



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

January 7, 2022

## **BAMFIELD ADVISORY PLANNING COMMISSION**

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

- DVA21011 – Strata Lot 63, Haggard Cove – Pool/Cortese (Agent Debbie O'Brien)
- SA21005 - Lot 1, Plan VIP38260 – 0924605 BC Ltd. (Agent Helen Sims)

Please review these applications so that your Director can submit your recommendations to the Board of Directors on January 26, 2022.

Your next meeting is scheduled for **Thursday, January 13<sup>th</sup>, at 5:30 pm** through Zoom Video Conferencing. Please refer to the email for details and Zoom invitation.

Thanks in advance!

Sincerely,

*Alex Dyer*

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

## Development Variance Application

**MEETING DATE:** January 26, 2022

**ACRD FILE NO.:** DVA21011

**APPLICANTS:** Joyce Pool and Amedeo Cortese

**AGENT:** Debbie O'Brien

**LEGAL DESCRIPTION:** STRATA LOT 63 DISTRICT LOT 1630 CLAYOQUOT DISTRICT STRATA PLAN 1238 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 **PID:** 004-960-092

**LOCATION:** Strata Lot 63, Haggard Cove

**ELECTORAL AREA:** "A" Bamfield

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**APPLICANTS' INTENTION:** The applicants intend to subdivide the 0.163 ha (0.403 ac) subject property into two lots.

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**Recommendation:** THAT the Board of Directors consider issuing development variance permit DVA21011, subject to neighbouring properties being notified as per Local Government Act s.499.

**Development Variance DVA21011:**

- i. Development variance of the ACRD Zoning Bylaw, Schedule No. II: Bulk and Site Regulations, to reduce the required lot width in the Single Family Residential (R1) District from 18.288 m (60 ft) to 16 m (52.5 ft) and reduce the front yard setback from 7.62 m (25 ft) to 4.6 m (15.1 ft) to legalize the siting of the existing cabins.

**Procedure:** Prior to the issuance of a development variance permit, the Board must first pass a resolution to consider issuing the permit. Staff then notify neighbouring property owners and residents to afford them the opportunity to make written or verbal submissions to the Board. At a subsequent meeting, the Board issues or denies the development variance permit.

**Bamfield Advisory Planning Commission (APC) Recommendation:** This application will be reviewed at the January 13, 2022, Bamfield APC meeting. APC recommendations will be included here following the meeting.

## DVA21011

**Observations:****i. Status of Property:**

The 0.163 ha (0.403 ac) subject property is located in Haggard Cove, Trevor Channel. The property is part of the Haggard Cove Strata Corporation, a 65-lot strata subdivision developed in the 1980's. The property is oriented south east, facing Haggard Bay, and includes two larger cabins, two smaller cabins and one shed. There are seasonal dwellings to the north and west, a public right-of-way and park beyond to the east, and common property parkland and marina to the south.

**ii. Services:**

- a. Sewage Disposal:** Communal strata system, each residence connected independently.
- b. Water Supply:** Communal strata system, each residence connected independently.
- c. Fire Protection:** None.
- d. Access:** Water access only.

**iii. Existing Planning Policies Affecting the Site:**

- a. Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. Official Community Plan:** Not within an OCP area.
- c. Zoning:** The property is zoned Single Family Residential (R1) District.

The property was rezoned to R1 District in June 2021 in preparation of this subdivision. As proposed, both lots do not meet the minimum lot width requirements of the R1 District.

The site plan shows a total of four cabins; two larger and two smaller. The R1 zone permits one single family dwelling and accessory buildings. Included in this variance is a front yard setback reduction. This reduction will legalize the siting of the two larger cabins. Confirmation that the two smaller cabins are not habitable is required as part of subdivision approval. If necessary, alteration to the structures may be required.

