



To: ACRD Board of Directors

Meeting Date: February 22, 2023

From: Amy Needham, Junior Planner

File #: RE22010/PL20220051

Application Type: Rezoning

Electoral Area: "E" Beaver Creek

Subject: Rezoning application RE22010 – 5597 Strick Road (447927 BC Ltd.)

Recommendation:

- THAT Bylaw P1470, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaw P1470 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 P1470 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.

Development Proposal: The property owner is applying to rezone the 1.82 ha (4.5 ac) parcel located at 5597 Strick Road from Acreage Residential (RA2) District to a split-zone of Acreage Residential (RA2) District and Acreage Residential (RA3) District in order to accommodate a four-lot subdivision – three vacant 0.24 ha (0.6 ac) lots in the RA3 zoned portion of the property and the remaining 1.1 ha (2.7 ac) containing the single family dwelling and accessory buildings in the RA2 zoned portion. The split-zone intends to allow the rear yard setback of the existing single family dwelling to remain in compliance with the Zoning Bylaw.

Advisory Planning Commission Recommendation: This application was considered by the Beaver Creek Advisory Planning Commission (APC) at their February 16, 2023 meeting. The APC passed a recommendation to support the rezoning application as presented and to concur with the staff recommendation.

Property Owner(s)/Applicant(s): 447927 BC Ltd.

Agent: Bill Goorts

Property Information:

Civic Address	5597 Strick Road						
Legal Description	LOT 8, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN 921 EXCEPT THAT PART IN PLAN 9142						
PID	008-184-615	Folio	529.000	ALR? (Y/N)	No	Lot Size	1.82 ha (4.5 ac)

Current Zoning	RA2 – Acreage Residential	Proposed Zoning	RA3/RA2 – Acreage Residential
Current OCP	Residential Use	Proposed OCP	N/A

PL20220051/RE22010

Development Permit Area(s)	DPA I – Riparian Area Protection DPA II – Flood Risk Area: Tsunami Hazard
Current Use & Description	<p>The 1.82 ha (4.5 acre) property is mostly level and cleared, and contains a 4,800 sq. ft single family dwelling in the southeast corner and two accessory buildings (shops) in the northeast corner, one with an area of 1,920 sq. ft. and the other 3,720 sq. ft. The property has a regular rectangular shape, except for its boundary with a 0.2 ha (0.5 ac) lot in the southwest corner, with 73.3 meters (242 feet) of road frontage on Strick Road to the west, 126 meters (415 feet) along the south boundary, 192 meters (633 feet) along the north boundary, and 103.6 meters (342 feet) along the east boundary, which abuts the City of Port Alberni. There is a small watercourse that runs down the eastern side of the property.</p> <p>The property is situated in an area which is mainly comprised of large lot acreage residential parcels. The property is bordered on the southwest by a previously subdivided 0.2 ha (0.5 acre) lot, on the east and west by the City of Port Alberni and on the north and south by Rural (A2) District parcels. There are other Acreage Residential (RA2) District properties in the vicinity to the north, and one other Acreage Residential (RA3) District property to the south.</p>

Surrounding Zoning and Land Use			
North	Rural (A2) District	South	Rural (A2) District
East	12-lot Otter Place residential development in the City of Port Alberni	West	Acreage Residential (City of Port Alberni)

Services:

- a) **Sewage Disposal:** Onsite sewage disposal. As a condition of rezoning, planning staff recommend that the applicants 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 apply for new Beaver Creek Water System (BCWS) services, satisfy the requirements of Development Cost Charge Bylaw F1133 which includes paying all development cost charges, and satisfy any BCWS water connection requirements identified by ACRD Community Services staff.
- c) **Fire Protection:** Beaver Creek Fire Department Service Area
- d) **Access:** The house on the property is currently accessed via a +/- 120-metre-long paved driveway access from Strick Road. Future access to proposed Lots A&B will also be off Strick Road. There is currently no indication of access for Proposed Lot C and it is assumed that it would be via either panhandle access down the existing driveway or dedicated public road access. The final lot layout including the access driveway for the rear lot would be determined at the subdivision stage.
 - i. **Parcel Frontage Waiver:** Proposed Lot C is shown with no frontage to a road and a parcel frontage waiver may be required at the subdivision stage depending on the lot layout.

