



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.

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/12-06-2024/.

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.

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

WHAT'S THIS ABOUT?

File #: TUP24001

Property Owners/Applicants: Caroline and Scott Melville

The subject property is located at 6546 Smith Road and is legally described as LOT 1 DISTRICT LOT 162 ALBERNI DISTRICT PLAN EPP67467.

The property owners have applied for a temporary use permit (TUP) to allow them to operate a short-term vacation rental (STR) in an accessory dwelling unit located on the subject property.

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 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.

HOW CAN I LEARN MORE?

All related information, including background documents, report and permit, is available at the ACRD office and linked as supplementary information on the ACRD website at www.acrd.bc.ca/events/12-06-2024/.

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.

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



To: ACRD Board of Directors

Meeting Date: May 8, 2024

From: Brooke Eschuk, Jr. Planner

File #: PL20240030 / TUP24001

Application Type: Temporary Use Permit

Voting Structure: Electoral Area Directors

Electoral Area: 'E' Beaver Creek

Subject: Short Term Rental Temporary Use Permit Application TUP24001 – 6546 Smith Road (Melville)

Recommendation:

THAT the Board of Directors consider Temporary Use Permit application TUP24001 subject to neighbourhood notification as per Local Government Act s. 494.

Development Proposal: The 0.46 ha (1.13 ac) subject property includes a single family dwelling constructed in 2017 and an accessory building with attached Accessory Dwelling Unit (ADU) constructed in 2021-22. The 1,600 square foot accessory building located at the rear of the property includes an 840 square foot self-contained one-bedroom ADU. The applicants intend to utilize the ADU as a short-term rental unit (up to 30 days) during the summer months, and for longer periods of up to six months for temporary workers and seasonal accommodation. The property owners have applied for a Temporary Use Permit (TUP) to allow the short-term rental (STR) use.

Advisory Planning Commission Recommendation: The Beaver Creek Advisory Planning Commission (APC) considered this application at their April 29th meeting. The APC supported the application as presented.

Property Owner(s)/Applicant(s): Caroline and Scott Melville

Property Information:

Civic Address	6546 Smith Road						
Legal Description	LOT 1 DISTRICT LOT 162 ALBERNI DISTRICT PLAN EPP67467						
PID	030-053-561	Folio	1897.020	ALR? (Y/N)	N	Lot Size (ha)	0.46
Current Zoning	Acreage Residential (RA2) District			Proposed Zoning	N/A		
Current OCP	Residential Use			Proposed OCP	N/A		
Development Permit Area(s)	N/A						
Current Use & Description	The 0.46 ha (1.13 ac) parcel contains a single family home and an accessory building. The property was created by subdivision in 2016. The 1,600 ft ² accessory building has been divided in half with one side used as a shop and home office and the other side accommodating a one-bedroom, one-bathroom guest suite with 840 ft ² in floor area. The building permit for the accessory building and ADU was issued in 2021 and an occupancy permit was issued in November 2022 to complete the building permit process. The ADU is located at						

PL20240030 / TUP24001

the rear of the parcel, approximately 24 ft from the rear property line and 66 ft from the east side lot line. The applicants reside in the single family dwelling that currently exists on the property.

Surrounding Zoning and Land Use

North	A1 / Residential and Agricultural Use	South	RA2 / Residential Use
West	A1 / Residential Use	East	RA1 / Rural Use

Services:

- a) **Sewage Disposal:** On-site wastewater system. The ADU is connected to a dedicated wastewater disposal system that was installed as part of the building permit application process and certified by the Registered On-Site Wastewater Practitioner in January 2022.
- b) **Water Supply:** The property is connected to the Beaver Creek Community Water System.
- c) **Fire Protection:** The parcel is within the Beaver Creek Fire Protection Area.
- d) **Access:** The parcel is accessed by an individual driveway connecting to Smith Road that is separate from the driveway to the single family dwelling on the property.

Planning Policy Discussion:

- a) **Official Community Plan:** The parcel is designated as Residential Use in the Beaver Creek Official Community Plan (OCP). This designation offers residents a range of housing options and lot sizes. The proposed use of the parcel retains housing as the principal use of the property.

