



## 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, July 24, 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 #:** TUP24005

**Property Owner/Applicant:** Peter Donaldson

**The subject property** is located at 1360 Smith-Dale Road in the Port Albion area and is legally described as PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT.

**The property owners have applied for a temporary use permit (TUP) renewal to continue providing short-term rental accommodation in the existing one bedroom, 625 square foot cabin on the subject property.**

### 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/24-7-2024/](http://www.acrd.bc.ca/events/24-7-2024/).

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/24-7-2024/](http://www.acrd.bc.ca/events/24-7-2024/).

### 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 July 23, 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, July 18, 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)





**To:** ACRD Board of Directors

**Meeting Date:** June 26, 2024

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

**File #:** PL20240055 / TUP24005

**Application Type:** Temporary Use Permit

**Voting Structure:** Electoral Area Directors

**Electoral Area:** "C" Long Beach

**Subject:** Short Term Rental Temporary Use Permit Renewal – 1360 Smith-Dale Road (Donaldson)

**Recommendation:**

*THAT the Board of Directors consider issuing Temporary Use Permit TUP24005 subject to neighbourhood notification as per Local Government Act s. 494.*

**Development Proposal:** The applicant is applying to renew TUP21003, issued in March 2022, to provide short term rental accommodation on the parcel located at 1360 Smith-Dale Road on the west side of Ittatsoo Lake. The parcel is the applicant’s full-time residence, and they utilize the existing one bedroom, 625 square foot cabin built on the property in 2022 as short-term rental accommodation.

**Advisory Planning Commission Recommendation:** The Long Beach APC will review this application at their June 24 meeting. Staff will provide a verbal update of the APC recommendation to the Board at the June 26 Board meeting.

**Property Owner(s)/Applicant(s):** Peter Donaldson

**Property Information:**

Civic Address	1360 Smith-Dale Road						
Legal Description	PARCEL "C" (DD2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT						
PID	003-170-284	Folio	3578000	ALR? (Y/N)	N	Lot Size (ha)	0.66 (1.63 ac)

Current Zoning	Forest Rural (A3) District	Proposed Zoning	N/A
Current OCP	Rural Use	Proposed OCP	N/A
Development Permit Area(s)	DPA I – Sensitive Ecosystems Protection – Community Watershed		

**Current Use & Description**  
The 0.66 ha (1.63 acre) property is located in the Port Albion area accessed from Smith-Dale Road and backing onto Ittatsoo Lake. The property is mostly treed apart from the area cleared for the existing improvements. The Accessory Dwelling Unit (ADU) that would be utilized for the short-term rental use was built in 2022 with occupancy granted in August 2023. There is a single family dwelling constructed in 2019-20 and an accessory building constructed in 2014 on the property. The subject property backs onto Ittatsoo lake and is the primary residence of the applicant.

PL20240055 / TUP24005

Surrounding Zoning and Land Use			
North	Forest Rural (A3) District	South	Rural (A2) District
East	Forest Rural (A3) District, Ittatsoo Lake, and Yuułuʔiłʔatḥ Government lands east of the lake	West	Forest Rural (A3) District

**Services:**

- a) **Sewage Disposal:** On-site wastewater system. A new septic system was installed in 2020 to accommodate the sewage disposal capacity for the single family dwelling, accessory building and accessory dwelling unit.
- b) **Water Supply:** The parcel is served by an on-site well system.
- c) **Fire Protection:** The parcel is not within a fire protection area.
- d) **Access:** The property is accessed off Smith-Dale Road which intersects with the east end of Sutton Road in the Port Albion area. The area where the cabin is located is accessed by a separate driveway.

**Planning Policy Discussion:**

- a) **Official Community Plan:** The parcel is designated Rural Use. This designation applies to specific upland areas along the Ucluelet Inlet and Barkley Sound. These rural residential areas are intended to meet both local demand as well as for seasonal, tourism, and secondary home ownership by non-local residents. The Rural Use designation supports a maximum of four (4) boarders or lodgers in guest suites (s. 4.5.2 (d)) and the OCP supports the consideration of temporary use permits in all land use designations for a period of up to three years.

