



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

July 2, 2021

## BAMFIELD ADVISORY PLANNING COMMISSION

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

- RA21006 – 460 Pachena Road (Baden & Pakula)

Please review this application so that your Director can submit your recommendations to the Regional Board on Wednesday, July 28<sup>th</sup>, 2021.

Your next meeting is scheduled for **Thursday, July 8<sup>th</sup> at 5:30 pm** through Zoom Video or Phone Conferencing. Refer to the email for details and Zoom invitation.

Sincerely,

Alex Dyer, MCIP, RPP  
Planning Manager

Enclosures

Cc Applicants



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

## Rezoning Application

**MEETING DATE:** July 28, 2021

**ACRD FILE NO.:** RA21006

**APPLICANTS:** Robert Baden & Shirley Pakula

### LEGAL

**DESCRIPTION:** LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 21412

**LOCATION:** 460 Pachena Road, Bamfield

**ELECTORAL AREA:** "A" Bamfield

**Applicant's Intention:** The property owner is applying to rezone the property located at 460 Pachena Road in Bamfield from Rural (A2) District to Acreage Residential (RA3) District in order to facilitate a three lot subdivision with a 0.6 acre minimum lot size.

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### Recommendations:

- THAT Bylaw P1435, Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw be read a first time;
- THAT the public hearing for Bylaw P1435 be delegated to the Director for Electoral Area 'A' or the Chairperson of the Regional District;
- THAT the Board of Directors confirm that adoption of Bylaw P1435 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.

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**Advisory Planning Commission Recommendation:** The Bamfield APC will consider this application on July 8, 2021.

### Observations:

**Status of Property:** The 1.37 hectare (3.39 acre) property is located on the east side of Bamfield and is accessed from Pachena Road. There is an existing single family dwelling

## RA21006

located in the north west corner of the property, which is mostly vegetated with trees and brush with the exception of the cleared area surrounding the house. The west half of the property slopes up gently from Pachena Road with the east half of the property being relatively level. There is legal access to the rear of the property via Seabird Way which bisects the east boundary of the lot.

i) **Services**

- a. **Sewage Disposal:** On-site sewage disposal. As a condition of rezoning approval, staff recommend that a Registered On-Site Wastewater Practitioner confirm that the property is capable of accommodating on-site sewage disposal to a 0.6 acre minimum lot size.
- b. **Water Supply:** Bamfield Water System (BWS). Each of the lots would be connected to the water system and development cost charges, connection fees, and compliance with the bylaws and regulations of the BWS would be confirmed at the subdivision stage.
- c. **Fire Protection:** Bamfield Fire Department.
- d. **Access:** There are two existing driveways into the property constructed off Pachena Road on the west side of the property. There is also legal road access to the east side of the property off Seabird Way.

ii) **Existing Planning Policies Affecting the Site**

- a. **Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. **Official Community Plan:** The Bamfield Official Community Plan designates the property as "Residential Use". Policy 13.2.2 of the OCP supports a range of residential densities in the Residential Use designation based on good planning principles and infrastructure capabilities. The property is one of the larger parcels within the developed portion of East Bamfield immediately surrounding the property and the proposal represents a good opportunity for in-fill development in an area that is well served by existing infrastructure. There are no development permit areas that impact development as the property is located outside of the tsunami inundation zone and away from any riparian areas.

***The zoning amendment and proposed subdivision complies with the policies and objectives of the Bamfield OCP.***

- c. **Zoning:** The property is zoned Rural (A2) District. Rezoning the property to Acreage Residential (RA3) District would facilitate subdivision to a 0.6 acre minimum density.

	<b>A2 District (existing)</b>	<b>RA3 District (proposed)</b>
Minimum Lot Area:	5 acre	0.6 acres
Minimum Lot Width:	330 ft.	98.4 ft.
Lot Coverage:	-	15%
Minimum Setbacks Front:	50 ft.	49.2 ft.
Rear:	30 ft.	32.8 ft.
Side:	15 ft.	16.4 ft.