This proposal generally complies with the requirements of the Beaver Creek OCP. 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 Acreage Residential (RA2) District. The RA2 zone allows for single family dwellings and accessory buildings and uses. Accessory Dwelling Units are permitted in R zones in an OCP area where the minimum lot size is 0.4 ha. Short Term Rentals are not a permitted use within the RA2 District.

	Current: RA2
Minimum Lot Area (ha)	0.4
Minimum Lot Width (m)	36.5
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 proposed STR use is not permitted within the RA2 District zoning. As such, the property owners are applying for a Temporary Use Permit to allow for the rental of the accessory dwelling unit.

Temporary Use Permit Conditions:

The Temporary Use Permit to operate the existing Accessory Dwelling Unit as a short-term rental may be issued subject

to the following conditions and any other conditions that the ACRD Board of Directors deems 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 Accessory Dwelling Unit (ADU) on the property.
2. A maximum occupancy of two (2) persons per bedroom shall be permitted.
3. The STR use is limited to the existing ADU.
4. The owner or a caretaker must live on-site or be available to attend the property 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. One (1) dedicated off-street parking space shall be provided for the STR use.
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 applicants have submitted details regarding the planned rental of the Accessory Dwelling Unit on the property. The property owners intend to rent the ADU to temporary workers and visitors in a mix of short-term rentals and longer term seasonal accommodation rentals, and eventually use it to house aging family members.

The ADU was constructed in 2021 and an occupancy permit was issued in November 2022 to satisfy all requirements of the building permit. A new septic system was installed and certified in January 2022 to serve the ADU. The ADU is located at the rear of the property with buffering from neighbouring properties and its own dedicated driveway access to Smith Road. The property owners reside in the single family dwelling located on the property and the proposed STR use does not remove valuable long-term rental options from the local housing stock as proposed.

Staff recommend that the ACRD Board consider issuing Temporary Use Permit TUP24001, subject to neighbouring properties being notified in accordance with the *Local Government Act*.

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

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

Reviewed by: _____
Daniel Sailland, MBA, Chief Administrative Officer



View from driveway of the accessory building with attached ADU. Half of the building is used as a shop / office while the other half is used as a dwelling unit. The ADU is addressed as 6548 Smith Road.