The parcel is impacted by DPA I – Sensitive Ecosystems Protection, Ittatsoo Watershed Community Water Supply area and DPA II – Freshwater Riparian Areas Protection. Development permits were issued for the construction of the single family home in 2018 and in 2022 for the construction of the Accessory Dwelling Unit satisfying the requirements of both DPAs.

***This proposal generally complies with the requirements of the South Long Beach OCP. The OCP supports the consideration of TUPs in all land use designation for a period of up to three years.***

- b) **Zoning:** The parcel is zoned Forest Rural (A3) District. The A3 zoning permits an ADU on a property with a minimum 0.4 ha (1 ac) lot size within the South Long Beach OCP area. The A3 zoning does not permit short-term vacation rentals. In 2022, the applicant was issued a temporary use permit for the construction of the cabin and subsequent rental on a short-term basis. The TUP was issued for a period of two (2) years. The South Long Beach Official Community Plan was amended in 2023 to extend the length of temporary use permits to three years.

	Current: A3
Minimum Lot Area (ha)	4
Minimum Lot Width (m)	100.5
Principal & Accessory Front Yard Setback (m)	15.2
Principal Side Yard Setback (m)	4.5
Principal Rear Yard Setback (m)	9.1
Accessory Side Yard Setback (m)	4.5
Accessory Rear Yard Setback (m)	4.5
Watercourse Setback (m)	30

***The short-term vacation rental proposal does not meet the requirements of the ACRD zoning bylaw. To allow the proposed use, the issuance of a Temporary Use Permit is required.***

**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 deem appropriate at the time of issuance:

1. This permit is issued to allow an Accessory Dwelling Unit (ADU) located on the subject property to be operated as a short-term vacation rental (STR) unit.
2. A maximum occupancy of two (2) persons per bedroom shall be permitted when the ADU is being occupied as an STR.
3. The short-term rental use is limited to the existing 625 square foot ADU located on the property.
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. This permit is valid for three (3) years from the date of execution.
7. At the time this permit expires, the property owner may apply to the Regional District to re-issue the TUP or return the property to the original use permitted under the 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:**

Staff recommend that the ACRD Board consider renewing the Temporary Use Permit subject to neighbouring properties being notified as per *Local Government Act Section 494*. The short-term rental has been operating under an existing TUP since 2022 and staff are not aware of any neighbourhood concerns. The neighbour notification and public advertising process will enable the Regional District to gather public input on the application.

The South Long Beach OCP was updated in 2023 to allow for the consideration of TUPs for a period of up to three years, which aligns with the maximum term permitted under the *Local Government Act*.

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

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

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

Site Plan of:

**Parcel 'C' (DD. 2628N)**

**District Lot 1012, Clayoquot District**

Parcel Identifier: 003-170-284

Civic address: 1360 Smithdale Road

**SCALE - 1 : 1 0 0 0**



All distances are in metres & decimals thereof.

(plot on 8.5" x 11" sheet)

**LEGEND**

Elevations are on an assumed datum of 50 Meters based off of the Iron Pin.

