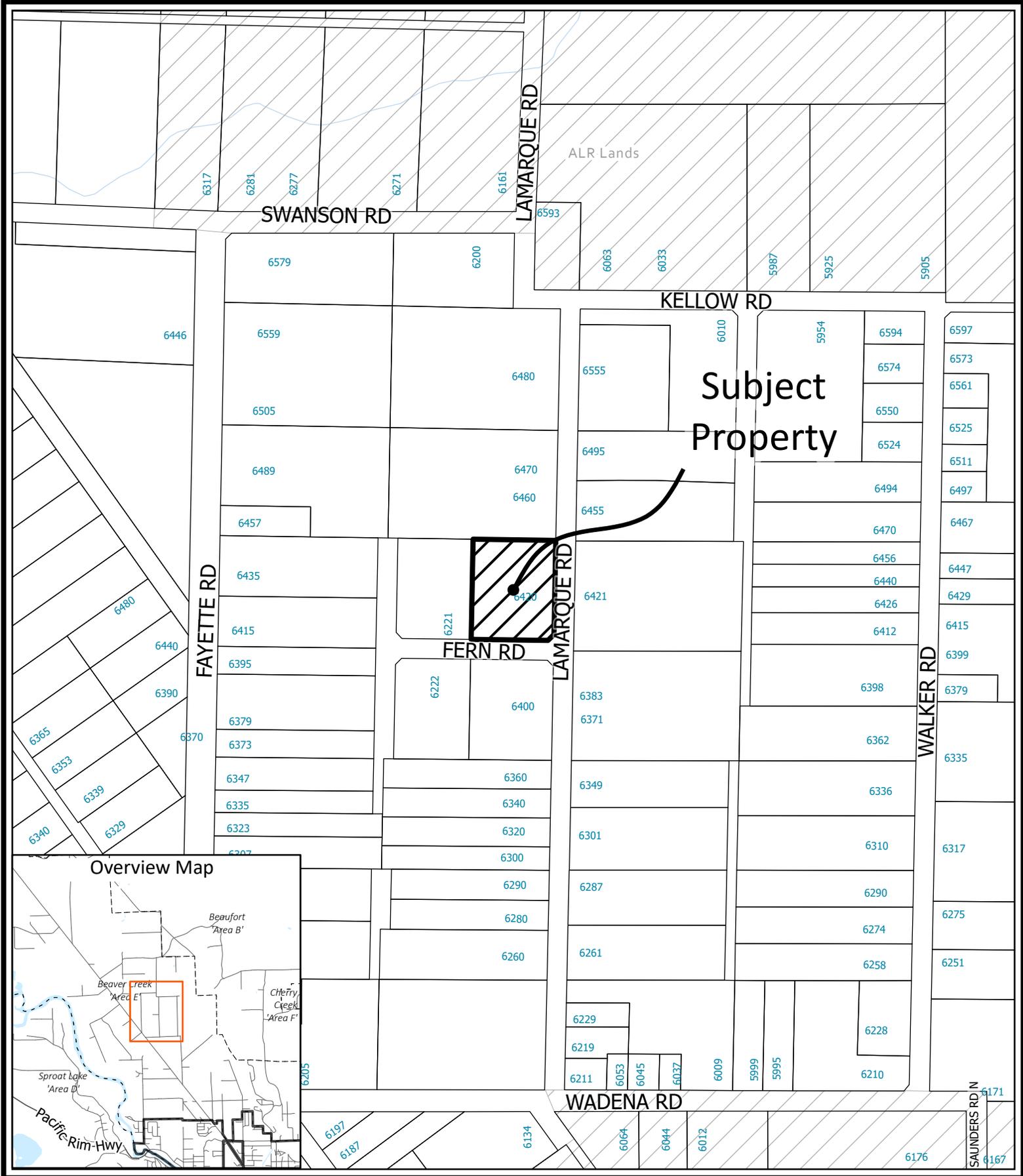
**I/We hereby declare that the information provided in this application is, to the best of my/our knowledge, true and correct in all respects, and I/we enclose the required fee with this application.**

