



July 10, 2024

## SPROAT LAKE ADVISORY PLANNING COMMISSION

A meeting has been scheduled for **Monday, July 15, 2024 at 7:00 pm.**

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

- DVD24005 – 10411 Marina Vista Drive (Don Saywell Developments Ltd.)
- TUP19020R – 8279 Dickson Drive (Curtis)
- TUP19018R – 8467 Bothwell Road (Braiden)

Your recommendations will be provided to the Board of Directors at the July 24, 2024 Board meeting.

If you have any questions or need additional information, please reach out to the ACRD Planning Department.

Phone: 250-720-2700

Email: [planning@acrd.bc.ca](mailto:planning@acrd.bc.ca)



**To:** ACRD Board of Directors

**Meeting Date:** July 24, 2024

**From:** Brooke Eschuk, Planner I

**File #:** PL20240036 / DVD24005

**Application Type:** Development Variance Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** "D" Sproat Lake

**Subject:** 10411 Marina Vista Drive (Don Saywell Developments Ltd.)

**Recommendation:**

*THAT the Board of Directors consider issuing Development Variance Permit DVD24005, subject to neighbouring properties being notified as per Local Government Act s. 499.*

Development Variance DVD24005:

- i. Development variance of the ACRD Zoning Bylaw, Schedule No. II Bulk and Site Regulations to reduce the front yard setback in the Single Family Residential (R1) District from 7.62 m (25 ft) to 4.57 m (15 ft) for an attached deck including projections.

**Development Proposal:** The applicants propose to construct a single family dwelling with a two-car garage below. The proposed dwelling includes an attached deck that extends 3.05 m (10 ft) into the required front yard setback.

**Advisory Planning Commission Recommendation:** The Sproat Lake APC will review this application and forward their recommendations to the ACRD Board.

**Property Owner/Applicant:** Don Saywell Developments Ltd.

**Property Information:**

Civic Address	10411 Marina Vista Drive						
Legal Description	STRATA LOT 3 DISTRICT LOT 204 ALBERNI DISTRICT STRATA PLAN EPS681 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V						
PID	028-853-512	Folio	01666.053	ALR? (Y/N)	N	Lot Size (ha)	0.08 (0.195 ac)
Current Zoning	Single Family Residential (R1) District	Proposed Zoning	n/a				
Current OCP	Residential Use	Proposed OCP	n/a				
Development Permit Area(s)	n/a						
Current Use & Description	The parcel is currently vacant and is situated between Marina Vista Drive and Pacific Rim Highway.						

PL20240036 / DVD24005

Surrounding Zoning and Land Use			
North	Pacific Rim Highway	South	Single Family Residential (R1) District
East	Single Family Residential (R1) District	West	Single Family Residential (R1) District

North	Pacific Rim Highway	South	Single Family Residential (R1) District
East	Single Family Residential (R1) District	West	Single Family Residential (R1) District

**Services:**

- a) **Sewage Disposal:** The parcel is connected to a communal strata sewage disposal system.
- b) **Water Supply:** The parcel is connected to a communal strata water system.
- c) **Fire Protection:** The parcel is within the Sproat Lake Fire Protection Area.
- d) **Access:** Marina Vista Drive.

**Planning Policy Discussion:**

- a) **Official Community Plan:** The property is designated as Residential Use in the Sproat Lake OCP. The Sproat Lake area contains many residential uses and lot sizes. This diversity provides for a mix of housing options. The proposed development is not affected by a development permit area.

***This proposal complies with the objectives and policies of the Sproat Lake OCP. A development permit is not required.***

- b) **Zoning:** The parcel is zoned Single Family Residential (R1) District.

	Current: R1	Proposed:
Minimum Lot Area (ha)	0.06	-
Minimum Lot Width (m)	18.2	-
<b>Principal &amp; Accessory Front Yard Setback (m)</b>	<b>7.62</b>	<b>4.57</b>
Principal Side Yard Setback (m)	1.5	-
Principal Rear Yard Setback (m)	9.1	-
Accessory Side Yard Setback (m)	3	
Accessory Rear Yard Setback (m)	3	

The ACRD Zoning Bylaw requires a 7.62 m (25 ft) front yard setback for single family dwellings in the R1 District.

***This proposal is not in compliance with the ACRD Zoning Bylaw. A development variance permit is required to reduce the front yard setback from 7.62 m (25 ft) to 4.57 m (15 ft) to facilitate the construction of an attached deck including projections.***

**Comments:**

The proposed front yard setback of 4.57 m (15 ft) would not be out of character with the newly constructed single family dwellings on Marina Vista Drive.

The shape of the parcel is the shallowest of those in the Marina Vista Drive development. The proposed building must be sited closer to the front yard setback to account for the width in the rear yard. The communal waste water disposal system is also located near the rear yard setback further limiting the potential building envelope. Staff recommend that the Board consider issuing the development variance permit following neighbourhood notification.

Reviewed by: Mike Irg  
Mike Irg, MCIP, RPP, General Manager of Planning and Development

Reviewed by: \_\_\_\_\_  
Cynthia Dick, General Manager of Administrative Services

