



July 16, 2025

BAMFIELD ADVISORY PLANNING COMMISSION

A meeting has been scheduled for **Thursday, July 24, 2025 at 5:30 pm** in a hybrid format in the ACRD Board Room, with the option to join electronically via Zoom.

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

- **DVA25005 – 422 Burlo Island (Dombi-Sahi)**

Your recommendations will be provided to the Board of Directors at the August 27, 2025 Board meeting.

If you have any questions or need additional information, please reach out to the ACRD Planning Department.

Phone: 250-720-2700

Email: planning@acrd.bc.ca



To: Bamfield Advisory Planning Commission

From: Alex Dyer, MCIP, RPP, Planning Manager

Meeting Date: July 24, 2025

Electoral Area: A - Bamfield

Subject: Development Variance Permit DVA25005 - 422 BURLO ISLAND (DOMBI-SAHI)

Property Information:

Civic Address: 422 BURLO ISLAND

Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT PLAN VIP68113

PID: 024-330-485 Folio: 770-02781.000 ALR? (Y/N): No Lot Area (ha): 0.20 (0.50 ac)

Background:

At the June 11, 2025 ACRD Board of Directors meeting, the Board resolved to “defer a decision on Development Variance Permit DVA25005 and that the application package and all correspondence be referred to the Bamfield Advisory Planning Commission for further discussion.”

The following documents are enclosed for discussion at the June 26, 2025 Bamfield APC meeting:

- June 11, 2025 Memo to the ACRD Board of Directors. The memo includes background information, correspondence received as part of the public input process, and a letter submitted by the applicant with additional information and pictures of the site and structure.
- Presentation from neighbouring property owner, Nelson Ireland, that was presented as part of a delegation to the June 11, 2025 ACRD Board meeting.
- May 14, 2025 Planning Report to the ACRD Board of Directors. The report includes application details and background information, applicant submission, and Geotechnical Report from Lewkowich Engineering Associates.

Recommendation: That the Bamfield Advisory Planning Commission discuss the development variance application and provide a recommendation for the ACRD Board of Directors to consider.

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

PL20250024/DVA25005



To: ACRD Board of Directors

Voting Structure: Electoral Area Directors

From: Charity Hallberg Dodds, Planning Technician/Bylaw Enforcement Officer

Meeting Date: June 11, 2025

Electoral Area: A - Bamfield

Subject: Development Variance Permit DVA25005 - 422 BURLO ISLAND (DOMBI-SAHI)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors issue Development Variance Permit DVA25005.

NOTE: If the Board of Directors is considering denying the application, the appropriate motion would be as follows:

THAT the Alberni-Clayoquot Regional District Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied.

Property Information:

Civic Address: 422 BURLO ISLAND

Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT PLAN VIP68113

PID: 024-330-485 Folio: 770-02781.000 ALR? (Y/N): No Lot Area (ha): 0.20 (0.50 ac)

Background:

Development variance permit DVA20006 was issued and registered to the subject property in July 2022. DVA20006 varied the required setbacks of the Bamfield Cottage Residential (BRC) District by reducing the front yard setback (from Bamfield Inlet) from 12.2 m (40 ft) to 7.5 m (24.6 ft), and the western side yard setback from 4.6 m (15 ft) to 3.8 m (12.5 ft) to accommodate construction of a single family dwelling. The property owners have now applied to further reduce the front yard setback to 6.4 m (21 ft), and the western side yard setback to 3 m (9.8 ft), to accommodate the location of the partially constructed single family dwelling which has been sited incorrectly.

The Board reviewed this application at the May 14th Board of Directors' meeting and resolved to consider the application and direct staff to proceed with notification as per section 499 of the *Local Government Act*. This was completed by mailing notices on May 20th to all property owners, and hand-delivering notices on May 22nd to

PL20250024/DVA25005

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Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?it?ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

residents of property located within 100 m of the subject property. At the time of this memorandum, three (3) letters of opposition have been received from the public and the applicant has submitted a letter with additional information and pictures of the site and structure. If any additional correspondence is received by 4:30 pm on June 10th, staff will inform the Board.

It is recommended that the Board proceed with issuing the development variance permit. If the Board is considering denying the variance, the memorandum includes a suggested motion to defer a decision on the variance and invite the applicants to make a delegation to the Board.

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

Reviewed by: *Cynthia Dick*
Cynthia Dick, General Manager of Administrative Services

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

Kerri Creighton

From: sherry harrison [REDACTED]
Sent: June 4, 2025 9:29 AM
To: Planning Shared
Subject: 422 Burlow island Bamfield

[CAUTION] This email originated from outside of the ACRD

I'm writing this email in regards to the variance application on 422 Burlow island in Bamfield. I strongly appose this application, and believe it was done deliberate. If this is behaviour is condoned with approval, it will only make way for more people to break the rules and then ask for a variance. Please make this a precedent case and deny this application.

Best regards
Sherry Harrison

Kerri Creighton

From: Laura Bradley [REDACTED]
Sent: June 5, 2025 10:06 AM
To: Planning Shared
Subject: Variance application DVA25005

[CAUTION] This email originated from outside of the ACRD

Good morning,

We are writing to you regarding the variance application submitted for a lot on Burlo Island.

We have recently completed our build on the west side of Bamfield on a 100' X 100' lot. We also had to work in a severely constrained area and understand the issues involved BUT we followed our survey pins in siting the build. We applied for a variance for one corner before building and sited the building accordingly. We also put in our tertiary sewage treatment system according to where the house was to be built! The house was designed to fit in the area not trying to change the build area AFTER building! This letter does not even address the desecration of the shoreline on this lot!

We believe that if this second variance is allowed that it is a slippery slope to what other builders will think they can get away with - doing something wrong then asking for forgiveness later. Bamfield is on the cusp of a building boom and this sets a terrible precedent. The rules are very clearly laid out by the ACRD and if your house can't fit within the area you want then you need to change your house plans! The first variance allowed was more than generous!

Thank you for your consideration.

Laura Bradley
[REDACTED]

Bamfield, B.C.

Kerri Creighton

From: Chris Bradley [REDACTED]
Sent: June 5, 2025 10:11 AM
To: Planning Shared
Subject: File# DVA25005

[CAUTION] This email originated from outside of the ACRD

I am writing this letter to support the denial of the second variance that the owner is applying for. I am a homeowner in Bamfield and have recently completed a very challenging build.

If this variance is approved it will set a precedent that supports a disregard for the Rules and to ask forgiveness after the fact. The property in question has plenty of area to build but the owner chose to build in a tightly confined area.

I don't think a so called surveying error is a reasonable excuse to approve a second variance on this property.

Now that the accessibility to Bamfield has improved it is attracting a lot more interest for people buying and building a vacation home. We need to make sure future home builders know that the ACRD is firm on the rules and regulations.

Please do the right thing and deny this second variance. It will send a clear message that " don't ask permission first just ask forgiveness later" does not work in Bamfeild.