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The existing house is located 11.76 metres (38.6 feet) from the front lot line along Pachena Road. At present, the siting of the house does not conform to the 50 foot setback required by the existing A2 zone or to the 49.2 foot setback required by the proposed RA3 zone. The proposed subdivision will not increase the non-conformity or create a new lot line that would result in additional setback non-conformity. The conceptual site plan demonstrates a minimum 5 metre side yard setback from the house to the new lot line, which would comply with the RA3 requirements. Any new construction on the property will need to comply with all of the setbacks required by the proposed RA3 zoning.

The property owner's stated intention is to subdivide the property into three lots creating two vacant +/- 0.95 acre parcels and a +/- 1.2 acre remainder with the existing house plus road dedication along the east boundary. With an existing lot size of 3.3 acres and a proposed minimum lot size of 0.6 acre in the RA3 District, it should be noted that the rezoning could facilitate subdivision to up to five (5) lots. The number of lots and layout would be determined at the subdivision application stage. If the property owner proceeds with a future subdivision application for more than three lots there will be additional requirements to be considered at the subdivision stage including variances for minimum lot width and road frontage requirements, a variance for building setbacks for the existing house from proposed lot lines, and park land dedication.

***The subdivision proposal to a 0.6 acre minimum density requires a zoning amendment from Rural (A2) District to Acreage Residential (RA3) District.***

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

- Compliance with the bylaws and regulations of the Bamfield Water System including confirmation that the new lots can be serviced by the BWS, development cost charge payments, and water connection requirements where required.
- The 0.6 acre minimum lot size in the RA3 District could result in subdivision of the subject property into up to five lots based on the current 3.3 acre lot size. Depending on the number of lots created and the final lot layout, the applicant may require development variances for lot width and the siting of the existing home, a parcel frontage waiver for the minimum road frontage required by the *Local Government Act*, and park land dedication or cash-in-lieu of park land if more than three new lots are created.

Planning staff are supportive of proceeding with the public hearing process for the zoning amendment. The proposed subdivision generally complies with the policies and objectives of the Residential Use designation in the Bamfield OCP and the proposal represents a good opportunity for in-fill development of a larger parcel in an area with existing infrastructure in place.

## RA21006

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

Reviewed by: \_\_\_\_\_  
Mike Irg, MCIP, RPP, General Manager of Planning & Development

Approved by: \_\_\_\_\_  
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer

**RA21006**



## APPLICATION FOR DEVELOPMENT

- |  |  |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment<br><input type="checkbox"/> Zoning Map Amendment<br><input type="checkbox"/> Zoning Text Amendment<br><input checked="" type="checkbox"/> Development Permit<br><input type="checkbox"/> Development Variance | <input type="checkbox"/> Minimum Parcel Frontage Waiver<br><input type="checkbox"/> Board of Variance Application<br><input type="checkbox"/> Temporary Commercial Use Permit<br><input type="checkbox"/> Temporary Industrial Use Permit<br><input type="checkbox"/> Other: _____ |
|--|--|

Applicant/Property Owner Information	Agent Information (if applicable)
Name: Bob Baden	Name:
Mailing Address: 78 South Road, Bamfield, BC	Mailing Address:
Telephone: 250-728-1223	Telephone:
Fax:	Fax:
Cell:	Cell:
Email: bobbaden7@gmail.com	Email:

- Legal Description: Lot A, Section 20, Township 1, Barclay District, Plan 21412
- Particulars of Proposed Development:
  - Existing OCP Designation: Residential
  - Proposed OCP Designation:
  - Text Amendment:
  - Existing Zone: A2
  - Proposed Zone: RA3
  - Within the Agricultural Land Reserve (ALR)?:       No       Yes
  - Within a Development Permit Area?:       No       Yes
  - Method of Sewage Disposal:     Community System       Onsite Septic System     Other
  - Method of Water Supply:     Community System       Onsite Water System     Other
- Other (explain): \_\_\_\_\_
- Describe the existing land use of the subject property: Residential

- Describe the existing land use of lands adjacent to the subject property:

North: Residential

South: Residential

East: Residential

West: Residential

- Describe the proposed development of the subject property (attach additional pages if necessary):

See attached plan

- Reasons and comments in support of the application (attach additional pages if necessary):

- 
- The following information is required. Failure to provide any of the following may delay the application.