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

## Site Photos

Taken May 10, 2024



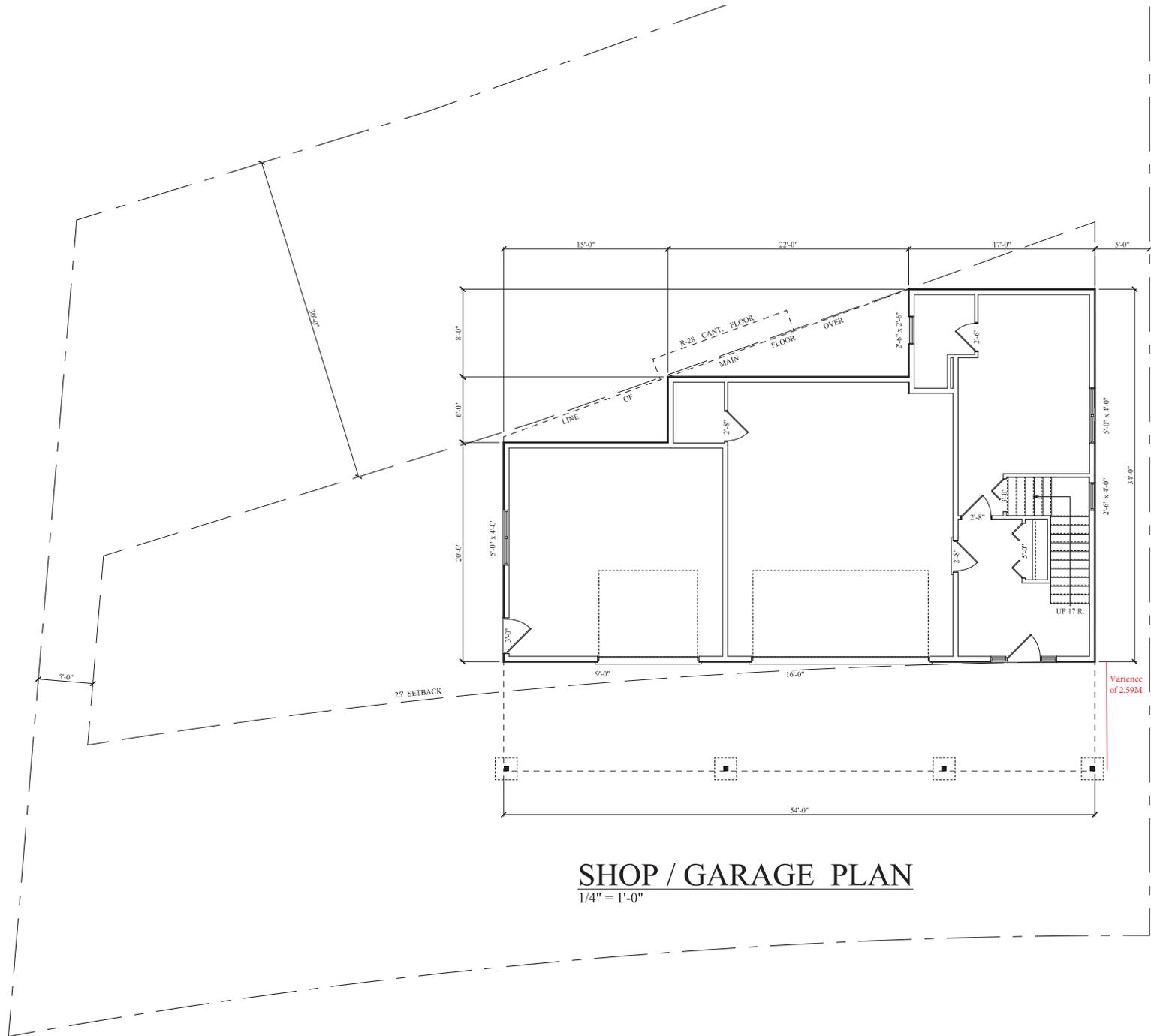
Looking Northwest from Marina Vista drive.



Looking West from Marina Vista drive along the front property line.



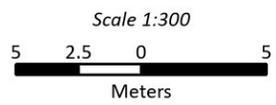
Looking East from Marina Vista drive  
along the front property line.