Planning Policy Discussion:

- a) **Official Community Plan:** The Beaver Creek Official Community Plan designates the property as “Residential Use.” The objective of the Residential Use designation is to provide a range of housing options within the plan

PL20220051/RE22010

area. The designation supports a 0.24 hectare (0.6 acre) minimum lot size for lots serviced by community/communal water or sewer. These proposed lots would all be connected to the Beaver Creek Water System.

The property is within two Development Permit Areas in the Beaver Creek OCP: DPA I – Riparian Area Protection and DPA II – Protection from Natural Hazards, as there is a small watercourse running down the east side of the property and the property is located within the tsunami inundation zone. At the time of subdivision, prior to final approval, the applicant will be required to apply for a development permit and engage Qualified Environmental Professionals to prepare reports detailing site conditions and describing any measures that must be taken to both protect the riparian area along the creek and to certify that the land is safe for the intended use as it relates to the risk of tsunami inundation.

This proposal complies with the policies and objectives of the Beaver Creek OCP. A development permit application to satisfy the requirements of DPA I – Riparian Area Protection and DPA II – Protection from Natural Hazards will be required at the time of subdivision.

- b) **Zoning:** This parcel is currently zoned Acreage Residential (RA2) District, which has a minimum allowable lot size of 0.4 ha (1 ac). The property was rezoned from A2 to RA2 in 2008 to facilitate a previous subdivision proposal that was never finalized. Rezoning to Acreage Residential (RA3) District will allow minimum lot sizes of 0.24 ha (0.6 ac), which all three proposed new lots would achieve, and leaving the balance of the 1.1 ha (2.7 ac) remainder zoned RA2 District would ensure the rear setback of the existing single family dwelling remains in compliance with Zoning Bylaw No. 15.
 - i. **Parkland Dedication:** This property is being rezoned in order to subdivide a total of four lots. Parkland dedication will be required at time of subdivision as per Section 510 of the *Local Government Act* which requires that park land or cash-in-lieu of park land be provided where a property is subdivided creating three or more new lots.

	Current: RA2	Proposed: RA3
Minimum Lot Area (ha)	0.4 ha	0.24 ha
Minimum Lot Width (m)	36.6 m	30 m
Principal & Accessory Front Yard Setback (m)	12.1 m	15 m
Principal Side Yard Setback (m)	4.5 m	5 m
Principal Rear Yard Setback (m)	9 m	10 m
Accessory Side Yard Setback (m)	0.91 m	0.91 m
Accessory Rear Yard Setback (m)	0.91 m	0.91 m

This proposal involves rezoning the western portion of the subject property from Acreage Residential (RA2) District to Acreage Residential (RA3) District to facilitate the proposed subdivision creating three vacant lots. The remainder of the lot will remain RA2 District allowing the rear setback of the existing single family dwelling to remain in compliance with the Zoning Bylaw.

Comments: The rezoning is the first step in the applicant’s proposal to subdivide the property into four lots. If the rezoning application proceeds, the following items would need to be addressed during the subdivision application process:

- Development Permit application to address riparian area protection and tsunami risk and mitigation requirements.

PL20220051/RE22010

- A Parcel Frontage Waiver may be required to waive the 10% minimum road frontage required by the *Local Government Act* for proposed Lot C. Establishing suitable road access to proposed Lot C will need to be determined at the subdivision stage.
- Development Cost Charge payment to satisfy the requirements of ACRD Bylaw F1133, and meeting all requirements for connection to the Beaver Creek Water System.
- Meet all parkland dedication requirements per s. 510 of the *Local Government Act*.

The remaining lot size after subdivision would be approximately 1.1 hectares (2.7 acres) not including any potential public road dedication or park land dedication required as part of the subdivision. Given the existing large accessory buildings on the property, the combined floor area of all accessory buildings would be +/- 4.8% of the total lot area. The maximum permitted is 5%. Re-evaluation of lot coverage may be needed at the subdivision stage to ensure accessory building coverage complies with the maximum 5%. No conflict exists with either setbacks or building height after subdivision if the proposed conceptual lot layout is adopted.

