



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

NOTICE OF DEVELOPMENT VARIANCE PERMIT

The Alberni-Clayoquot Regional District's Board of Directors will consider issuing a Development Variance Permit at their next meeting.

MEETING DETAILS

When: Wednesday, June 24, 2026 at 1:30 pm

Where: Electronic or in-person attendance at the Alberni-Clayoquot Regional District (ACRD) office located at 3008 Fifth Avenue, Port Alberni, BC

WHAT'S THIS ABOUT?

File #: DVD26003

Property Owner/Applicant: W. Konkin

The subject property is located at 19140 Pacific Rim Highway and is legally described as LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243.

The applicant is requesting to build a 22 ft x 22 ft two-vehicle garage with an attic trussed roof, including a home office space above and a 30 sq ft access area.

- **The request is to vary section 6.5.1.e) to increase the maximum allowable height of an accessory structure in the Vacation-Home District (RVH) District from 3.8 m (12.5 ft) at a 1.2 m (4 ft) side yard setback to a maximum building height of 7.8 m (25.6 ft).**

HOW CAN I LEARN MORE?

All related information, including background documents, report and permit, is available at the ACRD office and on the ACRD website at <https://www.acrd.bc.ca/events/24-6-2026/>.

Planning staff can answer questions in person, through email, or by phone during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

If you would like to attend the Board of Directors Meeting, you can do so in person at the ACRD office, or electronically on our website at www.acrd.bc.ca/events/24-6-2026/.

PROVIDE INPUT!

Providing an opportunity for public input is a top priority for the ACRD. Written correspondence can be submitted by:

- Hard copy delivered to the ACRD office in person or by mail
- Email sent to planning@acrd.bc.ca

Email submissions will only be considered received if receipt confirmation is provided by ACRD staff.

Written submissions must be received by **4:30 pm on Tuesday, June 23, 2026.**

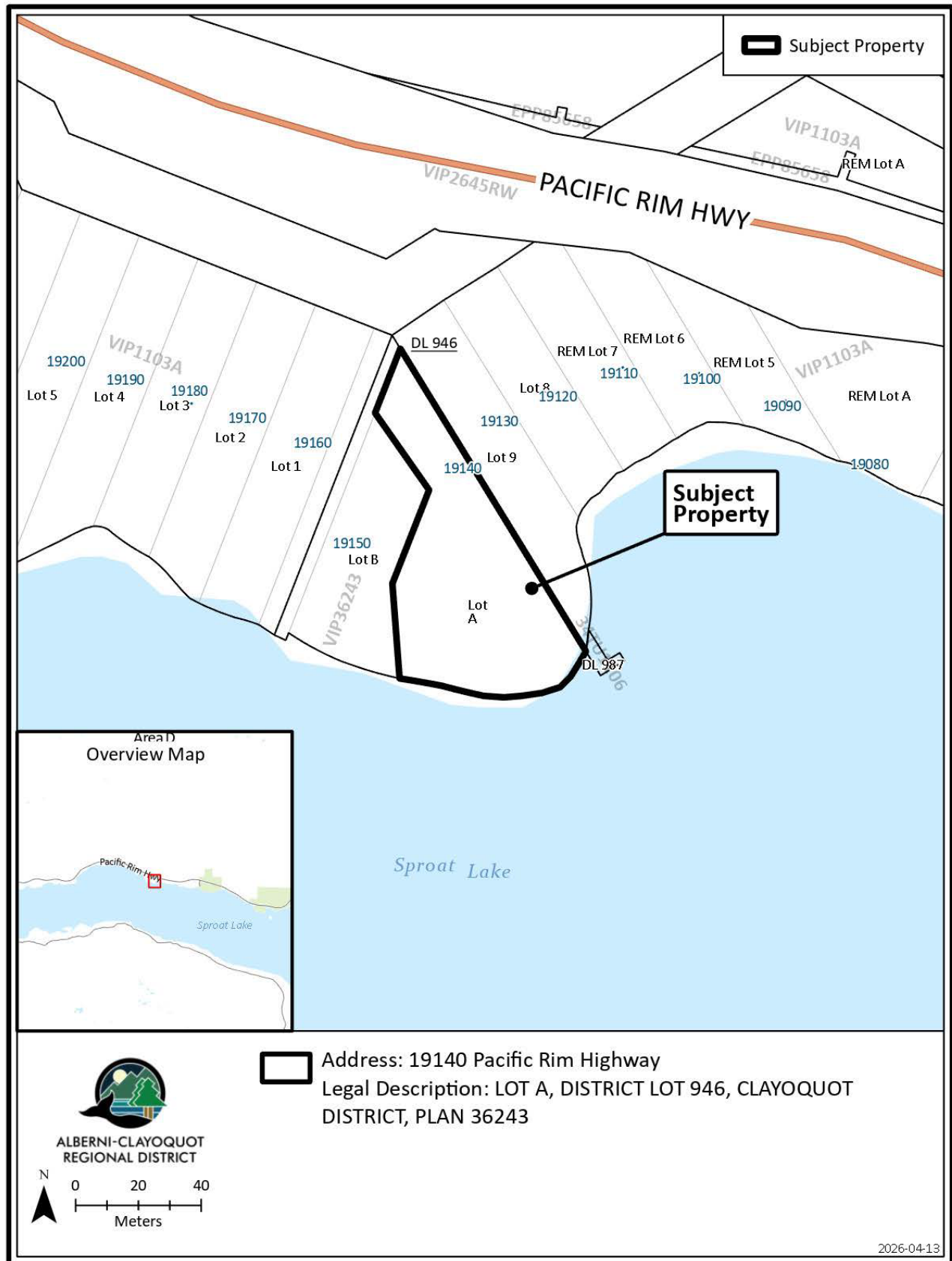
Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at www.acrd.bc.ca/delegation and submit the completed form by **12:00 pm on Thursday, June 18, 2026.** For further information or assistance with the Delegation Request Form contact us at 250-720-2700.