I hope more residents will send in support for this denial as the local Facebook page (Bamfield corkboard) clearly shows the residents thoughts on this matter.

Thank you
Chris Bradley

[REDACTED]
Bamfield
VOR1B0

From: [REDACTED]
To: [Alex Dyer](#)
Subject: Information on Variance Application Scenarios for 422 Burlo Island
Date: June 4, 2025 12:02:11 PM

[CAUTION] This email originated from outside of the ACRD

Good morning, Alex/ Planning Department

I am writing to provide additional information regarding my variance application for the property at 422 Burlo Island, submitted to address the constructed house positioned 3 meters from the property line instead of the required 3.8 meters—a deviation of 0.8 meters. This non-compliance resulted from significant hardship due to unexpected depth required for foundation excavation, making adherence to the original setback being missed. A Geotechnical Engineer has reviewed the site conditions, and supporting documentation has been submitted with the application. To assist the Planning Department in evaluating this application, I outline the following potential scenarios for resolution:

- **Maintain the House as Built:** The non-compliant area is minimal, confined to a small triangular section at the back of the house, as it is not built perpendicular to the property line. This section is out of sight and vision from neighboring properties, including the adjacent residence, which is significantly set back from our shared boundary.
The house remains 3m (10 feet) from the property line—a significant distance—ensuring no impact on access, light, or use for the neighboring property.
- **Reduce the House Size:** The non-compliant triangular area, marked in red on the submitted site plan, could be removed by reducing the house's footprint. However, this would shrink the structure below the municipality's minimum 900 square foot requirement, creating further compliance issues. Additionally, such a modification would compromise the structural integrity and roof components of the house, requiring a complete redesign that is technically and financially unreasonable, while having no significant impact on overall outcome.
- **Relocate the House:** Moving the house to meet the 3.8-meter setback would require complete demolition and reconstruction, as the 5-foot-deep wrap-around foundation cannot be feasibly relocated without destroying the existing structure. Moreover, the property, previously developed in 1995 with a three-phase Whitewater sewerage system installed by the prior owner, presents additional constraints, as relocation would interfere with this system's placement, risking its functionality and adding significant costs. Further complicating this option, there is insufficient space on the property to temporarily relocate the house while rebuilding the foundation, rendering relocation entirely impractical. This would impose severe financial and logistical burdens.

I am aware of recent community discussions on platforms such as Facebook (Bamfield

corkboard) regarding this application. To ensure an informed and factual decision, I respectfully submit these scenarios to clarify the practical implications and minimal impact of the proposed variance.

The house's current position, supported by the engineer's assessment and maintaining a significant 10-foot distance from the property line, aligns with site-specific constraints, and I believe maintaining it as built is the most reasonable solution.

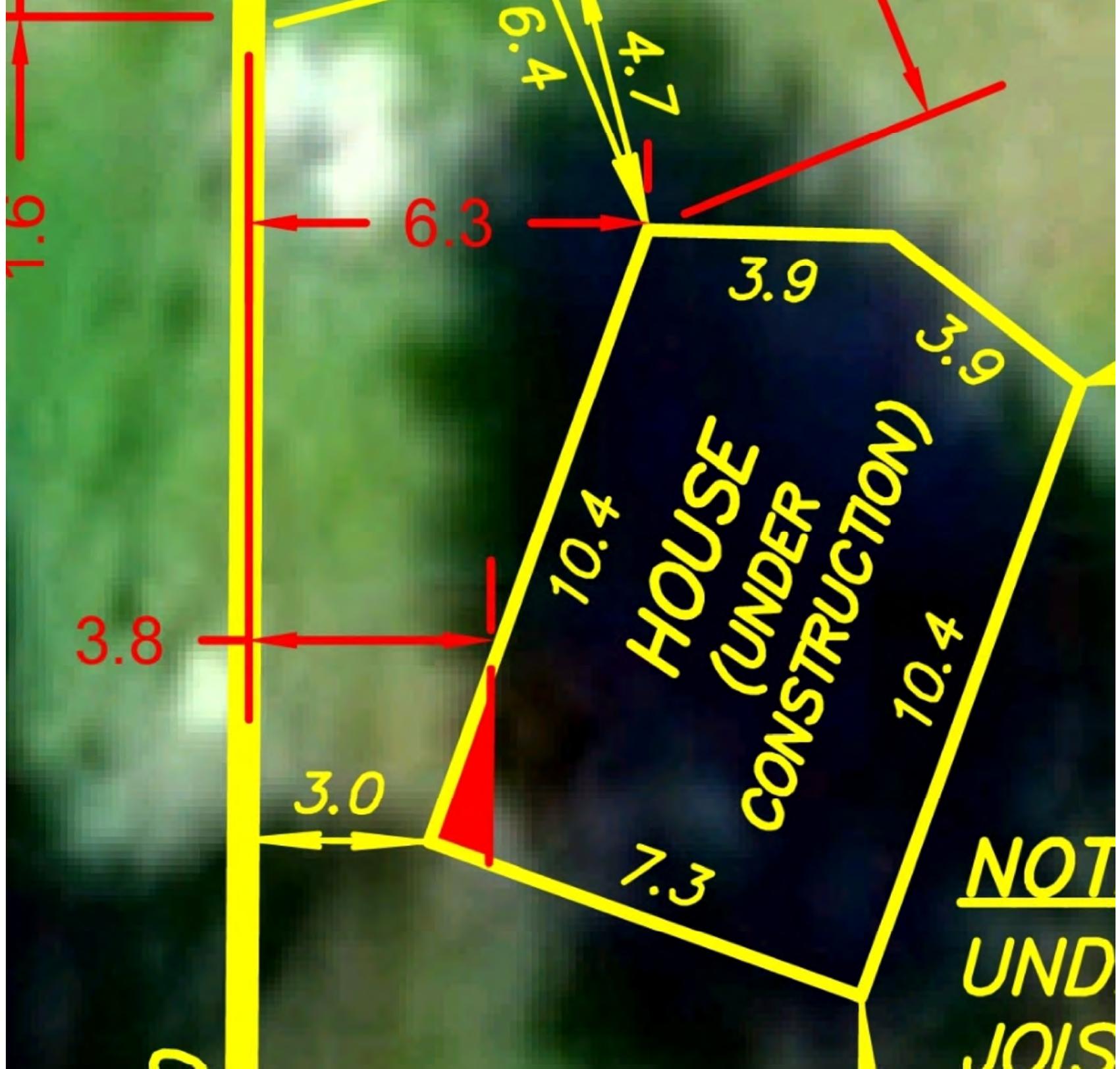
Notably, the adjacent neighbor's residence, which has raised concerns, is itself constructed on filled-in land not wholly within their property boundaries, further underscoring the lack of impact from my variance.

Thank you for your consideration.

Sincerely,

Ildiko Dombi

Sent from my Bell Samsung device over Canada's largest network.



