



NOTICE OF TEMPORARY USE PERMIT

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

MEETING DETAILS

When: July 26, 2023 at 1:30 pm

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

WHAT'S THIS ABOUT?

File #: TUP18019

Property Owner(s)/Applicant(s): Scott and Michelle MacDonald

The subject property is located at 70 Sutton Road and is legally described as LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050.

The property owner has applied for a Temporary Use Permit renewal to continue operation of a short term vacation rental in a portion of a single family dwelling for a term of three (3) years.

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 www.acrd.bc.ca/events/26-7-2023/.

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 watch 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/26-7-2023/.

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 **10:00 am on July 26, 2023**. Submissions provided after this time will not be considered by the Board before issuing the temporary use permit

Alternatively, if you wish to present your views to the Board in person, please contact Wendy Thomson, General Manager of Administrative Services, before **4:30 pm on July 20, 2023** at admin@acrd.bc.ca or by phone 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

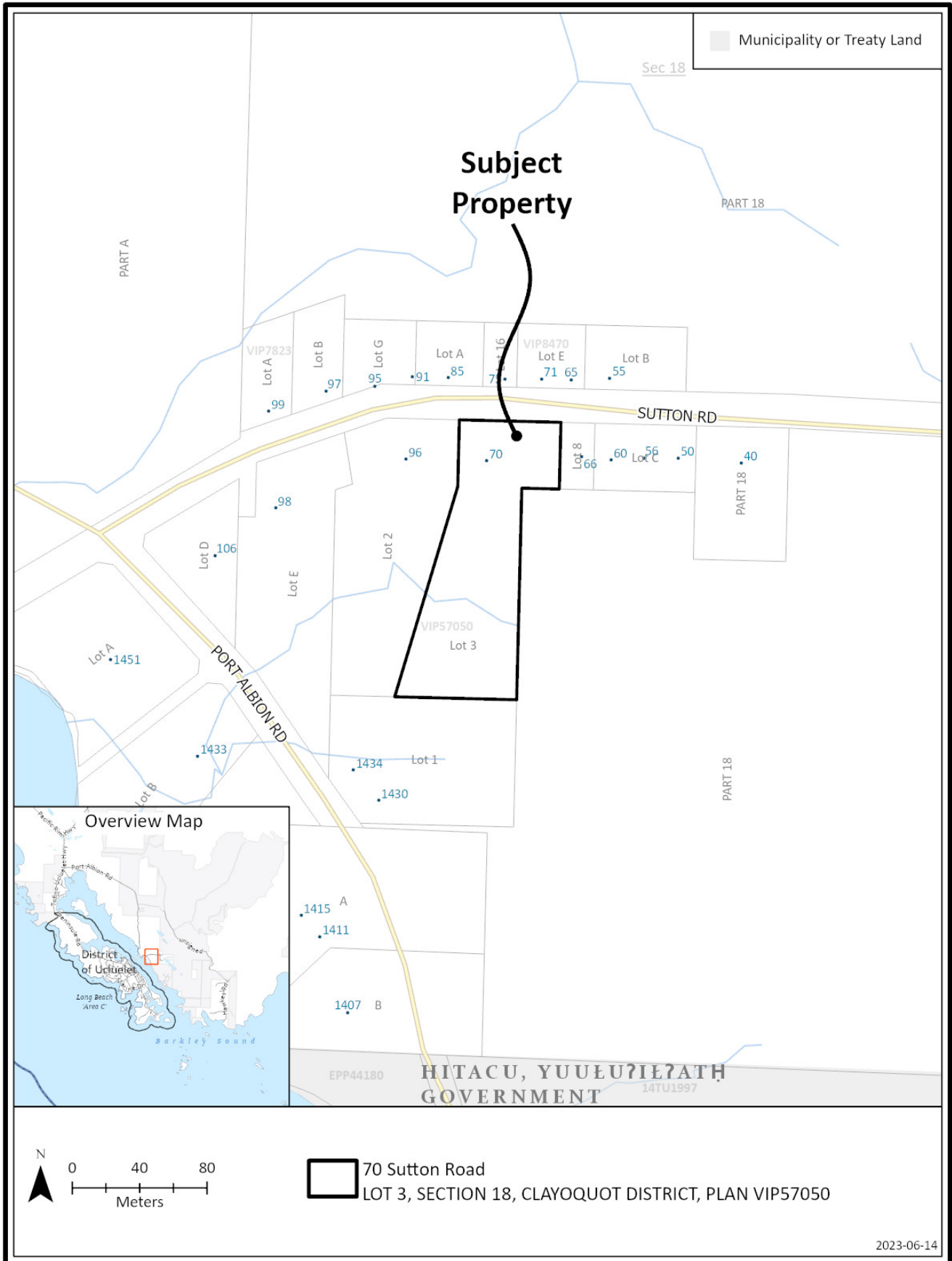
3008 Fifth Avenue

Port Alberni, BC V9Y 2E3

Phone: 250-720-2700

Email: planning@acrd.bc.ca

SUBJECT PROPERTY MAP



2023-06-14



To: ACRD Board of Directors

Meeting Date: June 28, 2023

From: Amy Needham, Sustainability Planner

File #: PL20180086/TUP18019R

Application Type: Temporary Use Permit (TUP) Renewal

Electoral Area: 'C' Long Beach

Development Proposal: The property owners have applied for a TUP renewal to continue operation of a short term vacation rental in a portion of a single family dwelling located at 70 Sutton Road.

Recommendation:

THAT the Board of Directors consider issuing a three-year renewal of Temporary Use Permit TUP18019, subject to neighbouring properties being notified as per Local Government Act s. 494.

