



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT
**NOTICE OF INTENT TO RENEW
TEMPORARY USE PERMIT**
ELECTORAL AREA "D" – SPROAT LAKE

**Proposed Temporary Use Permit Renewal
TUP18013 – 8905 FABER ROAD
GRAHAM & LEAH COLLINGS, PROPERTY OWNERS**

Public Notice is hereby given that the Regional District of Alberni-Clayoquot (ACRD) will consider renewing a Temporary Use Permit at the Board of Directors meeting to be held on **Wednesday, March 9th, 2022 starting at 1:30 pm**. This meeting will be held electronically using Zoom and will be livestreamed on our website at <https://www.acrd.bc.ca/events/9-3-2022/>

The proposed permit will allow for the short-term vacation rental of a house located on the property at 8905 Faber Road. The subject property is legally described as LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275.

A copy of the proposed Temporary Use Permit and supporting documents are available for review on our website at <https://www.acrd.bc.ca/events/9-3-2022/>

Providing an opportunity for public input, while safeguarding public health during the COVID-19 pandemic, is a top priority for the ACRD. Consider written submissions as an effective means to provide your input.

Correspondence must be received by the ACRD by **10:00 am on Wednesday, March 9, 2022** and can be submitted by one of the following methods:

- Hard copy to the ACRD office in person, in the drop slot or by mail to the Planning Department at the address below.
- Email sent to planning@acrd.bc.ca. Email correspondence will only be considered received if receipt confirmation is provided by ACRD staff.
- Fax sent to 250-723-1327. Fax correspondence will only be considered received if receipt confirmation is provided by ACRD staff.

Questions? Please call 250-720-2700 and ask for the Planning Department.

PLANNING DEPARTMENT

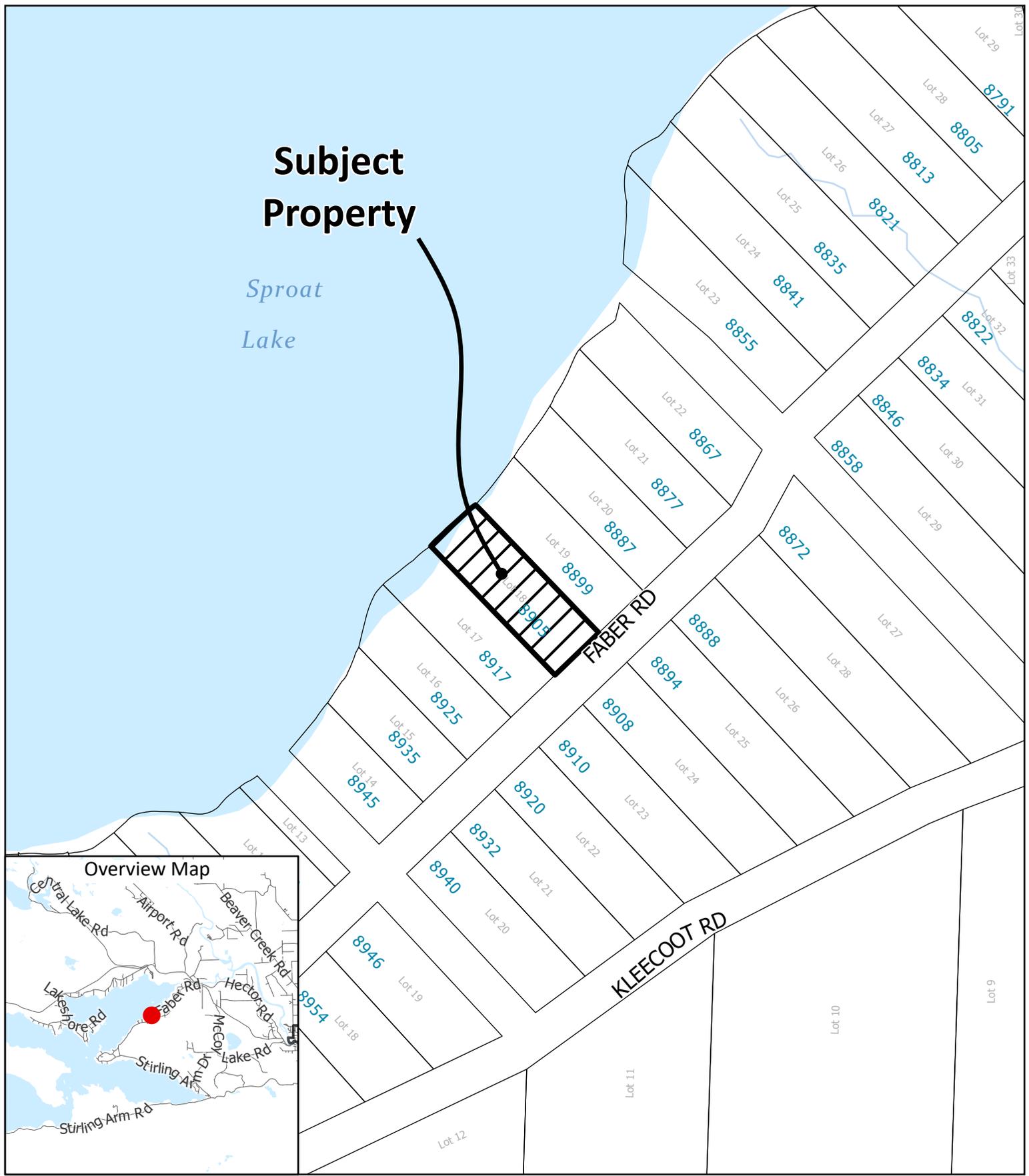
Regional District of Alberni-Clayoquot
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3