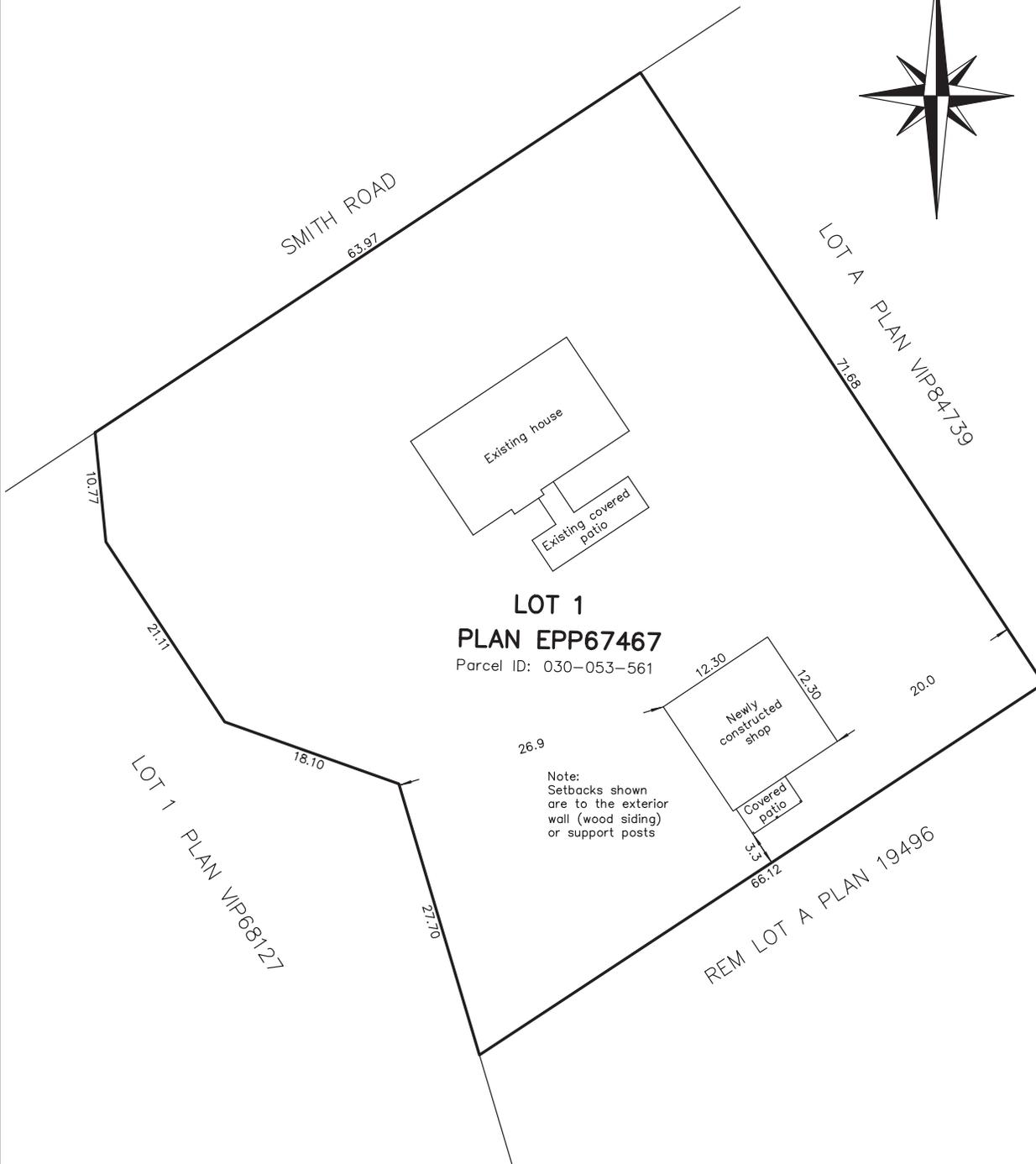


View of the rear of the property from Smith Road toward the accessory building.

BC LAND SURVEYOR'S CERTIFICATE OF LOCATION OF LOT 1, DISTRICT LOT 162, ALBERNI DISTRICT, PLAN EPP67467, SHOWING RECENTLY CONSTRUCTED SHOP THEREON.



The intended plot size of this plan is 280mm in width by 432mm in height (11"x17") when plotted at a scale of 1:400
 Dimensions shown are in metres and are derived from Plan EPP67467
 Jurisdiction: Alberni Clayoquot Regional District
 Civic Address: 6546 Smith Road



Oceanside Geomatics Land Surveying Ltd and Mark Flinta, BCLS, accept no responsibility for and hereby disclaim all obligations and liabilities for damages including, but not limited to, direct, indirect, special, and consequential damages arising out of or in connection with any direct or indirect use or reliance upon the Plan beyond its intended use.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

All rights reserved. No person may copy, reproduce, republish, transmit or alter this document, in whole or in part, without the express written consent of the signatory.

The subject property may be affected by the following charges on title: M76300

Certified Correct According to Land Title & Survey Authority Records and Field Surveys. Unregistered interests have not been included or considered.

This plan was prepared for building permit purposes and is for the exclusive use of our client.

This survey was completed on June 3, 2022
 This plan has been prepared in accordance with the BCLS Professional Reference Manual and is certified correct on this 7th day of June, 2022.