ASK US!

If you have questions or experience technical difficulties with website access, Planning staff are available to provide assistance during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays. We can be reached at:

Alberni-Clayoquot Regional District
Planning Department
3008 Fifth Ave, Port Alberni, BC V9Y 2E3
Phone: 250-720-2700
Email: planning@acrd.bc.ca

SUBJECT PROPERTY MAP





To: ACRD Board of Directors

Meeting Date: June 10, 2026

From: Alima Khoja, Planner 1

Voting Structure: Electoral Area Directors

Electoral Area: D - Sproat Lake

Subject: Development Variance Permit DVD26003 - 19140 Pacific Rim Hwy (Konkin)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors consider issuance of Development Variance Permit DVD26003 subject to neighbour notification as per Local Government Act s. 499.

Development Variance DVD26003: Development variance of the ACRD Zoning Bylaw, to vary section 6.5.1.e) to increase the maximum allowable height of an accessory structure in the Vacation-Home District (RVH) District from 3.8 m (12.5 ft) at a 1.2 m (4 ft) side yard setback to a maximum building height of 7.8 m (25.6 ft).

Development Proposal: The property owner has applied for a variance to allow the construction of an accessory building that exceeds the maximum allowable height. The proposal is to build a 22 ft x 22 ft two-vehicle garage with an attic trussed roof, including a home office space above and a 30 sq ft access area.

Advisory Planning Commission Recommendation: The Sproat Lake Advisory Planning Commission reviewed the application at their May 26, 2026 meeting and passed a motion to support the application as presented.

Property Owner/Applicant: Walter G Konkin

Property Information:

Civic Address:	19140 Pacific Rim Hwy
Legal Description:	LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243
PID:	000-379-816
Folio:	770-03566.010
ALR? (Y/N):	N
Lot Area (ha):	0.35 (0.87 ac)
Current Zoning:	RVH - Vacation-Home District
Current OCP:	Sproat Lake, Recreational Residential Use
Development Permit Area(s):	DPA I – Foreshore & Riparian Areas Protection (major: 30 m) DPA II – Natural Hazard Protection
Current Use & Description:	The property contains a dwelling unit and an accessory building and is being used for recreational purposes.
Surrounding Zoning and Land Use	

PL20260014 / DVD26003

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuulu?i?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).

North:	Pacific Rim Hwy	South:	Waterfront (WF1) District
East:	Vacation-Home (RVH) District	West:	Vacation-Home (RVH) District

Services:

- a) **Sewage Disposal:** On-site sewage disposal.
- b) **Water Supply:** On-site water supply.
- c) **Fire Protection:** The parcel is within the Sproat Lake Fire Protection Area.
- d) **Access:** The property is accessed by a driveway on Pacific Rim Hwy.

