



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: June 23, 2021

ACRD FILE NO.: RE21004

APPLICANTS: Kenneth Hawkins and Mirijana Jurkic

LEGAL DESCRIPTION: LOT 13, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 6559

LOCATION: 6411 Beaver Creek Rd

ELECTORAL AREA: "E" Beaver Creek

Applicant's Intention: The property owner is applying to rezone their 0.81 hectare (2 acre) property located at 6411 Beaver Creek Road from Small Holdings (A1) District to Acreage Residential (RA2) District in order to accommodate a two lot subdivision with a 1 acre minimum lot size.

Recommendations:

- THAT Bylaw P1432, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaw P1432 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 P1432 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 1 acre density;
 - b. Meeting technical referral agency requirements.

Advisory Planning Commission Recommendation: The Beaver Creek APC considered this application on June 15, 2021 where they resolved to support the application as presented and concur with the staff recommendation.

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Observations:

i) **Status of Property:** The 2 acre property is 132 feet wide by 660 feet deep. The south half of the property is mostly cleared and slopes up gradually away from Beaver Creek Road. There is an existing dwelling and detached barn located on the southerly 1 acre portion of the property adjacent to the road. The remainder of the property is vacant and mostly treed. There is legal road access to the rear of the property via the Crown Road right-of-way that is partially constructed off Fayette Road.

ii) **Services**

- a. **Sewage Disposal:** On-site sewage disposal. An updated septic system was installed to service the existing house in 2011. As a condition of rezoning, planning staff recommend that the applicants engage a Registered On-site Wastewater Practitioner to assess the capability of the land to accommodate on-site sewage disposal to a 1 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 any BCWS water connection requirements.
- c. **Fire Protection:** Beaver Creek Fire Department.
- d. **Access:** The existing residence is accessed from Beaver Creek Road. The proposed new lot at the rear of the property would also be accessed from Crown Road to the north, off Fayette Road. This portion of Crown Road is undeveloped and partially constructed to the lot line of the subject property. The applicant will be required to construct a new access over this portion of road right-of-way to provide access to the proposed lot.

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. Both 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 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 (RA2) District to facilitate the proposed two lot subdivision.

The property is currently non-conforming to the A1 district as the frontage is 132 feet, which does not meet the 165 foot minimum lot width in the A1 zone. Rezoning the

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property to RA2 would bring the current layout into conformance with the Zoning Bylaw and facilitate the proposed subdivision. The property is directly adjacent to R2 and RA2 zoned lands to the south east and east of the subject property.

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

The proposed subdivision requires a rezoning of the subject property from Small Holdings (A1) District to Acreage Residential (RA2) District.

Comments: The rezoning would facilitate the subdivision of the property into two lots, each with a 1 acre minimum lot size. If the rezoning application proceeds, the Beaver Creek Water System requirements will need to be considered at the subdivision application process. A Development Cost Charge payment of \$5,023 for the new lot created will be required to satisfy the requirements of ACRD Bylaw F1133 as well as confirmation that the new lot can be serviced by the BCWS.

Planning staff are supportive of proceeding with the public hearing process for the application. The proposed development complies with the policies and objectives of the Beaver Creek OCP and is located adjacent to residential zoned lands that support small acreage lot sizes. The ACRD Board approved a similar rezoning and two lot subdivision on a property 180 metres to the north west in 2016 and supported another small acreage subdivision within adjacent R2 zoned to the south east in 2017. The rezoning provides an opportunity for infill development that is in keeping with the character of the surrounding area.

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

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: _____

RECEIVED

JAN 25 2021

Applicant/Property Owner Information	Agent Information (if applicable)
Name: <u>Kenneth Hawkins & Mirijana Jurkic</u>	Name:
Mailing Address: <u>6411 Beaver Creek Rd.</u> <u>Port Alberni, B.C. V9Y 8L3</u>	Mailing Address:
Telephone: <u>(250) 731-4658 / 250-731-9127</u>	Telephone:
Fax:	Fax:
Cell: <u>same</u>	Cell:
Email: <u>crissymjhawkins@gmail.com</u>	Email:

- Legal Description: Lot 13, Plan VIP 6559, District Lot 40 Land District 01 (PID: 005-892-791)
Physical address: 6411 Beaver Crk Rd.