**SHOP / GARAGE PLAN**  
 1/4" = 1'-0"



10411 Marina Vista Drive  
STRATA LOT 3 DISTRICT LOT 204 ALBERNI  
DISTRICT STRATA PLAN



-  Subject Property
-  Parcels

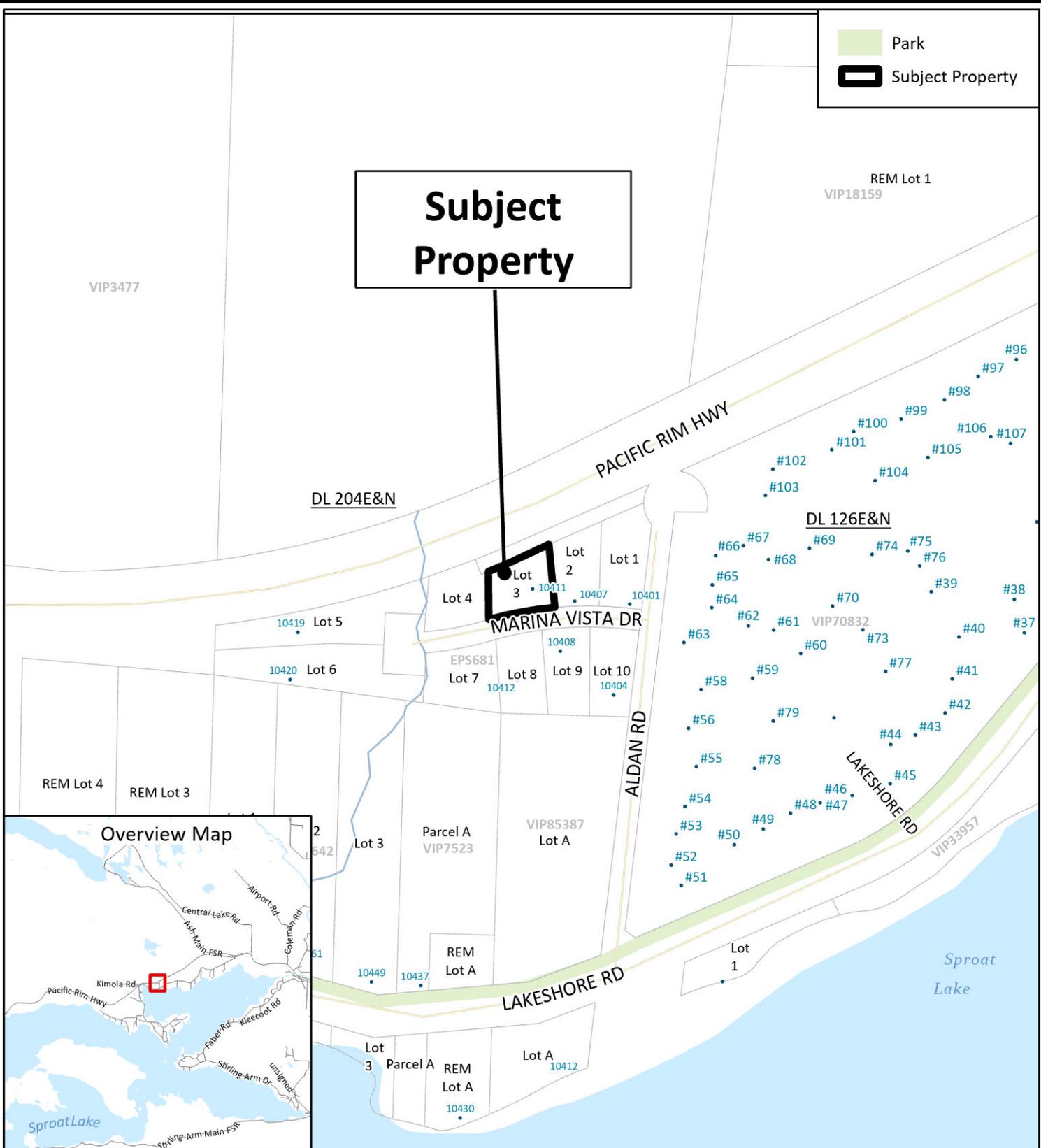


Prepared 2024-06-24  
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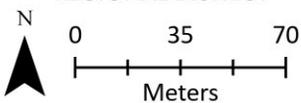
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 Park  
 Subject Property

**Subject Property**



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



Civic Address: 10411 Marina Vista Drive  
 Legal Description: STRATA LOT 3 DISTRICT LOT 204  
 ALBERNI DISTRICT STRATA PLAN EPS681 TOGETHER WITH  
 AN INTEREST IN THE COMMON PROPERTY IN  
 PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA  
 LOT AS SHOWN ON FORM V



**To:** ACRD Board of Directors

**Meeting Date:** July 24th, 2024

**From:** Brooke Eschuk, Jr. Planner

**File #:** PL20240042 / TUP19020R

**Application Type:** Temporary Use Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** 'D' Sproat Lake

**Subject:** Temporary Use Permit Application TUP19020R – 8279 Dickson Drive (Curtis)

**Recommendation:**

*THAT the Board of Directors consider Temporary Use Permit application TUP19020R subject to the following:*

- *Neighbourhood notification as per Local Government Act s. 494.*

**Development Proposal:** The property owners are applying to renew their Temporary Use Permit (TUP19020) which allows them to rent their home on a short term basis to visitors. The single family house is not the primary residence of the applicants but is typically used by the home owners throughout the year and then is available as a STR June, July and August. The applicants rent the home for longer periods during the remainder of the year.

**Advisory Planning Commission Recommendation:** The Sproat Lake APC will consider this application at their July 15<sup>th</sup>, 2024 meeting.

**Property Owner(s)/Applicant(s):** Ross and Lorraine Curtis

**Property Information:**

Civic Address	8279 Dickson Dr.						
Legal Description	AMENDED LOT 16, (DD 93068N), BLOCK 1, DISTRICT LOT 36, ALBERNI DISTRICT, PLAN 14018						
PID	004-469-381	Folio	0712.030	ALR? (Y/N)	N	Lot Size (ha)	0.32

Current Zoning	Small Holdings (A1) District	Proposed Zoning	N/A
Current OCP	Residential Use	Proposed OCP	N/A
Development Permit Area(s)	DPA – I Foreshore and Riparian Areas Protection		

Current Use & Description	The applicants have a two bedroom home located on a 0.32 ha (0.79 ac) property accessed from Dickson Road. The parcel is mostly treed and fronts onto Sproat Lake. The single family house is used by the applicants for short stays throughout the year, and is rented for longer periods over the winter and fall and spring. The applicants rent the home on a short term basis throughout the months of June, July and August. The appearance of the property is not inconsistent with neighbouring single family dwellings.
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**PL20240042 / TUP19020R**

**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, Yuułu?ił'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).*

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**Surrounding Zoning and Land Use**

North	Small Holdings (A1) District	South	Small Holdings (A1) District
East	Small Holdings (A1) District	West	Waterfront (WF1)

**Services:**

- a) **Sewage Disposal:** Onsite sewage wastewater disposal system. A septic performance assessment was completed in 2020 confirming that the system was in working order and that it is capable of accommodating sewage disposal for a two-bedroom house.
- b) **Water Supply:** Onsite water system.
- c) **Fire Protection:** The parcel is within the Sproat Lake Fire Protection Area.
- d) **Access:** The parcel is accessed from Dickson Drive.

**Planning Policy Discussion:**

- a) **Official Community Plan:** The parcel is designated as Residential Use in the Sproat Lake Official Community Plan (OCP). This designation provides for a range of residential uses and housing types including vacation rentals, recreational properties, small lots, and acreages.

Although the property owners do not utilize the home as their primary residence, they have continued to adhere to the ACRD short term rental rules by obtaining a temporary use permit. The current application seeks to renew TUP19020 which was originally issued in August 2020. No development is planned for the property and a development permit to satisfy the requirements of DPA I will not be required as part of the TUP renewal application.

***This proposal generally complies with the requirements of the Sproat Lake Official Community Plan. The OCP supports the consideration and issuance of TUPs in all land use designations for a period of up to three years.***

**b) Zoning:**

The parcel is zoned Small Holdings (A1) District. This district supports rural residential and agricultural uses. The parcels on this section of Dickson Drive are generally more consistent with the RA3 district when comparing lot sizes. Setbacks in the RA3 zone are slightly larger than those of A1.