Planning staff are initially supportive of the rezoning application and recommend that the Board give first reading to the bylaw and proceed with the public hearing process to gather public input on the proposal. The subdivision provides an opportunity for additional housing in the community and in-fill development in an area that is directly adjacent to residential development in the City of Port Alberni. The property is sited close enough to services provided in the City that will allow for opportunities in active transportation for residents and the new lots would be located adjacent to an existing BC Transit route.

Amy Needham

Submitted by: Amy Needham, Junior Planner

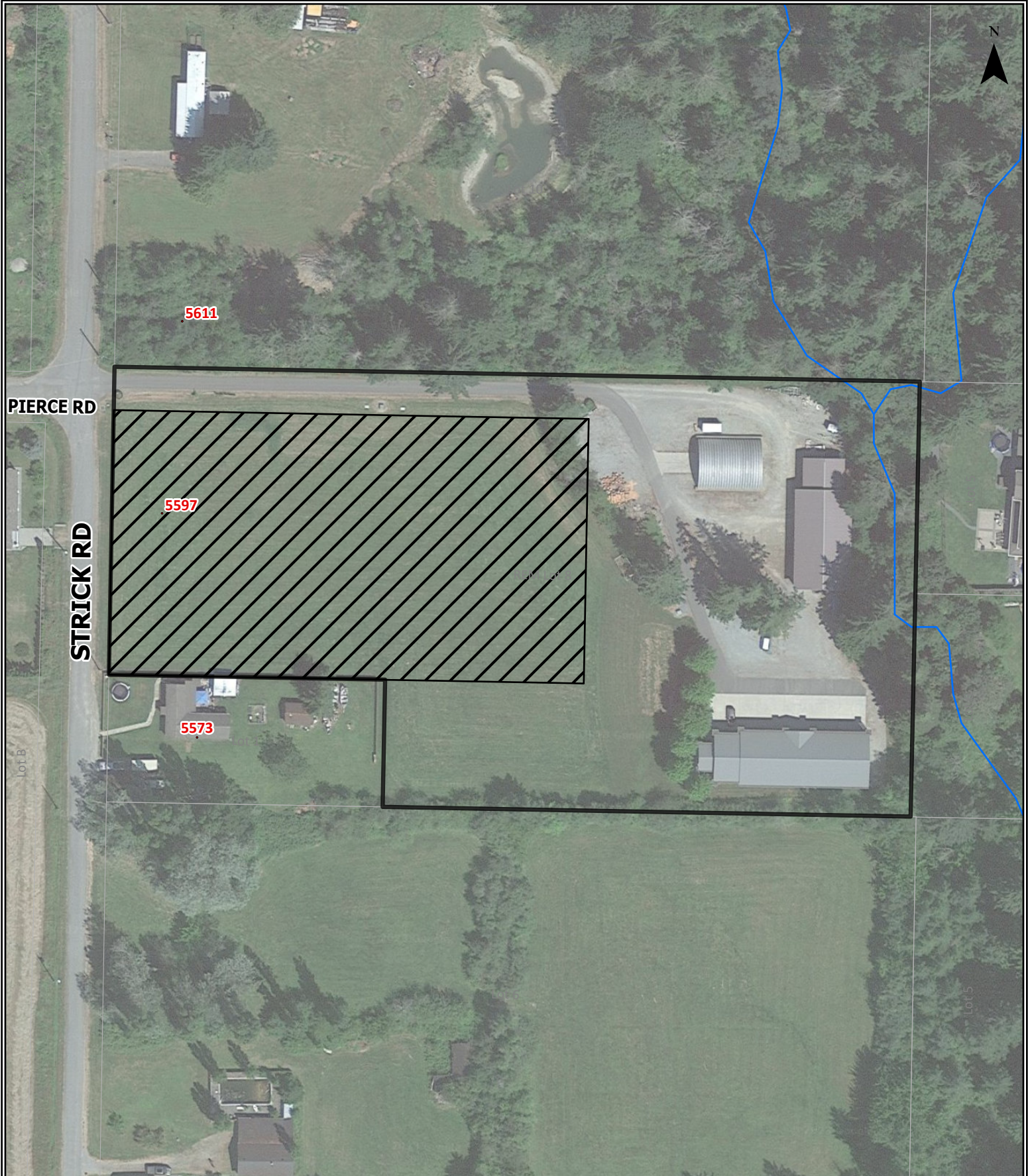
Alex Dyer

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

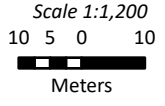
Daniel Sailland

Approved by: Daniel Sailland, MBA, Chief Administrative Officer

PL20220051/RE22010



5597 Strick Road
LOT 8, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN VIP921,
EXCEPT PLAN 9142




- Subject Property
- Area to be Rezoned

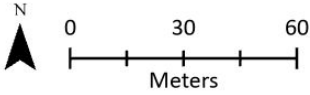
Prepared 2023-02-13
Imagery: © OpenStreetMap
(and) contributors, CC-BY-SA

This product is intended for general reference use only and should not be used for navigation or legal purposes.