Planning Policy Discussion:

- a) **Official Community Plan:** The parcel is designated 'Recreational Residential Use'. This designation enables residents to maintain a seasonal or recreational property. These properties are not intended to be adequately serviced or accessible for full-time residency. If owners of property within this land-use designation wish to reside on the property year-round, they would need to apply for an OCP amendment and rezoning.

The parcel is impacted by two Development Permit Areas: DPA I – Riparian Areas Protection (major: 30m) and DPA II – Natural Hazard Areas Protection which encompasses the entire parcel impacted by steep slope. The proposed structure falls within both Development Permit Areas. Any future development within the Development Permit Area is subject to a Development Permit and must satisfy the requirements of DPA I and DPA II, including assessments from Qualified Professionals where appropriate. If the building location is on a slope less than 30% grade, the building may be exempt from the DPA II steep slope guidelines.

This proposal to construct a garage structure meets the policies and objectives in the Recreational Residential Use designation of the Sproat Lake OCP. A development permit would be required to satisfy the DPA I – Riparian Areas Protection guidelines and may be required for DPA II – Natural Hazard Areas Protection guidelines if the building site is located on a steep slope. Issuance of a Building Permit is contingent upon prior approval of a Development Permit.

- b) **Zoning:** The parcel is zoned Vacation-Home (RVH) District which is intended to accommodate seasonal and vacation residences for property owners maintaining a permanent residence elsewhere.

	Current:	Proposed:
Minimum Lot Area (ha)	0.18	
Minimum Lot Width (m)	30.48	
Principal & Accessory Front Yard Setback (m)	10.6	
Principal Side Yard Setback (m)	4.5	
Principal Rear Yard Setback (m)	10.6	
Accessory Side Yard Setback (m)	0.9	1.2
Accessory Rear Yard Setback (m)	0.9	
Accessory Building Height at a 1.2 m setback (m)	3.8	7.8

According to the ACRD Zoning Bylaw section 6.5.1.e, an accessory building shall not exceed 3.66 meters [12 feet] in height except as otherwise provided for in this By-law. The Zoning Bylaw also provides for a graduated height allowance that allows for an increase to the building height where the building setback is in excess of the 0.9 m (3 ft) minimum setback. With the proposed building site, the graduated height allowance would permit a building height of 12.5 feet at a side yard setback of 1.2 m (4 ft).

This proposal complies with the regulations for siting but does not comply with height regulations. A Development Variance Permit is required to accommodate the design and permit a building height increase from 3.8 m (12.5 ft) to 7.8 m (25.6 ft).

Comments:

The applicant is seeking a variance to permit the construction of an accessory structure that exceeds the maximum permitted height for an accessory building. The proposed structure has an overall ridge height of 27.5 ft, with a midspan height of 25.6 ft, resulting in a height that is 13.1 ft (4 m) greater than the maximum allowable height. Based on the review, a 13.1 ft height variance is required. This calculation reflects a 4 ft setback from the lot line, which provides approximately 0.6 ft of graduated height that has been factored into the variance.

As per section 6.5.2.a of the ACRD Zoning Bylaw, except in A Districts, an accessory building may be increased in height by 0.304 meters [one foot] vertical distance for every 0.609 meters [2 feet] horizontal distance, in excess of a minimum side and rear yard setback requirement established by by-law for the zoning district within which such accessory building is sited or situated;

The proposed structure is affected by DPA I – Foreshore & Riparian Areas Protection (major: 30 m) and DPA II – Natural Hazard Areas Protection. A Development Permit would be required to satisfy the DPA I and DPA II may be required. An approved Development Permit is required prior to the issuance of a Building Permit.

Building Design

The proposal is to construct a 22 ft x 22 ft two-vehicle garage with an attic truss roof to accommodate a studio/home office, including an approximately 30 sq. ft. access tower. The structure is to be sited along the west property line with a 4 ft setback. The garage floor will be elevated above the existing retaining wall and extend southward over bedrock on a structurally designed concrete slab, with enclosed storage provided below. Exterior finishes will consist of Hardie Board siding to match the principal dwelling. No windows are proposed on the west elevation to maintain privacy. A plywood fire break will be provided at the roof soffit. The total height to the top of the finished roof ridge is proposed to be 27.5 ft.

The applicant noted that the design and siting have been discussed with adjacent property owners, and no concerns have been identified.

