



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT
**NOTICE OF APPLICATION FOR
DEVELOPMENT VARIANCE PERMIT**
ELECTORAL AREA 'E' – BEAVER CREEK

DVE22002 – MICHAEL & KARINA KOBUS, PROPERTY OWNERS

On May 11, 2022, the Regional District of Alberni-Clayoquot (ACRD) will consider issuing the following development variance permit to vary the provisions of the ACRD Zoning Bylaw No. 15, pursuant to Section 499 of the *Local Government Act*:

Development variance of the ACRD Zoning Bylaw, Section 6.5 Accessory Buildings and Uses, to increase the permitted height of an existing accessory building, in its current location, from 4 m (13.12 ft) to 6.75 m (22.15 ft) in the Acreage Residential (RA3) District.

Subject Property: 6455 Lamarque Road, Port Alberni

Legal Description: LOT 2 DISTRICT LOT 108 ALBERNI DISTRICT PLAN EPP34026 PID: 029-284-562

A copy of the permit and supporting documents are available for public review on our website at www.acrd.bc.ca/events/11-5-2022/.

The Board of Directors made a preliminary review of this proposal on April 27, 2022 and resolved to consider it further. It is anticipated that the Board of Directors will make a final decision on the permit at the Board Meeting on May 11, 2022 beginning at 1:30 pm.

Prior to issuing such a permit, the Board is required to notify owners and occupants of properties within 100 m of the subject property. **Please accept this correspondence as fulfilling this obligation.**

Providing an opportunity for public input is a top priority for the ACRD. Consider written submissions as an effective means to do so.

Correspondence must be received by the ACRD by **10:00 am on Wednesday, May 11, 2022** and can be submitted by one of the following methods:

- Hard copy delivered to the ACRD office in person, in the drop slot or by mail to the Planning Department at the address below.
- Email sent to planning@acrd.bc.ca. Email correspondence will only be considered received if receipt confirmation is provided by ACRD staff.
- Fax sent to 250-723-1327. Fax correspondence will only be considered received if receipt confirmation is provided by ACRD staff.