BAMFIELD INLET

PRESENT NATURAL BOUNDARY
AND TITLE BOUNDARY ACCORDING
TO PLAN VIP68113

BOTTOM OF THE SLOPE

ACTUAL REGULAR HIGH TIDE

PRESENT NATURAL BOUNDARY
AND TITLE BOUNDARY ACCORDING
TO PLAN VIP68113

BAMFIELD INLET

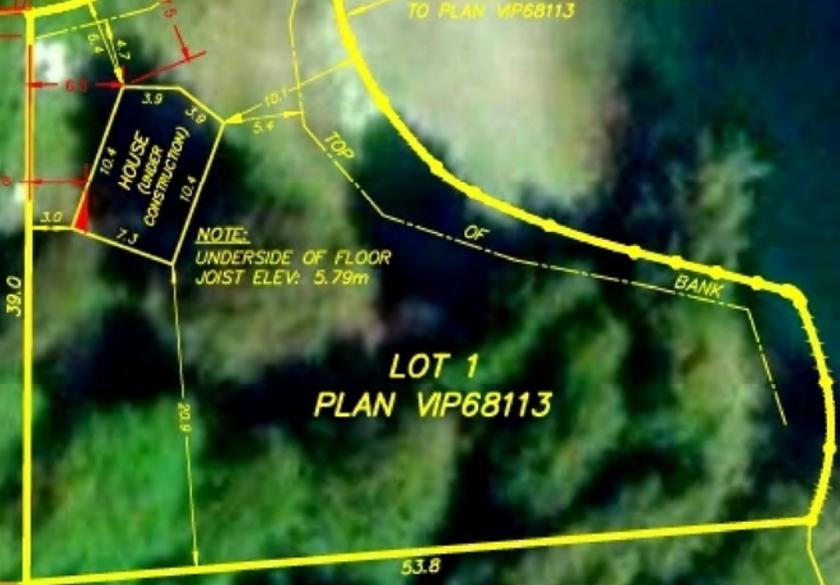
**PARCEL K
(DD 74139I)
OF LOT C
PLAN 2915**

**HOUSE
(PENDING
CONSTRUCTION)**

NOTE:
UNDERSIDE OF FLOOR
JOIST ELEV. 5.79m

**LOT 1
PLAN VIP68113**

**REM LOT C
PLAN 2915**

















ek
Nrap

be

DUPONT

Ty

Hor





B.C. LAND SURVEYORS BUILDING LOCATION CERTIFICATE

LOT 1, SECTION 19, TOWNSHIP 1, BARCLAY DISTRICT, PLAN VIP68113.

SCALE 1:400

THE INTENDED PLOT SIZE IS 280mm IN WIDTH AND 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:400.

NOTE:

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF AND ARE DERIVED FROM PLAN VIP68113.

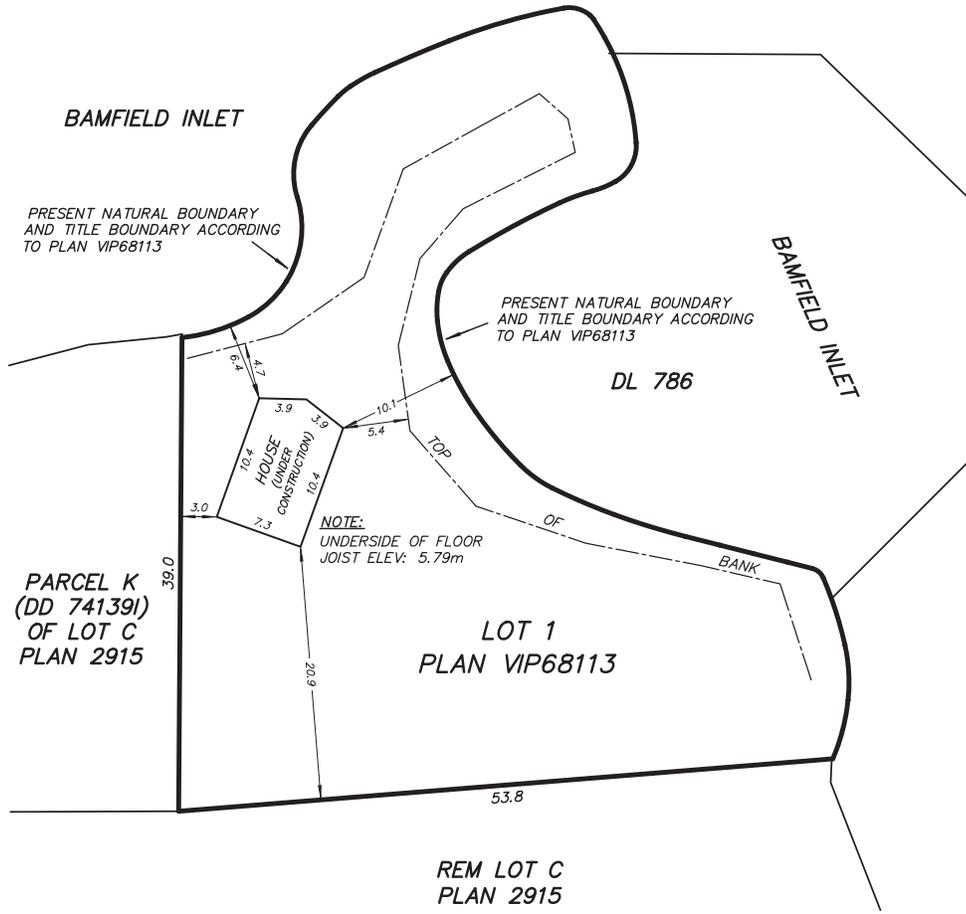
ELEVATIONS ARE GEODETIC IN METRES, REFERENCED TO CGVD28 DATUM, DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS POST-PROCESSED USING NATURAL RESOURCES CANADA'S PRECISE POINT POSITIONING (PPP) SERVICE.

JURISDICTION: ALBERNI-CLAYOQUOT REGIONAL DISTRICT

PID NO: 024-330-485

THIS LOT IS SUBJECT TO LTO CHARGE NUMBER: ET78675.

CIVIC ADDRESS: 422 BURLO ISLAND, BAMFIELD, BC



THIS SURVEY IS NOT VALID UNLESS DIGITALLY SIGNED. THIS SURVEY IS PROTECTED BY COPYRIGHT AND MAY NOT BE REPRODUCED.

CERTIFIED CORRECT THIS 19TH DAY OF AUGUST, 2024 ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.

Neil Bauder
D3K5I3
Digitally signed by Neil Bauder D3K5I3
Date: 2024.08.19 12:41:12 -07'00'

NOTE:

1. THIS SURVEY PURPORTS TO SHOW ONLY THE NEW CONSTRUCTION ON THE ABOVE DESCRIBED PARCEL(S) AND THEIR RELATIVE LOCATION THEREON.
2. THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO ANY OTHER BUILDING, PATIO, RETAINING WALL, PARKING FACILITY, FENCE, UNDERGROUND, ABOVEGROUND OR OVERHEAD UTILITY OR ANY OTHER IMPROVEMENTS AND THEIR RELATIVE LOCATION TO ANY INTERNAL OR EXTERNAL BOUNDARIES OF THE ABOVE DESCRIBED PARCEL(S) AND IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES.
3. PRISM LAND SURVEYING LTD. AND NEIL BAUDER ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE.