<b>R1 Requirements:</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Area:	0.165 ac (0.067 ha)	-
Minimum Lot Width:	18.288 m (60 ft)	<b>16 m (52.5 ft)</b>
Lot Coverage:	33%	-
Minimum Setbacks		
Front:	7.62 m (25 ft)	<b>4.6 m (15.1 ft)</b>
Rear:	9.144 m (30 ft)	-
Side:	1.524 m (5 ft)	-

***The proposed subdivision does not meet the minimum lot width requirements or the front yard setback requirements of the R1 District. Issuance of this development variance permit would bring the proposal into compliance. Confirmation that the two smaller cabins are not habitable is required as part of subdivision approval.***

**DVA21011**

**Comments:**

The applicants have applied to the Ministry of Transportation and Infrastructure (MoTI) for a two-lot subdivision of the subject property. A referral report was prepared and submitted to MoTI in October 2021. During the review, it was identified that the proposed lots do not meet the minimum lot width requirements, and the two larger cabins do not meet the front yard setback requirements, for the R1 District. Issuance of this development variance permit is necessary prior to approval of the subdivision.

Planning staff is supportive of the subdivision, and feel the proposed variance is appropriate.

Submitted by: Charity Hallberg Dodds  
Charity Hallberg Dodds, Planning Technician

Reviewed by: Michael Irg  
Mike Irg, MCIP, RPP, GM of Planning and Development

Reviewed by: \_\_\_\_\_  
Daniel Sailland, MBA, Chief Administrative Officer

**DVA21011**



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

Phone: (250) 720-2700 Fax: (250) 723-1327

## APPLICATION FOR DEVELOPMENT

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

Applicant/Property Owner Information	Agent Information (if applicable)
Name: <u>Joyce Pool/Amadeo Cortese</u>	Name: <u>Debbie O'Brien</u>
Mailing Address: <u>162 Pacific Terrace</u>	Mailing Address: <u>519 Northumberland Avenue</u>
<u>Nanaimo, BC V9S 3G2</u>	<u>Nanaimo, BC V9S 5C3</u>
Telephone: <u>250 758-1451</u>	Telephone:
Fax:	Fax:
Cell:	Cell: <u>250 616-8268</u>
Email:	Email: <u>debbie.obrien519@gmail.com</u>

- Legal Description: Strata Lot 63, DL 1630, Clayoquot District, Strata Plan 1238, together with an interest in the common property in proportion to the unit entitlement
- Particulars of Proposed Development:
  - Existing OCP Designation: N/A
  - Proposed OCP Designation: N/A
  - Text Amendment: N/A
  - Existing Zone: R-1
  - Proposed Zone: /
  - 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: Single family residential

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

North: Single family residential

South: "

East: "

West: "

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

To reduce the minimum lot width requirement in the R1 District from 18.288 m (60ft) to 16 m (52.49 ft) to facilitate the subdivision  
AND reduce the required front yard setback in the R1 District from 7.62 m (25 ft) to 4.6 m (15.1 ft) to legalize siting of the two existing cabins

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

Variance required as part of the subdivision application which has reached PLR status

- 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: see attached sheet for Amadeo Cortese