Average Natural Grade of Proposed Building = 49.75M

Proposed Main Floor Elevation = 50.35M

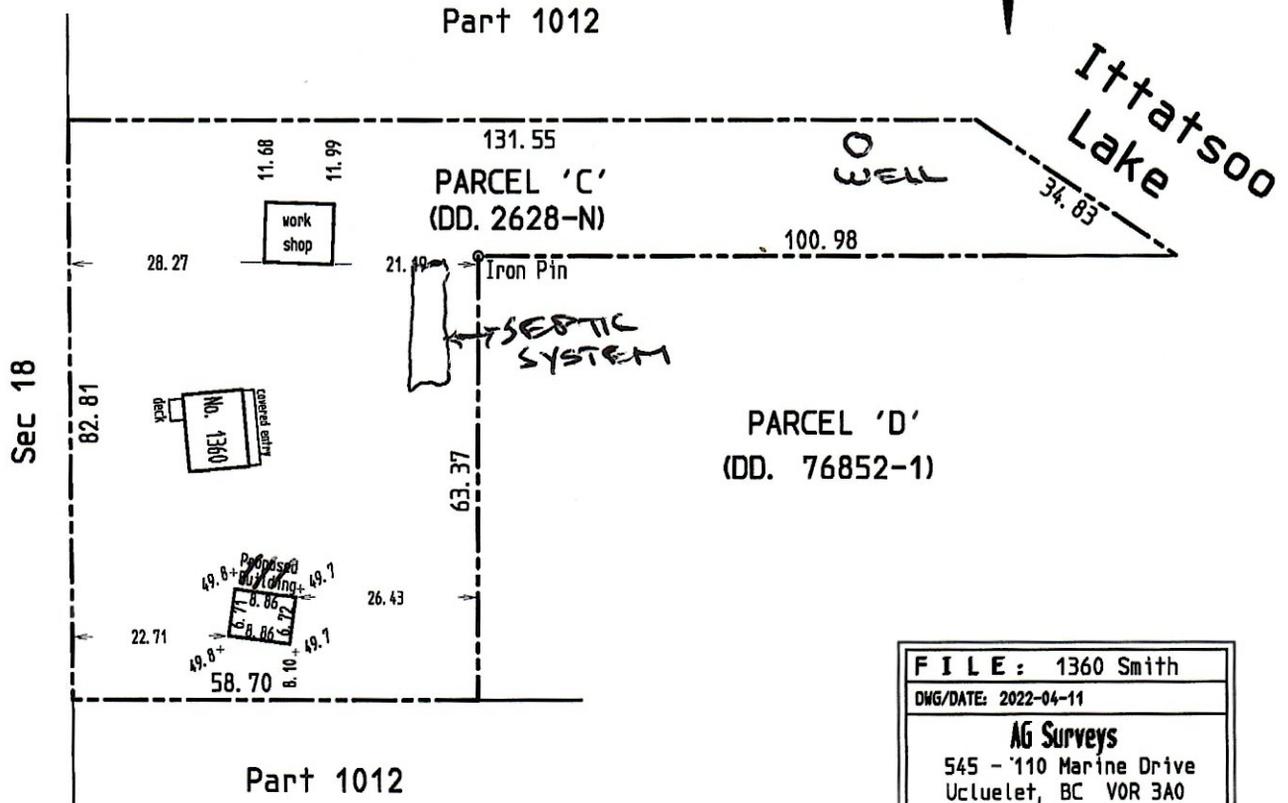
Percentage Lot Coverage of the

Proposed Building = 16.6%

The following non-financial charges are shown on the current title and may affect the property  
CA7304305 - Covenant  
CA7304307 - Covenant  
CA7304309 - Covenant