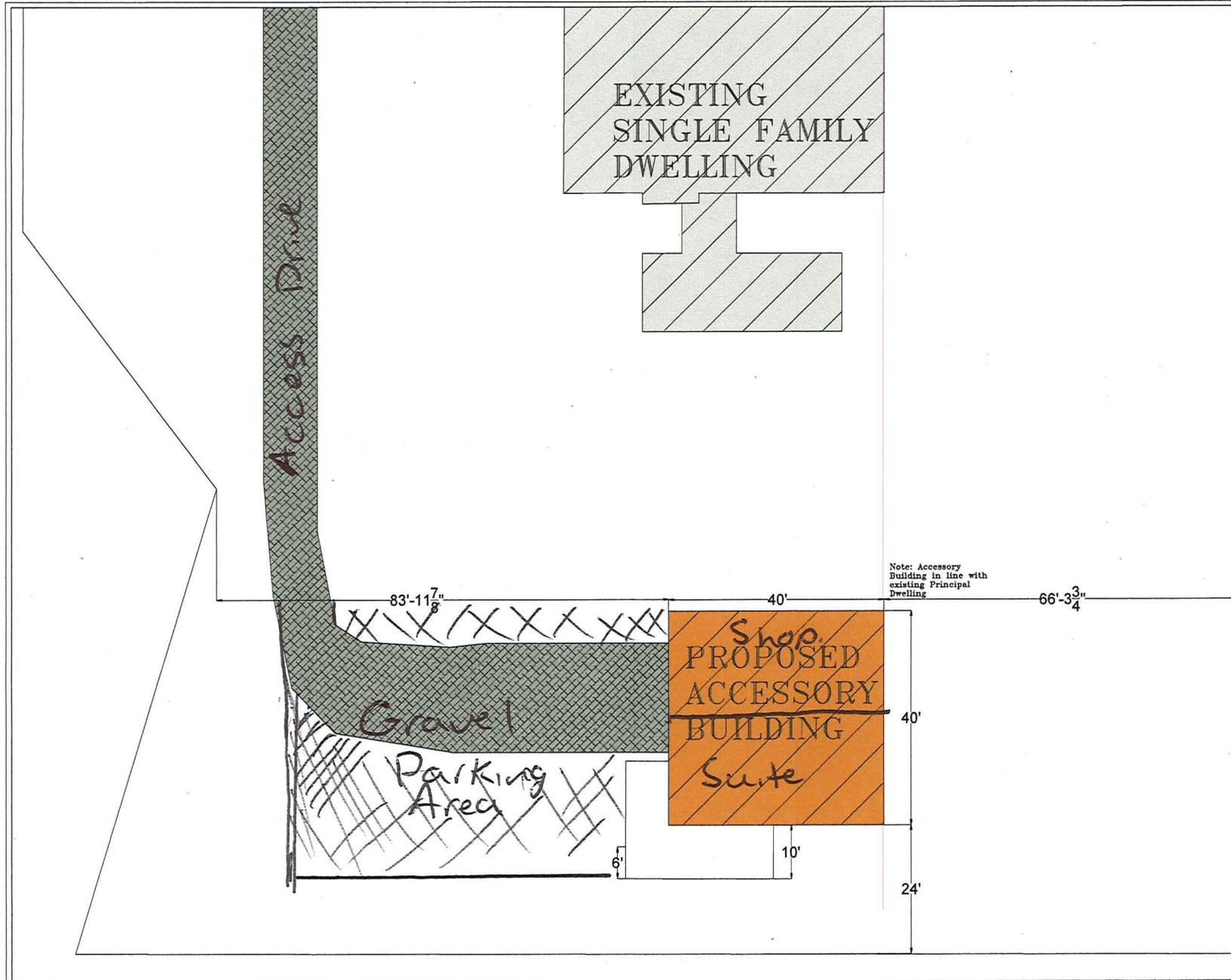
Mark Flinta

Digitally signed by
 Mark Flinta 8Z WV1U
 Date: 2022.06.07
 07:18:47 -07'00'

Oceanside Geomatics Land Surveying Ltd. ©
 886 Dickinson Way
 Parksville, BC
 V9P 1Z7
 250-616-2760
 File: 22-032BLC1.DWG
 Client: Schwager Homes

This document is not valid unless digitally signed.

Smith Road.



A
Proposed
New Shop
For:

Scott &
Caroline
Melville

Port
Alberni,
British
Columbia

CASCADIAN
SUSTAINABLE
Architectural Design &
Energy Consulting

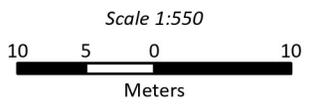


Project: Melville Shop
Project #: 2020006
Title: Proposed Site Plan
Drawn By: P.S.
Scale: 1:96
Date: February 2, 2021