Public Notification

The *Local Government Act* (S.499) requires a local government to give notice at least 10 days before adoption of the resolution to issue the permit to allow for the inclusion of public comment.

Board Decision Options:

The Board may choose to either Approve or Defer the Development Variance Request as outlined below.

Approve the Variance Request

Following the public input process, the Board may choose to authorize the issuance of the Development Variance Permit. Approving the variance request would allow the property owner to proceed with an application

for a Development Permit and a Building Permit to construct the over-height structure as sited in the attached site plan.

Defer The Variance Request

If the Board is considering denying the variance request, the Board's practice is to defer a decision on the Development Variance Permit and invite the applicants to present their application at a future meeting as a delegation to the Board. The deferral may include a request that the property owner redesign or relocate the building.

Staff recommendation

Staff are recommending that the Board consider the issuance of the Development Variance request, subject to completion of public notification in accordance with S. 499 of the *Local Government Act*. Staff are supportive of the Development Variance Permit request for the following reasons:

- The proposed Accessory Building complies with the siting regulation as per the ACRD Zoning Bylaw.
- The proposed Accessory Building has been situated in a manner to minimize the potential impacts of height to neighbouring properties, where possible;

Next Steps

Should the Board support the recommendation of this report, staff will proceed with Public Notice for comment in accordance with s.499 of the *Local Government Act*. The notice will be sent to all property owners and residents within 100 m radius of the subject property. The application will be brought back to the Board, along with any public correspondence received, for their consideration of issuance of the Development Variance Permit.

Submitted by: *Alex Dyer*
Alex Dyer, MCIP, RPP, General Manager of Planning & Development

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

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

Site Photos



Site of proposed accessory building showing existing retaining wall



Existing dwelling unit and accessory building



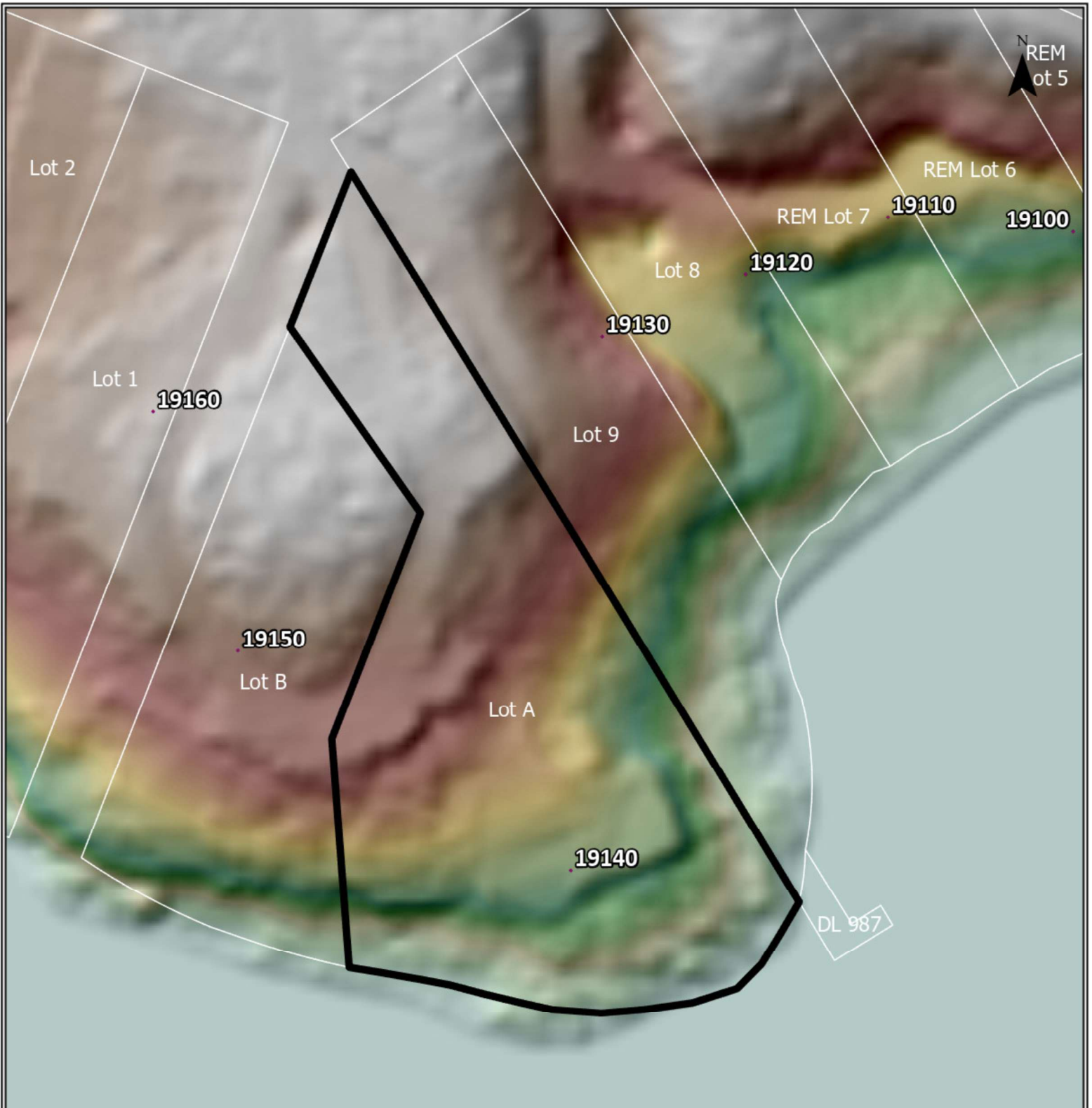
Area affected within DPA I – Foreshore & Riparian Areas Protection (major:30 m)



