



## 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.

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### MEETING DETAILS

**When:** Wednesday, June 12, 2024 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.

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### WHAT'S THIS ABOUT?

**File #:** TUP23006

**Property Owners/Applicants:** Jen Weightman and Kevin Armstrong

**The subject property** is located at 8558 Stirling Arm Drive and is legally described as LOT 77, DISTRICT LOT 120, ALBERNI DISTRICT, PLAN 7770.

**The property owners have applied for a temporary use permit (TUP) to allow them to operate a short-term rental (STR) in a 624 square foot single family dwelling on the subject property.**

### HOW CAN I LEARN MORE?

All related information, including background documents and reports, is available at the ACRD office and linked as supplementary information on the ACRD website at [www.acrd.bc.ca/events/12-6-2024/](http://www.acrd.bc.ca/events/12-6-2024/).

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 attend 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/12-6-2024/](http://www.acrd.bc.ca/events/12-6-2024/).

### 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](mailto: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 **4:30 pm on June 11, 2024.**

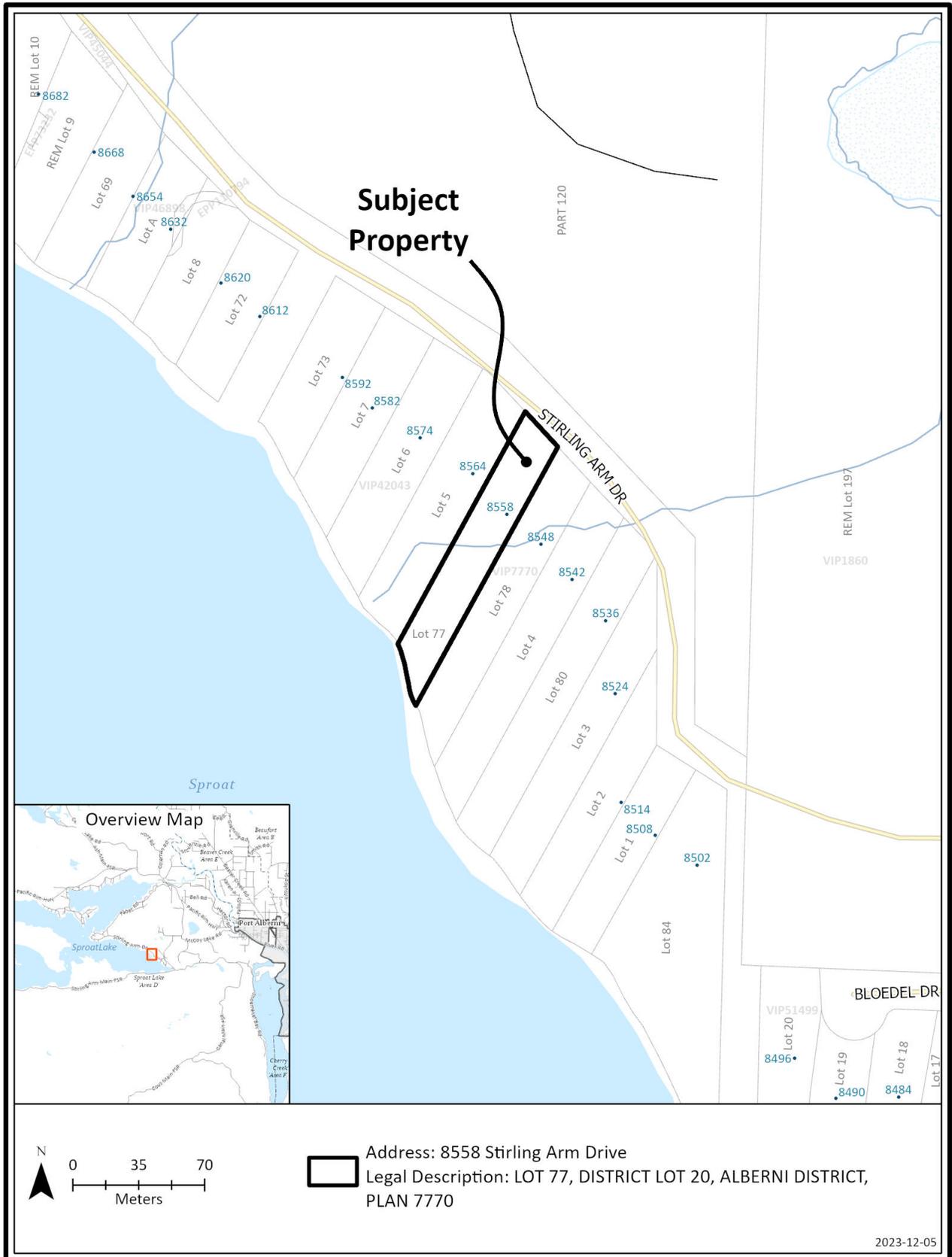
Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at [www.acrd.bc.ca/delegation](http://www.acrd.bc.ca/delegation) and submit the completed form by **12:00 pm on Thursday, June 6, 2024.** For further information or assistance with the Delegation Request Form contact us 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 Ave, Port Alberni, BC V9Y 2E3  
Phone: 250-720-2700  
Email: [planning@acrd.bc.ca](mailto:planning@acrd.bc.ca)