Email: planning@acrd.bc.ca
Telephone: 250-720-2700
Fax: 250-723-1327

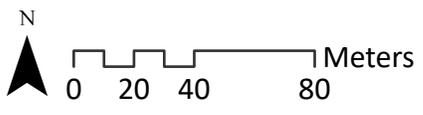
Date of Notice: February 16, 2022

Subject Property

Sproat Lake



 Legal description: LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275





ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

TEMPORARY USE PERMIT APPLICATION

TO: ACRD Board of Directors

MEETING DATE: February 9, 2022

ACRD FILE NO.: TUP18013 Renewal

APPLICANTS: Graham and Leah Collings

LEGAL DESCRIPTION: LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275

LOCATION: 8905 Faber Rd

ELECTORAL AREA: "D" Sproat Lake

Applicant's Intention: To renew their Temporary Use Permit for a three (3) year period to allow for the continued operation of a short-term vacation rental at the subject property.

Recommendation: THAT the Board of Directors consider re-issuing Temporary Use Permit TUP18013 subject to neighbouring properties being notified as per Local Government Act s.494.

Advisory Planning Commission Recommendation: The Sproat Lake APC considered the application at a meeting held on January 31, 2022 where the APC passed a motion to support the planning staff recommendation.

Procedure: Prior to the issuance of a Temporary Use Permit, the Board must first pass a resolution to consider issuing the permit. Staff will then notify the neighbouring property owners and tenants and publish a notice in the newspaper to afford the public an opportunity to make written or verbal submissions to the Board. At the subsequent meeting, the Board issues or denies the Temporary Use Permit.

Observations:

- 1. Status of Property:** The subject property is 0.67 acres in size and fronts onto Sproat Lake. There is a single family residence, garage, and associated accessory buildings on the lot along with a private dock. The property slopes from Faber Road down towards the lake, with the incline running from southeast to northwest. The property is bounded by residential properties to the north and south, Sproat Lake to the west, and Faber Road and other residential properties to the east.

TUP18013 Renewal

2. Services

- a. **Sewage Disposal:** On-site septic system.
- b. **Water Supply:** On-site water (Sproat Lake).
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** Property is accessed via Faber Road.

3. Existing Planning Policies Affecting the Site

- a. **Agricultural Land Reserve:** Not within the ALR
- b. **Official Community Plan:** The Sproat Lake Official Community Plan (OCP) designates this property as “Residential Use”. This designation supports residential activities as the primary use of the property.

Section 3.2 of the OCP contains general planning policies that apply to all properties within the OCP area. Policy 3.2.11 in this section allows the issuance of Temporary Use Permits (TUPs) at the discretion of the ACRD Board in accordance with section 493 of the *Local Government Act*.