A sketch/plan of the subject property showing:

- the legal boundaries and dimensions of the subject property;
- boundaries, dimensions, and area of any proposed lot (if subdivision is being proposed);
- the location of permanent building and structures on the subject property with distances to property lines;
- the location of any proposed building, structures, or additions hereto, with distances to property lines;
- the location of any existing sewage disposal systems and/or property water source; and
- topographic features (rock outcroppings, etc.).

- Additional or more detailed information may be requested by the Regional District following review or your application.

**If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.**

**I accept responsibility for delays in processing caused by incorrect or insufficient submission. Personal information contained on this form is collected under the *Local Government Act*. Contact the Planning Department if you have any further questions.**

**I hereby grant Regional District staff full right of access to the subject property, during the hours of 8:00 am until 4:30 pm, Monday to Friday, except statutory holidays, while this application is in effect; and**

**I/We hereby declare that the information provided in this application is, to the best of my/our knowledge, true and correct in all respects, and I/we enclose the required fee with this application.**

**NOTE: All items submitted as part of the application will not be returned to the applicant and are subject to the *Freedom of Information and Privacy Act*. All relevant correspondence will be provided to both the applicant and the agent when applicable.**

Applicant/Owner Signature: 

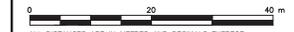
Applicant/Owner Signature: \_\_\_\_\_

Date: FEB. 11, 2021

**PRELIMINARY**

**PROPOSED SUBDIVISION PLAN OF LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 21412**

BCGS 92C.085



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 864 mm IN WIDTH BY 500 mm IN HEIGHT (D-SIZE) WHEN PLOTTED AT A SCALE OF 1:XXXX

GRID BEARINGS ARE DERIVED FROM PLAN EPP105982 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10 (12° WEST LONGITUDE)  
 THE UTM ZONE 10 COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS USING THE PRECISE POINT POSITIONING SERVICE OF NATURAL RESOURCES CANADA

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE NOTED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9996xx. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF xx METRES