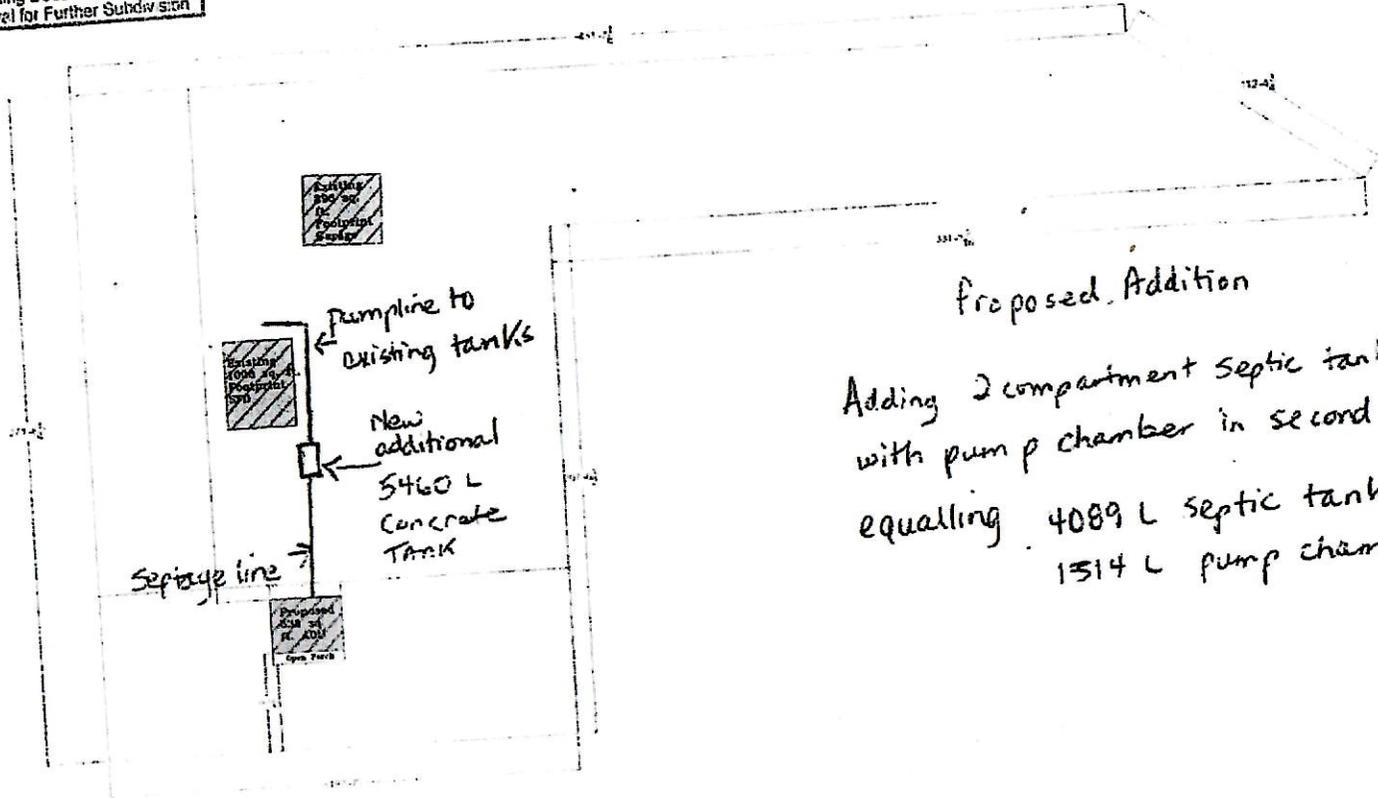
Parcel dimensions shown hereon are derived from Land Title Office records.

This sketch represents a site improvement survey and is not intended for the purposes of a survey/mortgage certificate.



FILE: 1360 Smith
DWG/DATE: 2022-04-11
<b>AG Surveys</b>
545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536

ISLAND HEALTH  
 FILING ACCEPTED  
**JAN 26 2022**  
 This filing Does Not Constitute  
 Approval for Further Subdivision



Proposed Addition  
 Adding 2 compartment septic tank  
 with pump chamber in second half.  
 equalling 4089 L septic tank  
 1314 L pump chamber

A  
 Proposed  
 New Home  
 For:

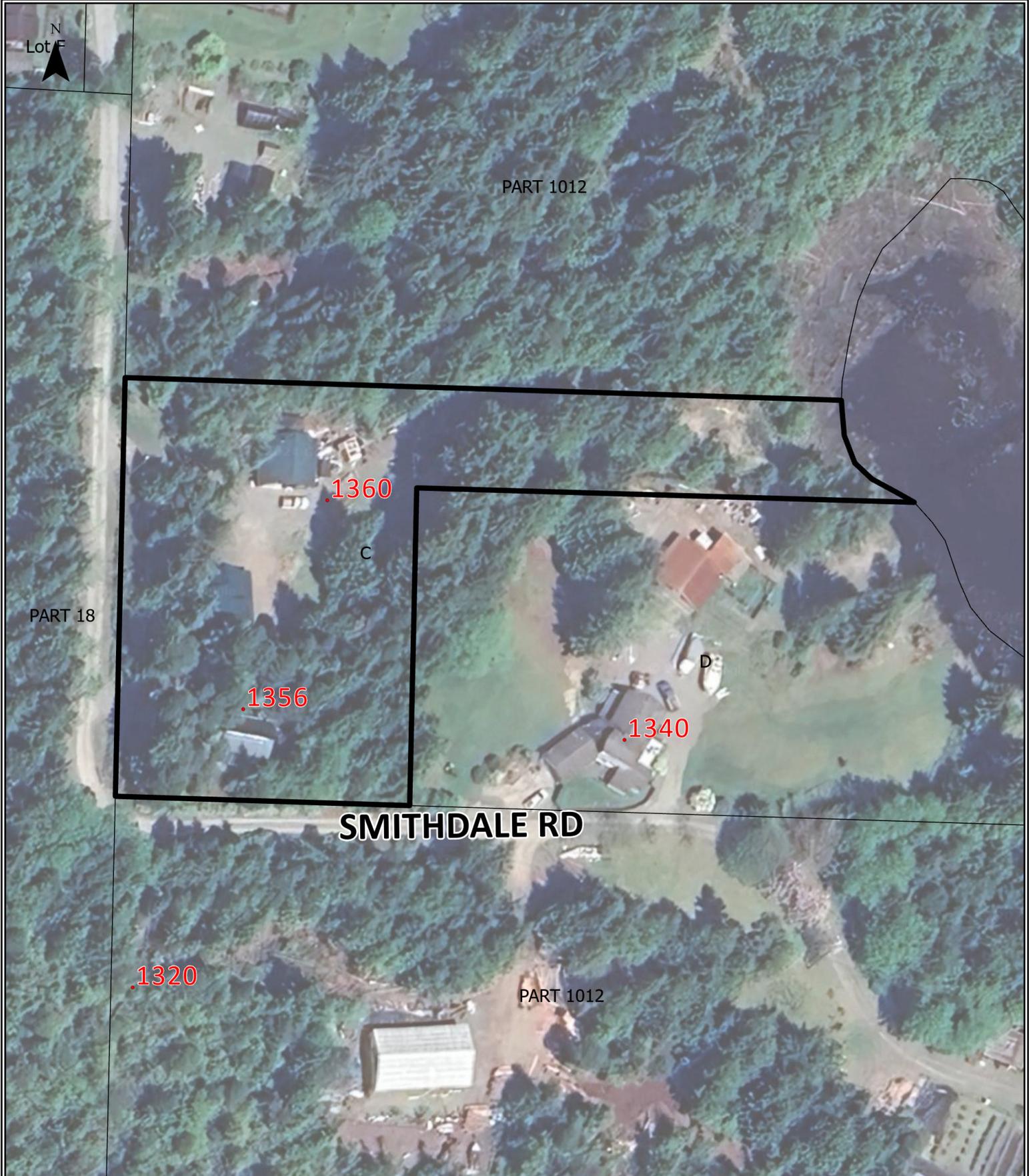
Peter  
 Donaldson

Ucluelet,  
 British  
 Columbia

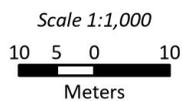
CASCADIAN  
 SUSTAINABLE  
 Architectural Design &  
 Energy Consulting

Project Donaldson ADU  
 Project # 2020078  
 Title Site Plan  
 Drawn By P.S.  
 Scale 1:250  
 Date May 3, 2021