The OCP designates a Development Permit Area (DPA) that impacts development on this property: “Development Permit Area I – Riparian Areas Protection” which includes all land within 15 metres of the natural boundary of the lake. This DPA is intended to minimize negative environmental impacts from development activities. The issuance of this TUP will not trigger DPA requirements as no new development is planned.

The proposal complies with the policies and objectives of the Sproat Lake OCP. The TUP may be re-issued to allow the requested use to continue on the subject property.

- c. **Zoning:** The property is zoned Acreage Residential (RA1) District. This zoning designation does not allow short-term vacation rentals, though a TUP may be issued to allow this use.

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 temporary use permit 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.

A Temporary Use Permit is valid for up to 3 years and may be renewed by the Regional District once. Temporary Use Permit TUP18013 was originally issued in October 2018 and the property owner has now applied to renew the permit. After this time has expired, the property owner must apply to rezone the property to allow for the continued use or discontinue the specified use.

Temporary Use Permit TUP18013 Renewal: The Temporary Use Permit for LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275 may be subject to the following conditions and any others that the ACRD Board of Directors considers appropriate at the time of issuance:

TUP18013 Renewal

1. This permit is issued for the operation of a 4 bedroom short-term vacation rental house at the subject property.
2. The rental unit is limited to the single family dwelling currently existing on the subject property.
3. The rental unit must not change the residential appearance of the single family dwelling.
4. The owner or a caretaker must 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 permit 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 the original use permitted under the current Zoning or apply for a rezoning to allow for current use.
8. The operation of the STR must be in compliance with all Provincial Health Officer orders.
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 Temporary Use Permit to allow for the short term rental use of this house was issued by the Board in October 2018 following engagement with the Sproat Lake APC and neighbour notification. The property owners have now applied to renew the TUP for another three (3) year term.

The STR has been operating under the existing TUP since 2018 with no concerns about the operation flagged to the Regional District since the TUP was issued. The property owners intend to continue operating the STR in a similar manner. The house is the secondary home of the applicants who reside in Vancouver. Parents of the applicants live approximately 15 minutes from the property in the Alberni Valley and have agreed to continue acting as caretakers for the rental unit. The applicants also regularly use the property and will be renting it weekly when they are not at the property during the months from May to September. The applicant has included documents including a survey, floor plan, photos and letter of sewer approval from a Registered On-site Wastewater Practitioner.

Planning staff recommend that the Board consider re-issuing Temporary Use Permit TUP18013 and direct staff to proceed with the neighbour notification process to gather public input on the application.

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

Reviewed by: *Michael Irg*
Mike Irg, MCIP, RPP, General Manager of Planning & Development

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

TUP18013 Renewal



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. TUP18013

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 is hereby issued to:

Name: Graham and Leah Collings

Address: 8905 Faber Road

With respect to:

Legal Descriptions: LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275

PID: 001-982-770

The Regional District of Alberni-Clayoquot hereby issues a Temporary Use Permit to GRAHAM AND LEAH COLLINGS with respect to properties legally described as LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275 subject to the conditions as follows:

1. This permit is issued for the operation of a 4 bedroom short-term vacation rental house at the subject property.
2. The rental unit is limited to the single family dwelling currently existing on the subject property.
3. Any nuisance to surrounding properties resulting from the rental use must be minimized or eliminated.
4. The rental use of the property must not change the residential appearance.
5. The owner or a caretaker must be available 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 three (3) years from the date of execution.
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.

At the time this permit expires, the property owner may apply to the Regional District to have it re-issued for another period of up to three (3) years or the property owner must return the property to the original use permitted under the current Zoning by way of ceasing any short term vacation rental use or rezone the property.

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 October 10, 2018.

This permit was issued under the seal of the Regional District of Alberni-Clayoquot on October 10, 2018.