	Current: A1
Minimum Lot Area (ha)	0.8 ha
Minimum Lot Width (m)	50.2
Principal & Accessory Front Yard Setback (m)	7.6
Principal Side Yard Setback (m)	1.5
Principal Rear Yard Setback (m)	9.1
Accessory Side Yard Setback (m)	0.9
Accessory Rear Yard Setback (m)	0.9
Watercourse Setback (m)	30

***The short term rental use is not consistent with the ACRD Zoning Bylaw. The applicant is applying to renew their Temporary Use Permit to continue renting their single family dwelling on a short term basis.***

**Temporary Use Permit Conditions:**

The Temporary Use Permit to allow the short term rental of the property located at 8279 Dickson Drive may be issued subject to the following conditions and any other conditions that the ACRD Board of Directors deem appropriate at the time of issuance:

1. This permit is issued to allow the short term rental (STR) of a two (2) bedroom single family house with a maximum of four (4) guests at any one time located at 8279 Dickson Drive.
2. The STR use of the property shall not change the residential appearance of the single family dwelling.
3. The property owner must indicate that a caretaker can attend the property within 20 minutes.
4. The contact information of the owner or caretaker and a copy of the TUP must be posted in a location visible to the public.
5. This permit is valid for a term of three (3) years from the date of execution.
6. At the time the permit expires, the property owner may apply to renew the TUP, apply to rezone the parcel, or return the property to the original use permitted under the current zoning bylaw.
7. If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

**Comments:**

The applicants have provided staff with the required documentation to support their renewal application. This is an application to renew the TUP that was originally issued in August 2020. The applicants previously supplied their renter welcome package which includes safety information, rental etiquette, contact information, and visitor information. To date, Planning staff are not aware of any complaints regarding the operation of the STR.

Staff recommend that the ACRD Board consider renewing Temporary Use Permit TUP24003, subject to neighbouring properties being notified as per *Local Government Act Section 494*.

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

Reviewed by: \_\_\_\_\_  
Cynthia Dick, General Manager of Administrative Services

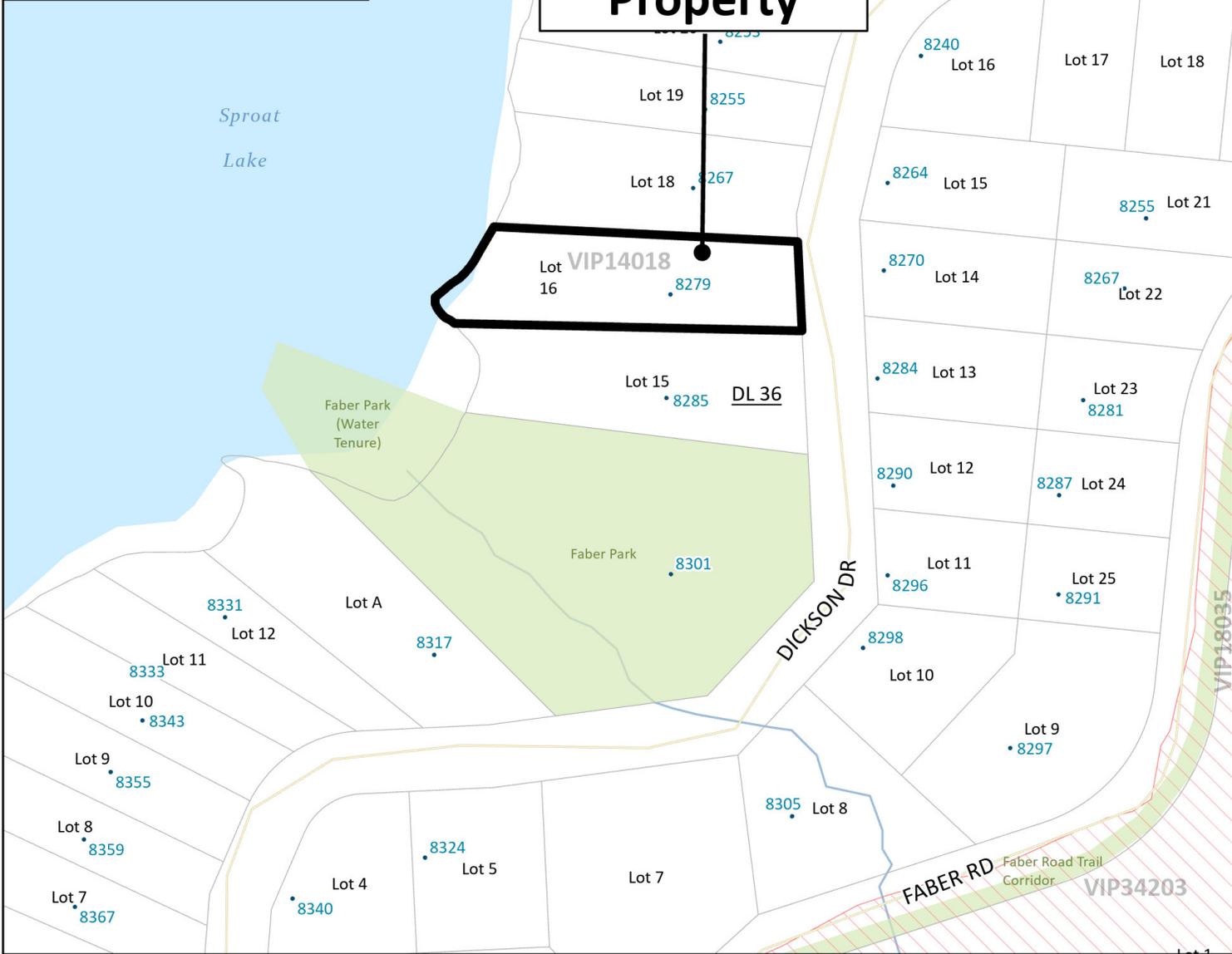
Reviewed by: \_\_\_\_\_  
Daniel Sailland, MBA, Chief Administrative Officer