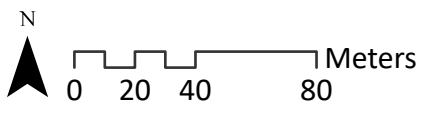
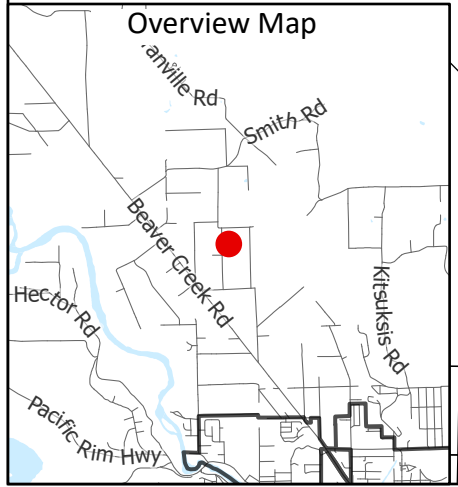
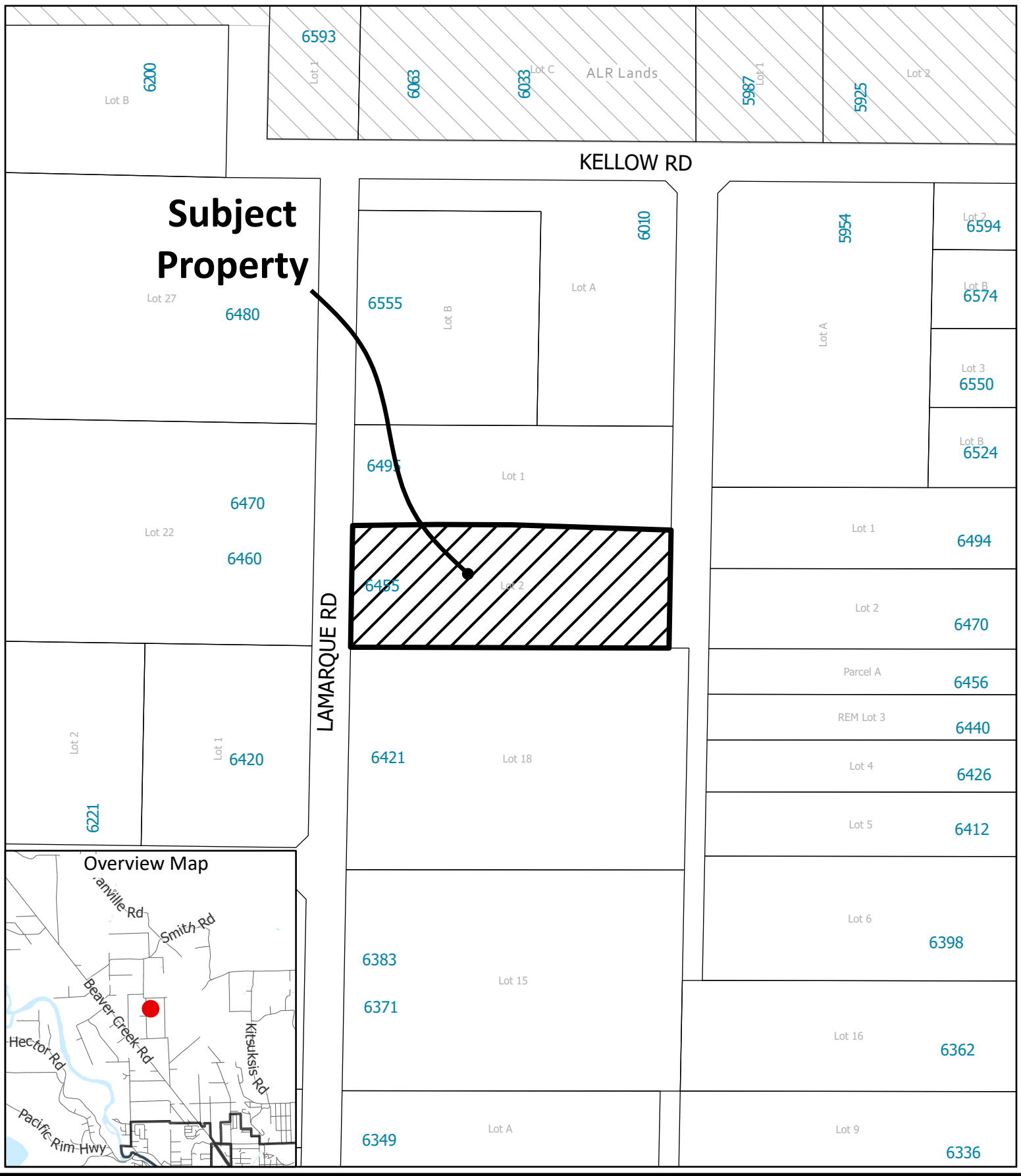
Alternatively, if you wish to present your views to the Board in person, please contact Wendy Thomson, General Manager of Administrative Services, before 4:30 pm on May 5, 2022 at wthomson@acrd.bc.ca or phone 250-720-2700.


Questions? Please contact the Planning Department during regular office hours: Monday to Friday, excluding statutory holidays, from 8:00 am until 4:30 pm.

PLANNING DEPARTMENT

Regional District of Alberni-Clayoquot, 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3
Email: planning@acrd.bc.ca Telephone: 250-720-2700 Fax: 250-723-1327

Date of Notice: April 28, 2022



 Legal description: LOT 2 DISTRICT LOT 108 ALBERNI DISTRICT
PLAN EPP34026



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: April 27, 2022

ACRD FILE NO.: DVE22002

APPLICANTS: Michael and Karina Kobus (Agent – Rachel Hamling, Prism Land Surveying Ltd)

LEGAL DESCRIPTION: LOT 2 DISTRICT LOT 108 ALBERNI DISTRICT PLAN EPP34026

LOCATION: 6455 Lamarque Road, Port Alberni

ELECTORAL AREA: "E" Beaver Creek

APPLICANTS' INTENTION: The applicants have applied for a development variance permit to increase the permitted height of an existing accessory building, in its current location, to facilitate a three-lot subdivision proposal.

Recommendation: THAT the Board of Directors consider issuing development variance permit DVE22002, subject to neighbouring properties being notified as per Local Government Act s.499.

Development Variance DVE22002:

- i. Development variance of the ACRD Zoning Bylaw, Section 6.5 Accessory Buildings and Uses, to increase the permitted height of an existing accessory building, in its current location, from 4 m (13.12 ft) to 6.75 m (22.15 ft) in the Acreage Residential (RA3) District.

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 issues or denies the development variance permit.

Beaver Creek Advisory Planning Commission (APC) Recommendation: The Beaver Creek APC will review this development variance at their April 26th meeting. Their recommendation will be provided verbally at the April 27th Board meeting.

Observations:

- i. **Status of Property:**
The 0.975 ha (2.41 ac) property is cleared and landscaped. The portion to be subdivided is grass field. Improvements include a single family dwelling, a detached garage and a concrete pad supporting a swimming pool.
- ii. **Services:**
 - a. **Sewage Disposal:** Onsite sewage disposal.