223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
EMAIL: info@prismlandsurveying.ca
FILE NUMBER: 20-122-BL
DRAWING FILE: 20-122 BLC1.dwg
DATE: 2024-08-19



Bamfield Inlet

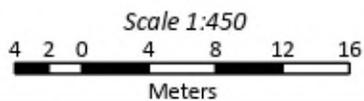


422 Burlo Island, Bamfield
LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY
DISTRICT PLAN VIP68113

 Subject Property
 Parcels



Prepared 2025-04-08
Sources: LidarBC (DEM, Hillshade)
2019, ParcelMapBC; ACRD, City of
Port Alberni



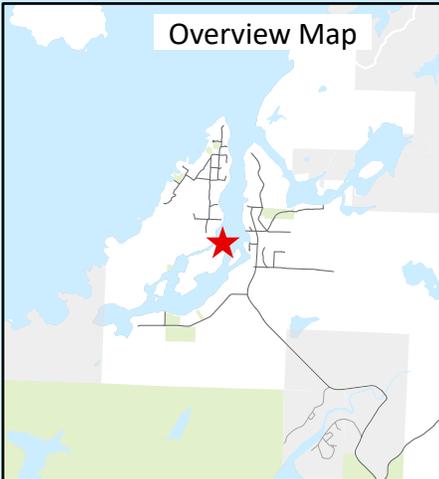
This product is intended for general reference use only and should not be used for navigation or legal purposes. Imagery offsets may exist.



Subject Property



Water Access Virtual Road

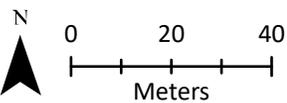


ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



Civic Address: 422 Burlo Island, Bamfield

Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT
PLAN VIP68113





DVA25005

Whereas, pursuant to Section 498 of the *Local Government Act*, a local government may by resolution, on application of a property owner, vary the provisions of a bylaw under Division 5 of Part 14 of the *Local Government Act*;

A Development Variance Permit is hereby issued to:

Name: JULIU DOMBI-SAHI, ILDIKO DOMBI-SAHI
Address: 422 BURLO ISLAND, BAMFIELD, BC

With respect to:

Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT PLAN VIP68113
PID: 024-330-485

The provisions of the Regional District of Alberni-Clayoquot Bylaw No. 15 are hereby varied as follows:

- Development variance of the ACRD Zoning Bylaw, Section 200 – Schedule No. II – Bulk and Site Regulations to reduce the required front yard setback from 12.2 m (40 ft) to 6.4 m (21 ft) and the western side yard setback from 4.6 m (15 ft) to 3 m (9.8 ft), in the Bamfield Cottage Residential (BRC) District to accommodate the siting of a partially constructed single family dwelling.

In accordance with the provision of Section 498 of the *Local Government Act*, approval of this permit was given by resolution of the Board of the Regional District of Alberni-Clayoquot on _____, 2025.

This permit was issued this _____ of _____, 2025.

