



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.

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.

Advisory Planning Commission Recommendation: The Bamfield APC considered this application on July 8, 2021 and passed a motion to concur with the staff recommendation and support the rezoning application.

Observations:

Status of Property: The 1.37 hectare (3.39 acre) property is located on the east side of

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Bamfield and is accessed from Pachena Road. There is an existing single family dwelling 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.

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

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Submitted by:



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

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

PLAN EPP_____

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 550 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 (123° 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
0.9996xxx. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED
BASED ON AN ELLIPSOIDAL ELEVATION OF xx METRES

LEGEND:

SYMBOLS	DESCRIPTION
FOUND	PLACED
	GNSS CONTROL STATION
	STANDARD IRON POST
	TRAVERSE HUB
(c)	DENOTES CALCULATED
ha	DENOTES HECTARE
m2	DENOTES SQUARE METRE(S)
NF	DENOTES NOTHING FOUND
REM	DENOTES REMAINDER
W	DENOTES WITNESS
U	DENOTES UTILITY POLE
@WM	DENOTES WATER METER
W	DENOTES WELL
A	DENOTES ANCHOR
C-ST	DENOTES SEPTIC TANK

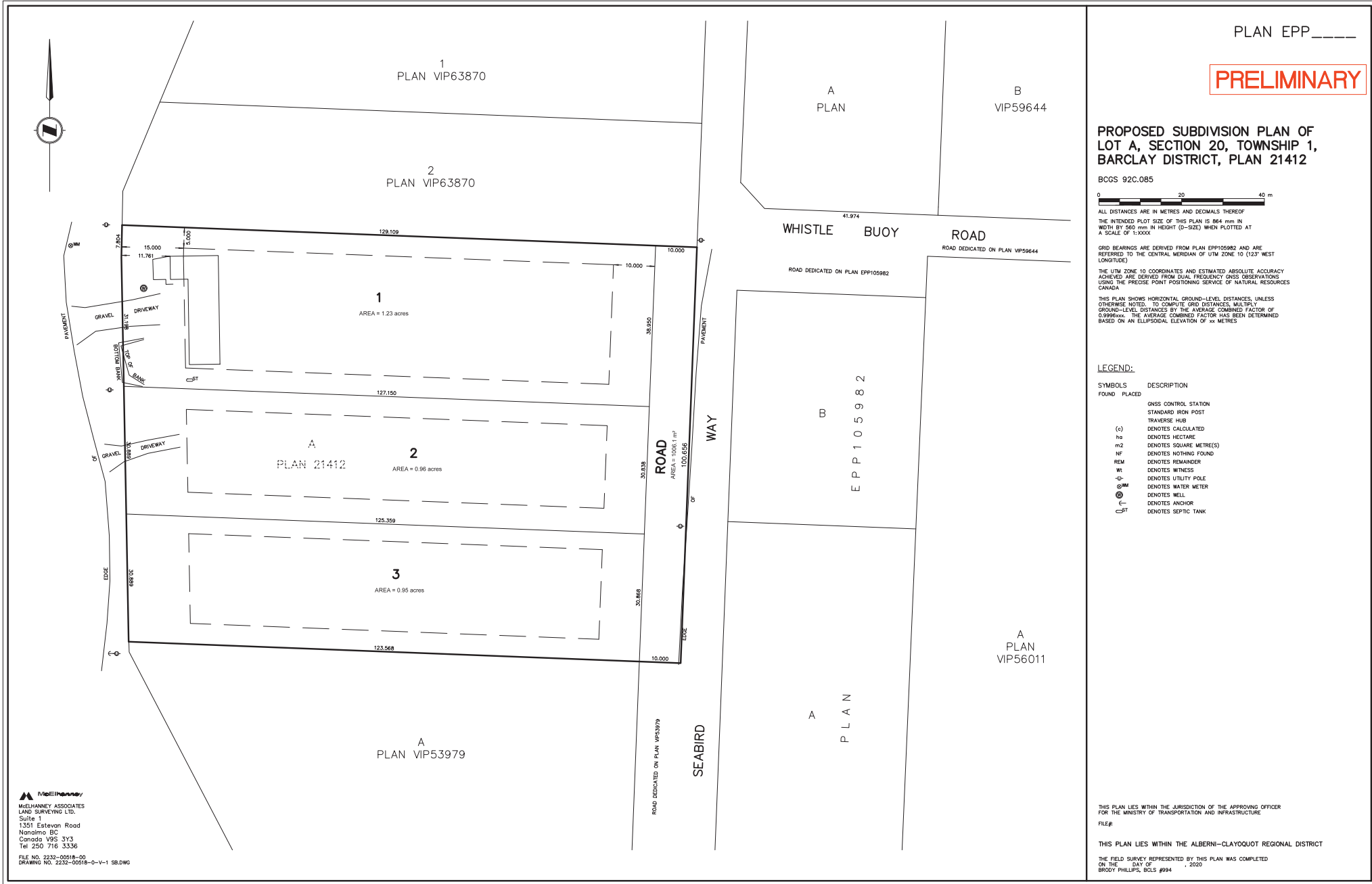
THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER
FOR THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