- Particulars of Proposed Development:

➤ Existing OCP Designation: Residential use

➤ Proposed OCP Designation: N/A

➤ Text Amendment: N/A

➤ Existing Zone: Small Holdings A1

➤ Proposed Zone: Residential 2 Zone (R2)

➤ 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: Currently a two acre residential property.

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

North: residential A1 and R2 lots

South: residential (R2)

East: residential (R2)

West: A1

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

To rezone to R2, to subdivide into two one acre lots, to conform with lot sizes under R2, and to match development of neighbours with R2 zoning.

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

To build a house on the back half of the property which backs onto crown road. Access would be from Crown Rd.

- 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.

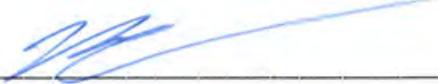
If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.

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: Mirijana Jurek

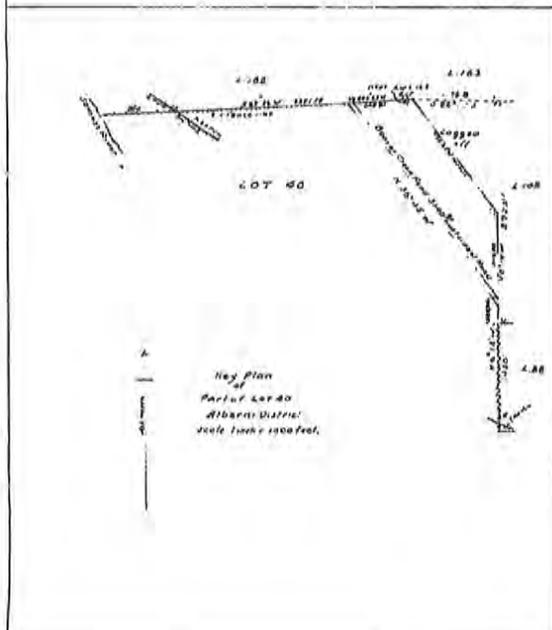
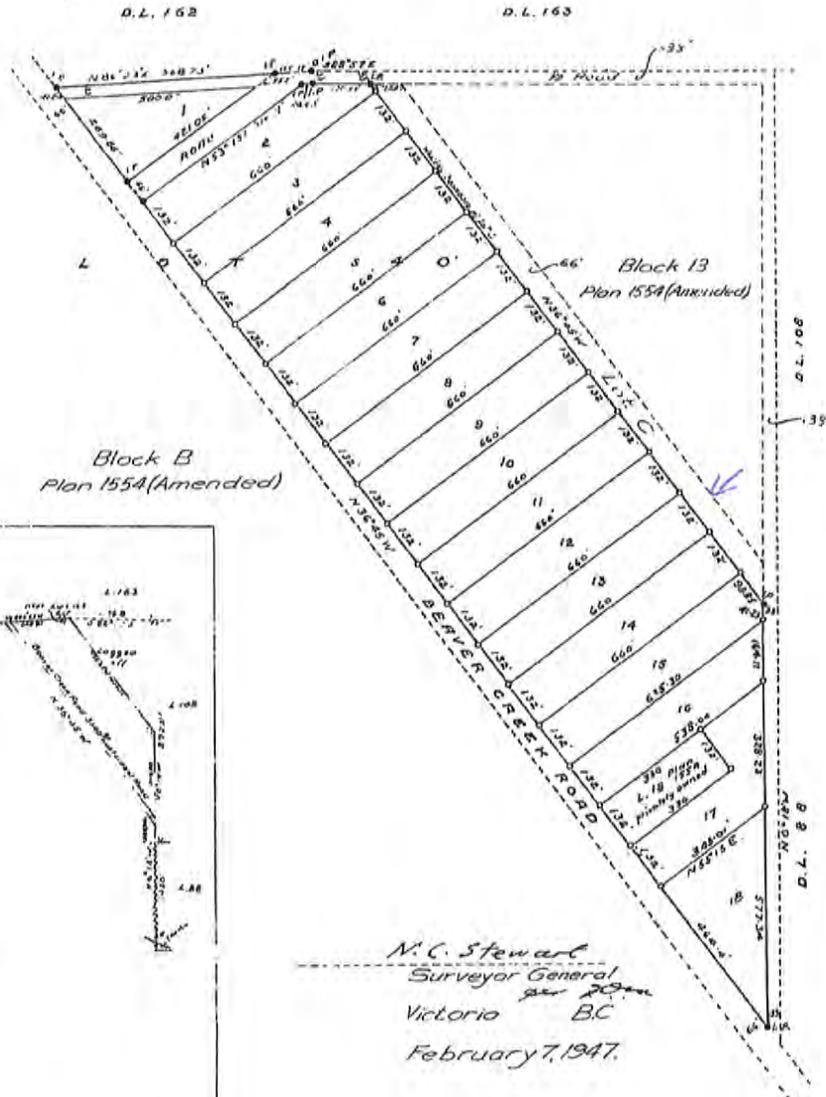
Date: January 25, 2021.