# SUBJECT PROPERTY MAP





**To:** ACRD Board of Directors

**Meeting Date:** April 24, 2024

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

**File #:** PL20230065 / TUP23006

**Application Type:** Temporary Use Permit

**Voting Structure:** Board of Directors

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

**Subject:** Short Term Rental Temporary Use Permit TUP23006 – 8558 Stirling Arm Drive (Weightman/Armstrong)

**Recommendation:**

*THAT the Alberni-Clayoquot Regional District Board of Directors consider Temporary Use Permit TUP23006 subject to the following:*

- *Issuance of an occupancy permit for Building Permit SL21-40.*
- *Confirmation from the Sproat Lake Fire Department that adequate fire protection can be provided to the development.*
- *Neighbourhood notification as per Local government Act S. 494.*

**Development Proposal:** The property owners have applied for a Temporary Use Permit (TUP) to allow for the operation of a short-term vacation rental (STR) in a 624 square foot single family dwelling located on the property. The applicants reside in one of the dwellings on the property and provide additional units as long-term rentals. The applicants are proposing to use the cabin for friends and family in addition to short term vacation rentals.

**Advisory Planning Commission (APC) Recommendation:** The Sproat Lake APC reviewed this application and made a motion to support it as presented at their April 15<sup>th</sup> meeting.

**Property Owner(s)/Applicant(s):** Jen Weightman and Kevin Armstrong

**Property Information:**

Civic Address	8558 Stirling Arm Drive						
Legal Description	LOT 77, DISTRICT LOT 120, ALBERNI DISTRICT, PLAN 7770						
PID	005-671-515	Folio	1568.000	ALR? Y/N	N	Lot Size	.83 ha (2.05 ac)

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
Current Use & Description	The lakefront property is 0.83 ha (2.05 ac) in lot area with a depth of approximately 142-157 metres and a width of 25.6 metres. The parcel has a total of six (6) dwelling units. The structure located closest to Sproat Lake contains three units – one up, two down (originally a 4-plex) while the structure in the centre of the parcel contains two (2) one-bedroom units. The one-bedroom cabin is located on the north east upland side of the property. The applicants reside in one of the converted units and provide the other four

**PL20230065 / TUP23006**

**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).*

(4) units as long-term rentals. The structures may have been constructed prior to adoption of the ACRD Zoning Bylaw.

The previous owners received building permits to convert the lower building from four to three units. A variance was issued to account for the roof pitch and the side yard setback. There is no evidence that the conversion of the duplex was completed with permits or if the two units are original to the structure.

The current owners obtained a building permit for renovations to the existing cabin in 2022. They are working with the ACRD Building Inspector to complete the works necessary for final approval and occupancy.