Advisory Planning Commission Recommendation: The Long Beach APC reviewed this application at their meeting on June 20, 2023. A motion passed to support staff's recommendation with all in favour.

Property Owner(s)/Applicant(s): John (Scott) & Michelle MacDonald

Property Information:

Civic Address	70 Sutton Road						
Legal Description	LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050						
PID	018-359-141	Folio	3182.013	ALR? (Y/N)	No	Lot Size	0.9 ha (2.3 ac)

Current Zoning	Small Holdings (A1) District	Proposed Zoning	N/A
Current OCP	Residential Use	Proposed OCP	N/A

Development Permit Area(s)	DPA II – Freshwater Riparian Areas Protection
----------------------------	---

Current Use & Description	The subject property is 0.9 hectares (2.3 acres) in size, mostly flat, and treed except for the area around the existing house, shop, and driveway. There is a watercourse which bisects the middle of the property. The house is located in the northern portion of the lot, facing Sutton Road, with the shop located to the southeast. To the north, across Sutton Road, are smaller residential lots, to the east are other residential lots and a large rural lot, to the south is a residential lot with an existing short term rental unit (TUP18012), and to the west is a similar residential lot.
---------------------------	---

Surrounding Zoning and Land Use			
North	Small Holdings (A1) District	South	Forest Rural (A3) District
East	Small Holdings (A1) District & Forest Rural (A3) District	West	Small Holdings (A1) District

PL20180086/TUP18019R

Services:

- a) **Sewage Disposal:** Onsite sewage disposal. A septic inspection report from a ROWP was submitted on December 17, 2018 that confirms the septic system is fully functioning and able to service the short term rental unit.
- b) **Water Supply:** Onsite water
- c) **Fire Protection:** None
- d) **Access:** From Sutton Road.

Planning Policy Discussion:

- a) **Official Community Plan:** The South Long Beach OCP designates the property as ‘Residential Use.’ The Residential designation in the OCP supports a number of uses, including single family residential, bed and breakfast accommodation and a second dwelling subject to regulation by the ACRD Zoning Bylaw.

