



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

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

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

January 26, 2022

SPROAT LAKE ADVISORY PLANNING COMMISSION

Please find enclosed the following application for your review and consideration:

- DVD21009 – 10485 Lakeshore Road (Ronkainen)
- TUP18013 Renewal – 8905 Faber Road (Collings)

Please review this application so that your Director can submit your recommendations to the Board of Directors on Wednesday, February 9, 2022.

Your next meeting is scheduled for **Monday, January 31st at 7:00 pm** through Zoom Webinar Conferencing. Please refer to the email for details and Zoom invitation.

Thanks in advance!

Sincerely,

Alex Dyer

Alex Dyer, MCIP, RPP
Planning Manager

Enclosures

Cc Applicants



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3 Telephone (250) 720-2700 Fax (250) 723-1327

Development Variance Application

MEETING DATE: February 9, 2022

ACRD FILE NO.: DVD21009

APPLICANTS: Derick and Gwen Ronkainen, Agent – Don Saywell Developments Ltd

LEGAL

DESCRIPTION: PARCEL A (DD 89825N) OF LOT 3 DISTRICT LOT 204 ALBERNI DISTRICT PLAN 4600

LOCATION: 10485 Lakeshore Road, Port Alberni

ELECTORAL AREA: "D" Sproat Lake

APPLICANT'S INTENTION: The applicants have applied for a development variance permit to reduce the required front yard setback from 12.2 m (40 ft) to 11 m (36.1 ft) in the Acreage Residential (RA1) District to facilitate construction of a new single family dwelling.

Recommendation: THAT the Board of Directors consider issuing development variance permit DVD21009, subject to:

- i. The submission of a report from a Geotechnical Engineer certifying that the land is safe for the intended construction of a new single family dwelling; and
- ii. Neighbouring properties being notified as per Local Government Act s.499.

Development Variance DVD21009:

- i. Development variance of the ACRD Zoning Bylaw, Schedule No. II: Bulk and Site Regulations, to reduce the required front yard setback from 12.2 m (40 ft) to 11 m (36.1 ft) in the Acreage Residential (RA1) District to facilitate construction of a new single family dwelling.

Procedure: Prior to the issuance of a development variance permit, the Board must first pass a resolution to consider issuing the permit. Staff then notify neighbouring property owners and residents to afford them the opportunity to make written or verbal submissions to the Board. At a subsequent meeting, the Board issues or denies the development variance permit.

Sproat Lake Advisory Planning Commission (APC) Recommendation: This application will be reviewed at the January 31st, Sproat Lake APC meeting. APC recommendations will be included here following the meeting.

DVD21009

Observations:**i. Status of Property:**

The subject property is 0.09 ha (0.22 ac) in size. Improvements on the property include a small single family dwelling and a sewage disposal system. The property is mostly lawn area aside from the sewage disposal system and paved driveway. The parcel is split by Lakeshore Road with a portion, approximately 0.017 ha (0.04 ac) in area, located across the road on the lakefront. A lock-block and concrete wall separates the property from the surrounding parcel to the north and west. The subject property is lower than adjacent properties on all sides.

ii. Services:

- a. Sewage Disposal:** Onsite sewage disposal.
- b. Water Supply:** Onsite water supply.
- c. Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. Access:** Lakeshore Road.

iii. Existing Planning Policies Affecting the Site:

- a. Agricultural Land Reserve:** Not within the Agricultural Land Reserve.
- b. Official Community Plan:** The Sproat Lake Official Community Plan (OCP) designates the property as "Residential Use". The objective of this designation is to allow for a range of housing options within the OCP area.

The subject property is affected by Development Permit Area I – Riparian Areas Protection (DPA I), which extends 15 m (49.2 ft) from the natural boundary of Sproat Lake. The sketch plan prepared by JE Anderson and Associates indicates the 15 m setback and shows the proposed construction, located on the upland side of Lakeshore Road, is outside of DPA I.

The proposal complies with the Sproat Lake Official Community Plan. As the proposed construction is outside of DPA I, issuance of a development permit is not required.

- c. Zoning:** The property is zoned Acreage Residential (RA3) District.

Building Setbacks		
RA1	Required	Proposed
Front lot line setback:	12.2 m (40 ft)	11 m (36.1 ft)
Rear yard setback:	9.144 m (30 ft)	-
Side yard setback:	4.572 m (15 ft)	-

The applicant is applying for a Development Variance Permit in order to reduce the required front yard setback from 12.2 m (40 ft) to 11 m (36.1 ft) in the Acreage Residential (RA1) District to facilitate construction of a new single family dwelling.

Comments:

The RA1 District has a minimum floor area for dwelling units of 83.6 sq m (900 sq ft) on the main floor. Due to the lot shape and size, in order to meet this requirement, the footprint of the single

DVD21009

family dwelling projects into the front yard setback. The proposed height and siting of the structure complies with the side and rear yard setbacks and height requirements of the RA1 District. The sewage disposal system is located behind the current (and proposed) home at the rear of the property.

The subject property is located wholly within the Coastal Flood Construction Level (FCL) as identified by the Somass Watershed Flood Management Plan (SWFMP). Planning staff recommend that the applicant provide a report from a Geotechnical Engineer certifying that the land may be used safely for the intended construction of a new single family dwelling. Consideration of a safe flood construction elevation and the registration of a restrictive covenant, with the accompanying report from the qualified professional, will be required at the building permit stage of the project.

Planning staff feel the proposed variance is appropriate and recommend that the Board of Directors consider issuing development variance permit DVD21009 subject to the submission of a report from a Geotechnical Engineer certifying that the land is safe for the intended use as it relates to flood risk, and following notification to neighbours.