The dwellings are numbered #1-6 8558 Stirling Arm Drive. The 6 units are not identified at the driveway. The current system does not comply with best practices for civic addressing and poses a risk to safety in the event of an emergency. The property owner has been informed that each building requires an individual civic address and is working with the ACRD to resolve the issue. The Sproat Lake Fire Chief will be notified of the correction once complete.

Surrounding Zoning and Land Use			
North	Stirling Arm Drive and Forest Reserve (A4) District	South	Sproat Lake and Waterfront (WF1) District
East	Acreage Residential (RA1) District	West	Acreage Residential (RA1) District

**Services:**

- a) **Sewage Disposal:** Onsite Sewage disposal. The applicant has provided an Island Health Sewerage System Letter of Certification for the new septic system installed in 2023 to service the cabin.
- b) **Water Supply:** The applicant must provide confirmation that the onsite water supply is safe and adequate as part of the completion of the building permit process.
- c) **Fire Protection:** The property is within the Sproat Lake Fire Protection Area. The Sproat Lake Fire Department will be referred on the proposed TUP to assess the provision of suitable fire protection for the development. The Fire Chief will also be notified of any change in civic addressing on the property.
- d) **Access:** Access from Stirling Arm Drive. There is adequate parking and turnaround space for each of the units from the top of the driveway towards Sproat Lake.

**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. A development permit was issued in 2019 to allow for landscaping work on the property.

Section 3.2 of the OCP discusses general planning policies which apply to all properties within the OCP area. Section 3.2.11 allows the ACRD Board of Directors to issue Temporary Use Permits in accordance with s. 493 of the *Local Government Act*.

***This proposal complies with the objectives and policies of the Sproat Lake Official Community Plan.***

- b) Zoning:** The parcel is zoned Acreage Residential (RA1) District. The current zoning does not permit STR use. Both units of the duplex in addition to two units of the triplex are currently rented to long-term tenants while the property owners reside in the third unit. Current zoning allows for one single family dwelling, as well as accessory buildings and uses. The existing dwellings may be considered legal non-conforming in accordance with the *Local Government Act* if they were constructed prior to the adoption of the ACRD Zoning Bylaw in 1973. The neighbouring parcels are zoned Acreage Residential (RA1) District which permit only one single family dwelling in addition to accessory buildings and uses.

	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)	3
Accessory Rear Yard Setback (m)	3
Watercourse Setback (m)	30

***The applicant intends to operate an STR on the property currently zoned RA1. The intended use is not permitted and as such the property owner is applying for a Temporary Use Permit. If the application is successful, the TUP 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 operate the cabin as a short-term rental 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 for the operation of a 1-bedroom short-term vacation rental (STR) unit within the existing 624 square foot single family dwelling located on the property.
2. A maximum occupancy of two (2) persons per bedroom shall be permitted.
3. The STR is limited to the 624 square foot cabin on the property.
4. The STR use is subject to the completion of the building permit process for Building Permit SL21-40 and the issuance of an occupancy permit.
5. The owner or a caretaker must live on-site or be available to attend the property within 20 minutes.
6. Contact information for the owner or caretaker and a copy of the TUP must be visible in a public location.
7. This permit is valid for a term of three (3) years from the date of execution.
8. 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.
9. 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 applicant is currently working with ACRD Building Inspector to receive final occupancy on the renovation of the cabin. The occupancy permit would be required as a condition of TUP approval. The applicants have provided an Island Health Sewerage System Letter of Certification dated June 2023 that certifies that the new septic

system installed for the cabin complies with the Island Health requirements as part of the 2022 building permit. The TUP will also be referred to the Sproat Lake Fire Department to ensure that adequate fire protection can be provided to the development.

The long-term rental of the other dwelling units on the property provides for a diversity of housing stock in the area and the property owner resides on-site. While the density on the site is greater than that supported in the RA1 District zoning, the applicants are working to satisfy the technical requirements to suitably operate one unit on the property as a short-term rental. Staff recommend that the Board consider Temporary Use Permit application TUP23006 subject to neighbour notification and public input, the issuance of an occupancy permit and completion of the building permit process, and a positive referral response from the Sproat Lake Fire Department.

