



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT
**NOTICE OF INTENT TO ISSUE
TEMPORARY USE PERMIT**
ELECTORAL AREA "C" – LONG BEACH

**Proposed Temporary Use Permit
TUP21003 – 1360 SMITH-DALE ROAD, PORT ALBION
PETER DONALDSON, PROPERTY OWNER**

Public Notice is hereby given that the Regional District of Alberni-Clayoquot (ACRD) will consider issuing 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 applicant intends to construct an Accessory Dwelling Unit cabin on the 0.66 ha (1.63 acre) property located at 1360 Smith-Dale Road and to utilize the cabin as a short-term vacation rental. The subject property is legally described as PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT.

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 17, 2022

Note: This notice corrects an inconsistency with a previous notice dated February 3, 2022 for Temporary Use Permit application number TUP21003.

**Subject
Property**

**Yuułuꞵilꞵath
Government**

028-474-643

006-343-767

15

005-566-371

023-512-300

20

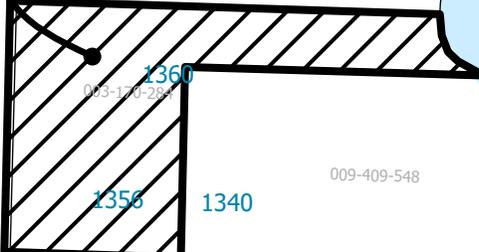
SUTTON RD

006-302-131

1420

009-409-521

009-389-776



1360

003-170-289

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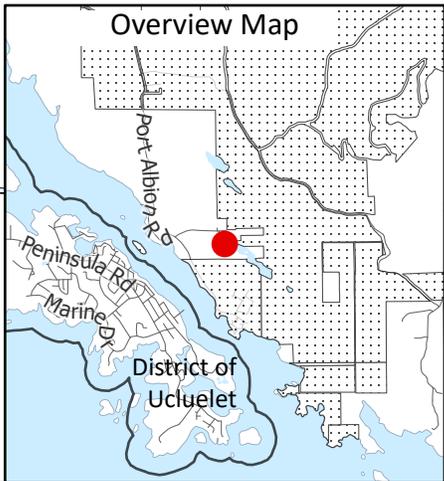
Itatsoo Lake

028-474-627

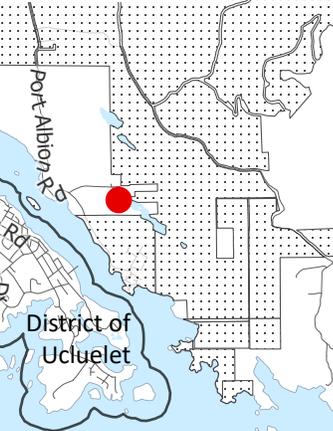
009-409-530

SMITHDALE RD

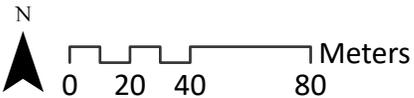
**Yuułuꞵilꞵath
Government**



Overview Map



District of
Ucluelet



Legal description: PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012,
CLAYOQUOT DISTRICT



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: January 26, 2022

TUP APPLICATION: TUP21003

APPLICANT: Pete Donaldson

LEGAL

DESCRIPTION: PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT

LOCATION: 1360 Smith-Dale Road, Port Albion

ELECTORAL AREA: "C" Long Beach

Applicant's Intention: The applicant intends to construct a 634 square foot Accessory Dwelling Unit cabin on the 0.66 ha (1.63 acre) property located at 1360 Smith-Dale Road and to utilize the cabin as a short-term vacation rental (STR).

Recommendation: *That the Board of Directors consider issuing Temporary Use Permit TUP21003 subject to neighbour notification as per Local Government Act s.494.*

Advisory Planning Commission Recommendation: At the December 7, 2021 Long Beach APC meeting, 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 then notify 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 a subsequent meeting, the Board can issue or deny the Temporary Use Permit.

Observations:

1. Property Description: The 0.66 ha (1.63 acre) property is located in the Port Albion area accessed off Smith-Dale Road and backing onto Ittatsoo Lake. The property is mostly treed apart from the area cleared for the existing improvements. There is a single family dwelling constructed in 2019-20 and an accessory building constructed in 2014 on the property.

TUP21003

2. Services:

- (a) **Sewage Disposal:** On-site sewage disposal system. A new septic system was installed in 2020 to accommodate the sewage disposal capacity for the single family dwelling and future Accessory Dwelling Unit.
- (b) **Water Supply:** On-site water.
- (c) **Fire Protection:** 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 would be built is accessed by a separate driveway.

3. Existing Planning Documents Affecting the Site:

A. **Agricultural Land Reserve:** Not within the ALR.

B. **Official Community Plan:** The South Long Beach OCP designates the property as Rural Residential. The Rural Residential designation in the OCP supports a number of uses including single family residential and bed and breakfast accommodation.

Two Development Permit Areas impact development on the property: DPA I – Sensitive Ecosystems Protection, Ittatsoo Watershed Community Water Supply Area, and DPA II – Freshwater Riparian Areas Protection.