Applicant/Owner Signature: J Pool Joyce Pool

Date: November 22, 2021

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

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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- 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
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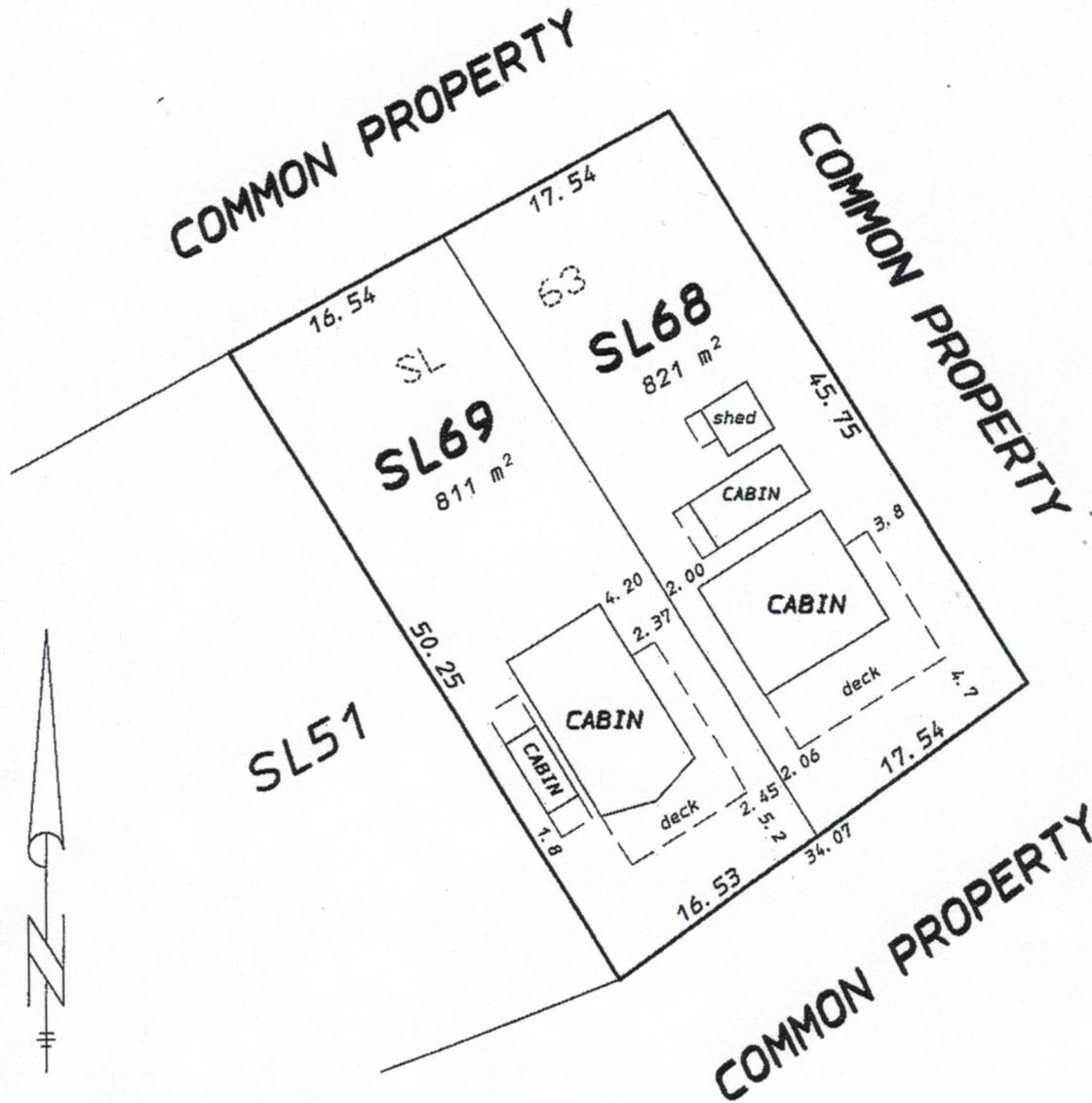
Applicant/Owner Signature: Richard [Signature] [Signature]

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

Date: \_\_\_\_\_

**PROPOSED SUBDIVISION OF STRATA LOT 63, STRATA  
PLAN 1238, DISTRICT LOT 1630, CLAYOQUOT DISTRICT**

SCALE = 1:500  
All distances are in metres.