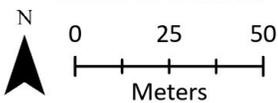


 Agricultural Land Reserve  
 Park  
 Subject Property

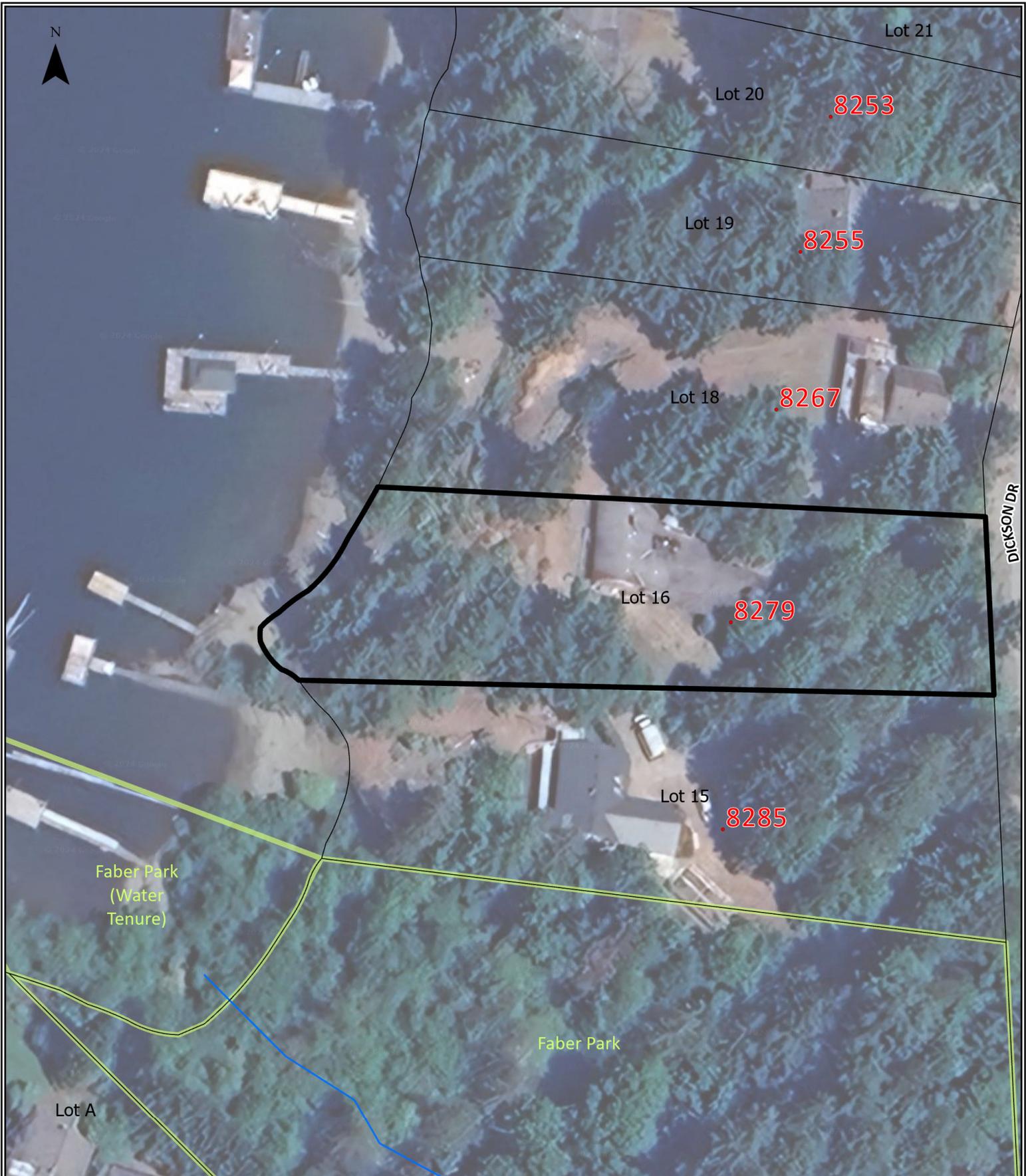
**Subject Property**



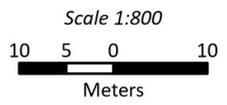
ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



Civic Address: 8279 Dickson Dr.  
 Legal Description: AMENDED LOT 16, (D.D.93068N), BLOCK 1,  
 DISTRICT LOT 36, ALBERNI DISTRICT, PLAN 14018.



8279 Dickson Dr.  
 AMENDED LOT 16, (D.D.93068n), BLOCK 1, DISTRICT  
 LOT 36, ALBERNI DISTRICT, PLAN 14018



- Subject Property
- AV Stream Atlas
- Parcels
- Park



Prepared 2024-05-10  
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**To:** ACRD Board of Directors

**Meeting Date:** July 24<sup>th</sup>, 2024

**From:** Brooke Eschuk, Jr. Planner

**File #:** PL20240053 / TUP19018R

**Application Type:** Temporary Use Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** 'D' Sproat Lake

**Subject:** Temporary Use Permit Renewal Application – 8467 Bothwell Road (Braiden)

**Recommendation:**

*THAT the Board of Directors consider Temporary Use Permit renewal application TUP19018R subject to the following:*

- *Neighbourhood notification as per Local Government Act s. 494.*

**Development Proposal:** The applicant received a Temporary Use Permit in August 2020 to operate a 350 square foot studio cabin on their property as short term rental accommodation and is seeking to renew the TUP. A renewal will allow the continued rental of the cabin for a period of three years.