A development permit was issued in 2017 to facilitate the construction of the single family dwelling. The Professional Biologist report that accompanied the development permit application recommended locating all construction outside of the 15 metres streamside protection and enhancement area and the implementation of sediment and erosion control measures during construction in order to protect Ittatsoo Lake and associated riparian areas. An updated development permit may be required prior to the issuance of a building permit for any future cabin construction.

C. **Zoning:** The property is zoned Forest Rural (A3) District. The A3 zoning permits an Accessory Dwelling Unit (ADU) on a property with a minimum 1 ha (2.47 acre) lot size within the South Long Beach OCP area. The subject property does not meet the current minimum lot size requirements for an ADU in the South Long Beach OCP area. The A3 zoning also does not permit short-term vacation rentals.

The Temporary Use Permit application would allow for the construction of the ADU and permit the use of the ADU for short-term vacation rental uses.

D. **Temporary Use Permits:** 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. A TUP may do one or more of the following:

TUP21003

- i. Allow a use not permitted under the Zoning Bylaw;
- ii. Specify conditions under which the temporary use may be carried out;
- iii. Allow and regulate the construction of buildings or structures with respect to the use for which the permit is issued.

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. For the subject property in the South Long Beach OCP area, a TUP can be issued for up to 2 years and renewed by the Regional District once. After this time has expired, the property owner may have to apply to rezone the property to allow for the continued use or discontinue the specified use.

The applicant intends to construct the cabin to align with the proposed Accessory Dwelling Unit amendments to the South Long Beach OCP and updated Zoning Bylaw that, if adopted as proposed, would allow for an ADU on the subject property. If the Board does not proceed with the proposed bylaw amendments that would allow for ADUs on properties with a minimum lot size of 0.4 hectare (1 acre) or greater in the South Long Beach OCP area, the applicant will be required to bring the property into compliance with the bylaws following the expiry of the TUP. This would involve either removing the cabin structure from the premises or converting the cabin into a non-habitable accessory building.

A Short Term Vacation Rentals Temporary Use Permit Policy was adopted by the Board on January 24, 2018. This policy specifies regulatory areas, notification requirements, terms and renewals, criteria for evaluation, and conditions that may apply to individual permits.

When issuing an STR TUP, the ACRD may specify conditions that restrict the permit including: the buildings to be used, area of use, form and character of the development, environmental protection, site-related restrictions, and any other relevant conditions determined by the ACRD.

Temporary Use Permit: Should the Board of Directors wish to support this application, the Temporary Use Permit for PARCEL "C" (DD 2628N) OF DISTRICT LOT 1012, CLAYOQUOT DISTRICT to construct an ADU and operate the dwelling as a STR may be subject to the following conditions, and any others, that the ACRD Board of Directors considers appropriate at the time of issuance:

1. This permit is issued to allow for the construction of an Accessory Dwelling Unit (ADU) on the subject property to be operated as a short term vacation rental (STR) unit.
2. The ADU shall be limited to a maximum of two (2) bedrooms.
3. A maximum of two (2) persons shall be permitted per bedroom when the ADU is being occupied as an STR.

TUP21003

4. The short term rental use is limited to the ADU to be constructed on the property.
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 two (2) years from the date of execution.
8. 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.
9. The operation of the STR must be in compliance with all Provincial Health Officer orders.
10. 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 has discussed the possibility of building an Accessory Dwelling Unit on this property with staff since the construction of the single family dwelling. The Zoning Bylaw does not currently permit an ADU within the South Long Beach OCP area on any property less than 1 hectare (2.47 acres) in lot area. As part of the Zoning Bylaw Review project and associated minor amendments to the Official Community Plans, staff are recommending that the ACRD reduce the minimum lot size for an ADU in the South Long Beach OCP area to 0.4 ha (1 acre). Should the OCP and zoning amendments be implemented by the ACRD Board, the construction of an ADU would be permitted on the subject property.

The Temporary Use Permit application process allows the applicant to proceed with their construction plans in the short term while aligning with the intended future policy for Accessory Dwelling Units in the South Long Beach OCP area. It is anticipated that the Zoning Bylaw and OCP amendments will be considered by the Board in 2022. If the Zoning Bylaw and OCP amendments are not adopted by the Board, the applicant would be required to bring the property into compliance at the expiry of the TUP by way of demolishing the cabin or converting the cabin structure to a non-habitable accessory building.

The TUP application would also facilitate the vacation rental use of the ADU once constructed. The applicant resides on the property in the existing single family dwelling. The applicants' intention is to operate the STR over the short term and transition to long term rental of the ADU as a residence in the future. The applicant has provided building plans for a 634 square foot one-bedroom, one-storey cabin to be located on the south side of the property. It is noted that the proposed amendments to the Zoning Bylaw and South Long Beach OCP as part of the Zoning Bylaw Review project would allow for an ADU with a maximum floor area of 968 square feet on this property.

The cabin would share the existing sewage disposal system with the single family dwelling as the system was installed in 2020 with the increased capacity design required to accommodate the additional cabin. There is second driveway separated from the single family dwelling that would provide independent access to the cabin from Smith-Dale Road.