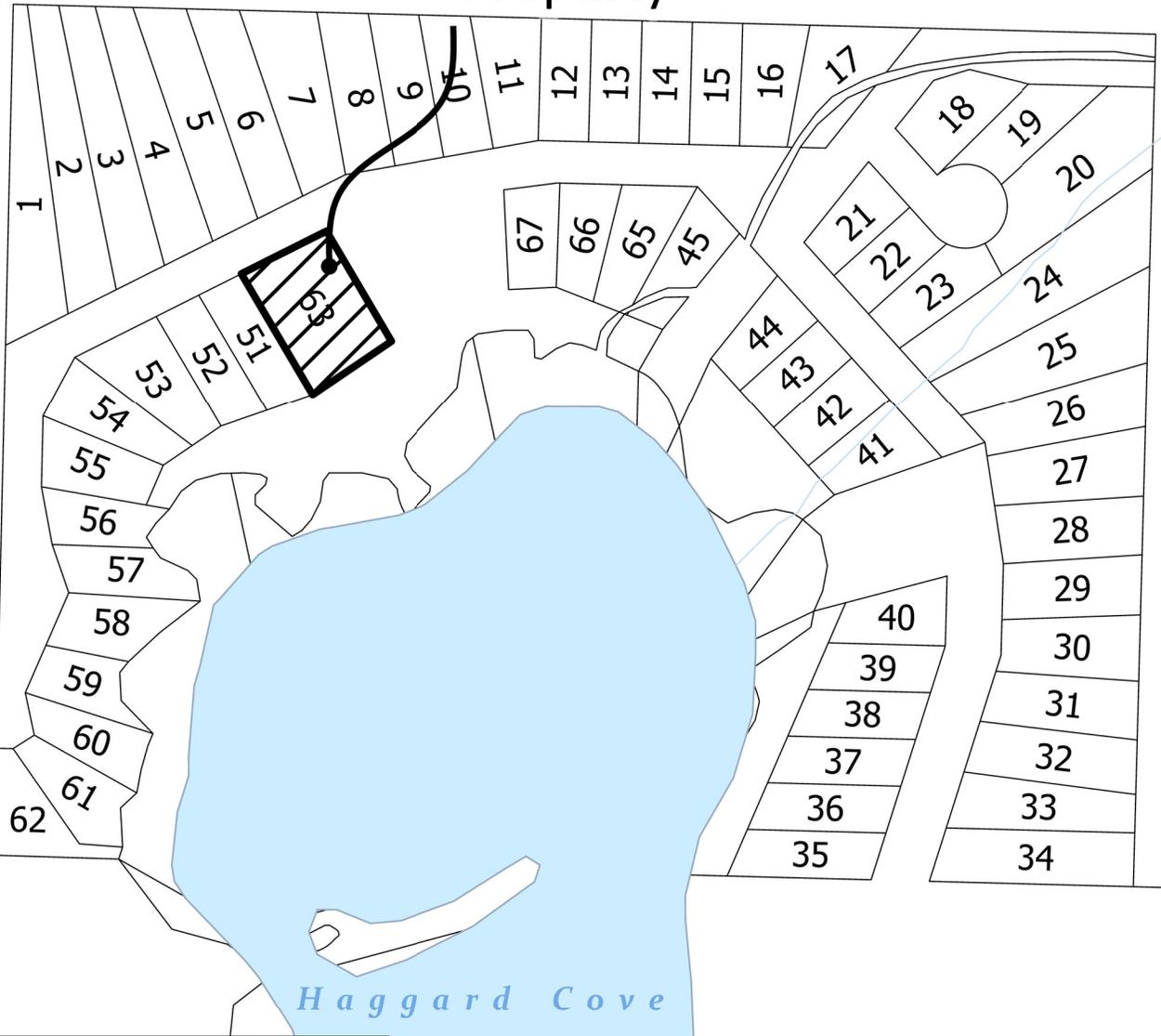
**Bennett Land Surveying Ltd. ©**

B. C. Land Surveyors & Planners  
Nanaimo, B. C.

Date: February 25, 2021.