Daniel Sailland, MBA
Chief Administrative Officer

Chair of the Board of Directors

DVA25005

Response from 420 Burlo Island

Owner: Nelson Ireland

Presentation to the ACRD Board

11 June 2025

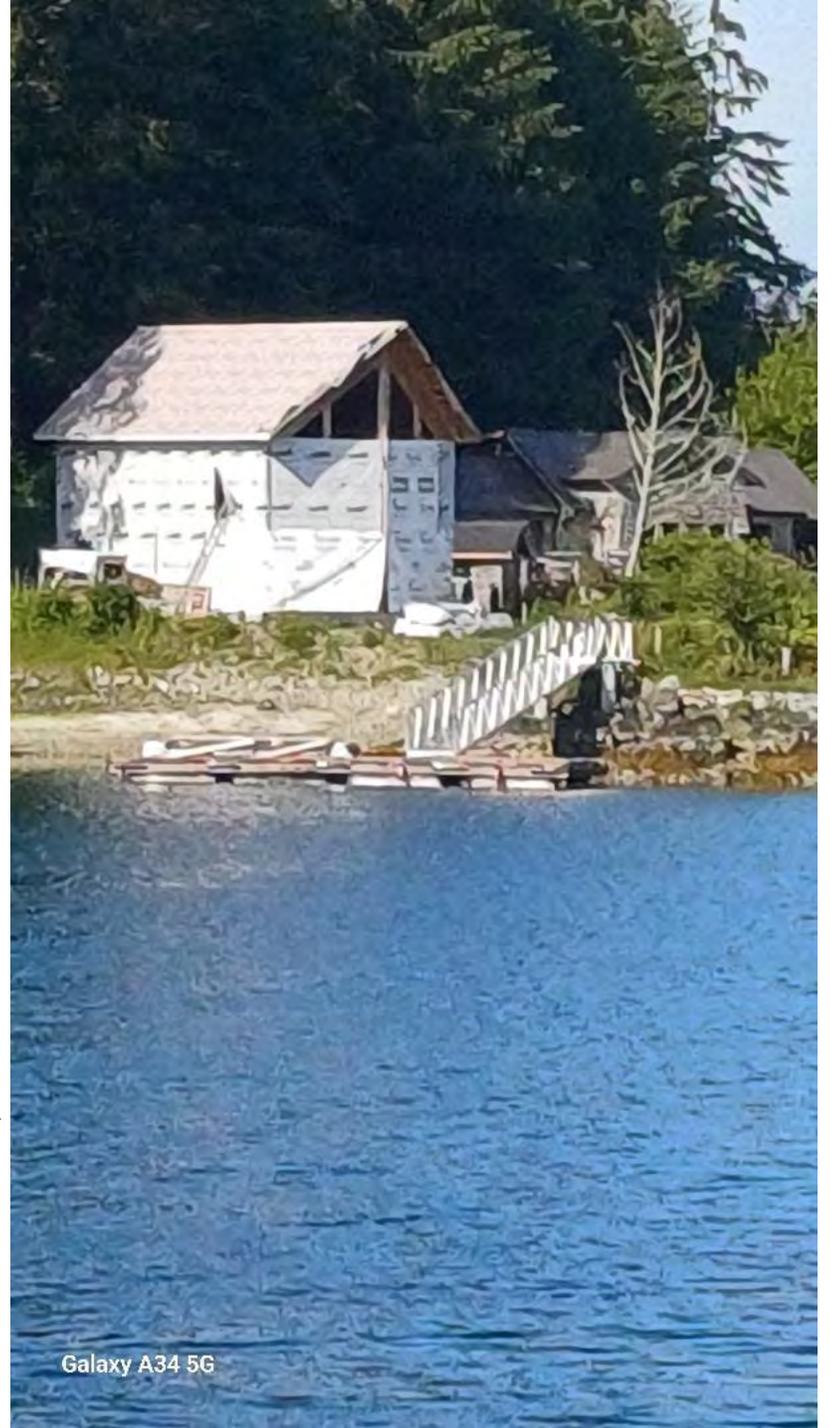


Galaxy A34 5G



**Photo from
East Dock of
422 and 420
Burlo Island –
no zoom**

**Photo from
East Dock of
422 and 420
Burlo Island –
zoom**



Galaxy A34 5G



Galaxy A34 5G



Photo from the
north of 422
and 420 Burlo
Island

Photo with
yellow line
indicating
approximate
location of
property line



Galaxy A34 5G

The Situation

- 422 Burlo Island lot is zoned as Bamfield Cottage Residential – a zoning with a minimum building footprint of 900 sq ft.
- 422 Burlo Island lot is irregular - creating difficulties in meeting the 900 sq ft minimum.
- Among possible options, including; a) rezoning; b) a variance to minimum building size for BRC; or, c) a variance to property building setbacks, ACRD Board approved DVA20006 in July 2022 - reducing the western side yard and front yard setbacks.

Impact of 422 Burlo Island Building

- The building on 422 Burlo Island is 3 levels high – two stories and a loft (steep roof) and extends further north and west than was approved through DVA20006 by the ACRD Board.
- Significant effects on livability, use and enjoyment of 420 Burlo Island (to the west) include:
 - Reduction in fire protection distance between properties
 - Elimination of view to the east
 - Loss of Privacy (closeness, 2 doors/3 windows directly facing onto 420 Burlo Island)
 - Excessive shading (loss of sunlight) - inability to use area
 - Negative effect on property value



Photo of north side of the building at 422 Burlo Island, Bamfield.

Photo was taken at 7 am on 12 May 2025, facing east from 420 Burlo Island.

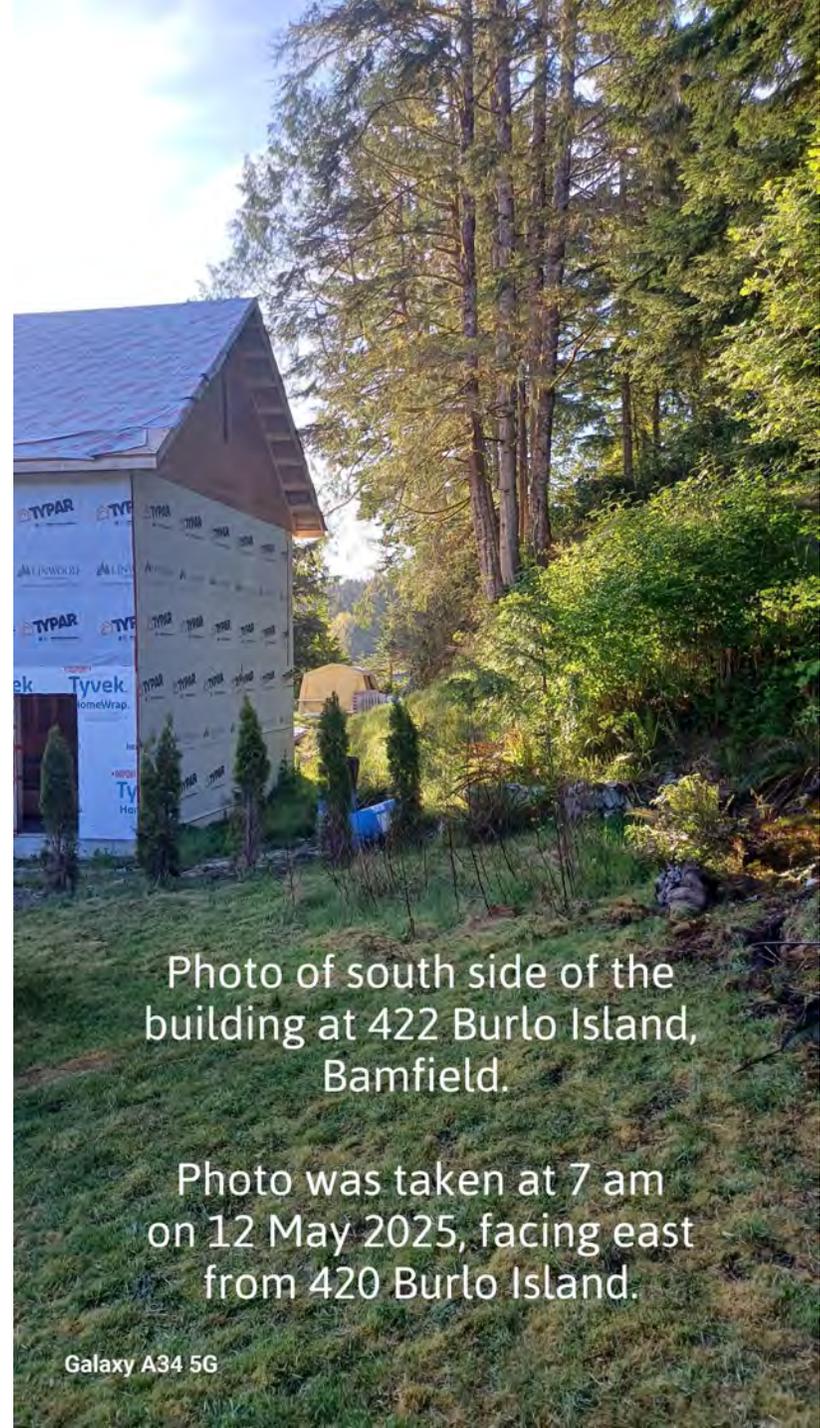


Photo of south side of the building at 422 Burlo Island, Bamfield.

Photo was taken at 7 am on 12 May 2025, facing east from 420 Burlo Island.

Reasons for DVA25005 Request Are Invalid

- Variances are intended to address 'external' factors which may cause 'hardship' such as natural conditions, terrain or events.
- Variances are not intended to rectify human actions which may cause 'hardship'. Incorrect building siting is a human created factor and is not a valid reason for issuing variances.
- Responsibility for intentional or non-intentional human actions which are presented as creating 'hardship' rest with the property owner(s) and their agents, surveyors, building contractors and others engaged with development of the property.

DVA 25005 Effect on Property Setbacks

The 2nd variance request (DVA25005), if approved, will:

- Result in excessive variation to bylaw standard setbacks:
 - ☐ **47.5%** for front yard [12.2 m (40 ft) to 6.4 m (21 ft)]
 - ☐ **34.8%** for western side yard [4.6 m (15 ft) to 3 m (9.8 ft)]
- Establish precedent for current and future property owners to seek significant variances to building setbacks.

Requested Action

Action A:

ACRD Board to Deny DVA25005

Should the ACRD Board decide not to deny DVA25005 at this time, the following action is sought.

