

**From:** [ildiko dombi](#)  
**To:** [Planning Shared](#)  
**Subject:** 422 Burlo Island DVA25005 variance additional information  
**Date:** June 20, 2025 4:42:14 PM  
**Attachments:** [clip.png](#)

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**[CAUTION]** This email originated from outside of the ACRD

Dear Members of the Bamfield Advisory Planning Commission,

I am writing as the owner of 422 Burlo Island to provide context and evidence in support of Development Variance Permit DVA25005, which was transferred to your commission following the ACRD Board meeting on June 11, 2025.

It is my observation, based on his initial opposition during the first variance denial and subsequent numerous complaints to the ACRD as well as personal emails, that Mr. Ireland's primary objection appears to be the existence of any building on this property rather than its specific position. I raise this point respectfully, acknowledging his perspective, but submit that the focus should remain on the practical and minimal impacts of the current placement.

I respectfully request your approval to retain the house in its actual constructed position, as moving or twisting it, does not significantly address his concerns. Below, I outline the chain of events, site-specific hardships, and detailed justifications for retaining the current location (3-meter side setback, 6.4-meter front setback) despite its deviation from the approved DVA20006 dimensions (3.8-meter side, 7.5-meter front).

Chain of Events – 422 Burlo Island Project2020 –

**Initial Survey:** Sims and Associates Surveyors conducted a property survey, locating all pins except the northwest corner. They laid out the house with a 3-meter side setback and 6.8-meter front setback, producing a drawing for a reasonable variance. The shoreline, copied from the 1995 survey due to its irregular nature and lack of reliable reference points, was not physically marked.

**Geotechnical Modification:** The geotechnical engineer requested a tilt to the house eastward, adjusting the front setback to 7.5 meters, by tilting the house away from the front setback. Initial intention was to apply with the 3m side setback since that is a very reasonable distance, but the tilt on the east south corner modified the side setback inadvertently. Since the front property line is an irregular shape, that can be achieved with very little tilting. See attached sketch for better understanding.

Subsequently, the revised drawing was attached to the geotechnical report

**2022 – Variance Approval:**  
DVA20006 was approved

**Release of Building Permit in January 2023:** Permit BF23-02 was issued, initiating construction.

Construction Phase: Challenges included an unexpected 5-foot-deep excavation, limited site space post-excavation, irregular shorelines Present Natural Boundary differing from the front property line, a 1-foot misplaced side property line, tight scheduling, difficulty coordinating the foundation crew, limited labor/equipment availability, and barge-delivered concrete constraints.

Construction Outcome: Neither the builder or I, realized a surveyor recall was needed at this point. Builder communicated with the inspector from ACRD but I'm not aware if physical inspection took place, or if progress reports were filled. I was just occasionally present during that building phase. As a non Owner-builder who does not yet live in Bamfield, I could not take on the challenge of overseeing construction, hence a builder was hired. The builder is a very capable, fantastic member of Bamfield Community and in no circumstance, I wish to place blame on him. The builder denied ever having a discussion with Mr Ireland about being instructed how to build the house. Unfortunately, as a long-time project manager myself, mistakes happen to the best of us, especially if it is a team effort. If we are focusing of how this happened, and who to blame than I would say, we all have a little part of it, from surveyor to builder, owner, inspector and ultimately great hardship. If there is a desire to set an example and to punish mistakes, I can assure you that I will never build a house again, and I'm sure that Torrance will forever call out surveyors before foundation. Lesson learned.

In this case I propose instead, to let's focus on solutions.

Measurements to locate the footing were made as accurately as possible, resulting in a 3-meter side and 6.4-meter front setback, deviating from DVA20006. Manual verification showed over 7.5 meters to the Present Natural Boundary, though I am unaware if a physical inspection took place. A post-construction survey revealed incorrect footing placement.

These site-specific and external factors—limited space, deep excavation, irregular shorelines, misplaced lines, and logistical challenges—demonstrate genuine hardship beyond my control. This property's irregular shape, 1/2-acre size, and two natural boundary sides differ from the 99% of Bamfield properties with four corners, even waterfront ones. In no circumstances could the argument "setting a precedent" be valid, since this is a unique property, never to be taken as an example.

Design Intent: The house is designed with most activities on the east side. Main entrance and deck will be on that side also. The upper window on Mr Ireland side is a bedroom window, purposely designed to be towards the neighboring site since that is less occupied during the day. The exit door on the same side,(with only a staircase, no deck) is for secondary fire exit, as per BC Building code, not primary use.

Flood-level windows and the door also serve as accessibility, not the houses active side. It cannot be expected to have any windows facing the other property. After all, Mr. Ireland's property is a .25 acre, impossible to offer the privacy that he might desire.

Probably would have been a good idea to buy my property 20 years ago, as an extension of his own, eliminating the risk of sharing Burlo island north side.

Hedges are planted to preserve both of our privacy; obviously a desire of both parties. Supporting pictures and correspondence can be provided upon request.

Response to Mr. Ireland's concerns.

I recognize that Mr. Ireland's objections, potentially rooted in a desire to prevent any construction, were also addressed by the legal approval of the first variance permit DVA20006. His recommendation that I should have never bought this property or that I haven't done my due diligence when buying it, is not a valid argument. At the purchase of the property, we did verify that the property is zoned BRC. Therefore, allowing us to build a min 900 sq ft foot print main house and cabins.