Plan of Subdivision of Lots 1 to 10 Inclusive Block 12
 Part of Lot 40
 Registered Plan 1554 (Amended)
 ALBERNI DISTRICT
 Scale 1 inch = 200 feet

Iron Bars set shown thus \blacksquare I.P.
 Old " " found " " \bullet O.I.P.
 Wooden Posts set " " \circ

All Bearings referred to Meridian as obtained
 from West Boundary of Lot 88.

2303
 2304
 2305
 2306
 2307
 2308
 2309
 2310
 2311
 Deposited under Sec 79 of the Land
 Registry Act.
 This 23rd day of August 1907.
 A. J. ...
 Deputy Registrar.



N. C. Stewart
 Surveyor General
 Victoria BC
 February 7, 1917.

In first year Alberni, British Columbia
 Land Surveyor made each survey, that
 was present a standard surveyor
 superior and the survey represented by
 this plan, and that the survey was upon
 and correct. The said survey was
 completed on the 11th day of July,
 1846.

Sworn before me
 this 23rd day of
 August 1907
 A. J. ...
 Deputy Registrar

BOWERMAN EXCAVATING LTD.

PHONE (250) 723-8775

FAX (250) 723-8785

January 15, 2021

Alberni Clayoquot Regional District

Proposed Two Lot Subdivision

Mirijana Jurkic

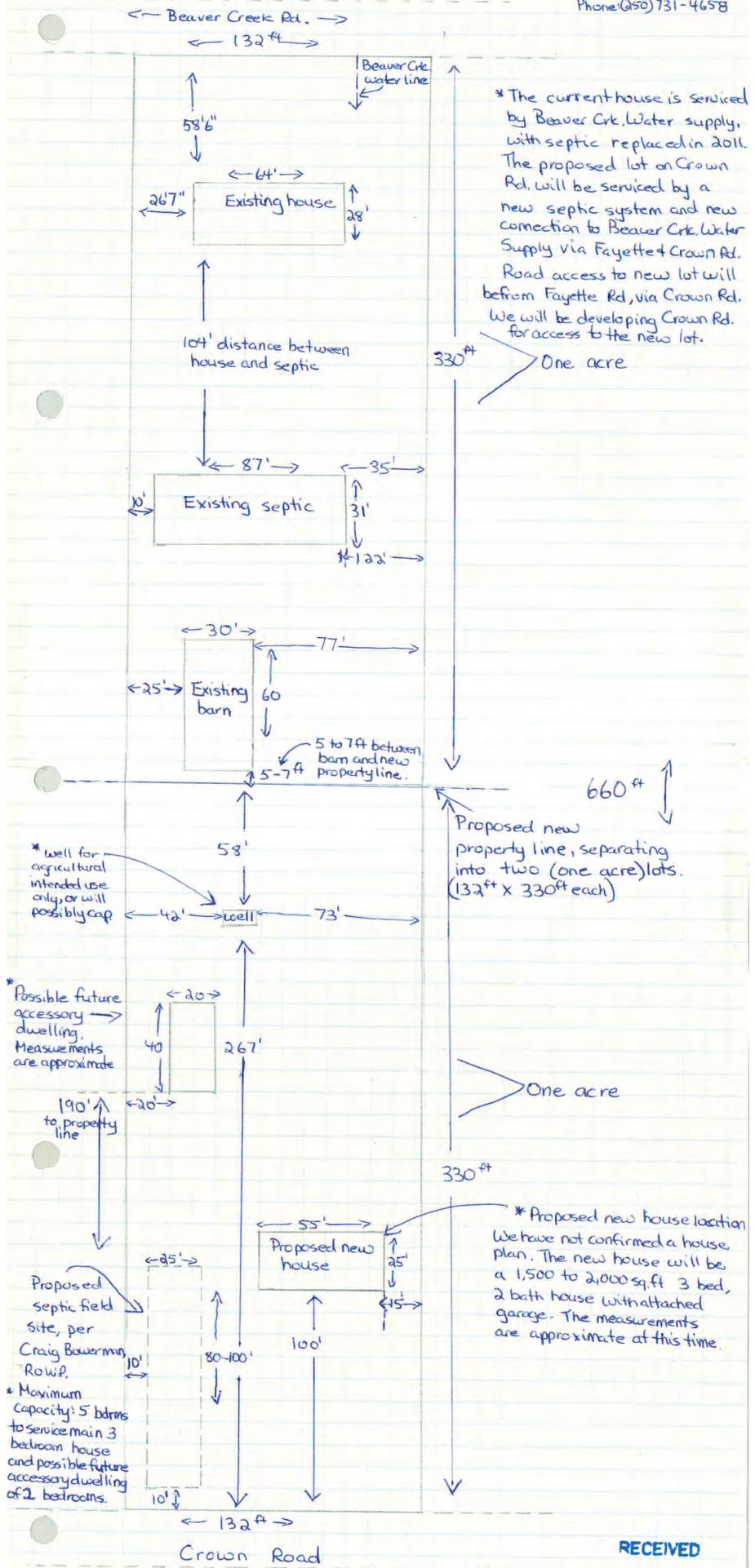
6411 Beaver Creek Road

Bowerman Excavating has been requested to located a suitable site to meet current heath regulations for a type 1 septic system on proposed future back lot and have identified a location that will work. The remainder of the property has a system that appears to functioning as intended and was install in 2011 filing number PA11/024.

Any questions please call

Regards

Craig Bowerman



* The current house is serviced by Beaver Crk. Water supply, with septic replaced in 2011. The proposed lot on Crown Rd. will be serviced by a new septic system and new connection to Beaver Crk. Water Supply via Fayette + Crown Rd. Road access to new lot will be from Fayette Rd, via Crown Rd. We will be developing Crown Rd. for access to the new lot.

* well for agricultural intended use only, or will possibly cap

* Possible future accessory dwelling. Measurements are approximate

* Maximum Capacity: 5 bedrooms to service main 3 bedroom house and possible future accessory dwelling of 2 bedrooms.

* Proposed new house location. We have not confirmed a house plan. The new house will be a 1,500 to 2,000 sq. ft 3 bed, 2 bath house with attached garage. The measurements are approximate at this time.