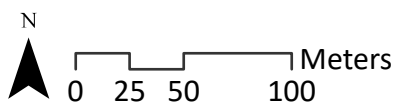
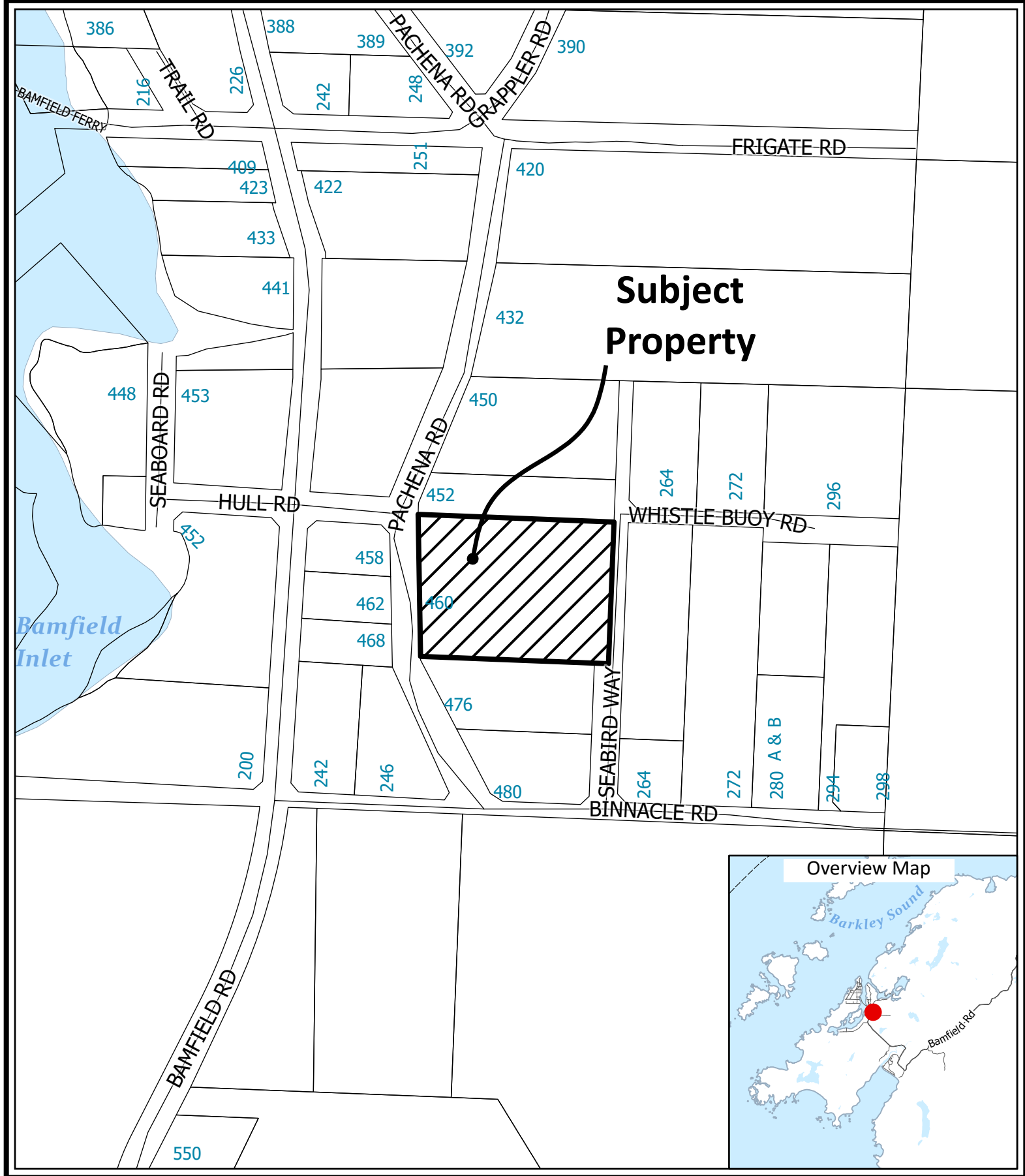
FILE#:

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

MEDHANEY 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 98.DWG





460 Pachena Road

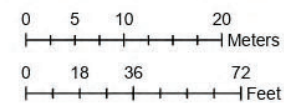
Legal Description: LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT,
PLAN 21412



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

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1435

OFFICIAL ZONING ATLAS AMENDMENT NO. 744

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the "Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a zoning bylaw after a public hearing and upon the affirmative vote of the directors in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS an application has been made to rezone a property;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the Official Zoning Atlas of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Atlas Amendment Bylaw No. P1435.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended by rezoning LOT A, SECTION 20, TOWNSHIP 1, BARCLAY DISTRICT, PLAN 21412 from Rural (A2) District to Acreage Residential (RA3) District as shown on Schedule 'A' which is attached to and forms part of this bylaw.