TUP21003

Planning staff are supportive of proceeding with the neighbour notification process for this application to gather public input on the proposed Temporary Use Permit. The construction of the ADU aligns with the intended amendments to the Zoning Bylaw and South Long Beach OCP and the short-term vacation rental use would provide the applicant with the flexibility to operate the cabin as a vacation rental over the short term while transitioning to long-term residential rental tenure in the future.

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

TUP21003

General Notes:

1. All drawings, models, and designs produced by Cascadian Sustainable and used in this project remain the property of Cascadian Sustainable. Cascadian Sustainable reserves the copyright in these designs and as such they shall not be used for any other work or project without the consent of Cascadian Sustainable.
2. It is the responsibility of the Contractor to verify all dimensions, elevations, surveys and site conditions on site prior to construction. The contractor shall notify Cascadian Sustainable of any omissions, corrections or discrepancies in the plans prior to commencement of work. Commencement of construction constitutes acceptance of the drawings, the existing site conditions and means dimensions, elevations and layouts have been considered, verified and are acceptable.
3. Dimensions take precedence over scale measurements.
4. Construction must comply with current British Columbia (BC) Electrical Code, BC Plumbing Code, BC Building Code and latest NFPA Codes and Standards.
5. Contractor must use a professional surveyor in locating footing walls and other structures noted on the easement and foundation location plan.
6. All footings must be constructed below frost level and on soil approved by a geotechnical engineer.
7. Contractor shall obtain manufacturer's certificate, installation certificates, shop drawings of engineered trusses, engineered beams, engineered glass railings and materials that will be used on the project for inspection.
8. These drawings constitute final construction drawings and do not account for construction site safety measures. The contractor is responsible for safety during construction of the project including but not limited to temporary erection of safety measures, shoring, formwork and any other elements not present in the final drawings.
9. No drawings shall be used for construction unless marked "Issued for Construction".

Civic Address:
1360 Smithdale Road
Alberni-Clayoquot Regional
District, BC

Legal Address:
Parcel 'C' (DD.2628-N)
District Lot 1012, Clayoquot District
PID: 003-170-284

A3 - Zoning

| Regulation | Allowable | Proposed |
|---------------------|-------------------------|----------------------|
| Max. Lot Coverage | n/a (70,724.27 sq. ft.) | 3.6% (2,542 sq. ft.) |
| Max. ADU Floor Area | 70 sq. m. (783 sq. ft.) | 638 sq. ft. |
| Max. ADU Height | 3.7 m. (12.14') | 12' 0"-1/16" |
| ADU Front Setback | 50' | 70' |
| ADU Rear Setback | 3 m. (9.84') | 93'-7" |
| ADU Side Setbacks | 3 m. (9.84') | 35' / 210' 2-1/2" |

AG SURVEYS

Site Plan of:

Parcel 'C' (DD.2628-N)
District Lot 1012, Clayoquot District

Parcel Identifier: 003-170-284

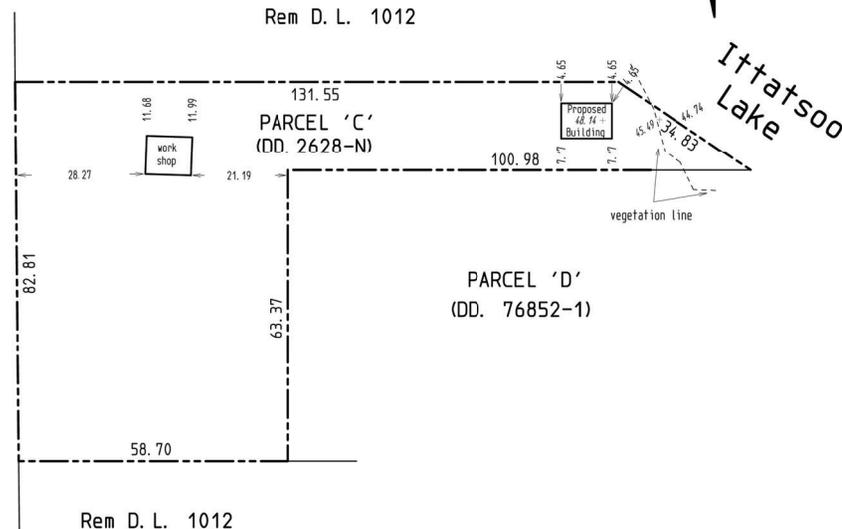
SCALE - 1 : 1 0 0 0



All distances are in metres & decimals thereof.