The OCP designates a Development Permit Area (DPA) that impacts development on this property: “Development Permit Area II – Freshwater Riparian Areas Protection.” This DPA is intended to minimize negative environmental impacts from development activities. The issuance of this TUP renewal will not trigger DPA requirements as it will not result in any new development.

This proposal complies with the policies and objectives of the South Long Beach OCP.

- b) **Zoning:** The property is zoned Small Holdings (A1) District. This zoning designation does not allow short term vacation rentals, but the proposed TUP renewal would address this non-compliance and allow the STR use to continue on a temporary basis.

	Current:	Proposed:
Minimum Lot Area (ha)	0.8	n/a
Minimum Lot Width (m)	50	n/a
Principal & Accessory Front Yard Setback (m)	7.6	n/a
Principal Side Yard Setback (m)	1.5	n/a
Principal Rear Yard Setback (m)	9	n/a
Accessory Side Yard Setback (m)	4.5	n/a
Accessory Rear Yard Setback (m)	4.5	n/a
Watercourse Setback (m)	30.5	n/a

Under Section 493 of the *Local Government Act*, the Regional District may issue a Temporary Use Permit, by resolution, in areas designated in an Official Community Plan. Where a TUP is designated in an OCP, the Regional District must give notice to the public in accordance with the requirements of the *Act*, which includes notifying the neighbouring property owners and tenants, and publishing a notice in the newspaper. The South Long Beach OCP was amended by Bylaw P1447 in April 2023, which increased the time period for which a Temporary Use Permit may be considered within the OCP area from two (2) years to three (3) years. The TUP renewal application is proposed to proceed for a three-year time period.

The original TUP was issued in 2019 and, in order to keep operating this short term rental, must now be renewed for up to three years. After this renewal time expires, the property owner must apply to rezone the property to allow for the continued use or discontinue the specified use. A Short Term Vacation Rental Temporary Use Permit Policy was adopted by the Board on January 24, 2018, which specifies regulatory areas, notification requirements, terms and renewals, criteria for evaluation, and conditions that the permit is subject to.

PL20180086/TUP18019R

The intended use is not permitted by the current A1 zoning. If approved, the TUP renewal would allow continued operation of the STR, under specific conditions, for the three-year term of the renewal.

Comments:

This TUP application is a renewal of TUP18019, issued in March 2019. The applicant wishes to continue the use of the two bedroom accessory dwelling unit (ADU) as a STR. The applicant provided staff with all required documentation with their initial application, including a site plan, documents detailing sewer system capacity, and other relevant information that appear to satisfy policy conditions. Since the original TUP application, the South Long Beach OCP has been amended to support Accessory Dwelling Units in the OCP area on lots within a 0.4 hectare (1 acre) minimum lot size.

As the lot is heavily treed and the owners live on site in an attached dwelling, disturbance to neighbours is expected to be minimal. No neighbourhood issues have been raised with the ACRD during the time this short-term rental has been operating.

Planning staff are supportive of the site continuing to be used as a STR and recommend proceeding with neighbour notification per Section 494 of the *Local Government Act*.