File: CY-1630-GEN (7110.005)

# Subject Property



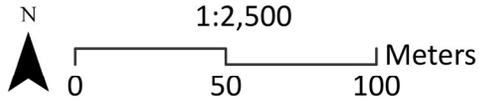
Haggard Cove

Alberni Inlet



Key Map  
City of Port Alberni

District of Ucluelet



1:2,500

Meters

P1410 – (Cortese & Pool) Strata Lot 63, Haggard Cove  
Rezoning from Tourist Commercial (C6) District to  
Single Family Residential (R1) District.



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

## MEMORANDUM

**To:** ACRD Board of Directors

**From:** Charity Hallberg Dodds, Planning Technician

**Meeting**

**Date:** January 26, 2022

**Subject:** Subdivision Application SA21005 – 0924605 BC Ltd Parcel Frontage Waiver for Proposed Subdivision on South Bamfield Road, Bamfield BC

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### Recommendation:

THAT the Board of Directors waive the 10% road frontage requirement for proposed Lots 6 and 7 as per subdivision plan of LOT 1 SECTION 18 TOWNSHIP 1 BARCLAY DISTRICT PLAN 38260 EXCEPT PART IN PLANS 45043, 46428, 47590 AND EPP63000.

### Bamfield Advisory Planning Commission (APC) Recommendation:

The Bamfield APC will consider this application at their January 13, 2022 meeting. Their recommendation will be added here following the meeting.

### Background:

The applicants intend to subdivide the 7.04 ha (17.396 ac) subject property into thirteen (13) lots that will be 0.404 ha (1 ac) or greater in size. The subject property was created by a subdivision of the parent parcel in 2016. Parkland dedication requirements were satisfied at that time.

Proposed lots 6 and 7 do not meet the ten percent (10%) road frontage as required by Section 512 of the *Local Government Act (LGA)*. Section 512(2) of the *Act* allows a local government to exempt a parcel from the 10% parcel frontage requirement by Board resolution. The proposed access is by panhandle driveways and will be reviewed and approved by the Ministry of Transportation and Infrastructure.

This subdivision proposal aligns with the policies and objectives of the Bamfield OCP and complies with ACRD zoning. Planning staff are supportive of the proposed subdivision and recommend that the 10% road frontage requirement be waived for proposed lots 6 and 7.