(plot on 8.5" x 11" sheet)

110-545 MARINE DRIVE
UCLUELET, B. C.
VOR 3A0
Phone: 726-2755
File: Smith Road
June 17/ 2016



A
Proposed
New Home
For:

Peter
Donaldson

Ucluelet,
British
Columbia

**CASCADIAN
SUSTAINABLE**
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Project: Donaldson ADU
Project #: 2020078
Title: Cover Page
Drawn By: P.S.
Scale: 1:48
Date: May 3, 2021

A-1

A
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New Home
For:

Peter
Donaldson

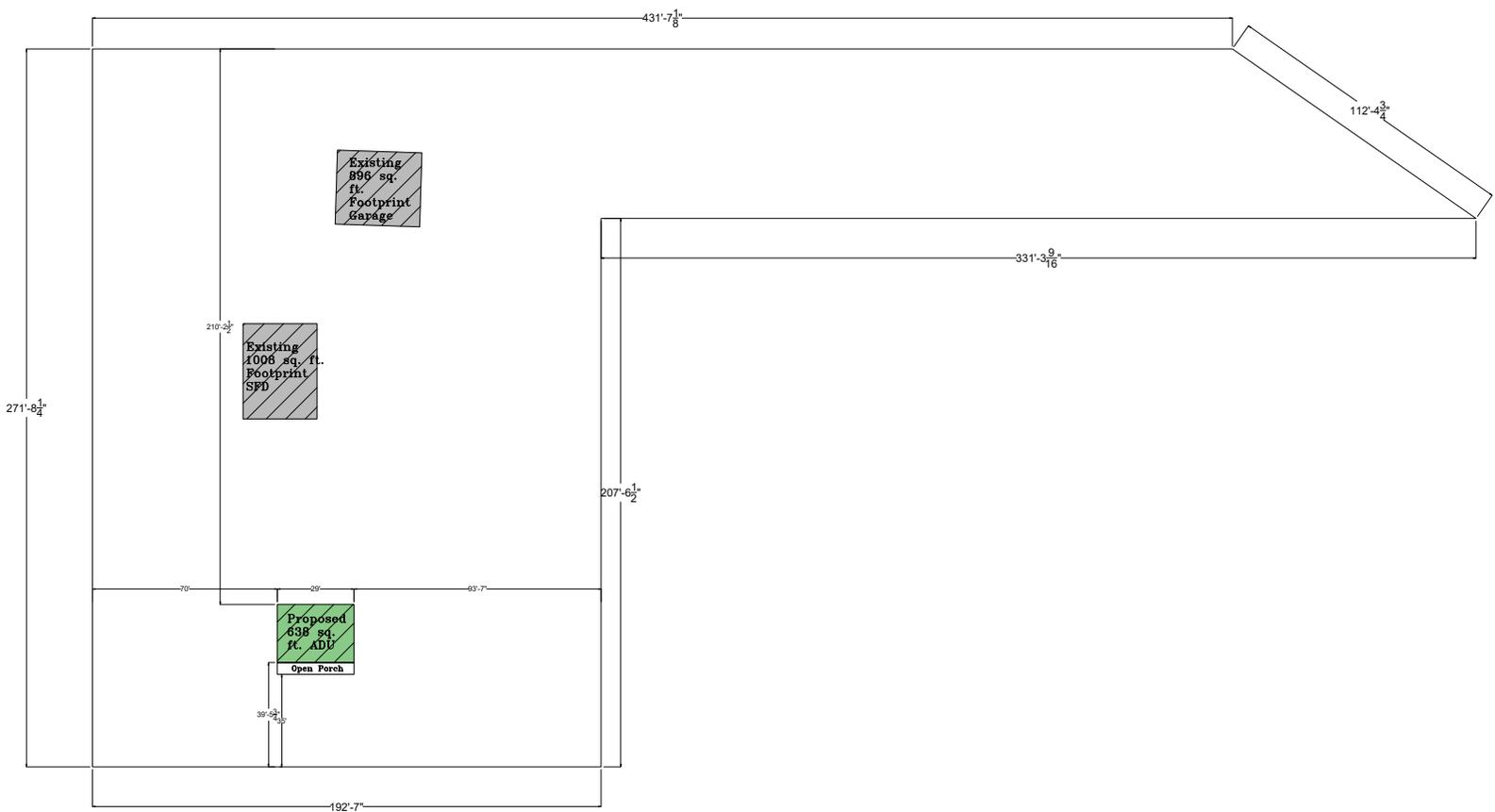
Ucluelet,
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Columbia

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Energy Consulting

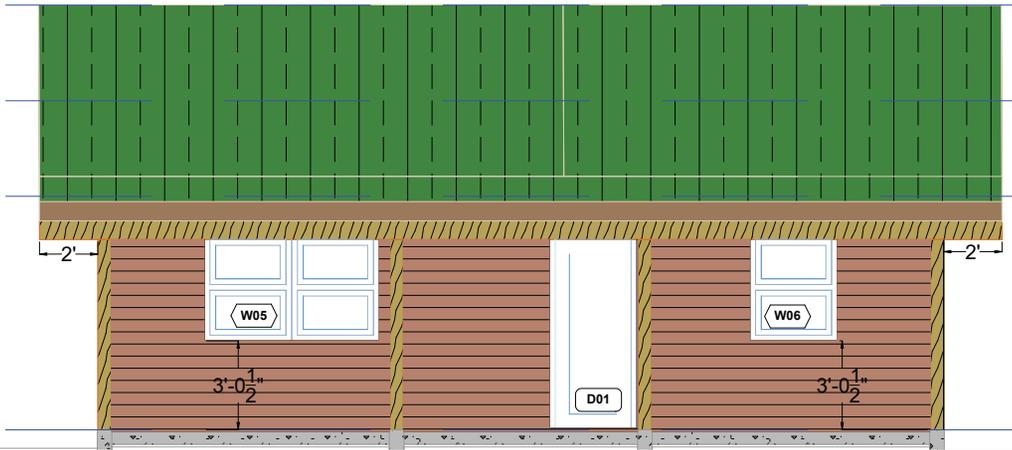


Project: *Donaldson ADU*
Project #: *2020078*
Title: *Site Plan*
Drawn By: *P.S.*
Scale: *1:250*
Date: *May 3, 2021*