**Advisory Planning Commission Recommendation:** The Sproat Lake APC will consider this application at their July 15<sup>th</sup>, 2024 meeting.

**Property Owner(s)/Applicant(s):** Catherine Braiden

**Property Information:**

Civic Address	8467 Bothwell Road						
Legal Description	DISTRICT LOT 41, ALBERNI DISTRICT, EXCEPT PLANS 1191, 1880, 14018, AND 29251						
PID	008-421-226	Folio	0781.002	ALR? (Y/N)	N	Lot Size (ha)	1.6

Current Zoning	Acreage Residential (RA1) District	Proposed Zoning	N/A
Current OCP	Residential Use	Proposed OCP	N/A
Development Permit Area(s)	DPA I – Foreshore and Riparian Areas Protection minor (15m) DPA I – Foreshore and Riparian Areas Protection major (30m)		
Current Use & Description	The 1.6 ha (4.22 ac) parcel is mostly treed and accessed by a long driveway. The cabin is not visible from the road or neighbouring parcels. The applicant resides at the property full time and rents a 350 square foot studio (2 guest) cabin on a short term basis. The parcel is affected by DPA I 15m and 30m, however no additional development is proposed as part of this renewal application.		

Surrounding Zoning and Land Use			
North	Acreage Residential (RA1) District	South	Acreage Residential (RA1) District
East	Acreage Residential (RA1) District	West	Acreage Residential (RA1) District

PL20240053 / TUP19018R

**Services:**

- a) **Sewage Disposal:** Onsite sewage wastewater disposal system. The applicant has provided documentation indicating the onsite wastewater disposal system is sufficient.
- b) **Water Supply:** Onsite water system. The applicant draws water from Sproat Lake.
- c) **Fire Protection:** The parcel is included in the Sproat Lake Fire Protection Area.
- d) **Access:** The parcel is accessed from Bothwell Road.

**Planning Policy Discussion:**

- a) **Official Community Plan:** The parcel is designated as Residential Use in the Sproat Lake Official Community Plan (OCP). This designation provides for a range of residential uses and housing types including vacation rentals, recreational properties, small lots, and acreages. No development is proposed within the development permit areas identified on the property.

***This proposal generally complies with the requirements of the Sproat Lake Official Community Plan. The OCP supports the consideration and issuance of TUPs in all land use designations for a period of up to three years.***

b) **Zoning:**

	Current: RA1
Minimum Lot Area (ha)	0.16
Minimum Lot Width (m)	27.4
Principal & Accessory Front Yard Setback (m)	12.1
Principal Side Yard Setback (m)	4.5
Principal Rear Yard Setback (m)	9.1
Accessory Side Yard Setback (m)	0.9
Accessory Rear Yard Setback (m)	0.9
Watercourse Setback (m)	30

***The applicant intends to continue operating an STR on the property currently zoned RA1. The intended use is not permitted and as such the property owner is applying to renew the Temporary Use Permit. If the application is successful, the TUP renewal may be granted for up to three years. When the term ends, the property owner has the option to apply to renew the TUP, apply for a zoning bylaw amendment, or return the parcel to those uses specified in the RA1 district.***

**Temporary Use Permit Conditions:**

The Temporary Use Permit to allow the short term rental of an existing cabin may be issued subject to the following conditions and any other conditions that the ACRD Board of Directors deem appropriate at the time of issuance:

1. This permit is issued to allow the short term rental (STR) of a 350 square foot studio cabin located on the applicant's property at 8467 Bothwell Road.
2. The STR is limited to an occupancy of two (2) guests at one time.
3. The STR use is limited to the existing Accessory Dwelling Unit (Cabin) on the subject property.
4. The owner or caretaker must live onsite or be able to attend the property within 20 min.
5. Contact information for the owner or caretaker and a copy of the TUP must be visible in a public location.
6. This permit is valid for a term of three (3) years from the date of execution.
7. At the time the permit expires, the property owner may apply to renew the TUP, apply to rezone the parcel, or

return the property to the original use permitted under the current zoning.

8. If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

**Comments:**

The proposed short term rental will not remove long term rental units from the Sproat Lake community. The application is to renew the TUP issued in August 2020. The applicants have provided staff with the required documentation to support their application, including confirmation of the on-site sewage system being capable of supporting a typical occupancy of the house and ADU. Parking is also available for guests. To date, Planning staff are not aware of any complaints regarding the rental.

Staff recommend that the ACRD Board consider issuing Temporary Use Permit TUP19018R, subject to neighbouring properties being notified as per *Local Government Act Section 494*.

Reviewed by: *Alex Dyer*  
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: \_\_\_\_\_  
Cynthia Dick, General Manager of Administrative Services