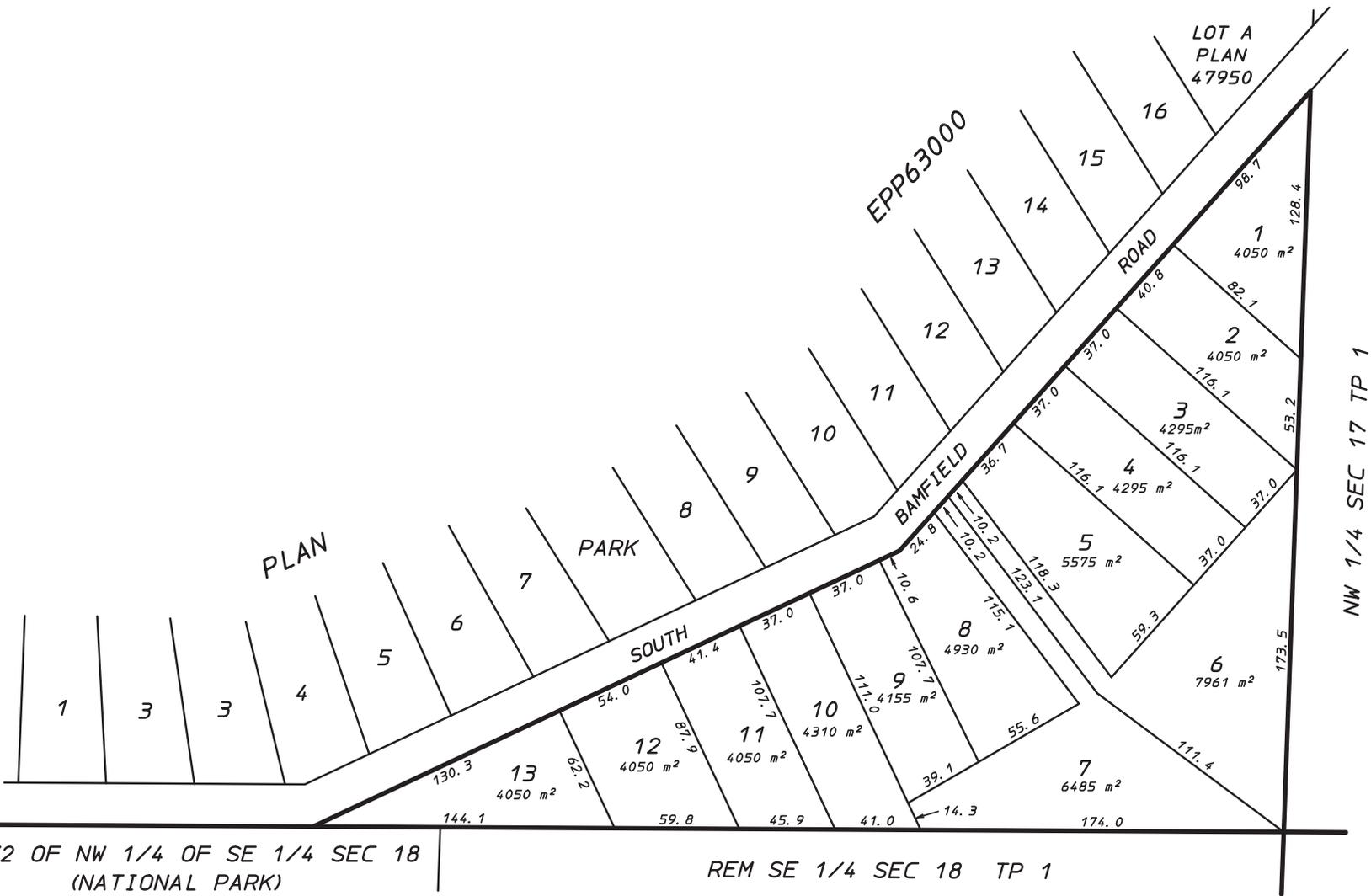
## SA21005

Submitted by: Charity Hallberg Dodds  
Charity Hallberg Dodds  
Planning Technician