A-2



South Elevation



Roof Peak $+15' 3\text{-}3/8''$

Building Height $+12' 0\text{-}1/16''$

Eave Height $+8' 8\text{-}3/4''$

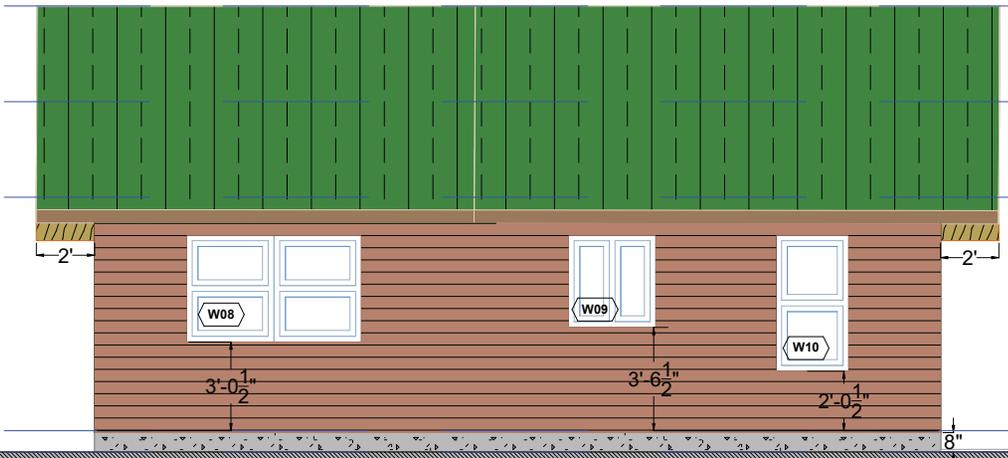
Main Sub-Floor $+0' 8\text{-}3/4''$
 Finished Grade $+0' 0''$

A
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 For:

Peter
 Donaldson

Ucluelet,
 British
 Columbia

North Elevation



Roof Peak $+15' 3\text{-}3/8''$

Building Height $+12' 0\text{-}1/16''$

Eave Height $+8' 8\text{-}3/4''$

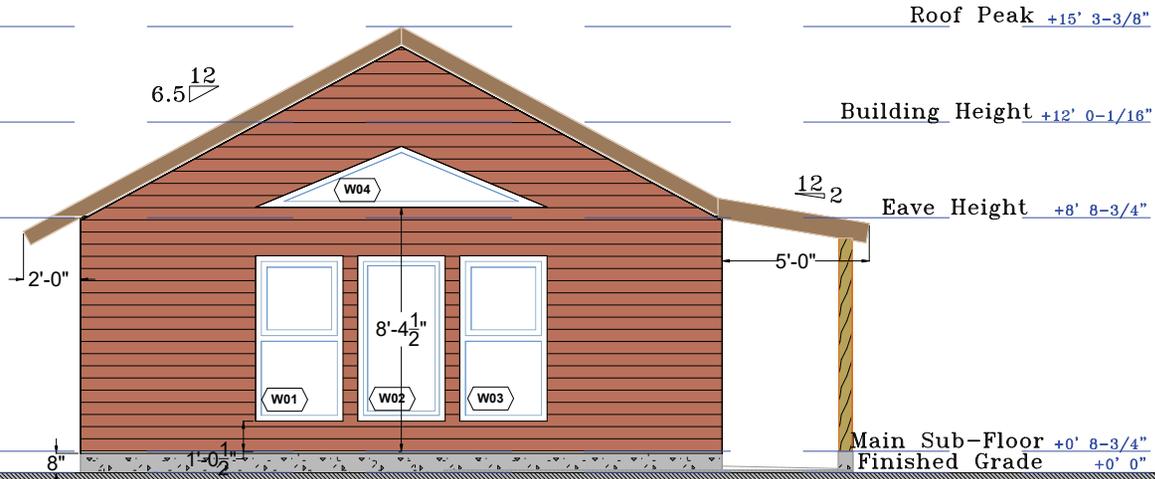
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 Finished Grade $+0' 0''$