**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: Brent Ham

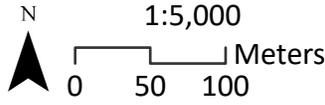
Applicant/Owner Signature: Judy Ham

Date: MAR 4 2021



**Subject  
Property**

Legal Description: LOT 1, DISTRICT LOT 108, ALBERNI DISTRICT, PLAN 29766



ACRES, B.C.L.S.  
RESIDENCE TELEPHONE 724-4803

# Acres and Pollock

BRITISH COLUMBIA LAND SURVEYORS  
LAND, TOPOGRAPHICAL, SEWERAGE AND WATER SURVEYS  
SUB-DIVISION DESIGN

D. M. POLLOCK, B.C.L.  
RESIDENCE TELEPHONE 723

OFFICE, TELEPHONE 733

August 8th, 1978

4921 ARGYLE STREET,  
PORT ALBERNI, B.C. V8Y 1

W. S. Pearson, Esq.  
Barrister and Solicitor,  
4853 Angus Street,  
Port Alberni, B.C.

Dear Sirs:

RE: House constructed on Lot 1, D. L. 108,  
Alberni District, Plan 29766  
(McKinnon) Our file 7125

I hereby certify that the building constructed above described parcel is related to the legal boundaries thereof as indicated on the sketch below.

The measurements shown on the sketch below are the shortest distances between the foundation of the building (and/or garage) and the adjacent boundaries of the parcel. The sketch also shows the dimensions of the parcel and the street or streets on which it fronts. The distance given to the closest intersecting street may be accurate only within a limit of about 10 feet.

Yours very truly,



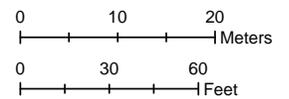
The southeast corner of this parcel is at the northwest intersection of Fern Road and Lamarque Road.

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bel  
of  
of J  
er fe  
umbi



RE21007 – 6420 Lamarque Road

Scale: 1:500



August 5, 2021 Pictures





North side of property. Proposed vacant parcel



Property boundary. North lot line



Driveway access  
into proposed lot



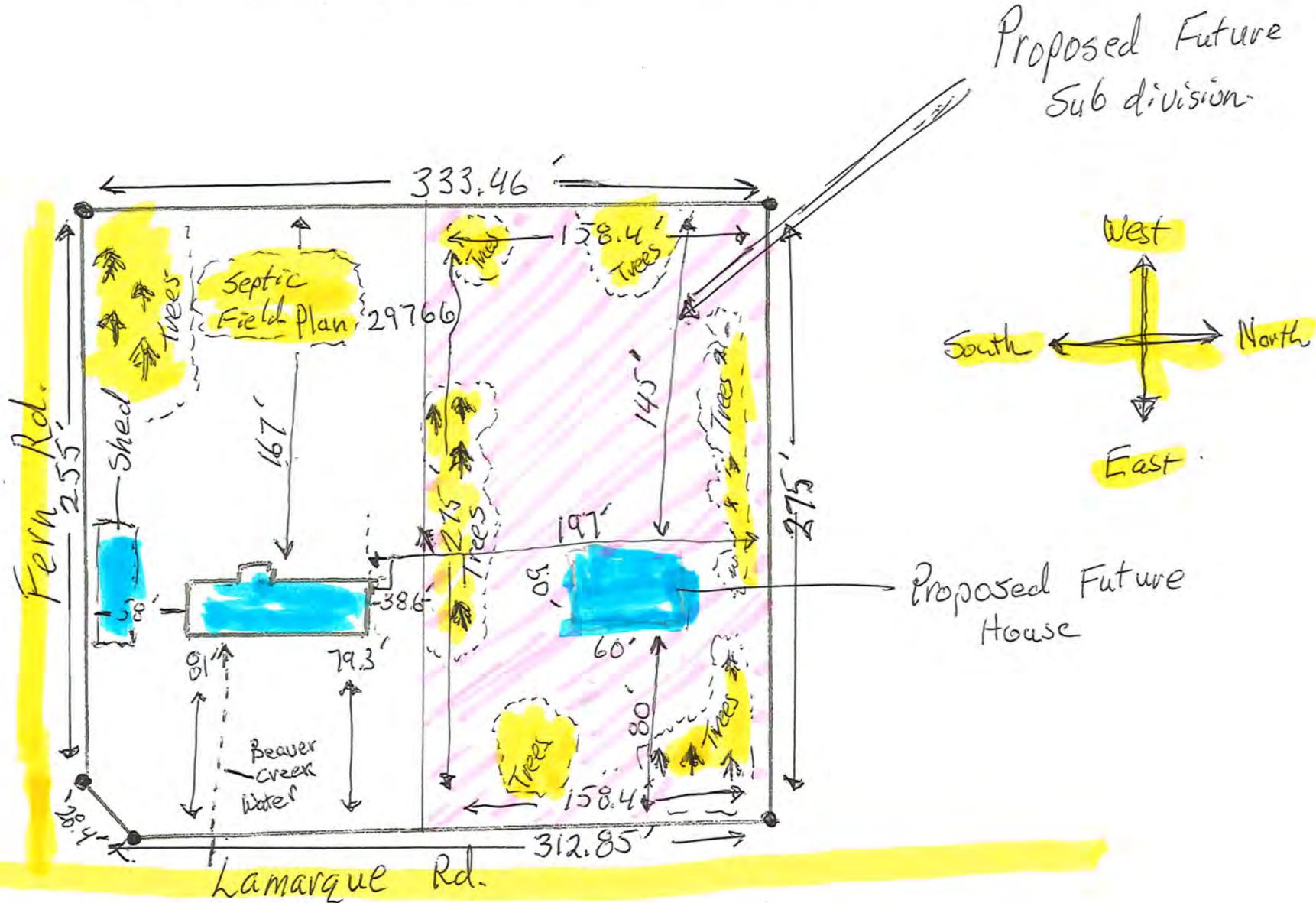
SE view from  
corner of Lamarque  
and Fern Road