Reviewed by: Michael Irg  
Mike Irg, MCIP, RPP  
GM of Planning and Development

Approved by: \_\_\_\_\_  
Daniel Sailland, MBA  
Chief Administrative Officer

**SA21005**

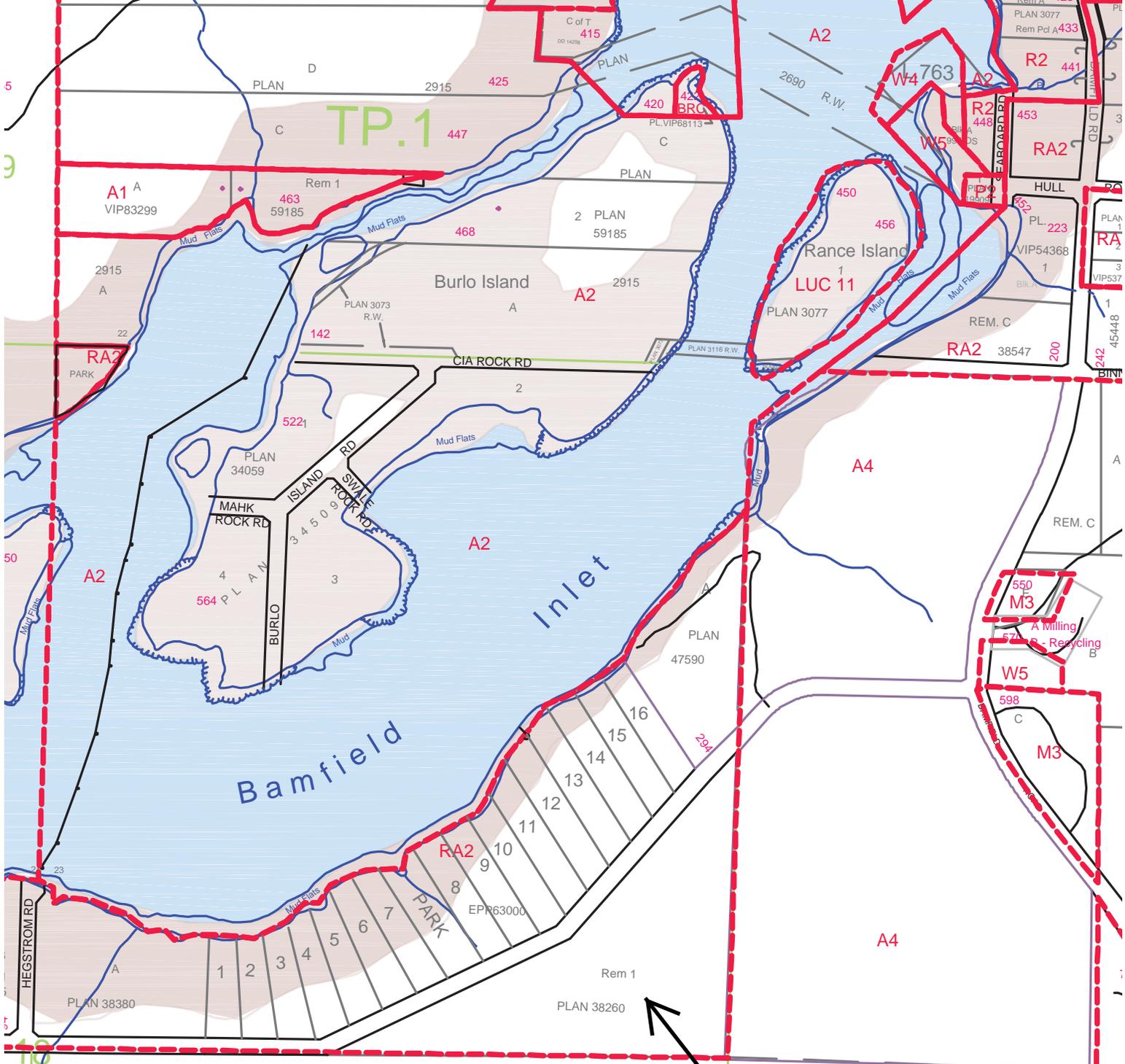


PROPOSED SUBDIVISION PLAN OF LOT 1, SECTION 18, TOWNSHIP 1, BARCLAY DISTRICT PLAN 38260, EXCEPT PART IN PLANS 45043, 46428, 47590 AND EPP63000.

**SCALE 1: 2000**  
 ALL DISTANCES ARE IN METRES.  
 ALL DIMENSIONS AND AREAS ARE SUBJECT TO FINAL SURVEY.

No.	DATE	REVISION
1	2021/01/20	
2	2021/01/25	
3	2021/01/25	
4	2021/03/25	

**SIMS ASSOCIATES**  
 LAND SURVEYING  
 222 FERN ROAD WEST  
 QUALICUM BEACH, B.C.  
 V9K 1S4  
 PHONE: (250) 752-9121  
 FAX: (250) 752-9241  
 FILE: 21-020-S  
 COMP: 21-020\_P4



W1/2 OF N1/2  
OF N1/2 OF  
SE1/4 SEC 18

**SUBJECT PROPERTY**

**SA21005 - Lot 1, Plan VIP38260, South Bamfield Road (0924605 BC Ltd)**  
 Legal Description: LOT 1 SECTION 18 TOWNSHIP 1 BARCLAY DISTRICT PLAN 38260 EXCEPT PART IN PLANS 45043, 46428, 47590 AND EPP63000