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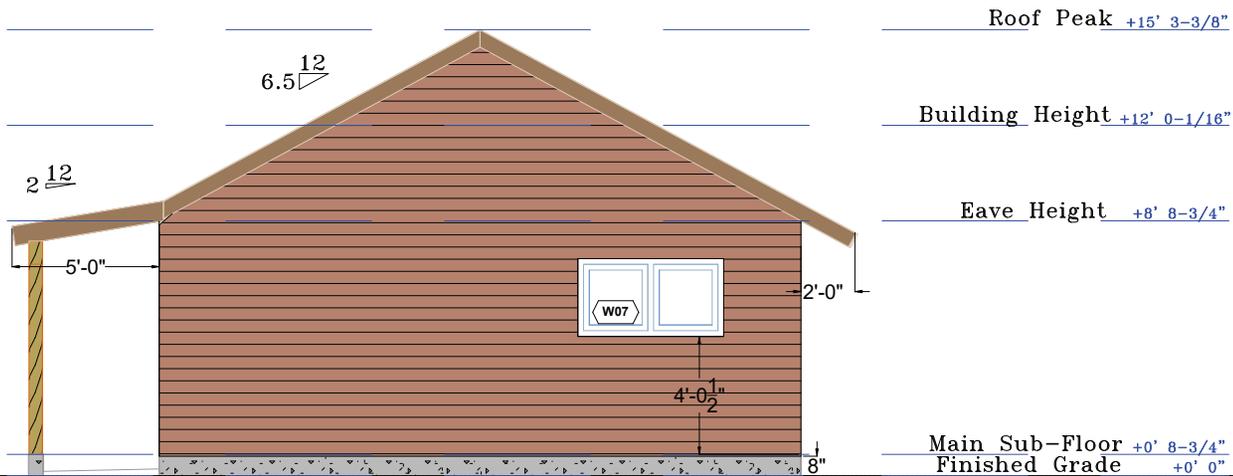


Project: Donaldson ADU
 Project #: 2020078
 Title: N/S Elevations
 Drawn By: P.S.
 Scale: 1:24
 Date: May 3, 2021

West Elevation



East Elevation



A
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New Home
For:

Peter
Donaldson

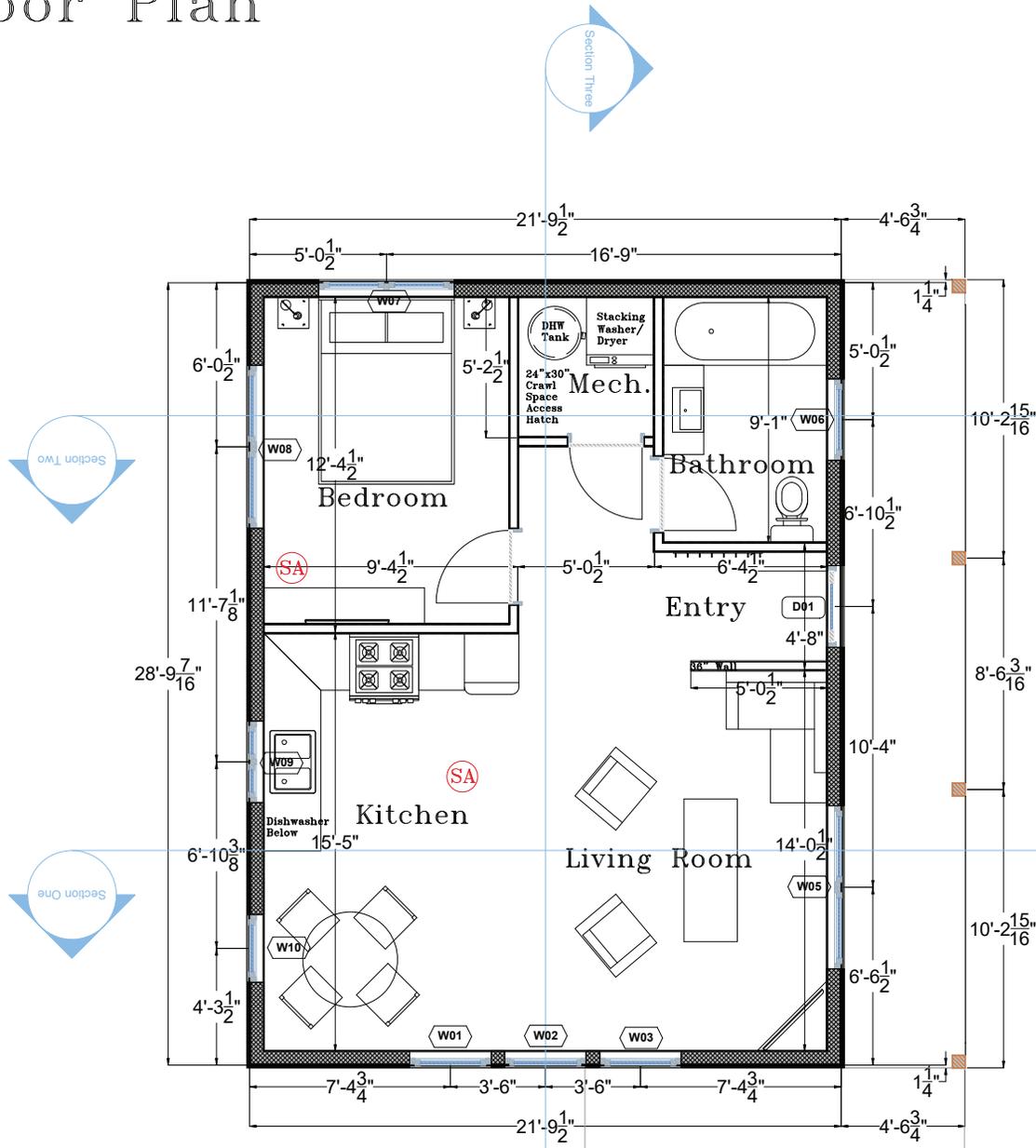
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Columbia