Submitted by: *Charity Hallberg Dodds*
Charity Hallberg Dodds, Planning Technician

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

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

DVD21009

**DVD21009 – Ronkainen, 10485 Lakeshore Road
Site Photos taken January 20, 2022**



Looking north towards existing home, from Lakeshore Road.



Looking south towards portion of property across Lakeshore Road on the lakefront.



Looking at lock-block and concrete wall, and sewage disposal system area behind the existing home.



Looking south from rear property boundary, standing in front of lock-block and concrete wall.



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, BC V9Y 2E3

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

APPLICATION FOR DEVELOPMENT

- | | |
|--|---|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Minimum Parcel Frontage Waiver |
| <input type="checkbox"/> Zoning Map Amendment | <input checked="" type="checkbox"/> Board of Variance Application |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Temporary Commercial Use Permit |
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> Temporary Industrial Use Permit |
| <input type="checkbox"/> Development Variance | <input type="checkbox"/> Other: _____ |

Applicant/Property Owner Information	Agent Information (if applicable)
Name: GWEN + DERICK RONKAINEN	Name: DON SAYWELL DEV LTD
Mailing Address: 2795 SHADY MILE WAY NANAIMO BC V9R 7A9	Mailing Address: 3103 WEST RD NANAIMO BC V9R 6X1
Telephone: 250 741 6789	Telephone: 250 741 6789
Fax:	Fax: 250 758 2999
Cell:	Cell:
Email:	Email: dssaywell@shaw.ca

• Legal Description: Parcel A (DD89825N) LOT 3 DL204 ALBERNI DIS PLAN 4600

• Particulars of Proposed Development:

- Existing OCP Designation: _____
- Proposed OCP Designation: _____
- Text Amendment: _____
- Existing Zone: _____
- Proposed Zone: _____
- Within the Agricultural Land Reserve (ALR)?: No Yes
- Within a Development Permit Area?: No Yes
- Method of Sewage Disposal: Community System Onsite Septic System Other
- Method of Water Supply: Community System Onsite Water System Other

• Other (explain): Proposed Home IF BUILT WITHIN ACRO SET BACKS IS TOO SMALL TO MEET THE 900 SF MINIMUM.

• Describe the existing land use of the subject property: _____

Residential Home

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

North: Residential House

South: LAKE / ROAD

East: Residential House

West: Residential House

- Describe the proposed development of the subject property (attach additional pages if necessary):

New Residential House

- Reasons and comments in support of the application (attach additional pages if necessary):

* Please see attached

- The following information is required. Failure to provide any of the following may delay the application.

A sketch/plan of the subject property showing:

- the legal boundaries and dimensions of the subject property;
- boundaries, dimensions, and area of any proposed lot (if subdivision is being proposed);
- the location of permanent building and structures on the subject property with distances to property lines;
- the location of any proposed building, structures, or additions hereto, with distances to property lines;
- the location of any existing sewage disposal systems and/or property water source; and
- topographic features (rock outcroppings, etc.).

- Additional or more detailed information may be requested by the Regional District following review or 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: X Derek Ronkan

Applicant/Owner Signature: X Gwen Ronkan

Date: Aug 4 2021



Alberni-Clayoquot Regional District AGENT AUTHORIZATION FORM

I/we, Gwen Ronkainen, the registered owner(s) of
Name(s) of Owner(s) – Please Print

10485 Lakeshore Dr Port Alberni hereby
Civic or Legal Address of Property – Please Print

authorize Don Sawwell Developments Ltd as
Name of Agent – Please Print

my/our agent to apply for a development application on my property noted above.

Aug 4/2021
Date

x Derrick Ronkainen
Signature(s) of Owner

Aug 4/2021
Date

x gwen Ronk.
Signature(s) of Owner

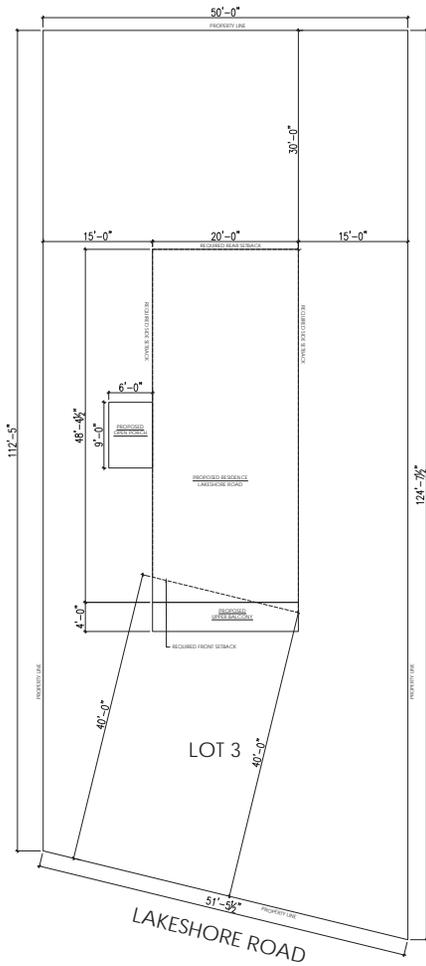
To whom it may concern:

We require a Variance for the following reasons as stated to us by the ACRD:

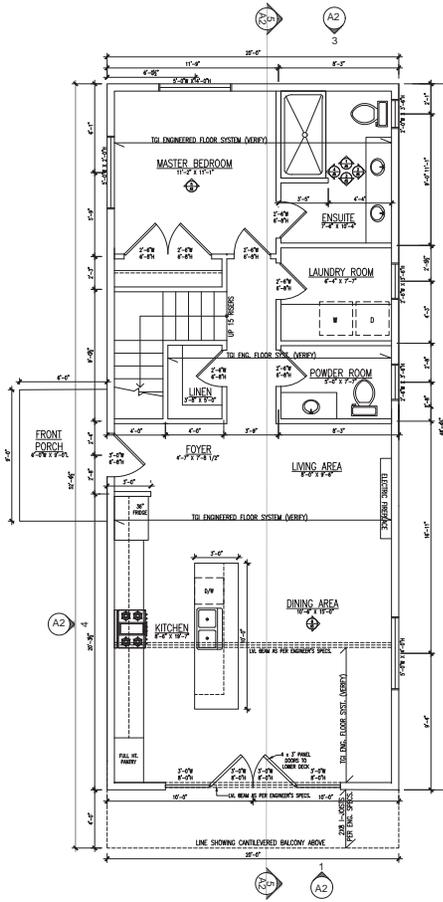
ACRD Zoning Bylaw requires a minimum main floor area (measured from the inside finished surface of the walls) of 900 square feet (83.613 m²) in the Acreage Residential District (RA 1). The current plans indicate that the 900 SF minimum will not be met. It's also understood that due to the setback requirements from the front (40'), rear (30') and side lot lines (15'), the allowable building area is less than 900 SF. As discussed, there is a definite hardship with regard to the allowable building envelope and the minimum floor area required by the ACRD Zoning Bylaw due to the size of the property. As such, the plans will need to be revised to meet the minimum floor area requirement and the building's footprint will have to encroach into the required setback distances. A development variance application will be required to vary the setbacks; however, when there is an undeniable hardship such as this, the process is somewhat expedited.

We have attached the revised plans for your consideration.

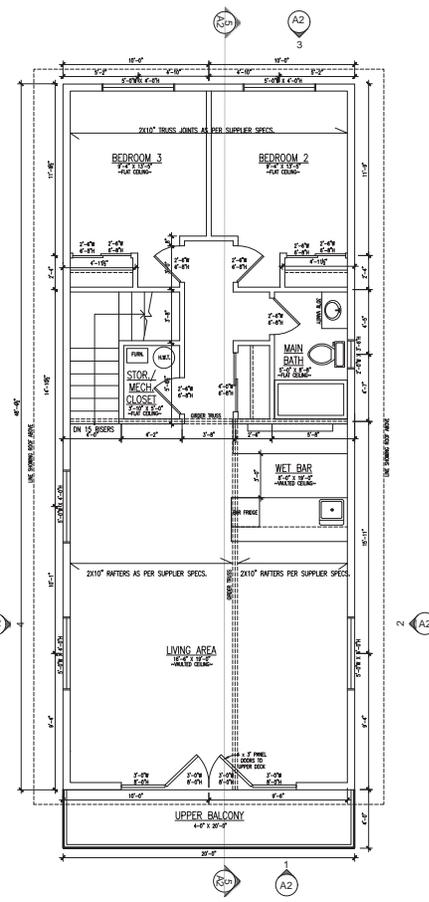
Thank you



1 SITE PLAN
A1 1/8" = 1'-0"



2 MAIN FLOOR PLAN
A1 1/4" = 1'-0"



3 UPPER FLOOR PLAN
A1 1/4" = 1'-0"

LOT DIMENSIONS		
AREA:	SQ. FOOTAGE:	NOTES:
FRONT & BACK	50'-0" 5'-5 1/2"	/
SIDES	112'-5" 124'-7 1/2"	/

REQUIRED SETBACKS		
AREA:	SQ. FOOTAGE:	NOTES:
FRONT	40'-0"	
REAR	30'-0"	
SIDES	15'-0"	

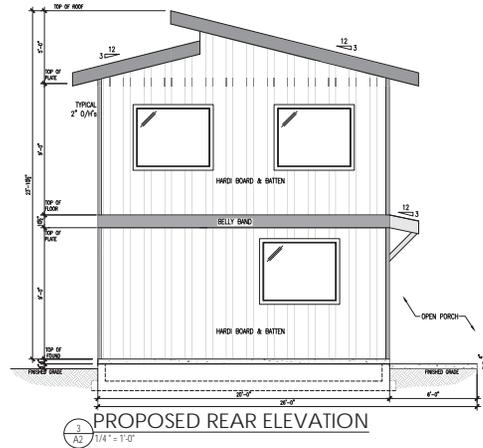
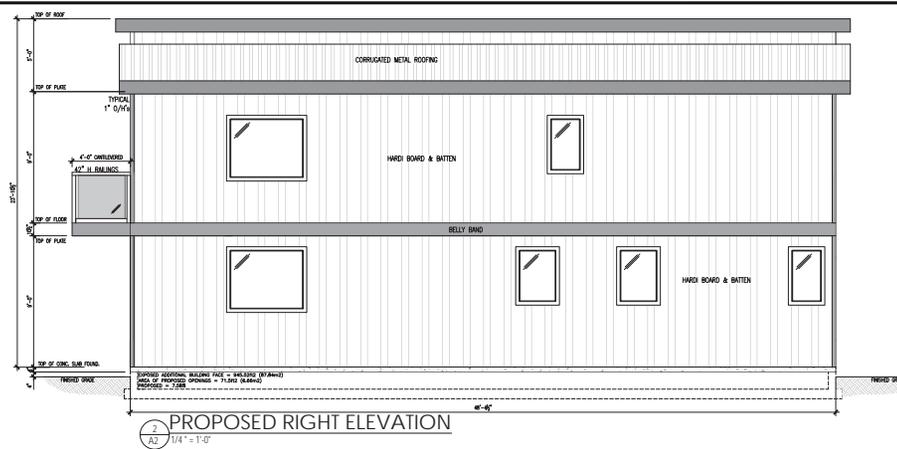
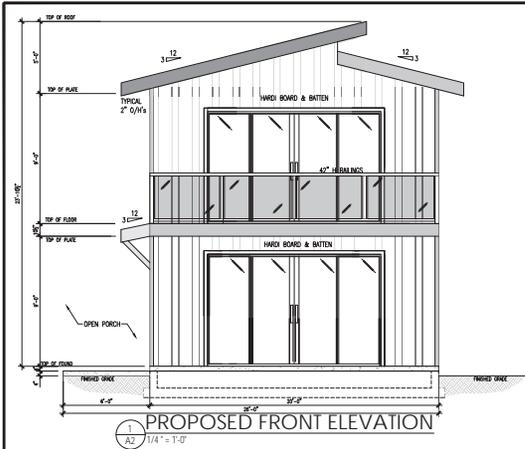
FLOOR AREA SQUARE FOOTAGE		
AREA:	SQ. FOOTAGE:	NOTES:
MAIN FLOOR		
MAIN LIVING	900.00	MEASURED FROM INSIDE FINISHED SURFACE OF WALLS
OPEN PORCH	54.00	/
UPPER FLOOR		
MAIN LIVING	900.00	MEASURED FROM INSIDE FINISHED SURFACE OF WALLS
UPPER BALCONY	80.00	/
TOTAL:	1934	