 Agricultural Land Reserve

 Property Boundary

 Area to be Rezoned



5655

Lot A

Lot 13

5649

Lot 1

REM Lot 12

Lot 11

5630
Lot 3

Lot 2

5633

P1470
Subject Property

Lot 10

Lot 9

Lot 4

5611

PIERCE RD

City of Port Alberni

5578

The portion of property being subdivided into three 0.6 acre lots. Total area is 1.80 acres.

5597

REM Lot 8

Lot 4
5375

Lot 5

5391

5390

Lot 6

Lot 7

5573 Lot 1

Lot B

STRICK RD

Lot 6

Lot 5

Lot 1

5535

BEAVER CREEK RD

Lot A

Lot A

Lot 1

5520

5525

Lot B

5501

R.N. ACRES LAND SURVEYING LTD.,
 R.N. ACRES, B.C.L.S.,
 RES. PHONE - 250-752-5718.
 e-mail address - racres@shawbiz.ca

**B.C. LAND SURVEYOR'S BUILDING
 LOCATION CERTIFICATE**

4710 ROGER STREET,
 PORT ALBERNI, B.C.
 V9Y 3Z2

D.M. POLLOCK LAND SURVEYING LTD.,
 D.M. POLLOCK, B.A., B.C.L.S.
 RES. PHONE - 250-723-7760.
 e-mail address - apbcls@shaw.ca

ACRES+POLLOCK

250-723-5412 (phone)
 250-723-1500 (fax)

BRITISH COLUMBIA LAND SURVEYORS
 SUB-DIVISION DESIGN
 LEGAL, TOPOGRAPHICAL, RIGHT-OF-WAY AND FORESHORE SURVEYS

447927 BC LTD.
 8317 DICKSON DRIVE,
 PORT ALBERNI, B.C.,
 V9Y 9B5

DEAR SIR:

RE: HOUSE & BUILDINGS CONSTRUCTED ON REM. LOT 8, DL. 20, ALBERNI DISTRICT, PLAN 921.
 5597 STRICK ROAD. (GOORTS)
 OUR FILE NO. :- 14,159. PID - 008-184-615

SCALE: - 1" = 100' (All dimensions are in imperial units.)