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

Reviewed by: *Cynthia Dick*  
Cynthia Dick, General Manager of Administrative Services

Approved by: *Daniel Sailland*  
Daniel Sailland, MBA, Chief Administrative Officer



Unit #4. Proposed STR located at the top of the driveway accessed by Stirling Arm Drive. New renovation of an existing cabin.



Units #5 and #6 Long term rentals – upper level and lower level.



Entry to Unit #5, lower level.



Looking up the driveway to Stirling Arm Road – The previous property owner received a permit for the garage. Also visible are units #5, #6 (duplex), and #4 (renovated cabin and proposed STR).



Units #1 (upper level), #2 and #3 (Lower Level). This structure was a 4-plex and was converted by the previous owner. A variance was issued to account for the pitch of the roof as well as the side yard setback.



DPA I – Riparian Areas Protection (15m) looking downstream. The DPA crosses the parcel diagonally at the middle of the parcel.

Amy Wilson

**FINAL**

RAI

Folio

1568000

**SITE PLAN OF SEPTIC SYSTEM ON LOT 77,  
DISTRICT LOT 20, ALBERNI DISTRICT, PLAN 7770**



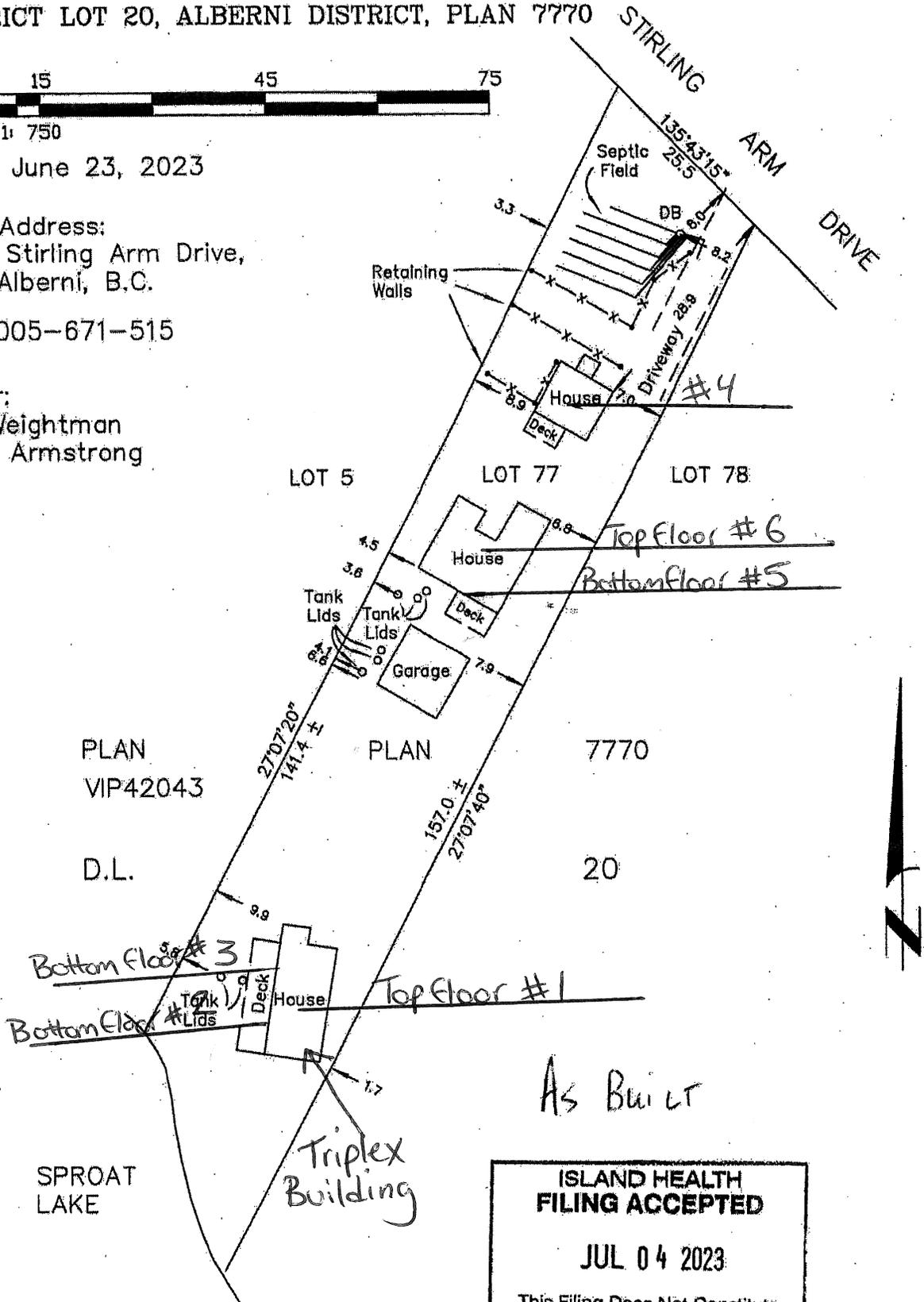
SCALE 1: 750

Date: June 23, 2023

Civic Address:  
8558 Stirling Arm Drive,  
Port Alberni, B.C.