- GENERAL NOTES**
- ALL CONSTRUCTION MUST COMPLY WITH THE CURRENT BC BUILDING CODE AND MUNICIPAL BYLAWS
 - OWNERS, BUILDERS AND CONTRACTORS MUST CHECK DRAWINGS AND CORRECT WHERE NECESSARY TO ENSURE ALL NOTES AND REQUIREMENTS ARE MET PRIOR TO CONSTRUCTION
 - NOTES BY PROFESSIONAL ENGINEERS, TRUSS SUPPLIERS AND PLAN CHECKERS TO TAKE PRECEDENCE WHERE IN CONFLICT WITH DRAWINGS NOTES
 - THE OWNERS AND BUILDERS TAKE SOLE RESPONSIBILITY FOR ANY DEVIATION FROM THE STRUCTURAL DRAWINGS AND SPECS.
 - ALL WORKMANSHIP SHALL CONFORM TO A STANDARD OF GOOD BUILDING PRACTICE
 - WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE MEASUREMENTS
 - DIMENSIONS FROM OUTSIDE OF EXTERIOR WALLS & FROM THE CENTERLINE OF INTERIOR WALLS U.I.U.O.
 - ALL LUMBER SHALL BE SPF #2 OR BETTER
 - ALL UNITS SHALL BE 2 X12 U.I.U.O.

DEREK & GWEN RONKAINEN
10485 LAKESHORE ROAD, PORT ALBERNI, B.C.

MARBAN CONSTRUCTION AND DESIGN
112 Evelyn Crescent,
Nanaimo BC, v9x 1a1
250-616-9601

DATE:	REVISED OCT. 26TH 2021
PROJECT:	NEW BUILD
DRAWING:	SITE PLAN & FLOOR PLANS
SCALE:	AS NOTED
DRAWN BY:	RACHEL BALAN
DRAWING NO.	



THERMAL CHARACTERISTICS OF BUILDING ASSEMBLIES (CBC (9.36.2.6 - 9.36.2.8))

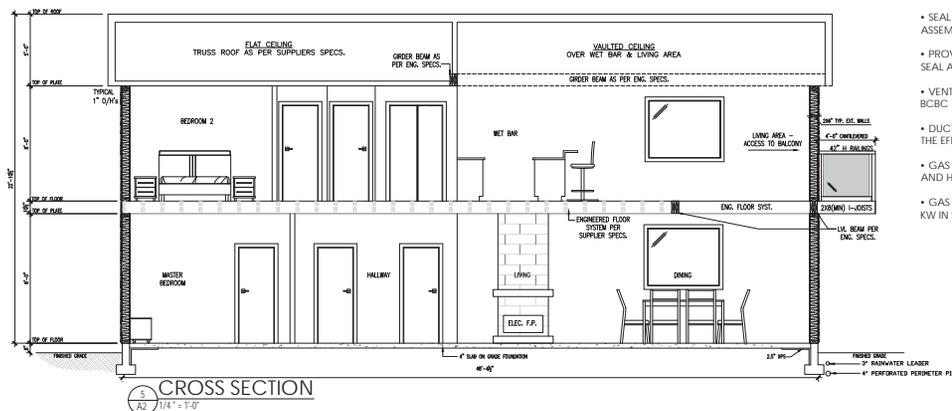
CLIMATE ZONE: 5

BUILDING ASSEMBLY	MINIMUM EFFECTIVE THERMAL RESISTANCE (RSI):
TYPICAL ROOFS	RSI 8.67 (R-49.23)
TYPICAL CATHEDRAL CEILINGS & FLAT ROOFS	RSI 4.67 (R-26.51)
TYPICAL EXTERIOR WALLS	RSI 2.97 (R-16.86)
TYPICAL FLOOR OVER UNHEATED SPACES	RSI 4.67 (R-26.51)
TYPICAL FOUNDATION WALLS	RSI 2.98 (R-16.92)
TYPICAL HEATED FLOORS	RSI 2.32 (R-13.17)
TYPICAL UNHEATED FLOORS ABOVE FROST LINE	RSI 1.96 (R-11.1)
TYPICAL UNHEATED FLOORS BELOW FROST LINE	UNINSULATED
TYPICAL WINDOWS & DOORS	USI 1.8 U-VALUE & 21 MIN. ENERGY RATING

NOTE: CONTRACTOR MUST ADHERE TO THE NEW ENERGY EFFICIENCY REQUIREMENT CLIMATE ZONE 5 SECTION 9.36 OF THE BC BLDG. CODE

ELEVATION NOTES

- TORCH ON MEMBRANE ROOF
- HARDI BOARD & BATTEN SIDING
- HARDI SHINGLE SIDING
- 4" SLAB ON GRADE FOUNDATION



CEILING - TRUSSES @ 24" O.C.