His objections to the second variance request are addressed below:

(I will refer to the sketch attached, the 2 survey drawing over exposed. The red outline as constructed and yellow outline as

Addressing Mr. Ireland concerns point by point:

- **Self-Inflicted Hardship:** The red position resulted from site constraints and the irregular shoreline, not intent. The 0.8m and 1.1m difference from 3.8m/7.5m is minimal, and twisting offers no significant benefit.  
We did not have any preference, the outcome of the placement of the house either way is basically the same for us. It was quite an ordeal to obtain the permit; I would not have compromised being rejected intentionally.
- **Excessive Variance:**  
The constructed position deviates by 0.8 m and 1.1m respectively from DVA20006, this translates to 14% on front setback and 21% on side setback. Comparing it to a standard setback paints an exaggerated view of the extent of misplacement
- **Increased Fire Risk:** Proximity to the 10x10 garden shed is mitigated by fiber cement siding, metal roofing, reducing risk significantly. Twisting the house into his initial location, offers no significant fire benefit.
- **Shading (Loss of Sunlight)**  
The height of the building, including required flood level will remain the same as approved in DVA20006.  
As seen on the sketch above if the house shape projected on the property line, the reflection/shading is virtually the same .  
Twisting doesn't improve this.  
Mr. Ireland might envision the house to be moved towards south by 1.1m and east .8m, but that is not the position of the accepted first variance. The 7.5m distance for front yard setback is guided by the irregular shoreline.
- **Loss of Privacy:** The bedroom window and the exit door (with staircase only) is for accessibility on the non-active side.  
Hedges will preserve privacy, but I welcome any other suggestion since Mr Ireland was not fond of the hedges idea. Even told us that the hedges will be cut if growing across the property line, including the roots.
- It is virtually impossible to create privacy but not create shade, especially at 7am, when the sun is at horizon. By 8am the situation probably solved itself.

- **Obstruction of View:**

The obstruction of view unavoidable on this constrained lot, with no significant improvement from twisting.

Before the clearing of the property by us, it was overgrown by tall brushes and quick grown alders. View was non-existent. Garden shed was 4ft into our property, covered by moss. Later he moved the shed because it was literally on my property, not because fire hazard as stated at the board of directors meeting.

We even told him not to move it, since it was not bothering us, clearly trying to create a good neighborly environment. In hindsight, we just did not know how much he is going to make us feel unwelcome on our own property.

At that time, Nelson was complaining about to much discovery.

- **Reduction in Property Value:**

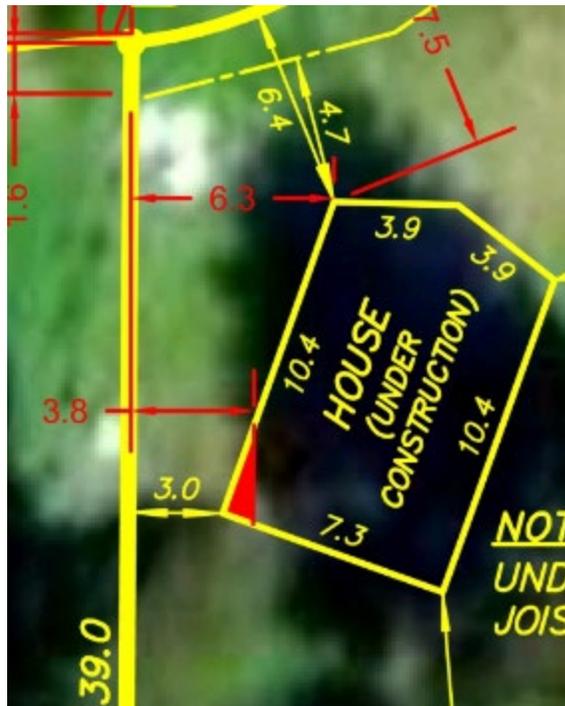
High interest rates in 2023 cooled Bamfield's housing market, likely contributing to 0% to -5% reductions in 2024 property assessments. Lower demand due to reduced affordability and fewer transactions slowed economic activity, impacting local real estate and related businesses.

Most of us noticed a reduction in property value, this is not due to building on 422 Burlo island.

I like to mention that for the board of director meeting , I have proposed a different option regarding achieving 3.8m side yard setback, since the front yard setback was approved and supported by the Geotechnical engineer as 6.4 m to front property line. The real front yard setback to the present natural boundary is 9m.

The proposal ( copied from original)

- *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.*

- Mr Ireland stated at the board of directors meeting, that he is mostly concerned by the front yard setback, hoping that will address his concern of shading not understanding that the original approved variance only played on the irregular shape of the front yard. Unfortunately, there is no straight front setback on this property.

Relocating/ twisting the house doesn't actually address Mr Ireland concerns of shading, loss of view, privacy at any significant level. The deviation on the initially approved distances is 14% and 21%, almost fitting ACRD's 20% precedent.

The property is so different from every other property in Bamfield that it could never be used as an example not setting a different set of precedent.

The relocation of the house on a water access only property is very costly with no benefit to Mr Ireland, his concern only would be addressed if there is no house at all.

I would like to mention that Mr. Ireland has a significant advantage gathering support in Bamfield. He is not informed about many details, that could have been easily avoided if we establish friendly communication. There is a lot of hearsay going around and I had no desire to correct that publicly on the corkboard. I would have not had a chance against years of uninformed rumors. I assure you that I'm not " city people " who comes in and think that I can do whatever I like. We went true every possible permit requirement including the 7point building permit.

- Request for Approval

DVA20006's approval established my right to build, and the current placement, supported by potentially suggested mitigations addresses his specific objections. Moving or twisting the house offers negligible benefits given the site's unique constraints.

I request respectfully the APC to approve DVA25005 to retain the current placement, supported by the attached photo and site plan. I am available to address questions or provide further details

Regards,

Ildiko

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

K  
391  
C  
115

39.0



NOTE:  
UNDERSIDE OF FLOOR  
JOIST ELEV: 5.79m

LOT 1  
PLAN VIP6

LOT 1  
PLAN VIP681