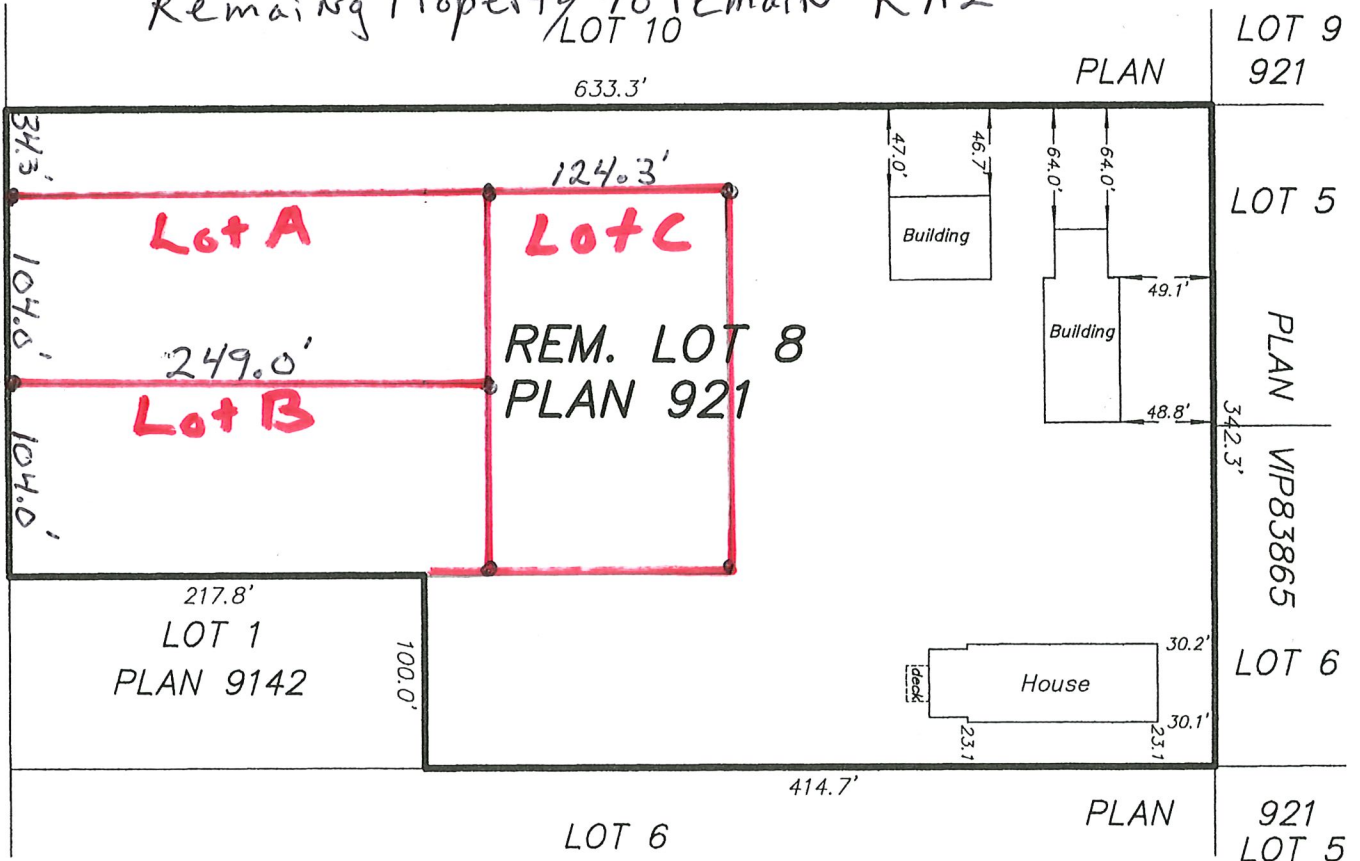


NOTE: - The measurements shown are the shortest distances between the FOUNDATION of the building and the adjacent boundaries of the parcel. Parcel dimensions are derived from Plan 197B.

*Proposed Subdivision
 Lots A, B, and C 0.24 ha. each.
 Proposed Zoning for Lots A, B, C. R 1
 Remaining Property to remain RA2*



5597 Strick Rd.



Site Pictures – 5597 Strick Rd

February 3, 2023



Looking west towards Strick Road



Riparian zone development permit area (DPA-I Zone) on east boundary of property



Driveway on north boundary of subject property currently used to access existing dwelling



A BYLAW TO AMEND THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT ZONING BYLAW 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 Bylaw No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw P1470.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning a portion of: LOT 8, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN 921 EXCEPT THAT PART IN PLAN 9142 from Acreage Residential (RA2) District to Acreage Residential (RA3) 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.