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Architectural Design &
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Project: Donaldson ADU
Project #: 2020078
Title: E/W Elevations
Drawn By: P.S.
Scale: 1:24
Date: May 3, 2021

A-4

Main Floor Plan



Note: Electric Baseboard Heat w/ Lunos e2 HRV per manufacturer

(SA) = Smoke Alarm

A
Proposed
New Home
For:

Peter
Donaldson

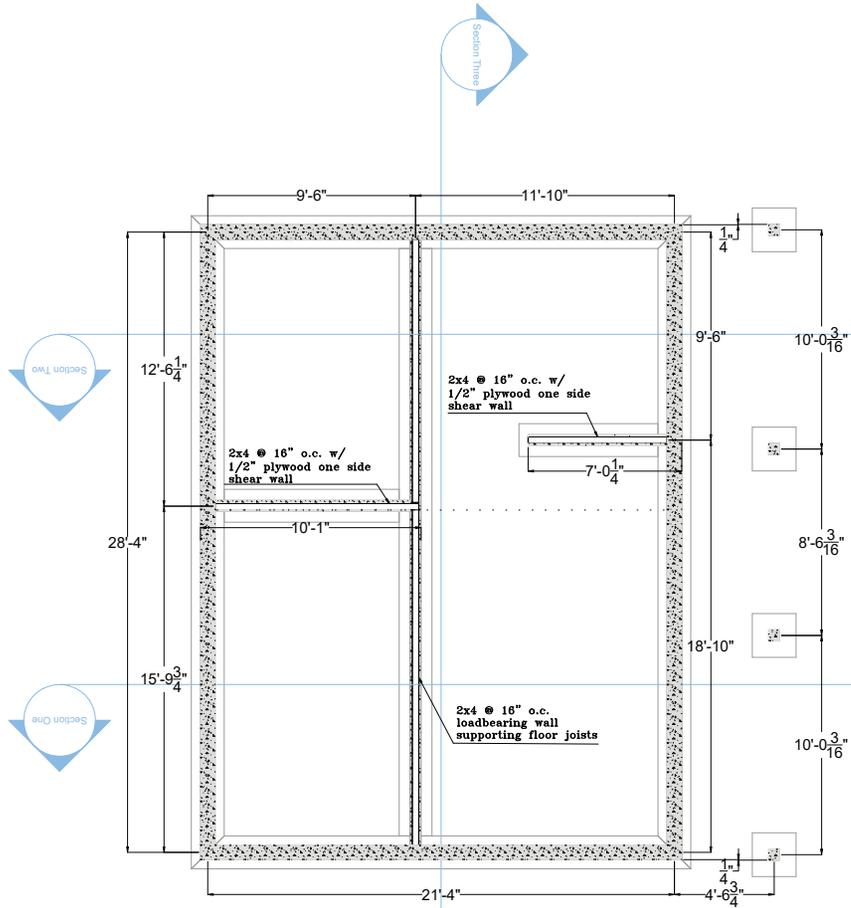
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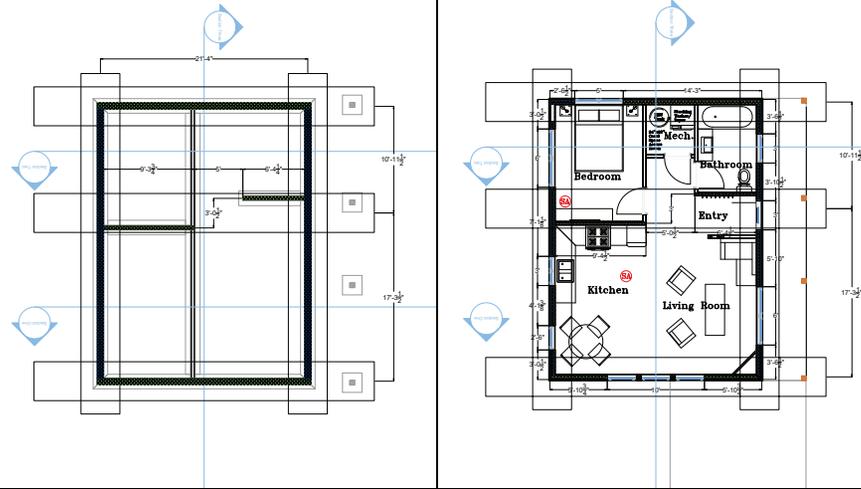
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Project #: 2020078
Title: Main Floorplan
Drawn By: P.S.
Scale: 1:24
Date: May 3, 2021