6420 Lamarque Rd.

Plan # 29766 (Lot 1)

District lot 108

Rezone proposal = A1 to RA2.









# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

## REQUEST FOR DECISION

**To:** ACRD Board of Directors

**Meeting Date:** August 25, 2021

**From:** Alex Dyer, Planning Manager

**Application:** SE19002 – Parkland Dedication

**Owner:** Shannon & Terry Charlesworth

### Legal

**Description:** LOT 1, DISTRICT LOT 31, ALBERNI DISTRICT, PLAN EPP102516

**Location:** 8088 Cameron Road

**Electoral Area:** "E" Beaver Creek

### Applicants

**Intention:** The applicants intend to re-subdivide the subject property, which was created by subdivision in September 2020, into two lots. The applicant's intention was to subdivide the parent parcel into three lots when they first applied to subdivide in 2019 but they proceeded with a two lot subdivision at that time as a result of road construction required by the Ministry of Transportation & Infrastructure. Park land dedication is required by the *Local Government Act* for the subdivision of any lot that was itself created by subdivision within the last five years.

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### Recommendation:

THAT the Board of Directors resolve that five percent cash in lieu of park land be provided by the owner of LOT 1, DISTRICT LOT 31, ALBERNI DISTRICT, PLAN EPP102516 to meet the requirements of Section 510 of the Local Government Act.

### Desired Outcome:

To provide cash in lieu in order to provide for the future acquisition of park land in Beaver Creek.

### Summary:

Section 510(4) of the *Local Government Act* states that park land dedication applies to a

## SE19002

subdivision by which fewer than 3 additional lots would be created and where the parcel proposed to be subdivided was itself created by subdivision within the past five years. The subject property, LOT 1 PLAN EPP102516, was created by subdivision in September 2020. The provision of park land requirements will apply in this case and, as a condition of subdivision approval, the applicant must satisfy the requirements of Section 510.

Where an Official Community Plan contains policies respecting location and type of future parks, the local government may determine whether the owner must provide park land or cash in lieu. As the Beaver Creek OCP contains policies regarding parks and future parks, the Regional District has the option to determine which is provided.

The Beaver Creek OCP provides mapping for the approximate location of desired future parks within the Plan area. Policy 11.2.7 requires park land dedication through the subdivision process where indicated on the map and will consider cash in lieu of park land where the land is not in an ideal location for a park.

In this case, the parent parcel is not suitable for the location of a new park. The land does not provide linear connectivity to any other park system and is located in a rural area of Beaver Creek not suitable for an isolated, smaller parcel of park land. Planning staff recommend that cash be provided in lieu of park land. Cash in lieu must not exceed 5% of the appraised market value of the property.

**Background:**

The property owners rezoned the property to Small Holdings (A1) District in 2018 in order to facilitate subdivision to a 2 acre minimum lot size. When the property owners applied for subdivision to the Ministry of Transportation and Infrastructure (MOTI) in 2019, their intention was to subdivide the 10 acre parent parcel into three lots: one 5 acre parcel with the existing house on the west side of the property and two 2.5 acre vacant parcels on the east side of the property.