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

Chair of the Regional Board

TUP18013



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

Phone: (250) 720-2700 Fax: (250) 723-1327

Office use only

File No.:

Received:

Fee:

Receipt No.:

TEMPORARY USE PERMIT APPLICATION (SHORT TERM VACATION RENTAL)

Applicant/Property Owner Information	Agent Information (if applicable)
Name: Graham and Leah Collings	Name:
Mailing address: 1677 West 63rd Ave Vancouver, BC V6P 2H7	Mailing address:
Phone:	Phone:
Cell: 604-787-3589 / 604-340-1542	Cell:
Fax:	Fax:
Email: collingsg@gmail.com / leah.collings1@gmail.com	Email:

Agent Authorization (if applicable)

If the registered owner(s) of the subject property elects to have someone act on their behalf in submission of this application this section must be completed.

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Temporary Use Permit application.

Signature of owner:

Date:

Signature of owner:

Date:

Property Description

Civic address: 8905 Faber Road, Port Alberni, BC

Legal description: Lot 18 Plan VIP15275 District Lot 41 Land District 01
PID: 001-982-770

Zoning: RA1

OCP designation: Residential Use

Describe the existing land use of lands adjacent to the subject property:

North: Sproat Lake

South: Faber Road

East: Single family residential

West: Single Family Residential

Within the Agricultural Land Reserve (ALR): No Yes

Within a Development Permit Area (DPA): No Yes DPA-I Riparian (Waterfront)

(more information: www.acrd.bc.ca/development-permits)

Method of sewage disposal: Community system On-site septic system Other

Method of water supply: Community system On-site water system Other

Current Use (attach as a separate sheet, as required)

Describe the current use of the land and building(s) on the subject property:

Family home with four bedrooms, two kitchens and two bathrooms. The home is approx. 3,100 sq.ft. over two levels with attached carport located mid-property. Separate garage with enclosed workshop and carport at southwest corner. Pumphouse mid-property on north-eastern side. Gently sloping property from Faber Road down to Sproat Lake. This is our secondary family home that we use throughout the year for our family of five. Mrs. Leah Collings (nee Merwin) grew up in Port Alberni and has deep long-standing connections with the Sproat Lake and Port Alberni communities and proud to continue growing our roots in this excellent area.

Proposed Temporary Use (attach as a separate sheet, as required)

Describe the proposed temporary use of the land and building(s). Describe the time period required for the temporary use. Describe the reason(s) for the proposed temporary use. Clearly describe any conditions that the proposed use will be limited to (ie. floor area, bedroom(s), affected land area, building(s) to be used, parking, hours of operation, sewage, water, caretaker, etc.):

We would like to offer weekly rentals to families (seniors, adults and children) during the summer months from May through September. The renters would have full use of the family home and all the amenities on site, including private dock access to Sproat Lake (no on-site boat launch) and the beach. The property is private with mixed fencing along the borders, and with a tree and shrub-lined visual buffer. It offers a gentle slope that both seniors and toddlers can navigate easily.

Renters must apply to and sign a formal rental contract. We do not allow: parties, motorhomes, campers, pets, smokers. We encourage limited noise (no loud music) and respect of water safety and preservation. This is our family home (which we frequently occupy) and we like to have people treat our home as such -- we personally occupy the property throughout the summer for at least 4 weeks during the rental period. We also frequently have caretakers and landscapers on-site and available. Mrs. Leah Collings' parents, Ron and Marilyn Merwin, are lifetime residents of Port Alberni and live 14 minutes from the Property. Mr. and Mrs. Merwin have already been acting as caretakers since we purchased the Property.

Great care has been taken to ensure the property is safe: railings, gates, fire alarms, and UV water filtration system is in place. Guests have access to ample covered parking and property is serviced by a newer septic field.

Required Documentation

Site plan showing the following:

- Legal boundaries and dimensions of the subject property.
- Location of permanent building(s) and structure(s) on the subject property with distances to property lines.
- Location of any existing sewage disposal systems and/or property water source.
- Landscaping, access roads, driveways, vehicle parking spaces, pathways, screening/fencing, etc.
- Current floorplan showing the number of bedrooms that will be used for the short term vacation rental.

Health and safety inspection: Where applicable, confirmation from a Building Inspector, or other qualified individual that the proposed use of a building or structure meets minimum standards for health and safety.

Septic inspection: A copy of the most recent septic inspection/servicing showing to be in good working order and, if applicable, confirmation from a Registered On-site Wastewater Practitioner that the site is capable of accommodating on-site sewage disposal for the number of rooms/guests.