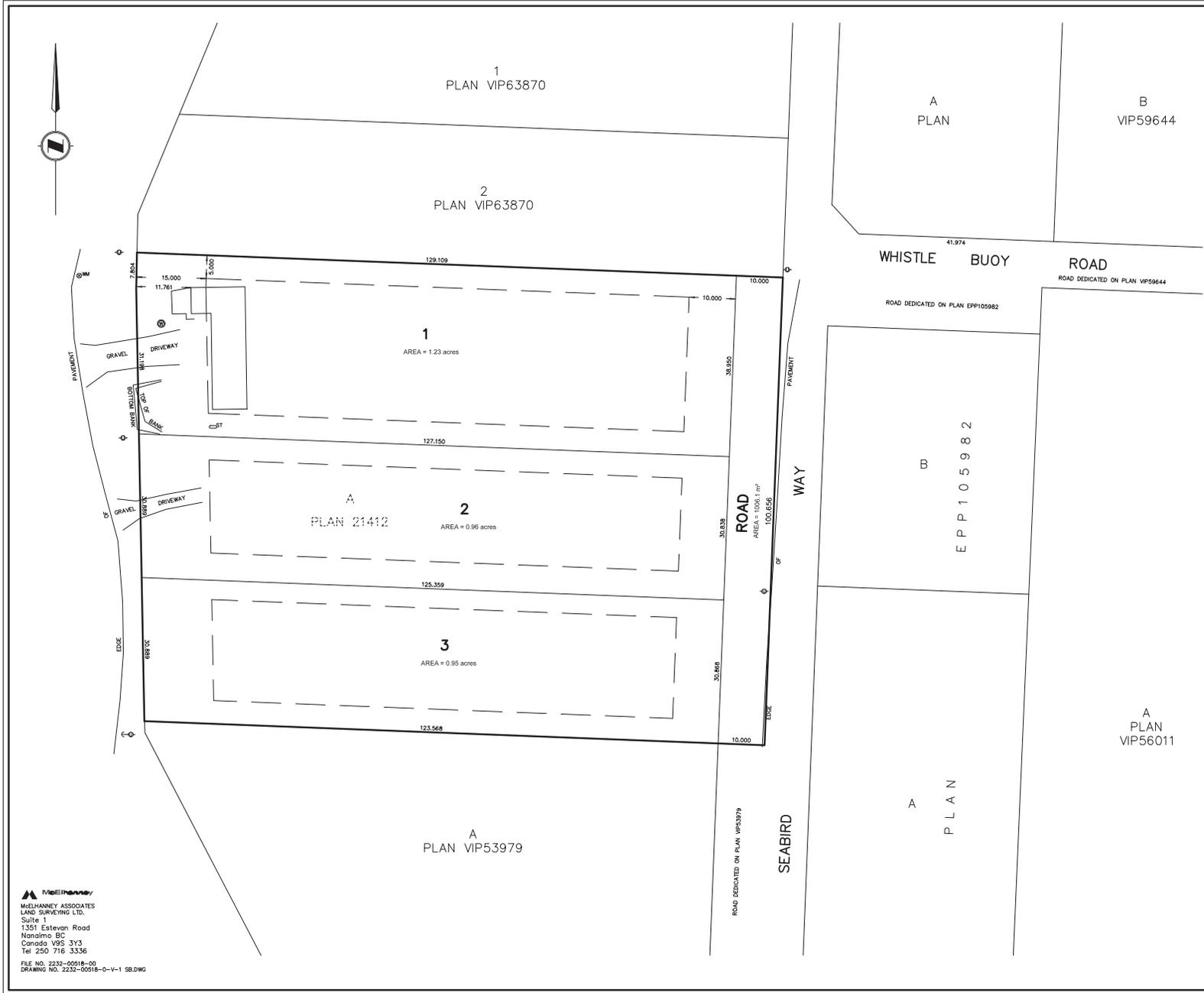
**LEGEND:**

SYMBOLS FOUND PLACED	DESCRIPTION
GNSS CONTROL STATION	
STANDARD IRON POST	
TRAVERSE HUB	
(c)	DENOTES CALCULATED
m	DENOTES METRE(S)
m2	DENOTES SQUARE METRE(S)
NF	DENOTES NOTHING FOUND
REM	DENOTES REMAINDER
W	DENOTES WITNESS
U	DENOTES UTILITY POLE
@MM	DENOTES WATER METER
⊙	DENOTES WELL
⊕	DENOTES ANCHOR
CT	DENOTES SEPTIC TANK