3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this day of ,

Public Hearing held this day of ,

Read a second time this day of ,

Read a third time this day of ,

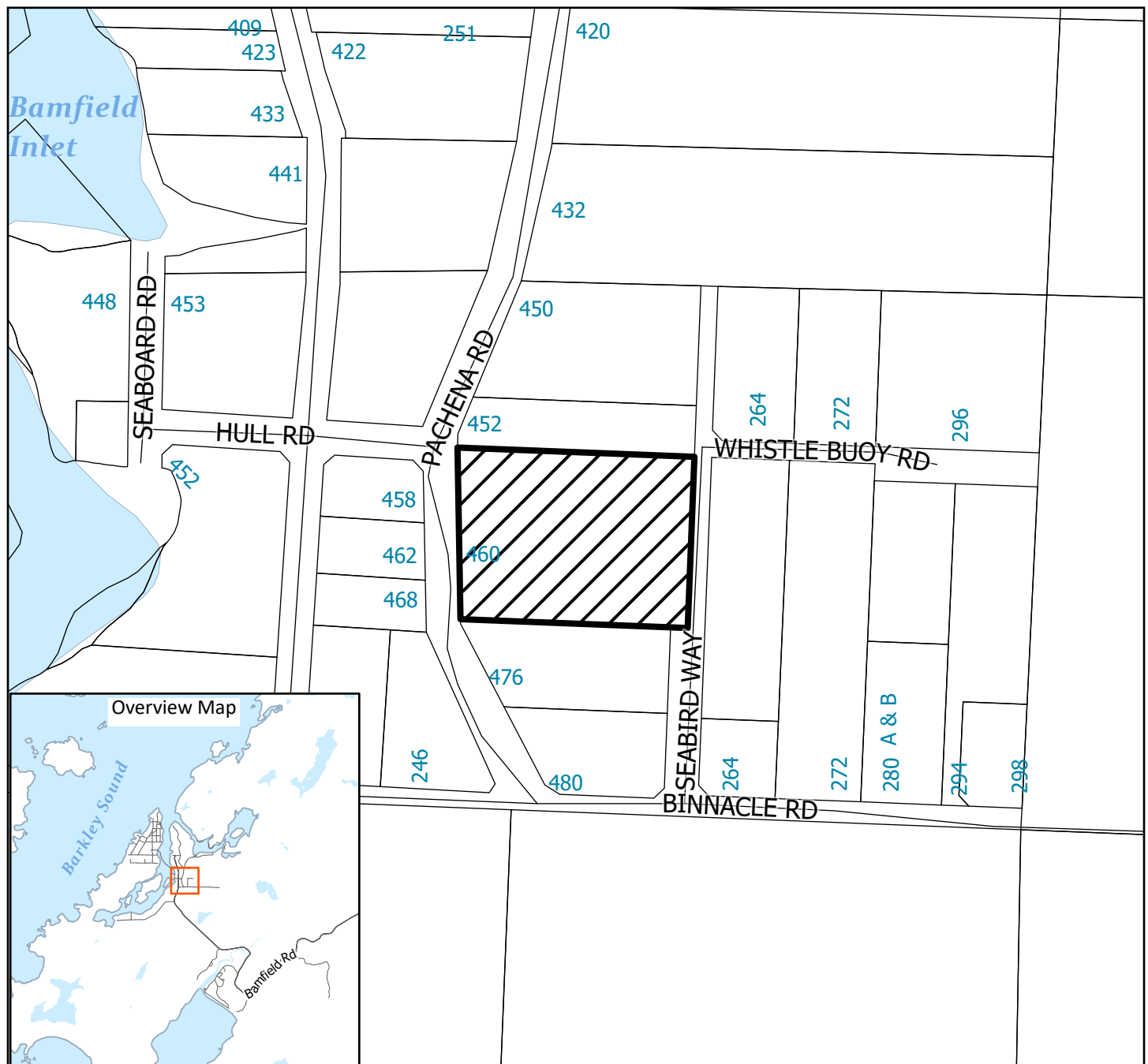
Adopted this day of ,

Chief Administrative Officer

Chair of the Regional Board

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



0 40 80 Meters



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