Existing driveway



Existing driveway access from Pacific Rim Hwy



This product is intended for general reference use only and should not be used for navigation or legal purposes. Imagery offsets may exist. Satellite imagery may be offset by several meters.

LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243

 Subject Property

Elevation (m)

 56.141

 27.253



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

Prepared 2026-04-13
Sources: Prov. BC, ParcelMapBC; ACRD

Scale 1:700

0 10 20 40



Meters



This product is intended for general reference use only and should not be used for navigation or legal purposes. Imagery offsets may exist. Satellite imagery may be offset by several meters.

LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243

 Subject Property



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

Prepared 2026-04-13
Sources: Microsoft, VantorProv. BC, ParcelMapBC; ACRD

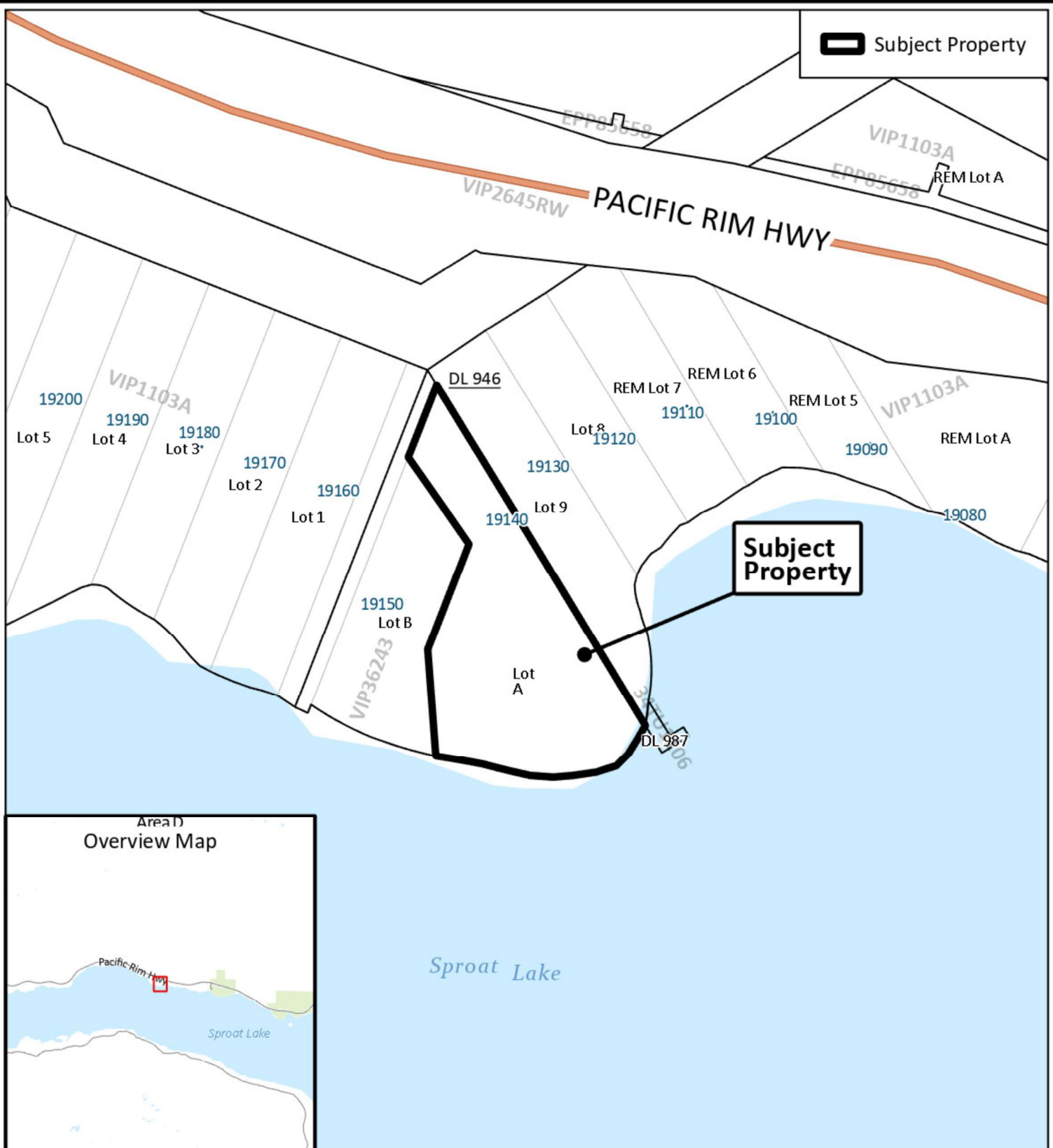
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Meters