DVE22002

- b. **Water Supply:** Beaver Creek Water System.
- c. **Fire Protection:** Beaver Creek Volunteer Fire Department.
- d. **Access:** Lamarque Road.

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 (OCP) designates the property as "Residential Use". The objective of this designation is to allow for a range of housing options within the Plan area.

The proposal complies with the Beaver Creek Official Community Plan.

- c. **Zoning:** The property is zoned Acreage Residential (RA3) District.

Building Setbacks		
RA3 - Accessory Buildings	Permitted	Proposed
Front lot line setback:	15 m (49.21 ft)	-
Rear yard setback:	0.914 m (3 ft)	-
Side yard setback:	0.914 m (3 ft)	-
Max height (at 1.6 m):	4 m (13.12 ft)	6.75 m (22.15 ft)

The applicant is applying for a Development Variance Permit in order to to increase the permitted height of an existing accessory building, in its current location, from 4 m (13.12 ft) to 6.75 m (22.15 ft) in the Acreage Residential (RA3) District.

Comments:

The existing garage will be 1.6 m (5.25 ft) from the proposed western property boundary of Lot C (eastern boundary of Lot A) as shown on the site plan prepared by Prism Land Surveying. Section 6.5(1)(e) of the Zoning Bylaw requires a maximum height of 12 ft for an accessory building and, in an R District, Section 6.5(2)(a) permits an increase in the permitted height by 1 ft vertical distance for every 2 ft horizontal distance in excess of the minimum rear yard setback. In this case, the minimum rear yard setback is 0.914 m (3 ft) and at a proposed setback of 1.6 m, the structure would be permitted to be 4 m (13.12 ft) in height, measured from natural average grade. The height of the existing garage is 6.75 m (22.15 ft). In order to maintain the permitted RA3 lot area and width requirements, issuance of the development variance permit is required.

The property was rezoned in January 2020 to facilitate the subdivision proposal. ACRD staff reviewed the subdivision referral from MoTI, and identified the requirement for issuance of the development variance permit prior to subdivision approval. The structure complies with RA3 setbacks and the height complies with the current lot configuration. Staff feels the variance is appropriate and recommends proceeding with neighbourhood notification.

Submitted by: Charity Hallberg Dodds
Charity Hallberg Dodds, Planning Technician

DVE22002

Reviewed by: *Alex Dyer*
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: *Daniel Sailland*
Daniel Sailland, MBA, Chief Administrative Officer

DVE22002

**DVE22002 – Kobus, 6455 Lamarque Road
Site Photos taken February 11, 2022**



Detached garage structure on property.



Looking north, from center of southern boundary, along proposed property boundary, running 1.6 m (5.25 ft) from back of detached garage.



Our File: 21-103-S
ACRD File No. SE21020

2022-03-16

Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni, BC
V9Y 2E3

Attention: Alex Dyer and Charity Hallberg Dodds

Dear Alex and Charity:

**RE: Development Variance Permit Application for Lot 2 District Lot 108 Alberni
District Plan EPP34026
6455 Lamarque Road, Port Alberni**

On behalf of our clients, Michael and Karina Kobus, we are applying for a Development Variance Permit (DVP) of the above-noted property in order to increase the permitted height of an accessory building in the RA3 District with respect to the existing detached shop.

A Subdivision Application was recently submitted and the issuance of a DVP is a condition of approval.

We proposed the detached garage be 1.6m (5.25ft) from the proposed western property boundary of Lot C. At the setback of 1.6m, the structure is permitted to be 4.0m (13 ft) high, measured from natural average grade to mid truss.

The height of the building, measured from natural average grade to mid truss is 6.75m. Accordingly, we request a variance for the permitted height of an accessory building from 4.0m to 6.75m to allow for the 1.6m setback to the proposed western property boundary of Lot C.

In order to maintain the minimum lot area and width requirements, a DVP will be required to facilitate this 3-lot subdivision.