A-2



6546 Smith Road
 LOT 1 DISTRICT LOT 162 ALBERNI DISTRICT PLAN
 EPP67467



- Subject Property
- Agricultural Land Reserve
- Parcels

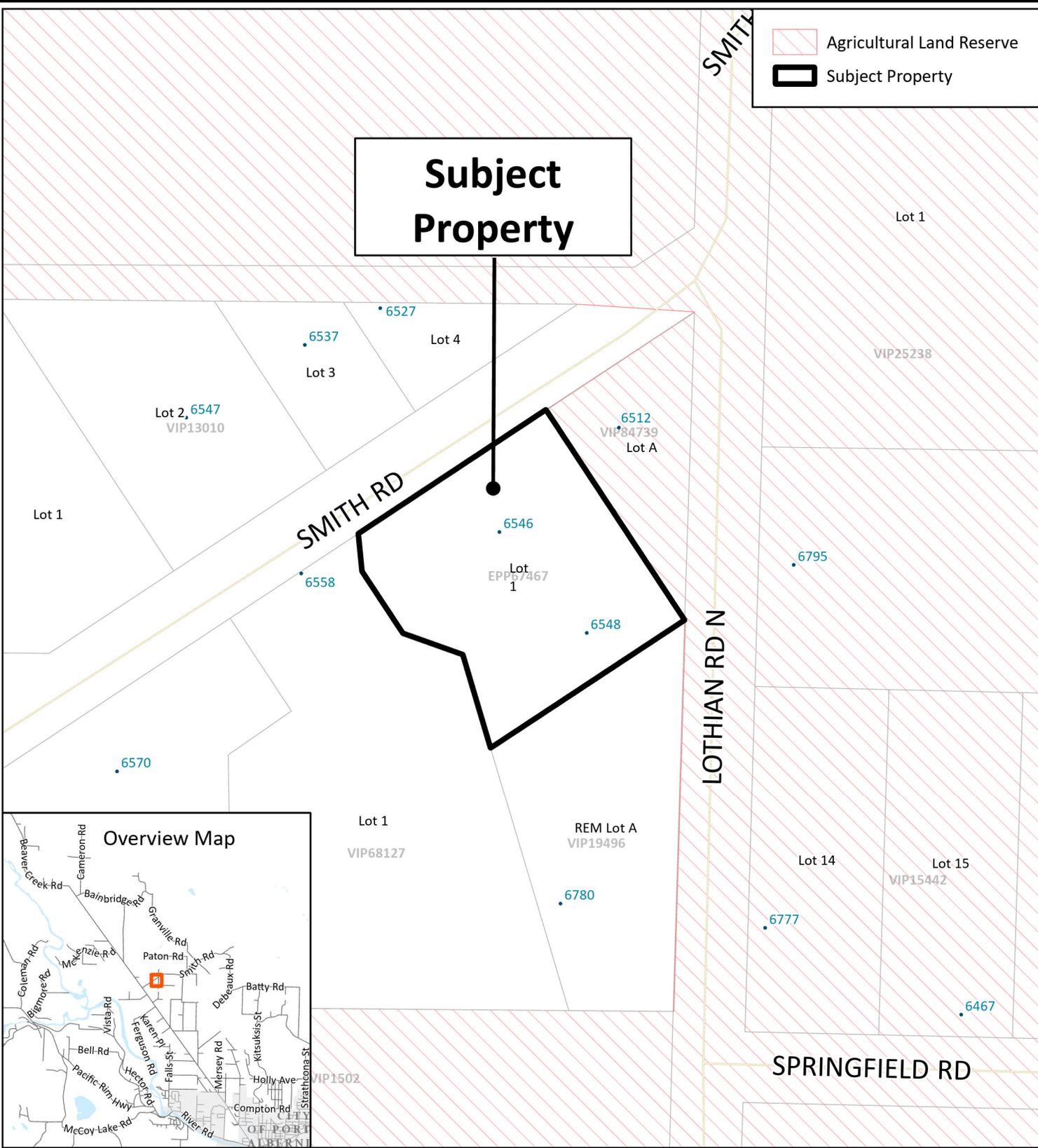


Prepared 2024-04-25
 Sources: © OpenStreetMap (and) contributors, CC-BY-SA, ParcelMapBC, GeoBC, ACRD

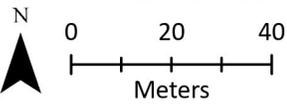
This product is intended for general reference use only and should not be used for navigation or legal purposes.

-  Agricultural Land Reserve
-  Subject Property

Subject Property



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



Address: 6546 Smith Road
 Legal Description: LOT 1 DISTRICT LOT 162 ALBERNI DISTRICT PLAN
 EPP67467