ASSEMBLY COMPONENT	R	RSI
1 ROOF SHEATHING	0.00	0.00
2 VENTED ROOF AIR SPACE	0.17	0.03
3 ROOF TRUSSES (2X10 SPRUCE)	26.4	4.65
4 POLYETHYLENE VAPOUR RETARDER	0.00	0.00
5 1/2" (12.7 MM.) GYPSUM BOARD	0.45	0.08
6 INTERIOR AIR FILM	0.62	0.11
7 AIR CAVITY, 19MM AIR SPACE	0.85	0.15
EFFECTIVE RSI / R VALUE - ENTIRE ASSEMBLY	28.49	5.02

FLOOR ABOVE FROST LINE (UNHEATED)

ASSEMBLY COMPONENT	R	RSI
1 POLYETHYLENE	0.91	0.16
2 CONCRETE FLOOR SLAB (4" THICK)	0.23	0.04
3 POLYETHYLENE	0.00	0.00
4 2" XPS (R-5 / IN.)	10.16	1.79
EFFECTIVE RSI / R VALUE - ENTIRE ASSEMBLY	11.29	1.99

NRC TABLES E.T.R. OPAQUE ASSEMBLIES

ABOVE GRADE WALL - 2" X 6" @ 16" O.C.

ASSEMBLY COMPONENT	R	RSI
1 EXTERIOR AIR FILM	0.17	0.03
2 HARD BOARD	0.68	0.12
3 BUILDING PAPER/HOUSE WRAP	0.00	0.00
4 7/16" OSB SHEATHING	0.62	0.11
5 2" X 6" FRAMING @16" O.C. W/ R-24 BATT	15.10	2.66
6 POLYETHYLENE VAPOUR RETARDER	0.00	0.00
7 1/2" GYPSUM BOARD	0.45	0.08
8 FINISH- 1 COAT PRIMER & LATEX PAINT	0.00	0.00
9 INTERIOR AIR FILM	0.68	0.12
EFFECTIVE RSI/R VALUE - ENTIRE ASSEMBLY	17.70	3.12

NRC CAN.GC.CA TABLE WA-2

ENERGY EFFICIENCY REQUIREMENTS

- PART 9 PRESCRIPTIVE HEAT PUMP WITH FURNACE, 60 CFM FAN
- MAX 1 SONE SOUND RATINGS FOR PRIMARY EXHAUST SYSTEM
- PROVIDE SUPPLY AIR TO EACH BEDROOM
- ALL INTERIOR DOORS MUST BE UNDERCUT 12 MM. OR HAVE AIR TRANSFER GRILLS
- KITCHEN FANS ARE REQ'D TO EXHAUST AT A MIN RATE OF 100 CFM. BATH FANS ARE REQ'D TO EXHAUST AT A MIN RATE OF 50 CFM FOR INTERMITTENT RUNS AND 20 CFM FOR CONTINUOUS RUN FANS
- SUPPLY AIR INLET TO FORCED AIR HEATING FURNACE CABINET MUST BE LESS THAN 4.5 M. IN LENGTH
- THE JUNCTION LOCATION OF THE SUPPLY AIR INLET AND FURNACE AIR RETURN MUST BE LESS THAN 3.0 M. IN LENGTH
- INSULATE BEHIND WALL COMPONENTS PARALLEL WITH EFFECTIVE THERMAL RESISTANCE REQUIRED FOR THE WALL
- CONTINUOUS AIR BARRIER PER 9.36.2.9 BCBC - ACROSS JOINTS, BETWEEN ASSEMBLIES, AND AROUND PENETRATIONS (MIN 2" LAP)
- SEAL ALL JOINTS IN ENVELOPE BETWEEN STRUCTURAL COMPONENTS
- SEAL ALL JOINTS / JUNCTIONS BETWEEN WINDOW AND DOOR ASSEMBLIES AND AIR BARRIER MATERIAL
- PROVIDE SOLID BACKING FOR A / V BARRIER PENETRATIONS, SEAL AIRTIGHT
- VENTILATION REQUIREMENTS TO COMPLY WITH SECTION 9.36.3 BCBC
- DUCTS, PIPING, ELECTRICAL CABINETS ETC MUST NOT REDUCE THE EFFECTIVE INSULATING VALUES
- GAS FIRED FURNACE MUST BE < / > 220,000 BTU/HR (66 KW) IN SIZE AND HAVE AN AFUE RATING GREATER THAN OR EQUAL TO 92%
- GAS FIRED TANKLESS SWH MUST BE < / > 250,000 BTU/HR (73.2) KW IN SIZE WITH AN ENERGY FACTOR > / > 0.8



DEREK & GWEN RONKAINEN
 10485 LAKESHORE ROAD, PORT ALBERNI, B.C.

MARBAN CONSTRUCTION AND DESIGN
 112 Evelyn Crescent,
 Nanaimo BC, v9x 1a1
 250-616-9601

DATE: REVISED OCT. 26TH 2021
 PROJECT: NEW BUILD
 DRAWING: EXT. ELEVATIONS & SECTION
 SCALE: 1/4" = 1'-0"
 DRAWN BY: RACHEL BALAN
 DRAWING NO.



File: 89864

Civic: 10485 Lakeshore Road, Port Alberni, B.C.

Legal: Parcel A (DD 89825N) of Lot 3, District Lot 204, Alberni District, Plan 4600.