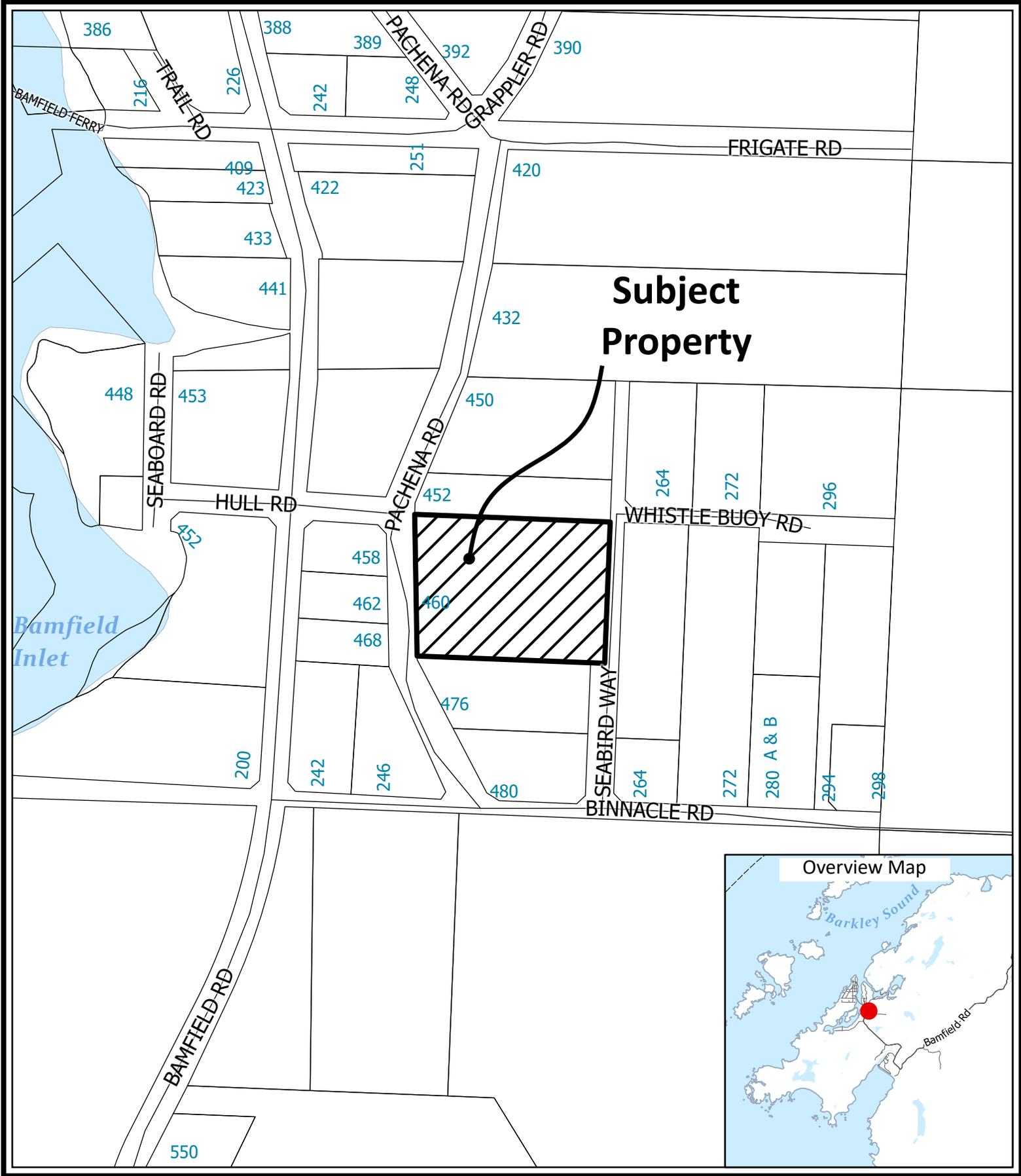
THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE  
 FILE#:

THIS PLAN LIES WITHIN THE ALBERNI-CLAYOQUOT REGIONAL DISTRICT

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE DAY OF 2020  
 BRODY PHILLIPS, BCLS #994

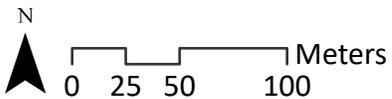


**MEDHANNY ASSOCIATES**  
 LAND SURVEYING LTD.  
 Suite 1  
 1351 Estevan Road  
 Nanaimo BC  
 Canada V9S 3Y3  
 Tel: 250.716.3336  
 FILE NO. 2232-00518-00  
 DRAWING NO. 2232-00518-0-V-1 58.DWG



460 Pachena Road

Legal Description: LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT,  
PLAN 21412