PID: 005-671-515

Owner:  
Jen Weightman  
Kevin Armstrong



As Built

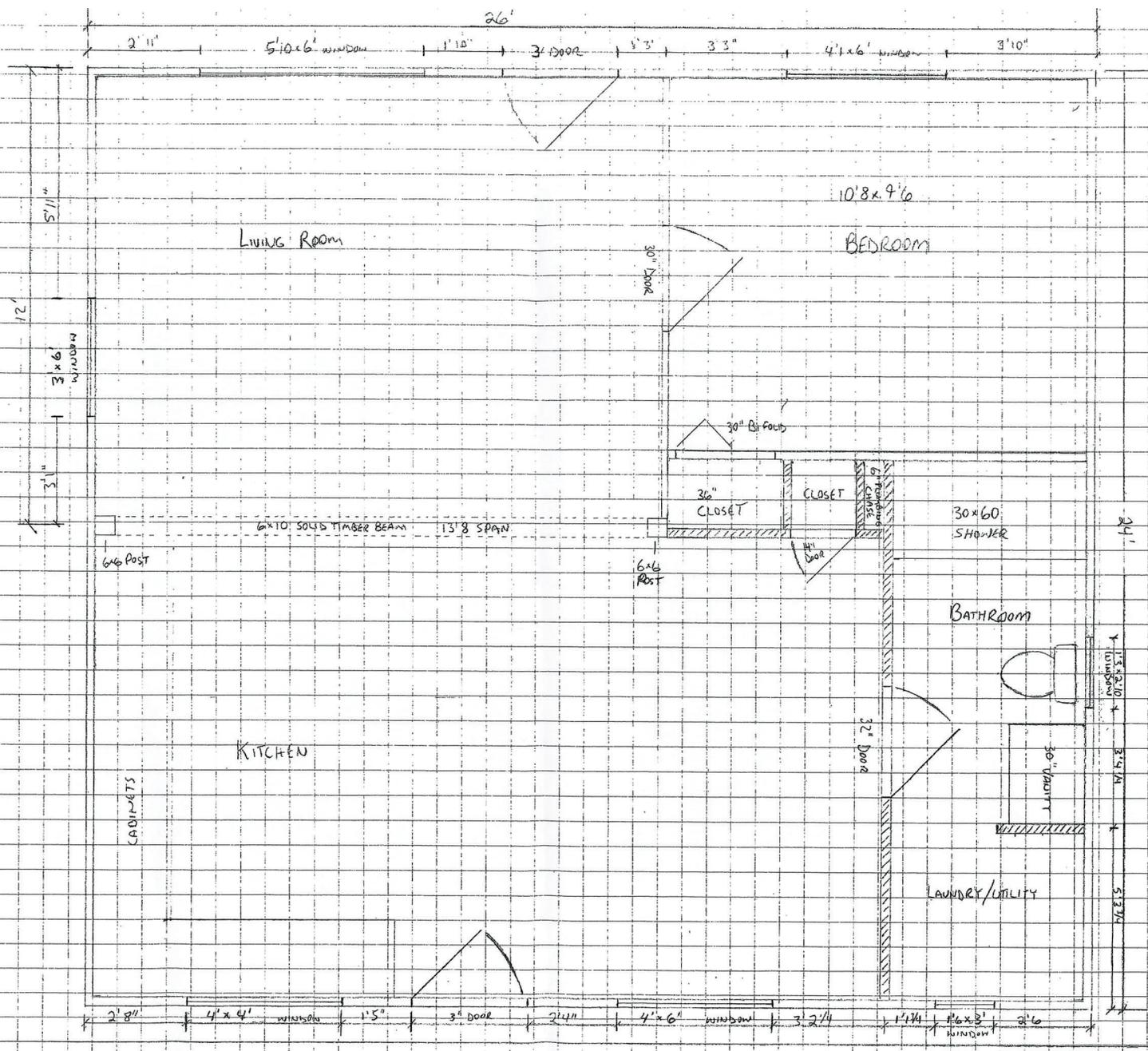
**ISLAND HEALTH  
FILING ACCEPTED**  
  
JUL 04 2023  
  
This Filing Does Not Constitute  
Approval for Further Subdivision

File: 22-0052

NEWLY FRAMED  
2x4 WALLS  
1/2" O.C.

ALL OTHER WALLS  
ARE 124" O.C.  
ORIGINAL 2x4  
ROUGH DIMENSION  
LUMBER

1 Bedroom Cabin  
565 Square feet



26'  
2'11" | 5'10" x 6" window | 1'10" | 3' door | 1'3" | 3'3" | 4' x 6" window | 3'10"

12'  
5'11" | 3' x 6" window | 3'11"

10'8" x 9'6"