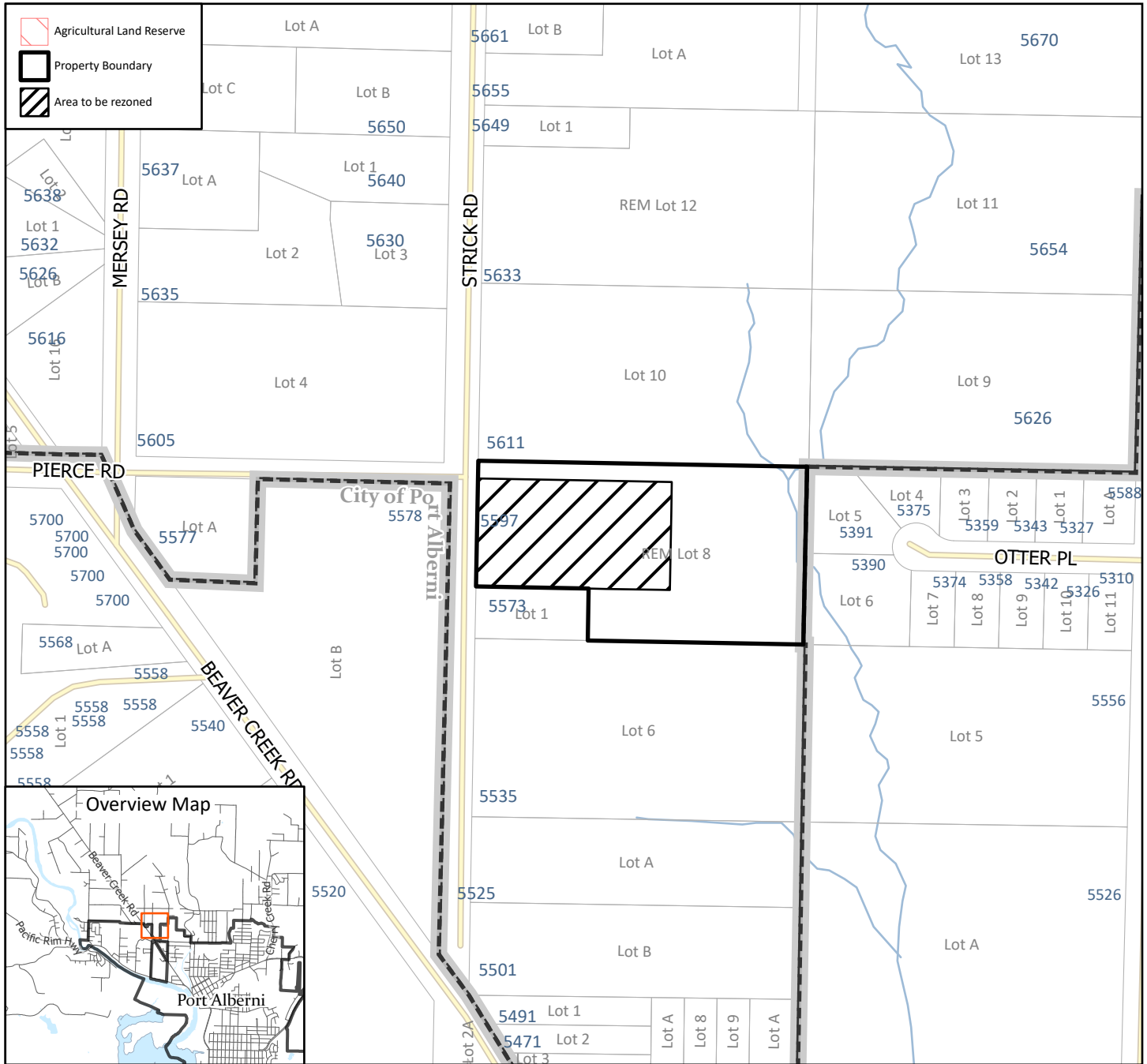
Read a first time this	day of	,
Public hearing held this	day of	,
Read a second time this	day of	,
Read a third time this	day of	,
Adopted this	day of	,

Corporate Officer

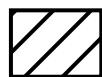
Chair of the Regional Board

Schedule 'A'

This schedule is attached to and forms part of Bylaw No. P1470, Zoning Atlas Amendment Bylaw, 2023



Legal description: a portion of LOT 8, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN VIP921, EXCEPT PLAN 9142



To be rezoned from Acreage Residential (RA2) District to Acreage Residential (RA3) District.