A-2



1360 Smith – Dale Road  
 PARCEL "C" (DD2628N) OF DISTRICT LOT 1012,  
 CLAYOQUOT DISTRICT



-  Subject Property
-  Parcels



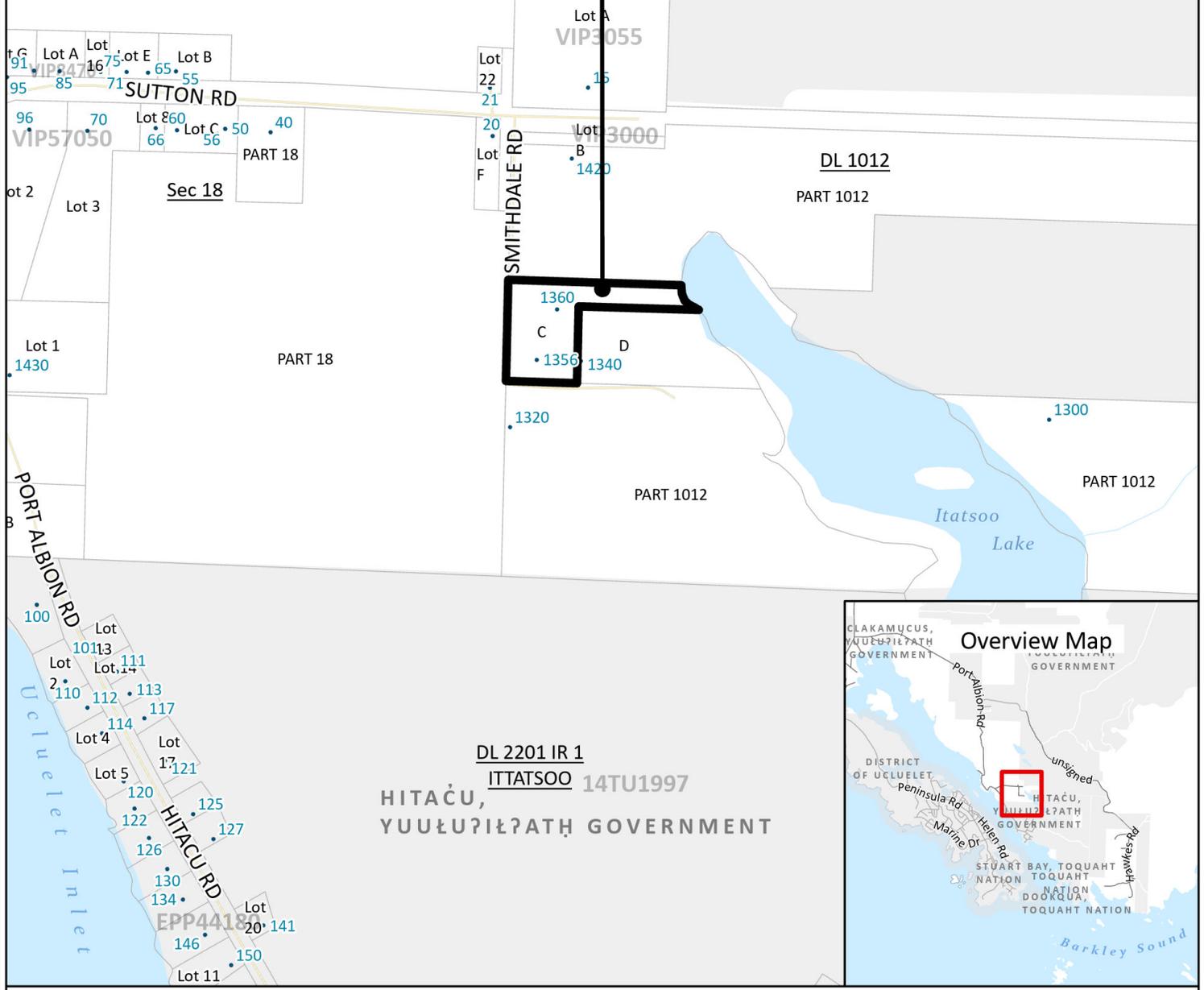
Prepared 2024-05-10  
 Sources: © OpenStreetMap (and)  
 contributors, CC-BY-SA,  
 ParcelMapBC; GeoBC; ACRD

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

 Municipality or Treaty Land  
 Subject Property

**Subject  
Property**

YUULU?IL?ATH  
GOVERNMENT



 Civic Address 1360 Smith – Dale Road  
 Legal Description PARCEL "C" (DD2628N) OF DISTRICT LOT 1012,  
 CLAYOQUOT DISTRICT.



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