Action B:

ACRD Board to Request the Bamfield Advisory Planning Committee to engage in additional review and consideration of DVA25005.

DVA25005

Response from 420 Burlo Island

Owner: Nelson Ireland

Presentation to the ACRD Board

11 June 2025



To: ACRD Board of Directors

Meeting Date: May 14, 2025

From: Charity Hallberg Dodds, Planning Technician

Voting Structure: Electoral Area Directors

Electoral Area: A - Bamfield

Subject: Development Variance Permit DVA25005 - 422 BURLO ISLAND (DOMBI-SAHI)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors consider development variance permit application DVA25005 and direct staff to proceed with notification as per section 499 of the Local Government Act.

NOTE: If the Board of Directors is considering denying the application, the appropriate motion would be as follows:

THAT the Alberni-Clayoquot Regional District Board of Directors is, at this time, disposed to deny this application. Prior to doing so, the Board wishes to offer the applicants the opportunity to present their own case as to why this matter should not be denied.

Development Proposal: Development variance permit DVA20006 was issued and registered to the subject property in July 2022. DVA20006 varied the required setbacks of the Bamfield Cottage Residential (BRC) District by reducing the front yard setback (from Bamfield Inlet) from 12.2 m (40 ft) to 7.5 m (24.6 ft), and the western side yard setback from 4.6 m (15 ft) to 3.8 m (12.5 ft) to accommodate construction of a single family dwelling.

The property owners have now applied to further reduce the varied front yard setback from 7.5 m (24.6 ft) to 6.4 m (21 ft), and the varied western side yard setback from 3.8 m (12.5 ft) to 3 m (9.8 ft), to accommodate the location of the partially constructed single family dwelling which has been sited incorrectly. This is a difference of 1.1 m (3.6 ft) for the front yard, and 0.8 m (2.7 ft) for the western side yard.

Development Variance DVA25005: Development variance of the ACRD Zoning Bylaw, Section 200 – Schedule No. II – Bulk and Site Regulations to reduce the required front yard setback from 12.2 m (40 ft) to 6.4 m (21 ft) and the western side yard setback from 4.6 m (15 ft) to 3 m (9.8 ft), in the Bamfield Cottage Residential (BRC) District to accommodate the siting of a partially constructed single family dwelling.

PL20250024 / DVA25005

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Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?it̓'ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

Advisory Planning Commission (APC) Recommendation: The Bamfield APC reviewed this application at their April 24, 2025 meeting. The APC recommendation is to support the application as presented subject to the neighbour notification process.

Property Owner(s): JULIU DOMBI-SAHI, ILDIKO DOMBI-SAHI **Applicant/Primary Contact:** ILDIKO DOMBI-SAHI

Property Information:

Civic Address: 422 BURLO ISLAND	
Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT PLAN VIP68113	
PID: 024-330-485 Folio: 770-02781.000 ALR? (Y/N): No Lot Area (ha): 0.20 (0.50 ac)	
Current Zoning: BRC - Bamfield Cottage Residential District	Proposed Zoning: n/a
Current OCP: Bamfield, Residential Use	Proposed OCP: n/a
Development Permit Areas (DPA):	DPA I – Riparian Areas Protection DPA II – Natural Hazard Areas Protection DPA IV – Coastal Protection
Current Use & Description:	The subject property has an irregular shape and consists of varying steep topography and shoreline. The parcel is partially forested with the area of construction being cleared and somewhat level.
Surrounding Zoning and Land Use	
North: Bamfield Inlet	South: A2 – Rural District
East: Bamfield Inlet	West: RA2 – Acreage Residential District

Services:

- a) **Sewage Disposal:** Onsite sewage disposal.
- b) **Water Supply:** Bamfield Community Water System.
- c) **Fire Protection:** Bamfield Fire Protection Area.
- d) **Access:** Bamfield Inlet/water access only.
 - i. Parcel Frontage Waiver: n/a

Planning Policy Discussion:

- a) **Official Community Plan (OCP):** The Bamfield OCP designates this property Residential Use. The property is affected by three development permit areas. Development Permit DPA20017 was issued on July 27, 2022 and, as required, was valid when construction of the single family dwelling began. The requested front yard setback variances fits within the 20% allowance for adjustments within the development permit, however the requested side yard setback variance exceeds 20%.

The applicants have provided an amended geotechnical review of the current siting which concludes that

the reduced setback from 7.5 m to 6.4 m is acceptable and the building remains safe and suitable for the intended use. An updated assessment prepared by a qualified environmental professional (QEP) for DPA I and DPA IV would be required in order to renew the development permit to reflect the adjustment that exceed 20% and to continue with construction.

This proposal complies with the Bamfield OCP’s Residential Use designation. Renewal of DPA20017 to reflect the current siting, including updated QEP assessments for DPA I, DPA II and DPA IV would be required prior to continued construction.

- b) **Zoning:** The ACRD Zoning Bylaw zones this property Bamfield Cottage Residential (BRC) District.
 - i. Parkland Dedication: n/a

	BRC District Setbacks:	DVA20006 Setbacks:	Requested Setbacks:
Front Yard Setback (m)	12.2	7.5	6.4
Western Side Yard Setback (m)	4.6	3.81	3

This proposal does not comply with the ACRD Zoning Bylaw or Development Variance Permit DVA20006 which was issued on July 27, 2022.

Comments: On July 27, 2022, the property owners were issued development variance permit DVA20006 and development permit DPA20017 to facilitate construction of a single family dwelling on the subject property. Subsequently, building permit BF23-02 was issued December 1, 2023. DVA20006 reduced the front yard and western side yard setbacks to facilitate construction of the single family dwelling. Construction commenced and it was later discovered that the dwelling is sited incorrectly and the partially built structure encroaches into the varied front yard setback and side yard setback. The property owners have now applied for a second development variance permit to allow the structure to remain in place and to proceed with construction.

The current siting exceeds the permitted 20% adjustment allowance of DPA20017 and would require the development permit to be renewed to reflect the current siting if this variance is approved. The applicants have provided an updated geotechnical assessment addressing the objectives for DPA II – Natural Hazard Areas Protection. An updated QEP assessment for DPA I – Riparian Areas Protection and DPA IV – Coastal Protection would be required for renewal of the development permit.

The subject property is an irregular shape with a number of topographical challenges for development. It is recommended that the Board proceed with consideration of development variance permit DVA25005 and neighbour notification as required by section 499 of the *Local Government Act* in order to gather input from potentially affected neighbours prior to making a decision on the application.