Additional or more detailed information may be requested by the Regional District following review of your application.

- If the Regional District believes it to be necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a registered BC Land Surveyor may be required.
- I accept responsibility for delays in processing caused by incorrect or insufficient submission. Personal information contained on this form is collected under the *Local Government Act*. Contact the Planning Department if you have any further questions.
- I hereby grant Regional District staff full right of access to the subject property, during the hours of 8:00 am until 4:30 pm, Monday to Friday, except statutory holidays, while this application is in effect; and
- I/we hereby declare that the information provided in this application is, to the best of my/our knowledge, true and correct in all respects, and I/we enclose the required fee with this application.
- NOTE: All items submitted as part of the application will not be returned to the applicant and are subject to the *Freedom of Information and Privacy Act*. All relevant correspondence will be provided to both the applicant and the agent when applicable.

Applicant/Owner Signature:  Date: July 25, 2021

Applicant/Owner Signature:  Date: July 25, 2021

PLAN OF LOT 18, DISTRICT LOT 41, ALBERNI DISTRICT, PLAN 15275.

SCALE 1:400

ALL DISTANCES ARE IN METRES.

ELEVATIONS ARE IN METRES AND ARE GEODETIC.

JURISDICTION: ALBERNI-CLAYOQUOT REGIONAL DISTRICT

PID NO: 001-982-770

CIVIC ADDRESS: 8905 FABER ROAD,
PORT ALBERNI, BC

NOTES:

SPROAT LAKE NATURAL BOUNDARY ELEV= 28.5

FLOOD CONSTRUCTION LEVEL= 31.6

LEGEND:

- PNB DENOTES PRESENT NATURAL BOUNDARY
- PP ○ DENOTES POWER POLE
- SL ○ DENOTES SEPTIC LID
- DB ○ DENOTES DISTRIBUTION BOX
- CB □ DENOTES CATCH BASIN
- DENOTES ROOF OVERHANG
- DENOTES PAGE WIRE FENCE
- 0.3φ CEDAR ○ DENOTES TREE DIAMETER (IN METRES) AND SPECIES



SIMS ASSOCIATES

LAND SURVEYING LTD.
223 FERN ROAD W.
QUALICUM BEACH, B.C. V9K 1S4
PHONE: 250-752-9121
FAX: 250-752-9241
FILE NUMBER: 18-169-BL
DRAWING FILE: 18-169 T1.dwg
DATE: 2018-07-25



ASSURANCE OF COMPLIANCE

July 13th, 2018

Graham Collings
8905 Faber Road
Port Alberni, BC
V9Y 9B9

Re: 8905 Faber Road, Port Alberni, BC Lot 18, Plan VIP 15275, District Lot 41, Land District 01, PID: 001-982-770

I hereby give assurance that:

I have conducted an inspection of sufficient thoroughness according to ASTTBC guidelines for the inspection of on-site wastewater systems to determine that the onsite sewage disposal system at the above-noted address, was built (at the time) in the matter of the applicable requirements for a building permit and is operating as per its design.

The system is not malfunctioning and has been appropriately constructed and installed given the size and projected demand on the system to be placed by any buildings or improvements that are served or are to be or are to be served by the system.

I have set out the following requirements:

- *The daily sewage flow shall not exceed 250 gallons (1,136 L) per day, (four-bedroom home).
- *Following set maintenance requirements on septic inspection.
- *No construction equipment is to be driven on, or building materials to be left overtop of any on the onsite sewage system.
- *No alteration filings are required.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Kelloway".