LIVING ROOM

BEDROOM

13'8" SPAN  
6x10 SOLID TIMBER BEAM

6x6 Post

6x6 Post

36" CLOSET

CLOSET

30' x 60'  
SHOWER

BATHROOM

KITCHEN

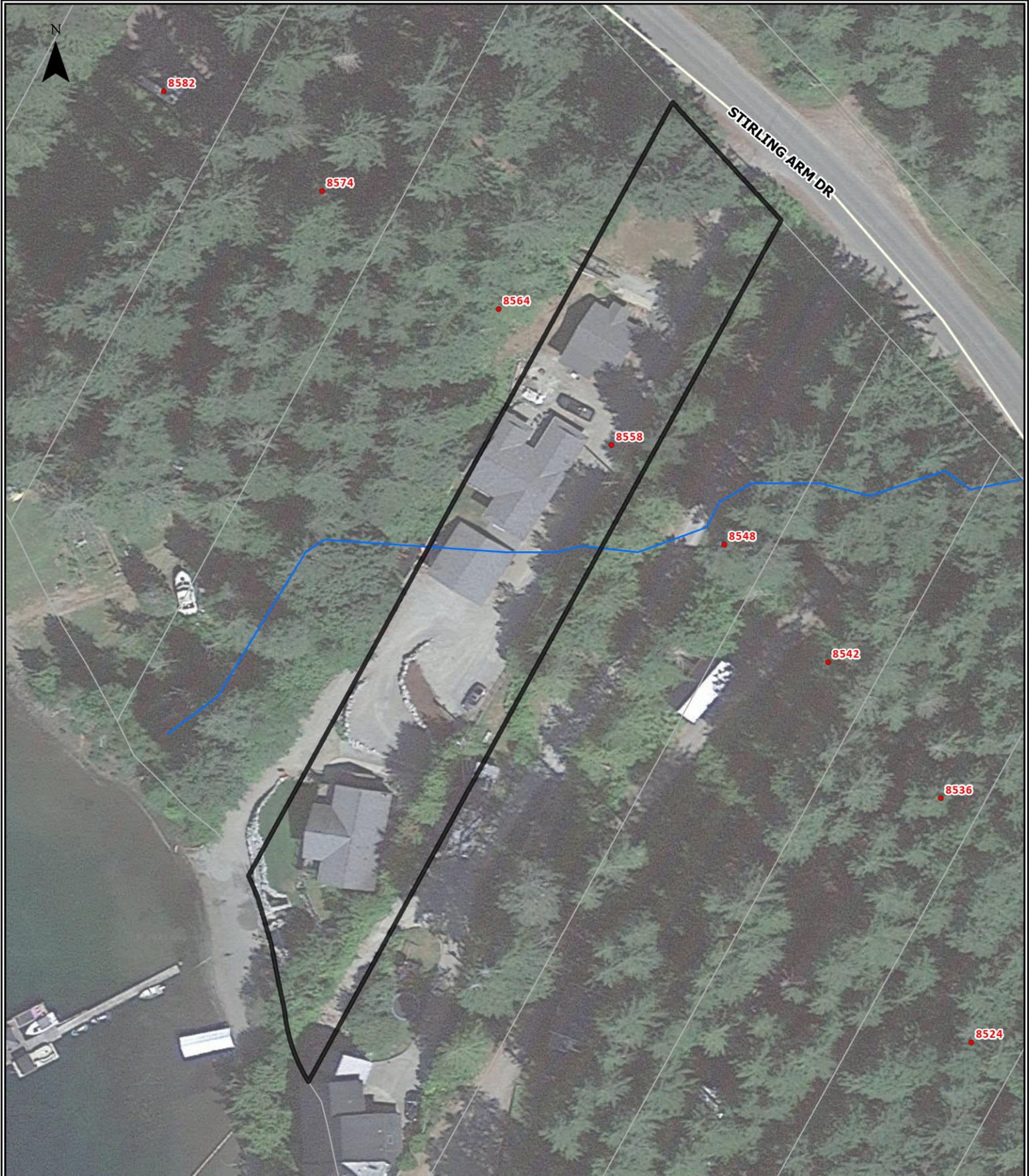
CABINETS

30" VANITY

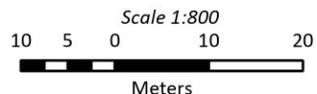
LAUNDRY/UTILITY

2'8" | 4' x 4" window | 1'5" | 3' door | 2'11" | 4' x 6" window | 3'2 1/4" | 1'11" | 1'6" x 8" window | 3'6"

14'0"  
1'3 1/2" | 3'5 1/2" | 5'3 1/2"