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

Reviewed by: *Heather Zenner*
 Heather Zenner, MA, Manager of Administrative Services

Approved by: *Cynthia Dick*
 Cynthia Dick, General Manager of Administrative Services

From: [Luc Stefani](#)
To: [Charity Hallberg Dodds](#)
Subject: FW: 420 Burlo Island Survey findings
Date: April 7, 2025 1:25:55 PM
Attachments: [F8478.04 - 422 Burlo Island DP Amendment Letter, Set Back Review 2025-01-02.pdf](#)
[signed 20-122 BLC1 \(1\).pdf](#)

As requested

From: ildiko dombi [REDACTED]
Sent: February 9, 2025 6:09 PM
To: Building Shared <building@acrd.bc.ca>; Luc Stefani <lstefani@acrd.bc.ca>
Subject: 420 Burlo Island Survey findings

[CAUTION] This email originated from outside of the ACRD

Good afternoon, Luc

Following your inspection report issued on 01 Aug , 2024 and the concern raised about the location of the building , we have immediately contacted Prism Land Surveying to give us the accurate parameters.

Prism Land surveying conducted a secondary survey, this time accurately determining the west side property line between our property and the only other developed property, neighboring ours. This time around they have successfully located the lower westside pin that was originally appreciated to be about a foot towards the neighboring property.

Unfortunately, your suspicion proved to be right. Once the proper property line was determined, the actual setback between the building and property line proved to be 3m, instead of the 3.8 m(12.5') allowed in the Development Variance permit DVA20006.

This setback however does not affect the whole side of the building, since the building is placed in an angle relative to the property line therefore affecting only about 1m of the upper back corner of the house. As we approach the lower west corner that distance now becomes 7.5 m.

Another unfortunate discovery has been that the front yard setback also deviates from the allowed 7.5 m. and it is reduced to 6.4m.

This is according to the survey drawings dating back, where the natural boundary has not been redetermined but been copied over and over from previous surveys.

Our property's natural boundary states back almost a century according to later investigation done by me on our property files in the Front Counter BC archives.

According to the Ministry of Water , Land and Resource Stewardship. the natural boundary of a property in BC is the visible high-water mark of a body of a water . That is not the case on our property, in reality , the visible high-water mark is significantly farther then indicated on the survey drawings.

When the first Survey has been conducted in 2020, the survey company have just copied digitally the natural boundary determined from the old drawings. No stakes were placed by them around the area where the house location was going to be.

In that time, we had multiple engineering companies evaluating our property, such as survey, Geotech and biologist. I believe the biologist placed a pin and ribbon to the visible natural boundary, not knowing that the survey drawing does not correspond with reality, misleading all. assumptions following.

Finally in March,2024 construction began on our property, under the management of TWG Homes Ltd. (Torrance Gillmore)

All planes completed, we were hoping for the best, but things did not turn out as planned.

As excavation started, instead of the planned 1.5 feet dept, they needed to dig to a between 5-6 ft deep foundation trench.

Due to the very restricted space available to place the excavated soil, the property became overwhelmed, losing all reference points.

We have been in daily contact following the construction from our residence on lower mainland.

The structural engineer and Geotech also were informed about every step of the progress. However, none of us realized that at that point the surveyor needed to be called out.

According to the perceived boundaries, the construction looked like even exceeded the variance allowance.

Since. a very tight schedule had to be respected, the framing crew came out in the following days and immediately the cement trucks on the barge followed.

All these operations were very challenging, causing a lot of hardship, since this is a water access only property and by this point all available space was filled by excavated soil.

Eventually construction progressed overcoming all hardships until the first physical inspection revealed the. building location being off.

As I mentioned above, at this point Prism surveying confirmed the actual dimensions.

Worried about the outcome, I have asked them if they could revise the natural boundary of the property, to reflect reality to the high-water mark, but I have been informed that due to the alteration of the shore on the neighboring property they cannot accomplish that request.

I have contacted Front Counter BC and eventually found out what was causing the problem.

Since, at this point, my findings cannot change the outcome, I will leave them off of this report.

Following, I have contacted the Geotechnical Engineer who revised all the above explained circumstances and outcomes, came to the conclusion that they feel comfortable to release a changed DP amendment letter.

See attached Lewkowicz engineering amendment letter, Prism surveying new survey drawing.

At your request I can provide pictures and sketches about all the above fazes of construction and affected alteration of the variance, if you have any further questions

As a conclusion, I would like to mention that if we would have followed the variance permit original dimensions, 3.8 m and 7.5 m respectively, the building would have interfered with the already in place sewerage tanks, also the east side would have been so close to the drop off to the east shore, that no excavator would have been able to pass to the other side off the house, making the construction impossible to accomplish.

Since this property is not in a communal setting, not interfering with any public access, I would like to appeal to your leniency.

Please let us know what follow up steps are required

Best regards

Julian and Ildiko Dombi



GEOTECHNICAL FIELD REVIEW

13127 66A Ave
Surrey, BC, V3W 7S3

File: F8478.04
Revision: 00
Date: January 2, 2025

ATTENTION: Julian and Ildiko Dombi-Sahi
PROJECT: SINGLE FAMILY RESIDENCE
422 BURLO ISLAND, BAMFIELD, BC
PID: 006-099-131
SUBJECT: DP AMENDMENT LETTER – OCEAN SET BACK REVIEW, AS BUILT

1. As requested, Lewkovich Engineering Associates Ltd. (LEA) attended the above referenced development on April 15, 2024, and reviewed recent site conditions with respect to the set back requirement from the PNB which was determined to be safe at 7.5m per our report F8478.01r2, June 7th, 2021.
2. We understand this report was accepted after lengthy delays through the Gov. BC processes. The building was started, foundations laid and now is partially wood-framed. Upon review of a recent attached August 19, 2024 survey it was noted by the local jurisdiction that the building lies 6.4m from the PNB as documented by the most recent survey attached to this report. We understand that there was some confusion during the footing location determination as the original survey stakes were no longer in place since the original survey in September 2020. To add to the confusion at this particular site the distance from the building to the vegetated boundary is approximately 9m.
3. Normally the PNB is quite similar to the vegetated boundary. However, at this site the PNB was buried by gravel 25-30 years ago which has since vegetated. This shoreline condition has remained unchanged since that time and we do not anticipate any significant change in the future due to the protected waters of Bamfield Inlet. In addition, the portion of the encroachment is just at the corner of the building and the remainder of the shoreline is much further away and meets the original setback criteria (See attachment No.1) . See Figures 2.1 and 2.2 below for building location vs PNB and vegetated boundary.



Figure 2.1 Building 6.4m from PNB (middle stake) at 2.87m HighTide



Figure 2.2 Shoreline at Nearest point at Low tide (Aug 31, 2024)

4. It is the opinion of LEA that the reduced set back to the small portion of the building from 7.5m to 6.4m (from the PNB) is acceptable and the building remains safe and suitable for the intended use.

5. LEA appreciates the opportunity to be of service on this project. If you have any comments, or if we can be of further assistance, please contact us at your convenience.

Respectfully Yours,

Lewkowich Engineering Associates Ltd.