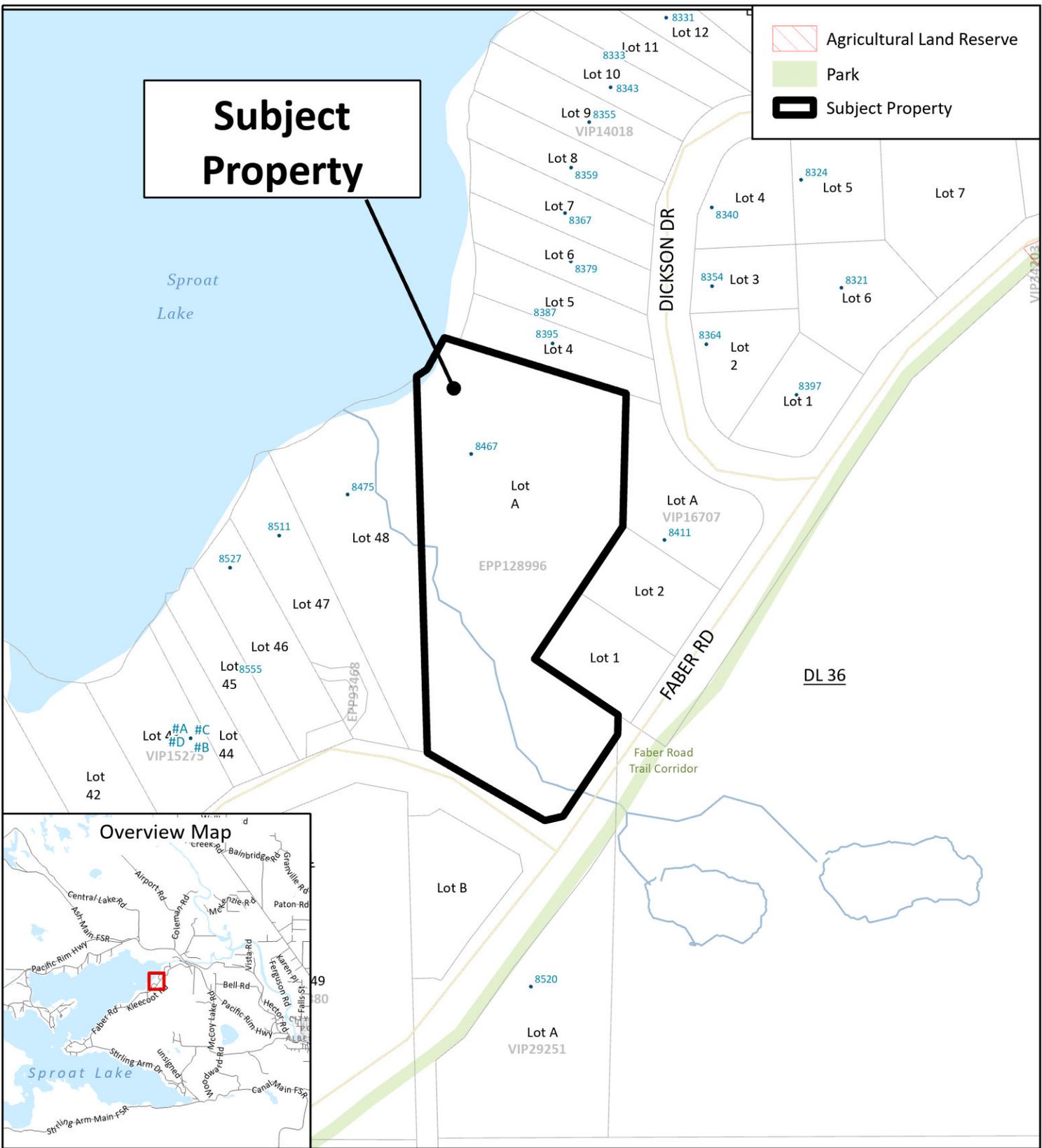
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Daniel Sailland, MBA, Chief Administrative Officer



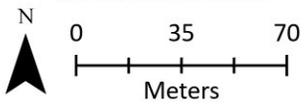
Proposed STR for renewal – Max two guests, 350 sf.

# Subject Property

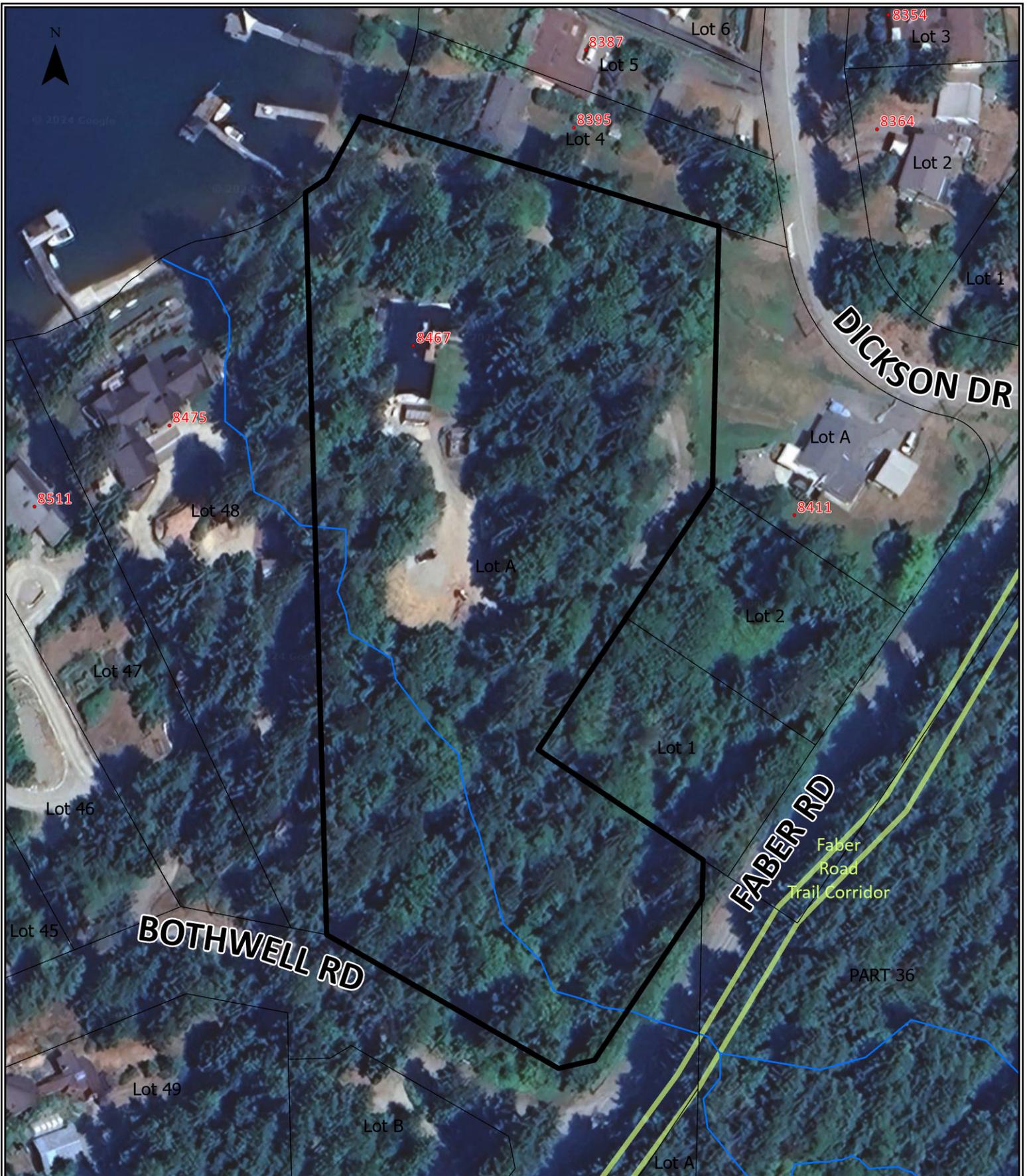
-  Agricultural Land Reserve
-  Park
-  Subject Property