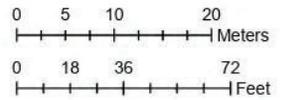




460 Pachena Road

Prepared 30 June 2021, ACRD  
10 cm Orthophoto 2015, ACRD

Scale: 1:500





Existing house  
and access off  
Pachena



Second driveway  
off Pachena

Note: Site images derived from Google Street View

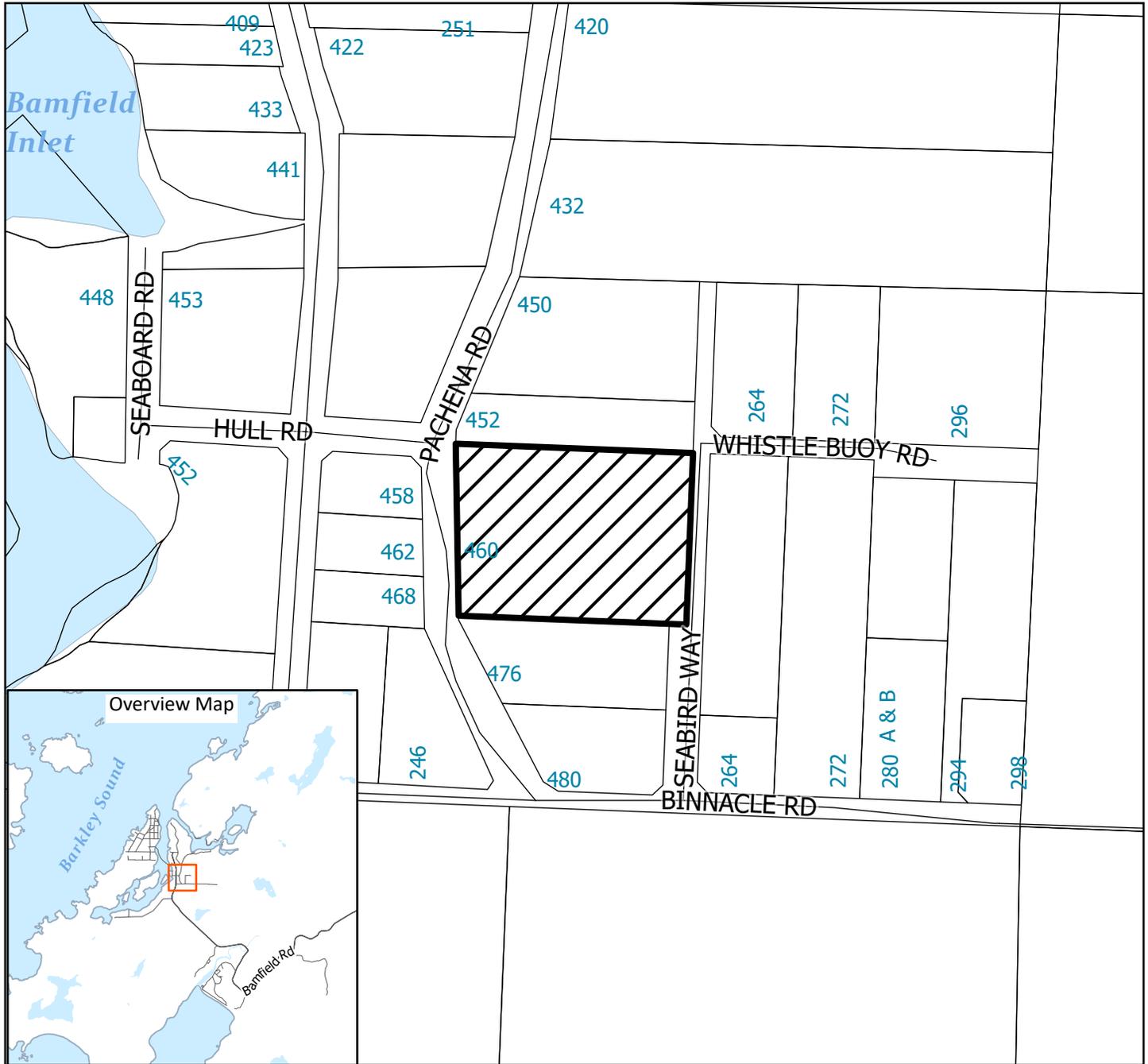


Note: Site images derived from Google Street View



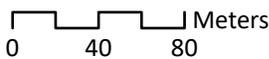
# Schedule 'A'

This schedule is attached to and forms part of  
Bylaw P1435



P1435 Baden

Legal Description: LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT,  
PLAN 21412



To be rezoned from Rural (A2) District to  
Acreage Residential (RA3) District