In fall 2019, the applicants amended their subdivision application to create two 5 acre parcels. The applicants advised that they amended their application from three lots to two lots based on road construction requirements that would be required by MOTI to construct a portion of Welham Road. In November 2019, planning staff advised MOTI that the two lot subdivision complied with ACRD regulations and MOTI issued a Preliminary Layout Approval (PLA) on December 17, 2019. The applicants prepared a new lot layout with a BC Land Surveyor to create a 1.97 hectare (4.86) acre vacant parcel in the east half of the parent property. The PLA requirements were met by the applicants and the two lot subdivision was finalized in September 2020.

The applicants have now applied to MOTI to subdivide the newly created LOT 1, PLAN EPP102516 into two 2.45 acre parcels. The subdivision complies with the requirements of the ACRD Zoning Bylaw and Beaver Creek Official Community Plan. The re-subdivision of this lot within five years triggers the park land dedication requirements outlined in Section 510 of the

**SE19002**

*Local Government Act*. If the Board proceeds with requiring cash in lieu of park land, the applicants will be required to obtain a market assessment of the property and provide 5% of the appraised market value of the property as a condition of final subdivision approval.

**Time Requirements – Staff & Elected Officials:**

Minimal time requirements.

**Financial:**

The cash-in-lieu funds would be added to a reserve fund for the acquisition of new park land within Electoral Area "E" (Beaver Creek).

**Policy or Legislation:**

Section 510 of the *Local Government Act* details the requirements for the provision of park land or payment for parks purposes.

**Options Considered:**

1. The Board of Directors can waive the park land dedication requirements by resolving to accept 0% cash in lieu of parkland. Staff do not recommend this option;
2. Park land dedication equivalent to 5% of the total land area being subdivided, which in this case would be equivalent to 0.2 hectare (0.5 acre).

Submitted by:   
 \_\_\_\_\_  
 Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by:   
 \_\_\_\_\_  
 Mike Irg, MCIP, RPP, General Manager of Planning and Development

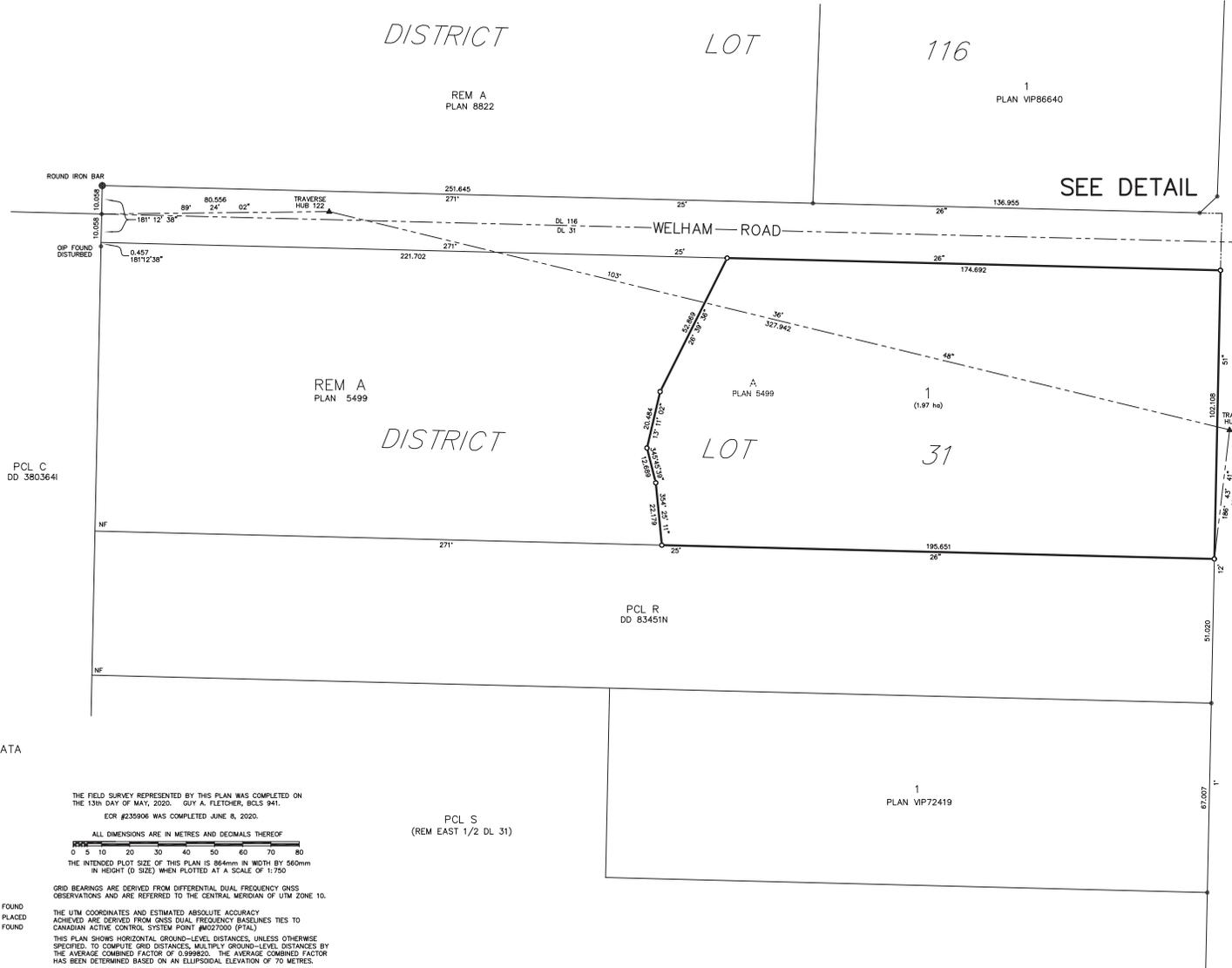
Approved by: \_\_\_\_\_  
 Teri Fong, CPA, CGA, Acting Chief Administrative Officer