Amy Needham

Submitted by: Amy Needham, P. Ag, Sustainability Planner

Alex Dyer

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

Daniel Sailland

Approved by: Daniel Sailland, MBA, Chief Administrative Officer

■ Municipality or Treaty Land

Sec 18

Subject Property

PART 18

PART A

VIP7823
Lot A
.99

Lot B
.97

Lot G
.95

Lot A
.91

Lot A
.85

Lot B
.75

VIP8470
Lot E
.71 .65

Lot B
.55

SUTTON RD

Subject Property
Lot 3
VIP57050
.70

Lot 8
.66

Lot C
.60

Lot C
.56

Lot C
.50

PART 18
.40

.98

Lot D
.106

Lot 2
.96

Lot A
.1451

PORT ALBION RD

.1433

Lot 1
.1434

.1430

PART 18

Overview Map

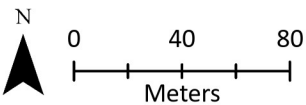


.1415 A
.1411

.1407 B

EPP44180

HITACU, YUULU?IE?ATH
GOVERNMENT
14TU1997



70 Sutton Road
LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050



SUTTON RD

N

96

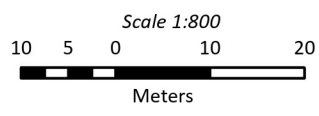
70

66

60

70 Sutton Road
LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050

 Subject Property



Prepared 2023-06-14
Sources: © OpenStreetMap
(and) contributors, CC-BY-SA;
ParcelMapBC; GeoBC; ACRD

This product is intended for general reference use only and should not be used for navigation or legal purposes.



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

TEMPORARY USE PERMIT NO. TUP18019R

Whereas, pursuant to Section 493 of the *Local Government Act*, a local government may by resolution, on application of a property owner, issue a temporary use permit;

A Temporary Use Permit renewal is hereby issued to:

Name: John (Scott) and Michelle MacDonald

Address: 70 Sutton Road, Port Albion

With respect to:

Legal Description: LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050

PID: 018-359-141

The Regional District of Alberni-Clayoquot hereby issues a Temporary Use Permit renewal to Scott and Michelle MacDonald with respect to the property legally described as LOT 3, SECTION 18, CLAYOQUOT DISTRICT, PLAN VIP57050 subject to the following conditions:

1. This permit is issued for the operation of a 2 bedroom short term vacation rental unit at the subject property.
2. The rental unit is limited to the existing suite within the single family dwelling on the subject property.
3. The rental unit shall not change the residential appearance of the single family dwelling.
4. The owner or a caretaker must reside on site during operation of the rental unit, or be available within 20 minutes.
5. Contact information for the owner or caretaker and a copy of the TUP must be visible in a public location.
6. This renewal is valid for three (3) years from the date of execution.
7. At the time this permit expires, the property owner must return the property to a use permitted under the current zoning or apply to rezone their property to a zone that permits the operation of a STR on a permanent basis or under certain parameters.
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.

In accordance with the provision of Section 493 of the *Local Government Act*, approval of this permit was given by resolution of the Regional District of Alberni-Clayoquot Board of Directors on _____, 2023.

This permit was issued under the seal of the Regional District of Alberni-Clayoquot on _____, 2023.

Daniel Sailland, MBA
Chief Administrative Officer

Chair of the Regional Board

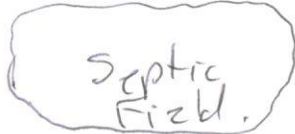
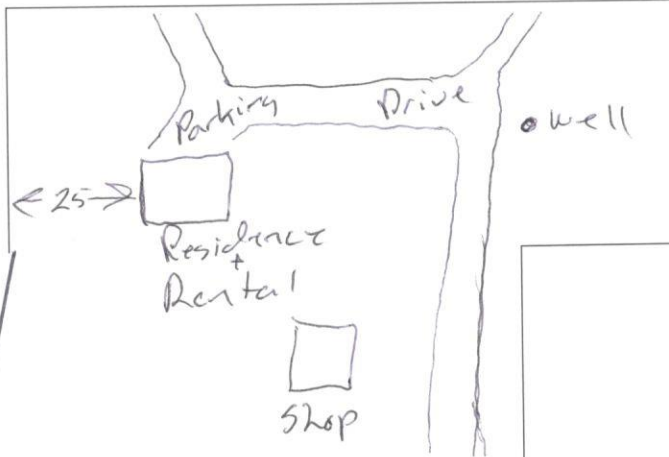
TUP18019R/PL20180086

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuʔiłiʔatł 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)

Lot 3, Plan VIP57050
Sec. 18
Clayoquot Land Dist.

0.933 HA

70 Sutton Road
Port Albion



Refer to septic
Permit for
Distances.