Terry Kelloway ROWP#0157





Roto-Rooter - Vancouver Island
 817 Allsbrook Road, Parksville, British Columbia, V9P 2A9 Canada
 250.248.8743 O 250.248.8414 F
 GST#: 129388344

BILL TO
 GRAHAM COLLINGS
 8905 Faber Road
 Port Alberni, BC V9Y 9B9 Canada

INVOICE 31452889	INVOICE DATE Oct 28, 2020
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JOB ADDRESS
 COLLINGS
 8905 Faber Road
 Port Alberni, BC V9Y 9B9 Canada

Completed Date: 10/28/2020
Payment Term: Due Upon Receipt
Due Date: 10/28/2020

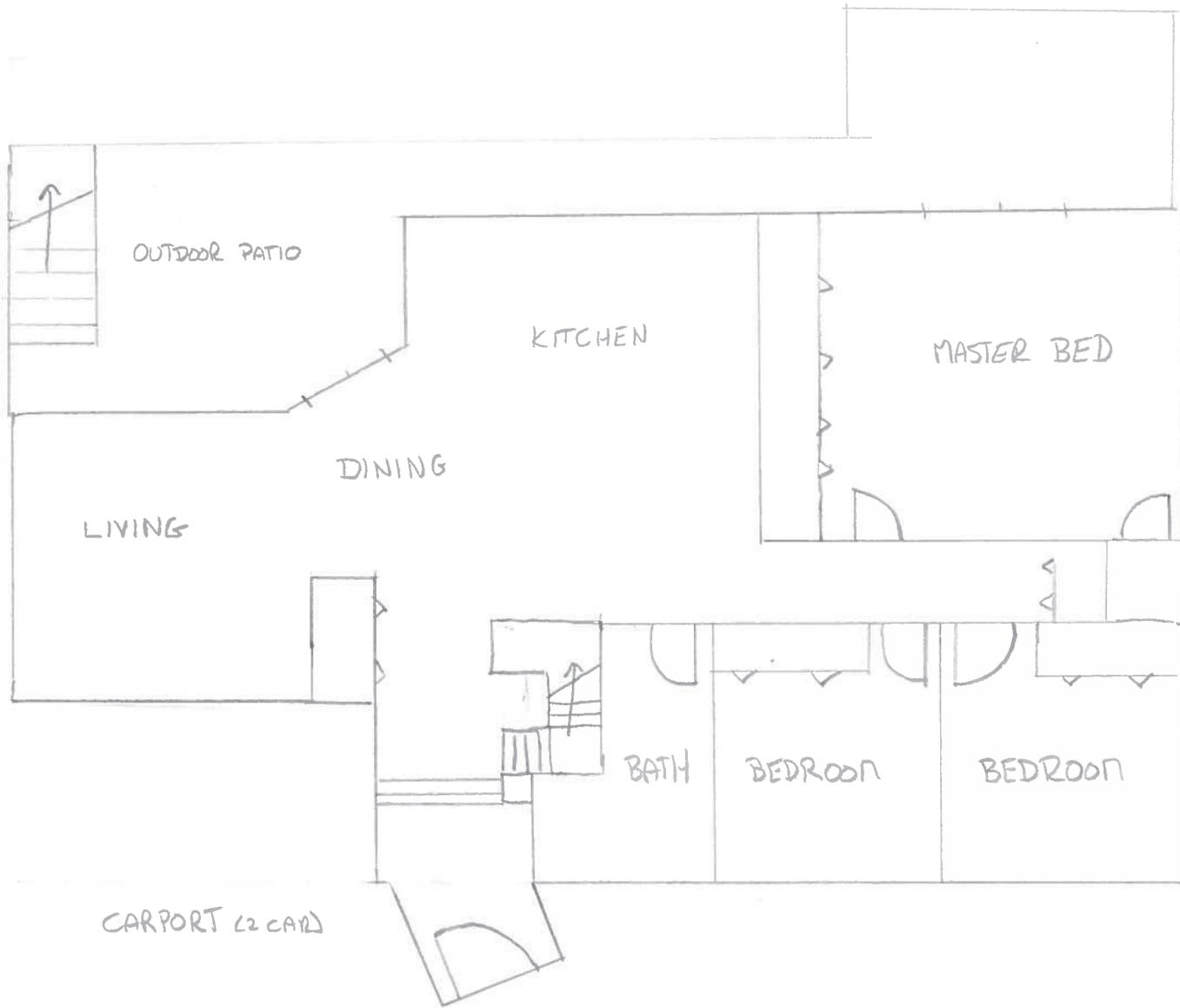
DESCRIPTION OF WORK

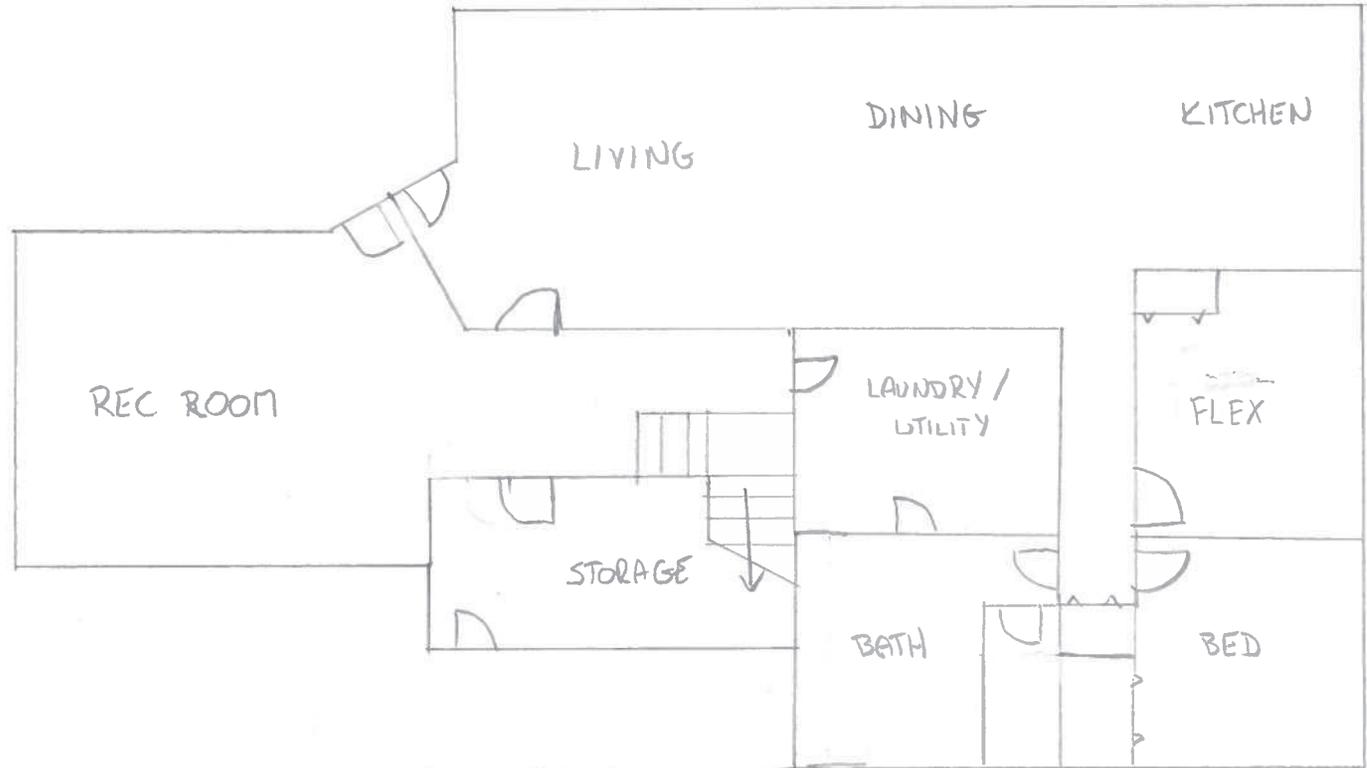
Inspected system and noted no high level alarms present. Pump float tested and confirmed as functioning at this time. Filter removed, cleaned and reinstalled.

Recommend pump out.