**SE19002**

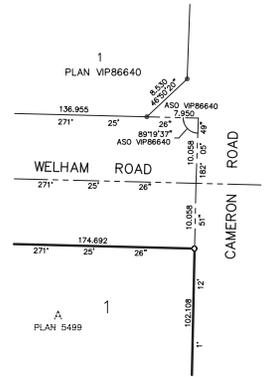
SUBDIVISION PLAN OF PART OF LOT A, DISTRICT LOT 31,  
ALBERNI DISTRICT, PLAN 5499.

PLAN EPP102516

PID 005-979-986  
BCGS 92F.036



DETAIL  
NOT TO SCALE



GEODETIC CONTROL DATA

TRAVERSE HUB 110  
NAD 83(CRS) 1997.0  
UTM Zone 10  
Northing = 5466044.72  
Easting = 362801.44  
Estimated Horizontal Positional Accuracy Achieved = 0.05 m.

TRAVERSE HUB 122  
NAD 83(CRS) 1997.0  
UTM Zone 10  
Northing = 5466121.90  
Easting = 362862.77  
Estimated Horizontal Positional Accuracy Achieved = 0.05 m.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON  
THE 13th DAY OF MAY, 2020. GUY A. FLETCHER, BOLS 841.  
EOR #235906 WAS COMPLETED JUNE 8, 2020.

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF

0 5 10 20 30 40 50 60 70 80

THE INTENDED PLOT SIZE OF THIS PLAN IS 864mm IN WIDTH BY 560mm  
IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:750

LEGEND

- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- ⊙ DENOTES NON-STANDARD POST FOUND
- ▲ DENOTES TRAVERSE HUB
- ASD DENOTES AS SHOWN ON

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS  
OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY  
ACHIEVED ARE DERIVED FROM GNSS DUAL FREQUENCY BASELINES TIES TO  
CANADIAN ACTIVE CONTROL SYSTEM POINT #M027000 (PTAL)

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE  
SPECIFIED, TO COMPUTE GRID DISTANCES. MULTIPLE GROUND-LEVEL DISTANCES BY  
THE AVERAGE COMBINED FACTOR OF 0.999820. THE AVERAGE COMBINED FACTOR  
HAS BEEN DETERMINED BASED ON AN ELIPSOIDAL ELEVATION OF 70 METRES.

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING  
OFFICER FOR THE MINISTRY OF TRANSPORTATION & INFRASTRUCTURE.  
e-DAS File #: 2019-01073  
THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

J.E. ANDERSON & ASSOCIATES  
B.C. Land Surveyors & Consulting Engineers  
# 203 - 177 Reid St., P.O. Box 247  
Parksville, BC V8P 2S4  
250-246-5755 parkville@janderson.com  
File : 61557-1