RE21004 – 6411 Beaver Creek Road

Prepared 11 June 2021, ACRD.
Orthophoto 2012, TRIM

Scale: 1:650

0 25 50 Meters

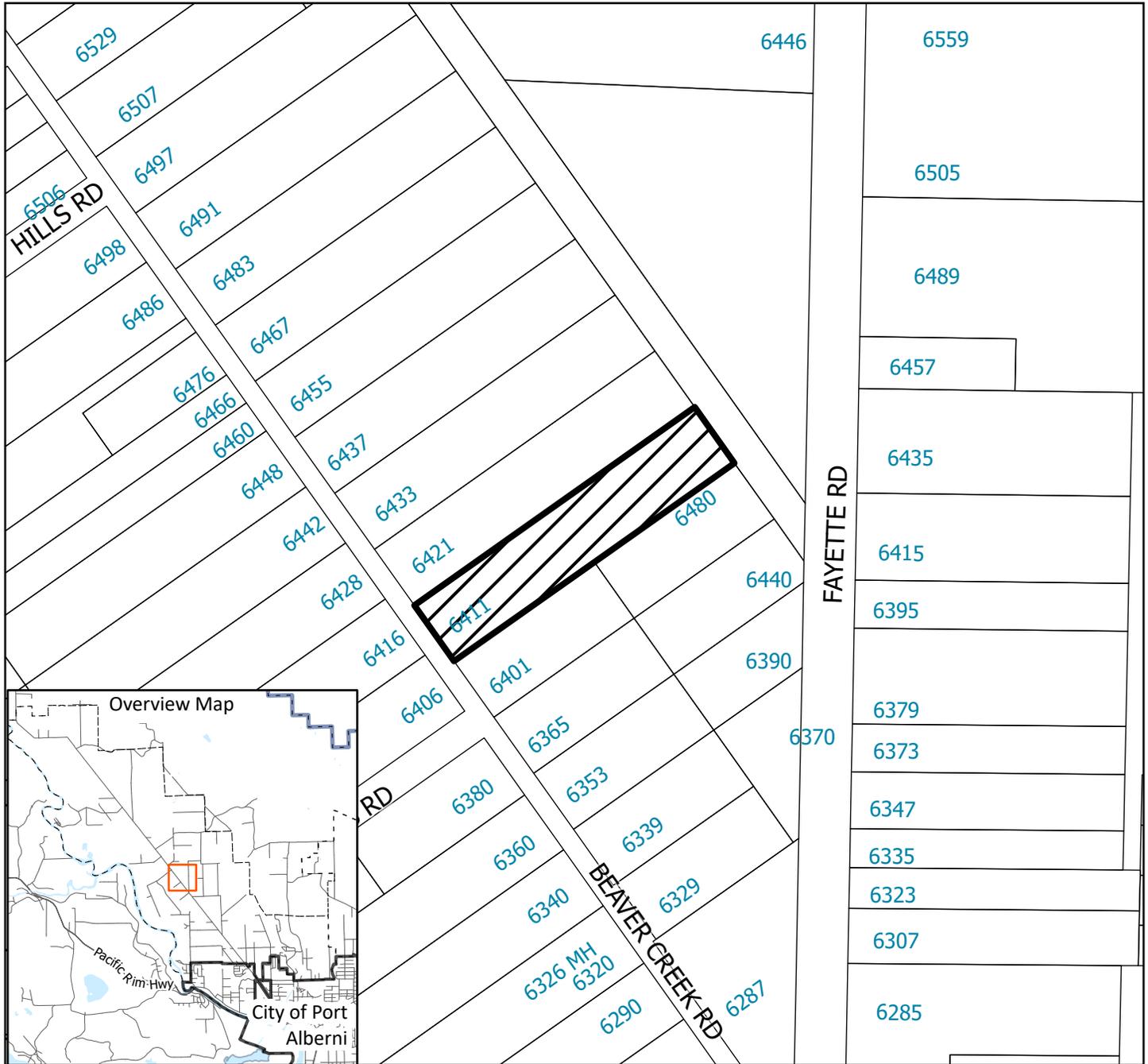
0 60 120 Feet





Schedule 'A'

This schedule is attached to and forms part of
Bylaw P1432



P1432 Hwkins Jurkic
Legal Description: LOT 13, DISTRICT LOT 40, ALBERNI DISTRICT, PLAN 6559

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