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

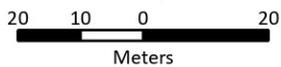


 Civic Address: 8467 Bothwell Road  
 Legal Description: LOT A DISTRICT LOT 41 ALBERNI  
 DISTRICT PLAN EPP128996



8467 Bothwell Road  
 LOT A DISTRICT LOT 41 ALBERNI DISTRICT PLAN  
 EPP128996

Scale 1:1,200

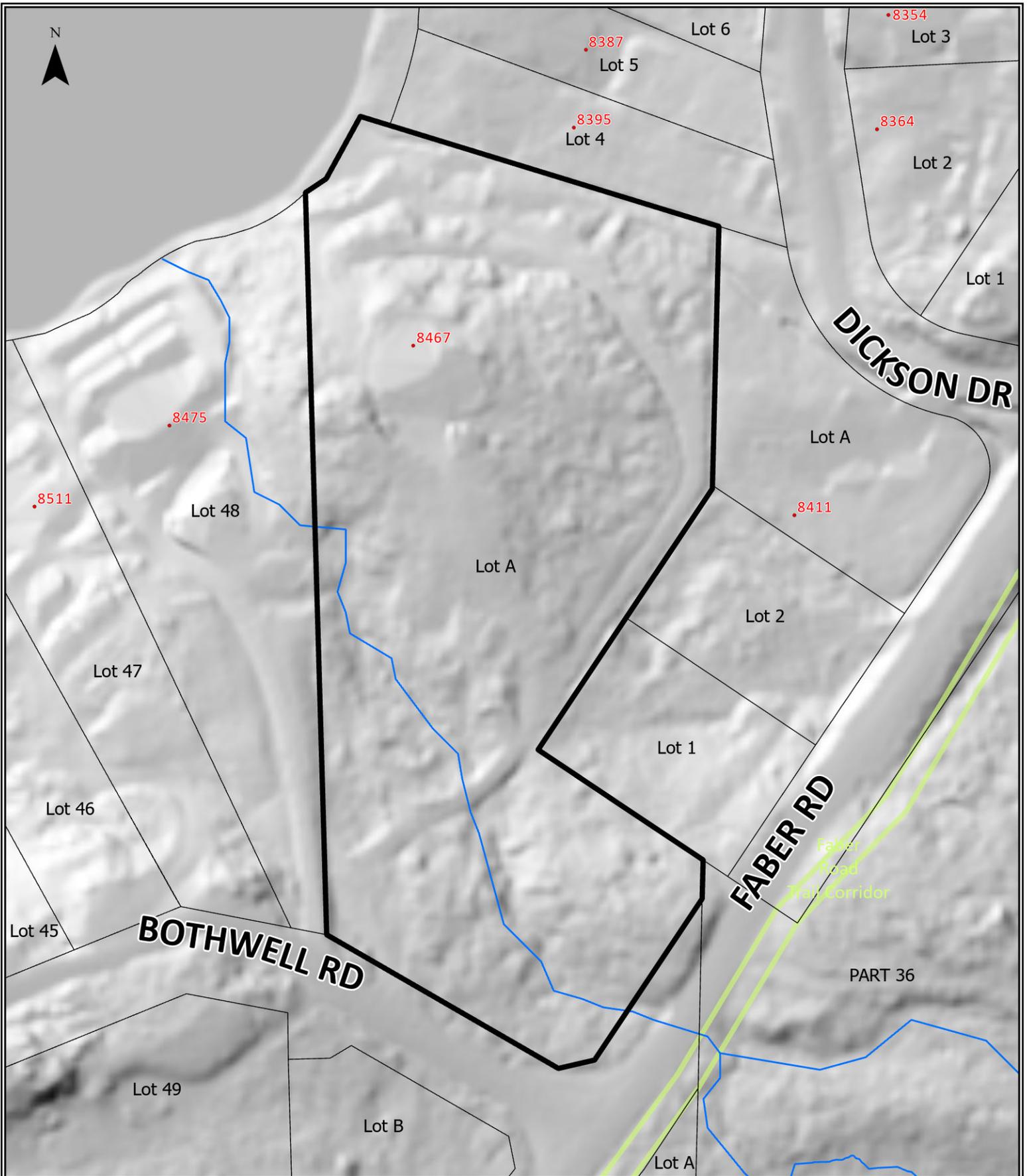


-  Subject Property
-  AV Stream Atlas
-  Parcels
-  Park



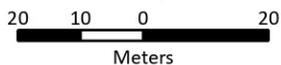
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8467 Bothwell Road  
 LOT A DISTRICT LOT 41 ALBERNI DISTRICT PLAN  
 EPP128996

Scale 1:1,200



-  Subject Property
-  AV Stream Atlas
-  Parcels
-  Park



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 Sources: ParcelMapBC; GeoBC;  
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