 Subject Property



Subject Property

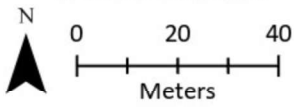


Area 1)
Overview Map

 Address: 19140 Pacific Rim Highway
Legal Description: LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



ROAD

19140 PAC RIM HWY

1103A 5

LOT 8

LOT 9

LOT 1
BLOCK 6

ROAD DEDICATED AS ROAD

PLAN BLOCK

LOT B

AREA = 0.1859 ha.

EXISTING LOT
RETAINING WALL

A

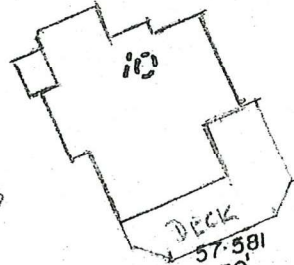
AREA = 0.3507 ha.

LOT

4' SETBACK

PROPOSED GARAGE
22' X 22'

Rock ~
OUTCROP



OLP

99° 33' 10" 4.273

IP (set in conc.)

13 90° 113° 37.420 45' 50" 13 50" 60"

Natural boundary present

IP #2

9'

per plan

natural boundary

1103-A

7.5

15" 90° 12.5 13.5 14.3 4.3

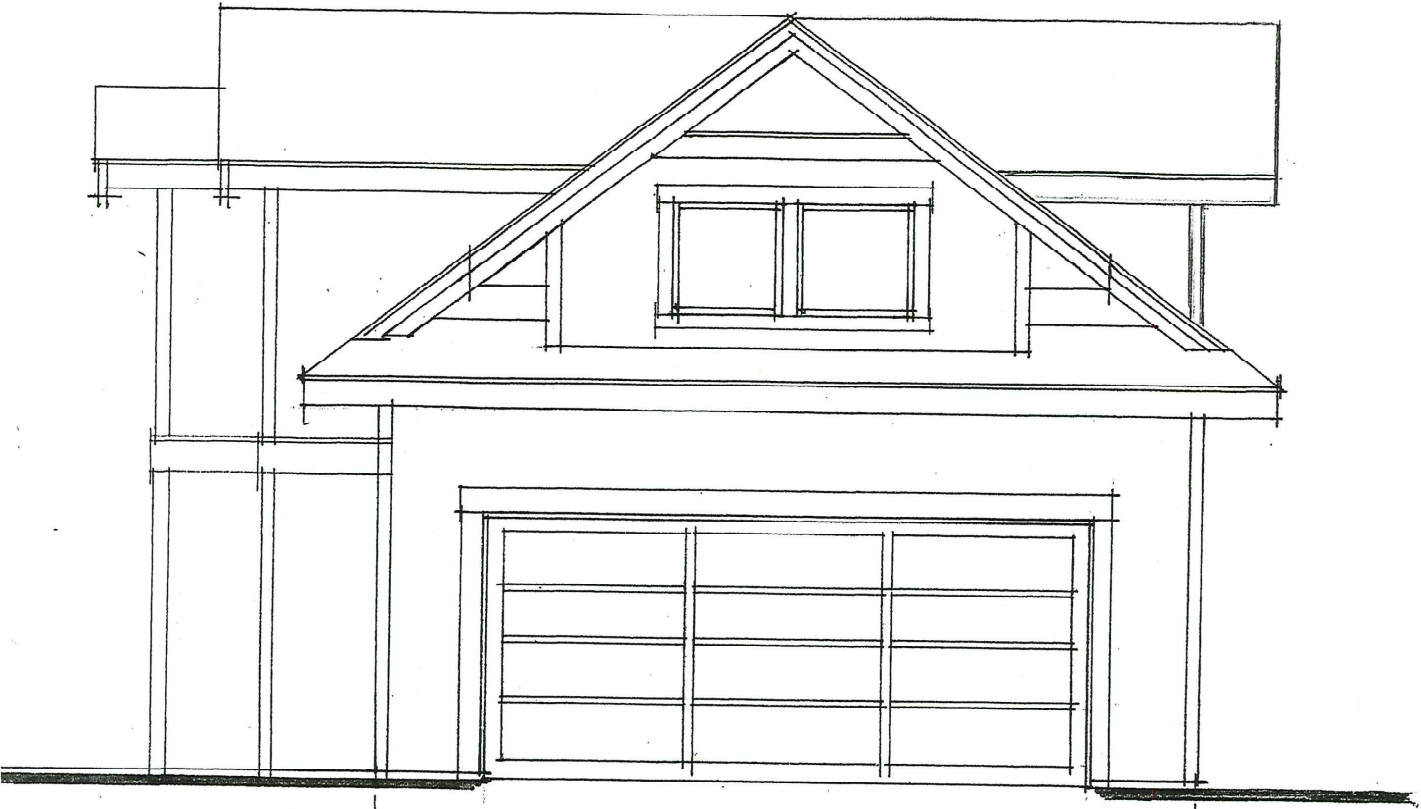
OIP

358° 56' 20"

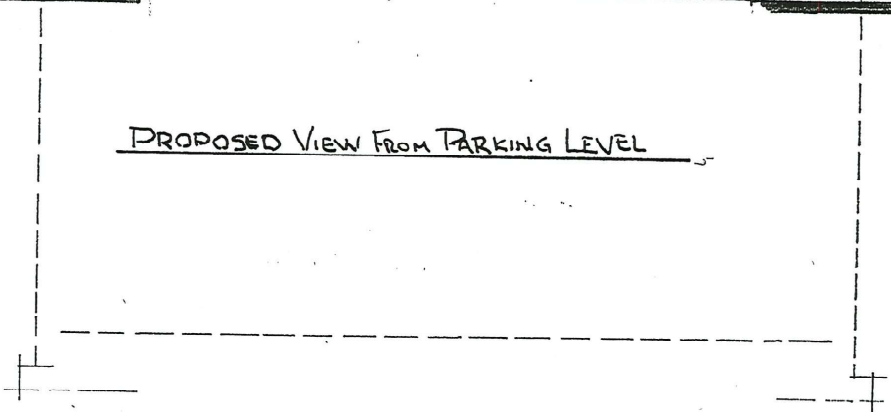
41.579

OIP #5

ACCESS BY WATER ONLY



PROPOSED VIEW FROM PARKING LEVEL





DVD26003

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: WALTER G KONKIN
Address: 19140 PACIFIC RIM HWY, PORT ALBERNI, BC

With respect to:

Legal Description: LOT A, DISTRICT LOT 946, CLAYOQUOT DISTRICT, PLAN 36243
PID: 000-379-816

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

- Development variance of the ACRD Zoning Bylaw, to vary section 6.5.1.e to increase the maximum allowable height of an accessory structure in the Vacation-Home District (RVH) District from 3.8 m (12.5 ft) at a 1.2 m (4 ft) side yard setback to a maximum building height of 7.8 m (25.6 ft).

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 "[INSERT DATE]".

This permit was issued this [DAY] of [MONTH], [YEAR].

Daniel Sailland, MBA
Chief Administrative Officer

Chair of the Board of Directors