ENCLOSURES

In support of this application, we enclose:

- Application for Development Variance
- Title search
- Letter of authorization

- Proposed Subdivision Plan prepared by Prism Land Surveying Ltd.
- Site Profile

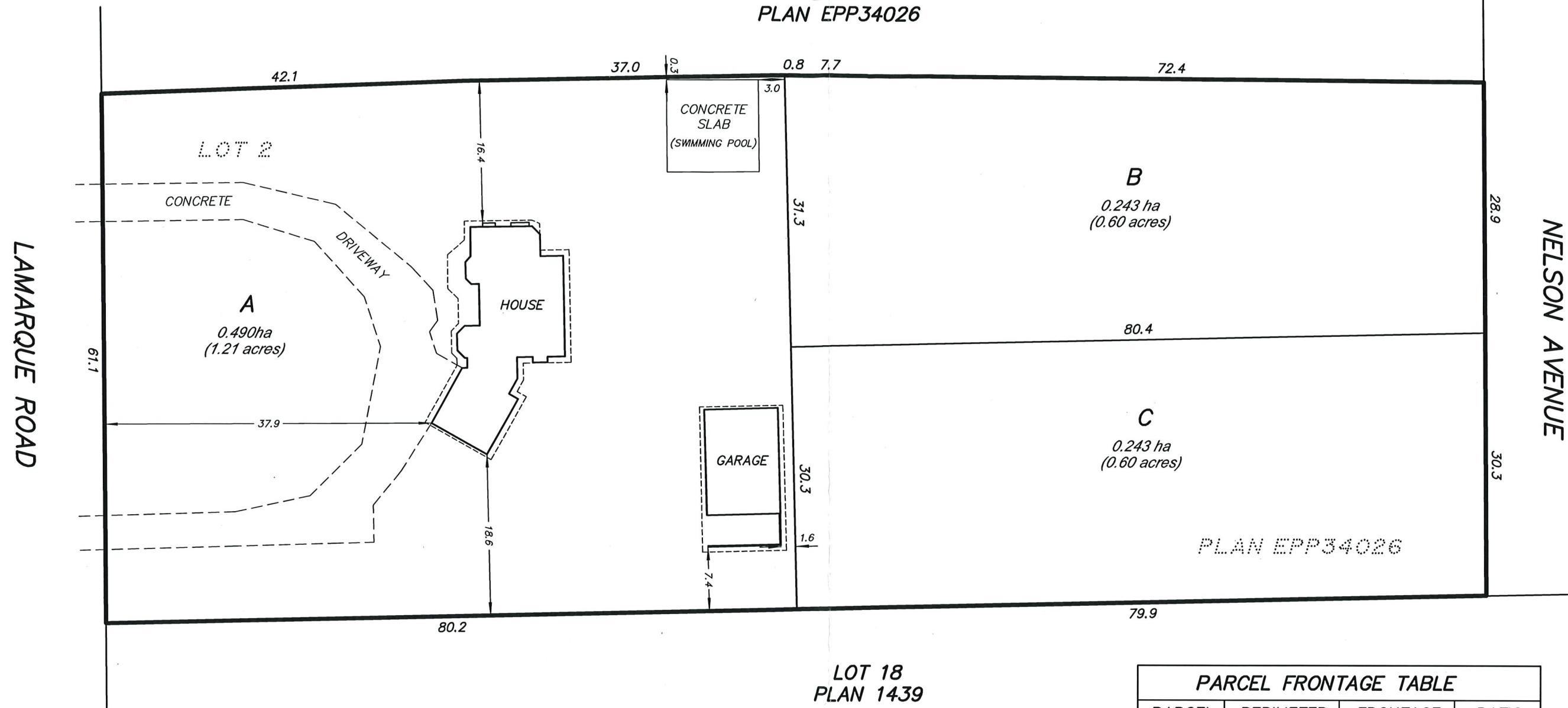
We look forward to working with you on this application.

Sincerely,



for: Rachel Hamling
Land Development Consultant
RH:ka
Enclosures

LOT 1
PLAN EPP34026



PLAN EPP34026

LOT 18
PLAN 1439

PARCEL	PERIMETER	FRONTAGE	RATIO
A	282.0	61.1m	21.7 %
B	222.5m	28.9m	13.0 %
C	220.9m	30.3m	13.7 %

**PROPOSED SUBDIVISION PLAN OF
LOT 2, DISTRICT LOT 108,
ALBERNI DISTRICT, PLAN EPP34026.**

SCALE 1:500



LEGEND

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
ALL DISTANCES ALONG CURVES ARE ARC DISTANCES
ALL DIMENSIONS AND AREA ARE SUBJECT TO FINAL SURVEY.
DL DENOTES DISTRICT LOT
REM DENOTES REMAINDER
ha DENOTES HECTARES

No.	DATE	REVISION
1	2021/09/20	2 LOT SUBDIVISION PROPOSAL
2	2021/09/20	3 LOT SUBDIVISION PROPOSAL
3	2021/10/06	RECONFIGURE 3 LOT PROPOSAL

PRISM
LAND SURVEYING LTD.
223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 21-103-S
DRAWING NUMBER: 21-103 P3.DWG
DATE: 2021/10/06