8558 Stirling Arm Drive  
 LOT 77, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN  
 7770



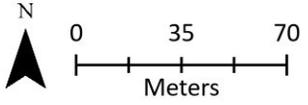
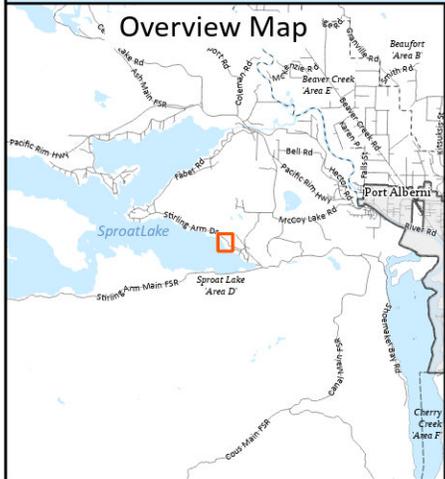
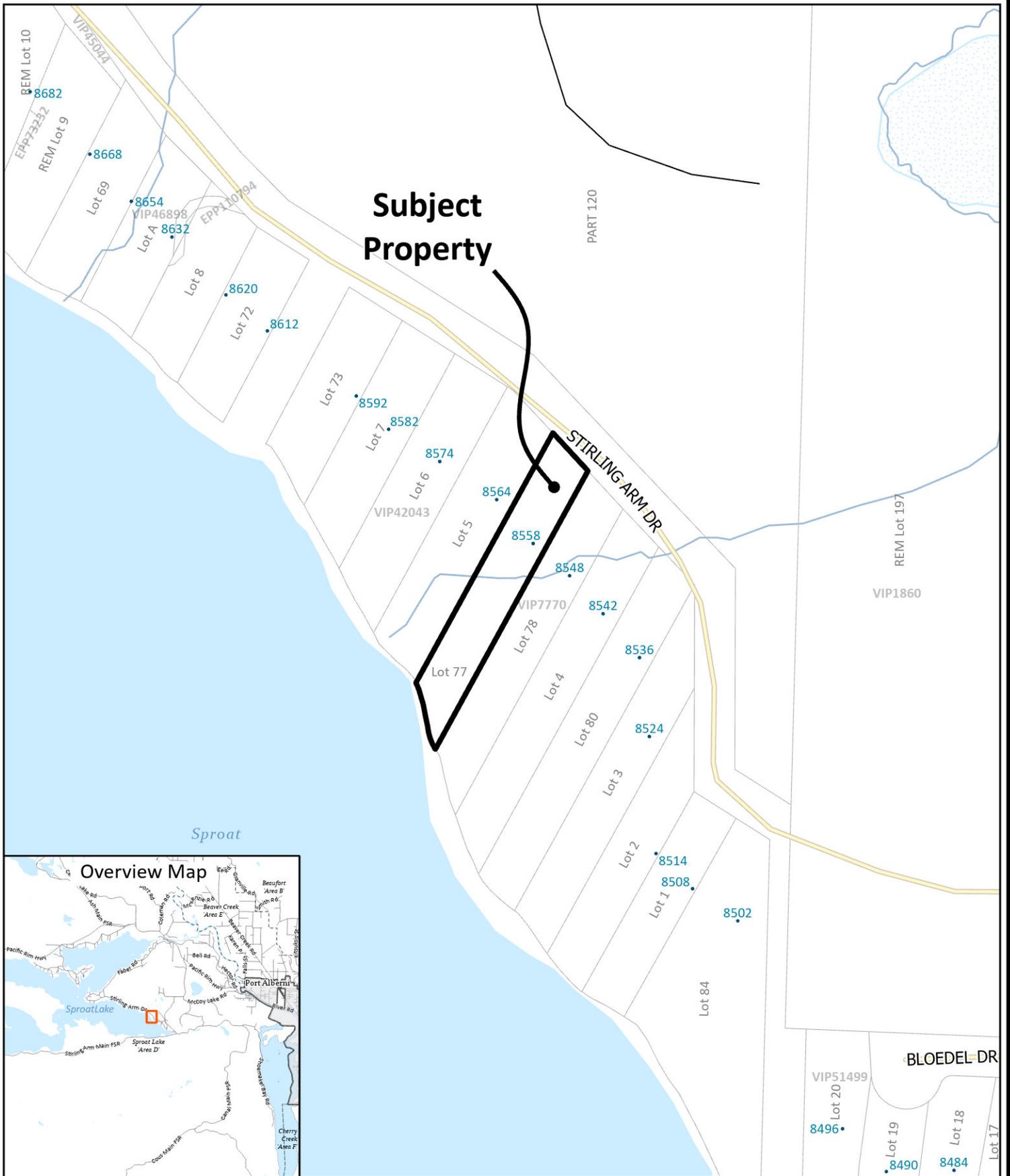
-  Subject Property
-  Parcel Map BC Cadastre
-  AV Stream Atlas



Prepared 2023-12-05  
 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.*

# Subject Property



Address: 8558 Stirling Arm Drive  
Legal Description: LOT 77, DISTRICT LOT 20, ALBERNI DISTRICT, PLAN 7770