TASK	DESCRIPTION	QTY	PRICE	TOTAL
SPTC SRVC	Septic Service: Septic Service			
TRK CHRG	Truck Charge: Truck Charge			

PAID ON	TYPE	MEMO	AMOUNT
10/28/2020	Visa		





8905 Faber Road, Sproat Lake, BC – Photos



Lakeside frontage and lawn



Faber side frontage landscaping



Main Floor Kitchen



View from Dock to House



Main Floor Living and Dining Rooms



Master Bedroom #1

8905 Faber Road, Sproat Lake, BC – Photos



Main floor bedroom #2



Main floor bedroom #3



Lower floor bedroom



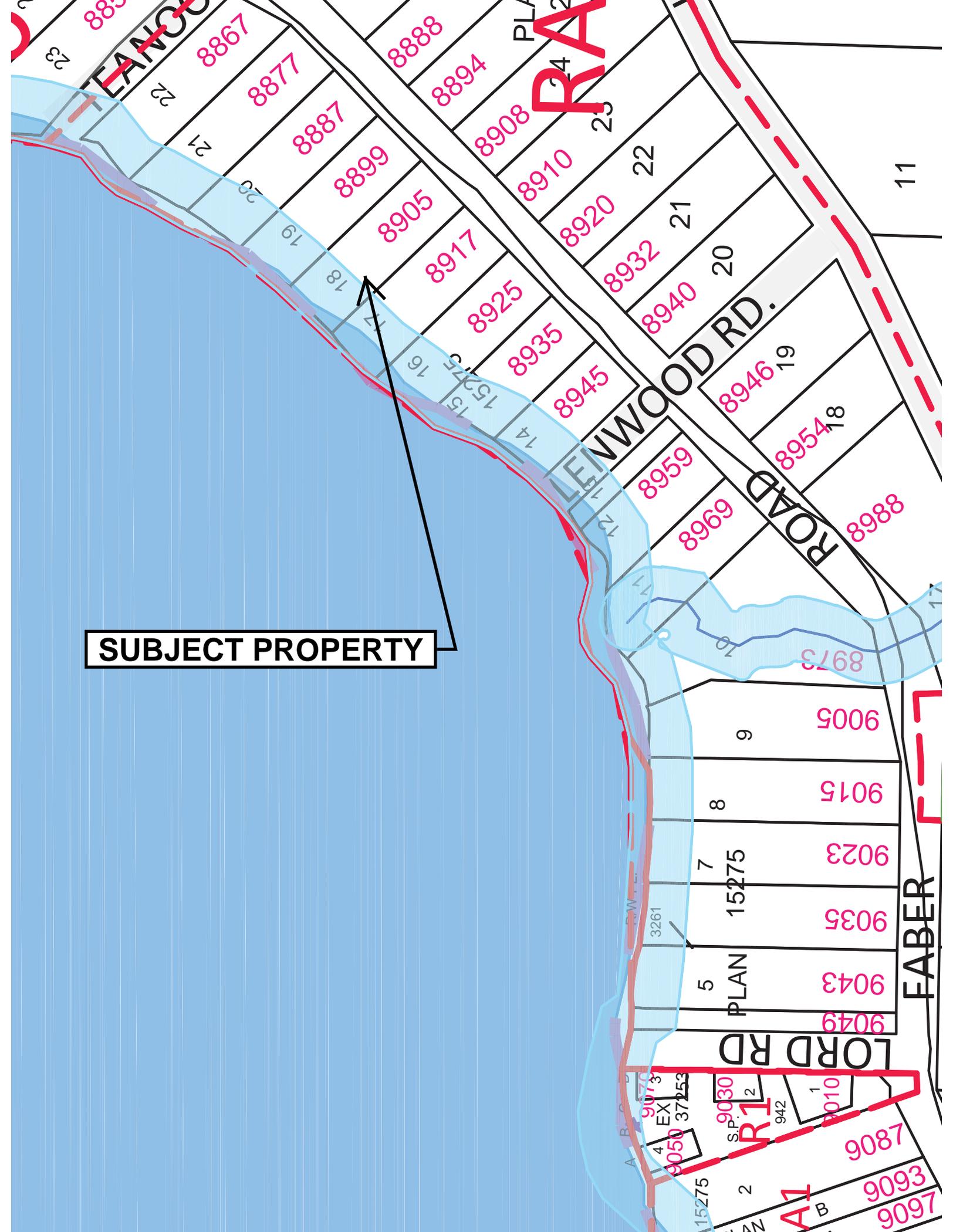
Lower floor living/dining/kitchen



Main floor Bathroom



Lower floor Bathroom



SUBJECT PROPERTY

R1A

LEINWOOD RD.

LORD RD

FABER

A1

PLAN

EX 9073
9050 37253
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