A-5

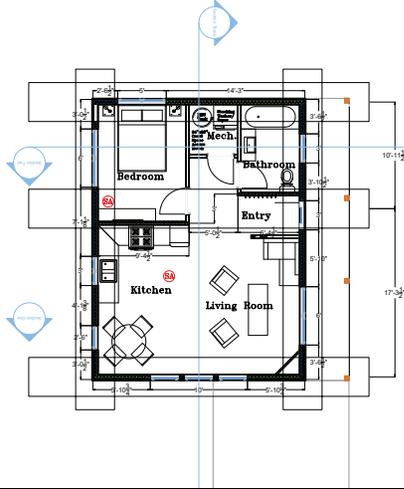
Foundation Plan 1:32



Lateral Load Plan 1:72



Plan 1:72



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New Home
For:

Peter
Donaldson

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Columbia

WINDOW SCHEDULE

| Window # | Width | Height | Operation | RO | Notes |
|----------|-------|--------|---------------|-----|-------------------------|
| W01 | 30" | 5'6" | Awning Bottom | TBD | |
| W02 | 30" | 5'8" | Picture | TBD | |
| W03 | 30" | 5'8" | Awning Bottom | TBD | |
| W04 | 10'0" | 2'1" | Picture | TBD | Triangle at 5:12 Slope |
| W05 | 6'0" | 3'8" | Casement | TBD | |
| W06 | 3'0" | 3'8" | Awning Top | TBD | Frosted Bathroom Window |
| W07 | 5'0" | 2'8" | Casement | TBD | |
| W08 | 6'0" | 3'8" | Casement | TBD | Bedroom Egress Window |
| W09 | 3'0" | 3'2" | Casement | TBD | |
| W10 | 2'6" | 4'8" | Awning Top | TBD | |

EXTERIOR DOOR SCHEDULE

| Door # | Width | Height | Style | RO | Notes |
|--------|-------|--------|-------|-----|---------------------|
| D01 | 3'0" | 6'8" | Entry | TBD | Exterior Glass Door |

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Project: Donaldson ADU

Project #: 2020078

Title: Foundation & Seismic

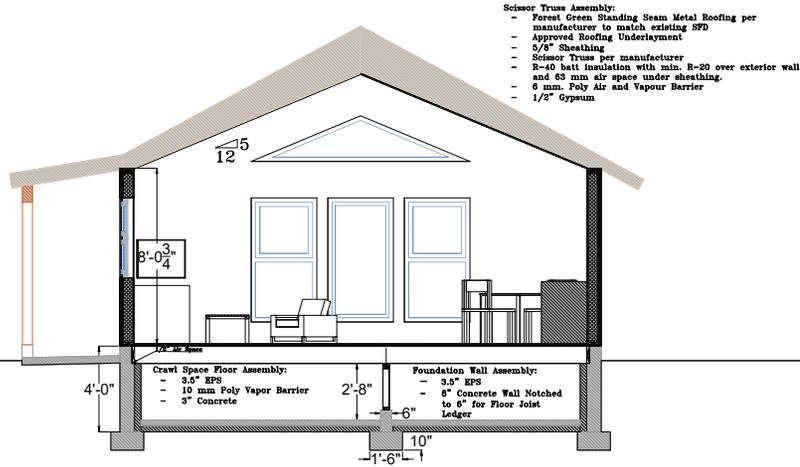
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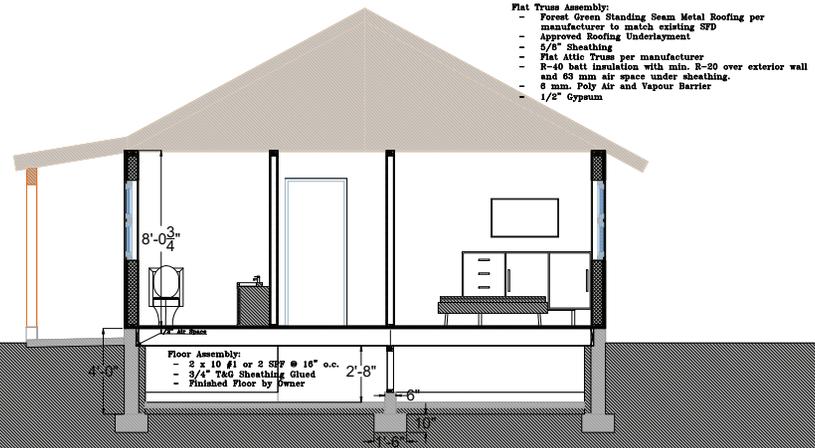
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A-6

Section One



Section Two



Section Three



A
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For:

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Energy Consulting



Project: Donaldson ADU

Project #: 2020078

Title: Section Views

Drawn By: P.S.

Scale: 1:48

Date: May 3, 2021

A-7



21
SMITH DALE

15

1012

30

1420

1360

1340

1320 Smith Dale

1300 Smith Dale



Ita

L.18

L.10

Subject Property

HITACU