Dimensions are in metres and are derived from Plan 4600 and field survey.

This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

This sketch plan has been prepared in accordance with the Professional Reference Manual and is certified correct this 9th day of November, 2021.

Douglas Holme VXC3QR Digitally signed by Douglas Holme VXC3QR
Date: 2021.11.09 12:57:12 -08'00'

This document is not valid unless originally signed and sealed or digitally signed by BCLS

B.C.L.S.

© Copyright 2021 J.E. Anderson & Associates. All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made, or actions taken based on this document.

Subject to charges, legal notations, and interests shown on: Title No. CA8560545 (P.I.D. 005-983-819)

Scale 1:400



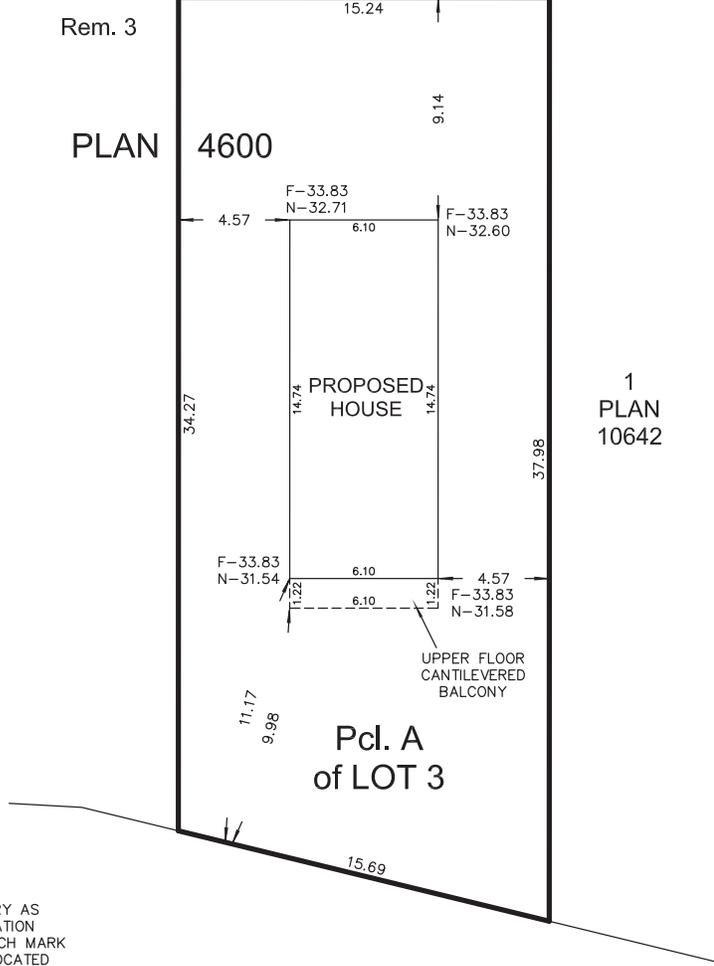
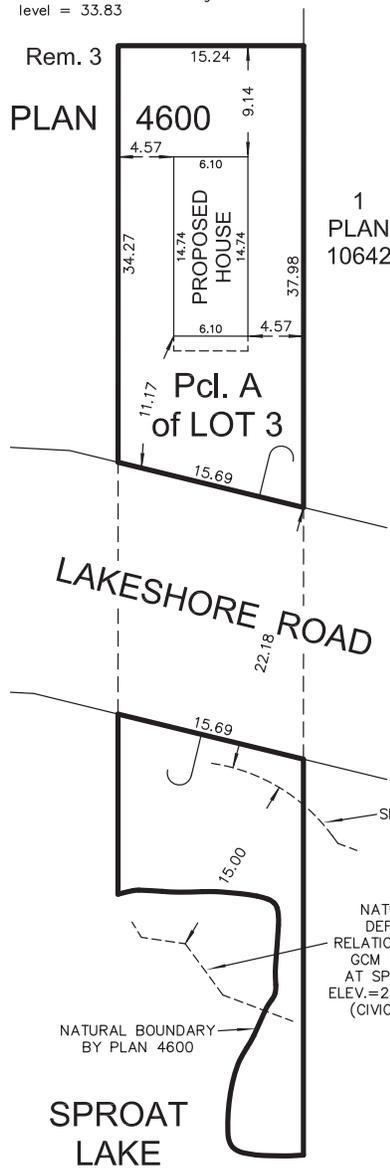
Datum for elevations, in metres, is geodetic (CGVD2013)