John Hessels, ASCT
Senior Technologist
Project Manager - Geotechnical

Chris Hudec M.A.Sc.,P.Eng.
Senior Project Engineer

Attachment

1. Prism Survey, Drawing File: 20-122 BLC1.dwg, August 19, 2024

B.C. LAND SURVEYORS BUILDING LOCATION CERTIFICATE

LOT 1, SECTION 19, TOWNSHIP 1, BARCLAY DISTRICT, PLAN VIP68113.

SCALE 1:400

THE INTENDED PLOT SIZE IS 280mm IN WIDTH AND 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:400.

NOTE:

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF AND ARE DERIVED FROM PLAN VIP68113.

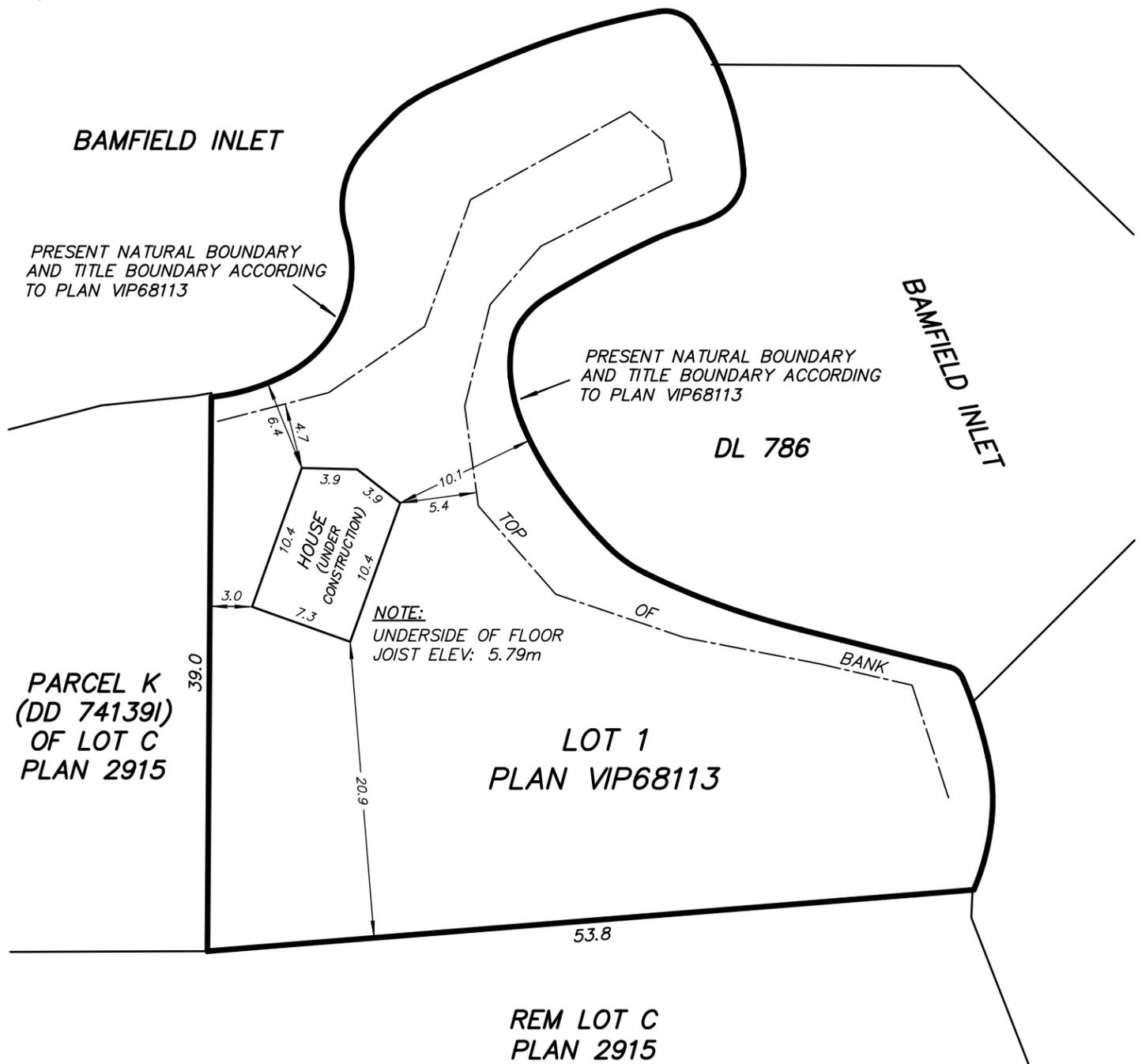
ELEVATIONS ARE GEODETIC IN METRES, REFERENCED TO CGVD28 DATUM, DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS POST-PROCESSED USING NATURAL RESOURCES CANADA'S PRECISE POINT POSITIONING (PPP) SERVICE.

JURISDICTION: ALBERNI-CLAYOQUOT REGIONAL DISTRICT

PID NO: 024-330-485

THIS LOT IS SUBJECT TO LTO CHARGE NUMBER: ET78675.

CIVIC ADDRESS: 422 BURLO ISLAND,
BAMFIELD, BC



THIS SURVEY IS NOT VALID UNLESS DIGITALLY SIGNED.
THIS SURVEY IS PROTECTED BY COPYRIGHT AND MAY NOT BE REPRODUCED.

CERTIFIED CORRECT THIS 19TH DAY OF AUGUST, 2024 ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.

NOTE:

1. THIS SURVEY PURPORTS TO SHOW ONLY THE NEW CONSTRUCTION ON THE ABOVE DESCRIBED PARCEL(S) AND THEIR RELATIVE LOCATION THEREON.
2. THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO ANY OTHER BUILDING, PATIO, RETAINING WALL, PARKING FACILITY, FENCE, UNDERGROUND, ABOVEGROUND OR OVERHEAD UTILITY OR ANY OTHER IMPROVEMENTS AND THEIR RELATIVE LOCATION TO ANY INTERNAL OR EXTERNAL BOUNDARIES OF THE ABOVE DESCRIBED PARCEL(S) AND IS NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES.
3. PRISM LAND SURVEYING LTD. AND NEIL BAUDER ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE.



223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
EMAIL: info@prismlandsurveying.ca
FILE NUMBER: 20-122-BL
DRAWING FILE: 20-122 BLC1.dwg
DATE: 2024-08-19



Bamfield Inlet

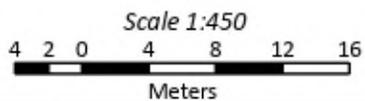


422 Burlo Island, Bamfield
LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY
DISTRICT PLAN VIP68113

 Subject Property
 Parcels



Prepared 2025-04-08
Sources: LidarBC (DEM, Hillshade)
2019, ParcelMapBC; ACRD, City of
Port Alberni

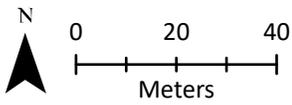


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-  Subject Property
-  Water Access Virtual Road



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



Civic Address: 422 Burlo Island, Bamfield
Legal Description: LOT 1 SECTION 19 TOWNSHIP 1 BARCLAY DISTRICT
PLAN VIP68113