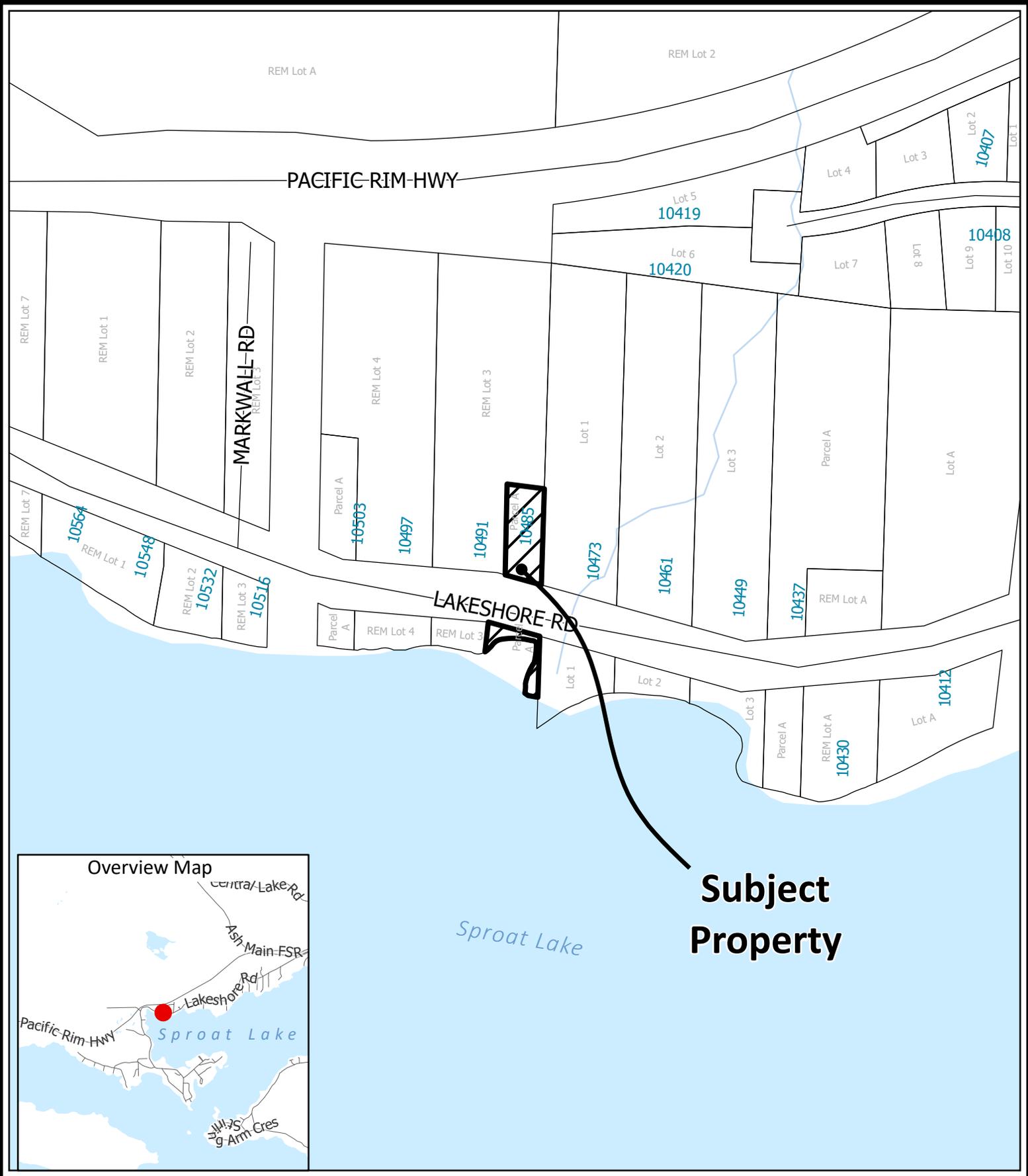
F- denotes finished grade as per building plans

N- denotes natural grade

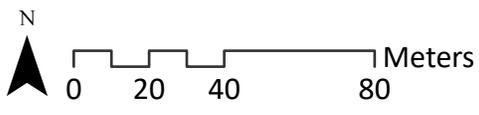
Average natural grade = 32.11	Proposed main slab = 34.03
Average finished grade = 33.83	Proposed upper floor = 37.04
Maximum building height = 44.50	Proposed peak of roof = 41.31
Minimum flood construction level = 33.83	Proposed building height = 40.55

DETAIL
Scale = 1:200





**Subject
Property**



 Legal description: PARCEL A (DD 8925N) OF LOT 3 DISTRICT LOT 204 ALBERNI DISTRICT PLAN 4600



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.

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.

2. Services

- a. **Sewage Disposal:** On-site septic system.
- b. **Water Supply:** On-site water (Sproat Lake).

TUP18013 Renewal

- 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:

1. This permit is issued for the operation of a 4 bedroom short-term vacation rental house at the subject property.

TUP18013 Renewal

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:

Mike Irg, MCIP, RPP, General Manager of Planning & Development

Approved by:

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

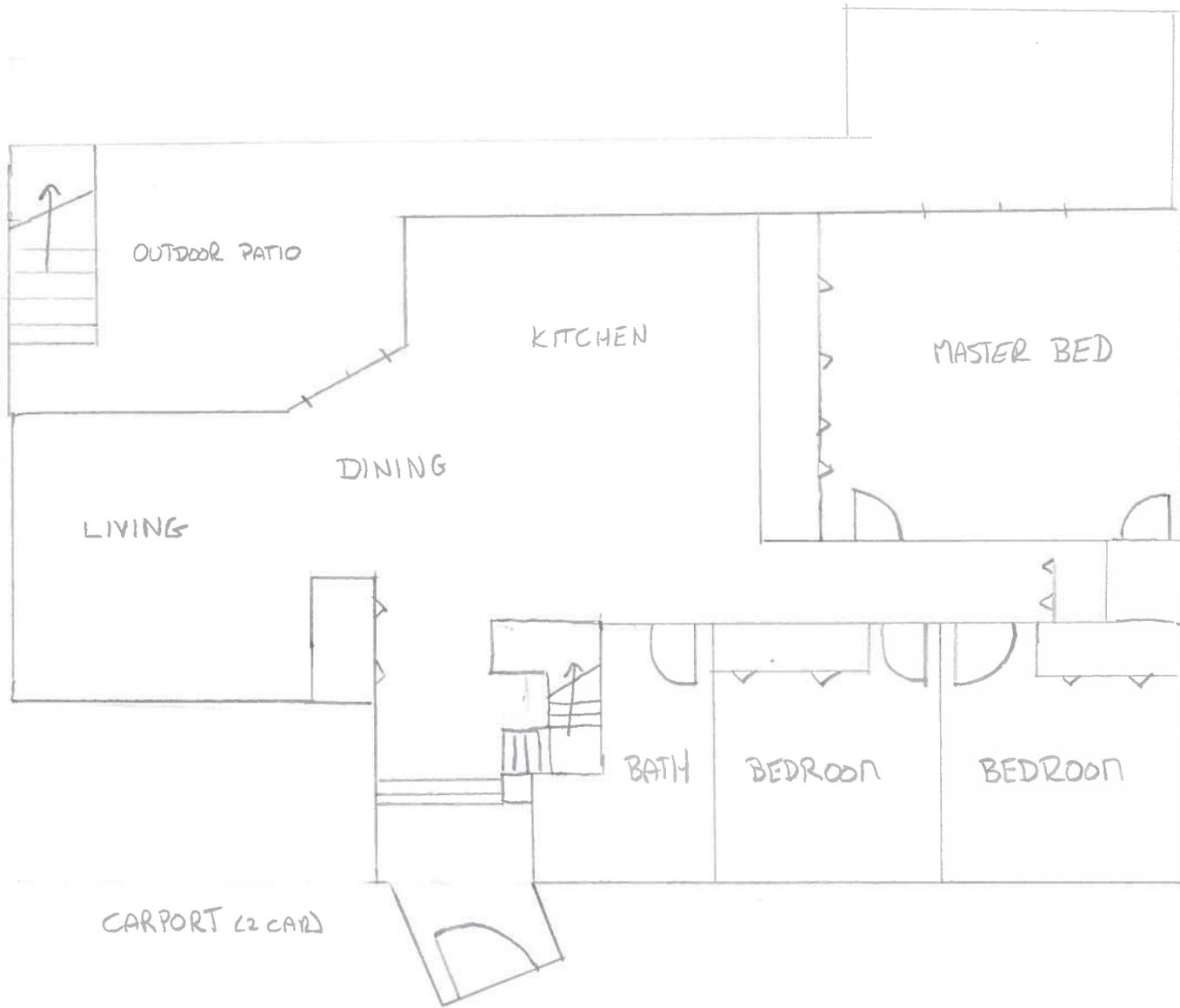
DESCRIPTION OF WORK

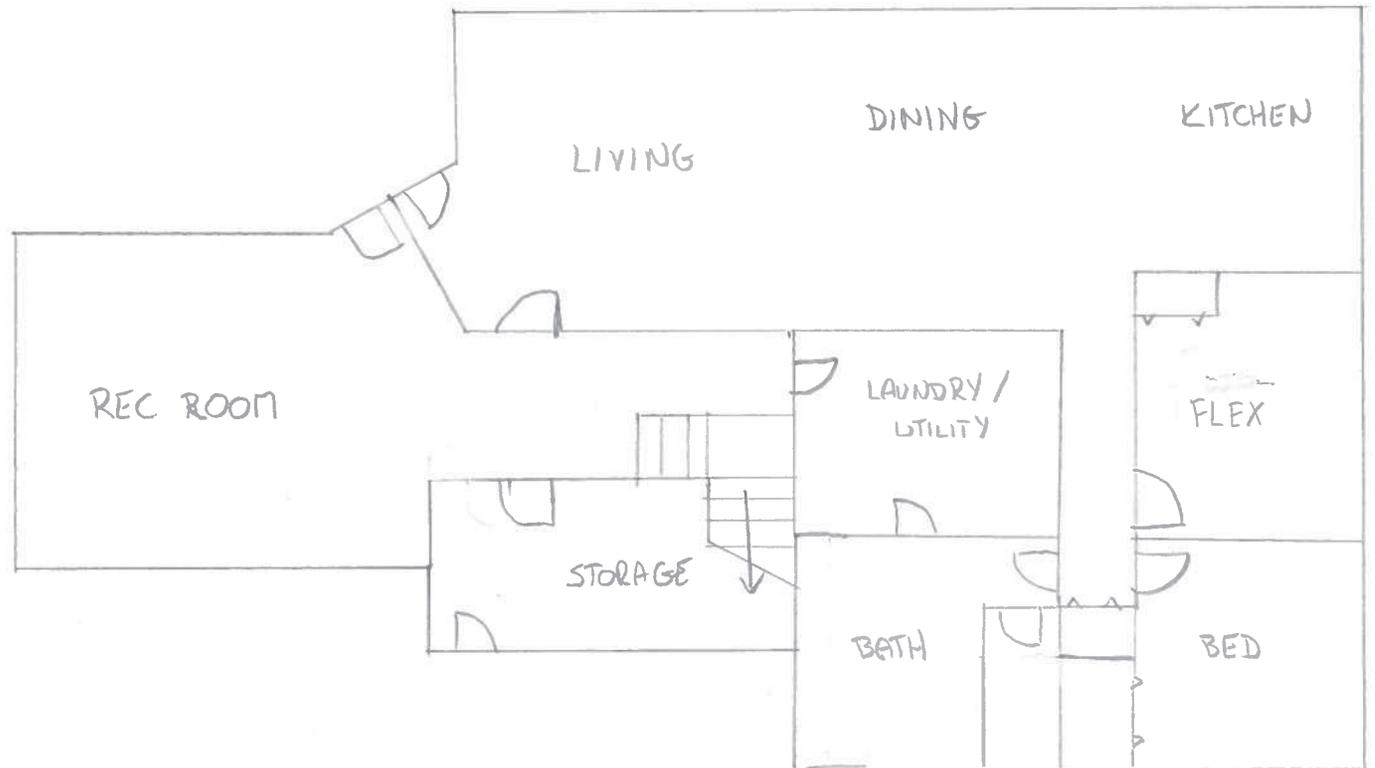
Inspected system and noted no high level alarms present. Pump float tested and confirmed as functioning at this time. Filter removed, cleaned and reinstalled.

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



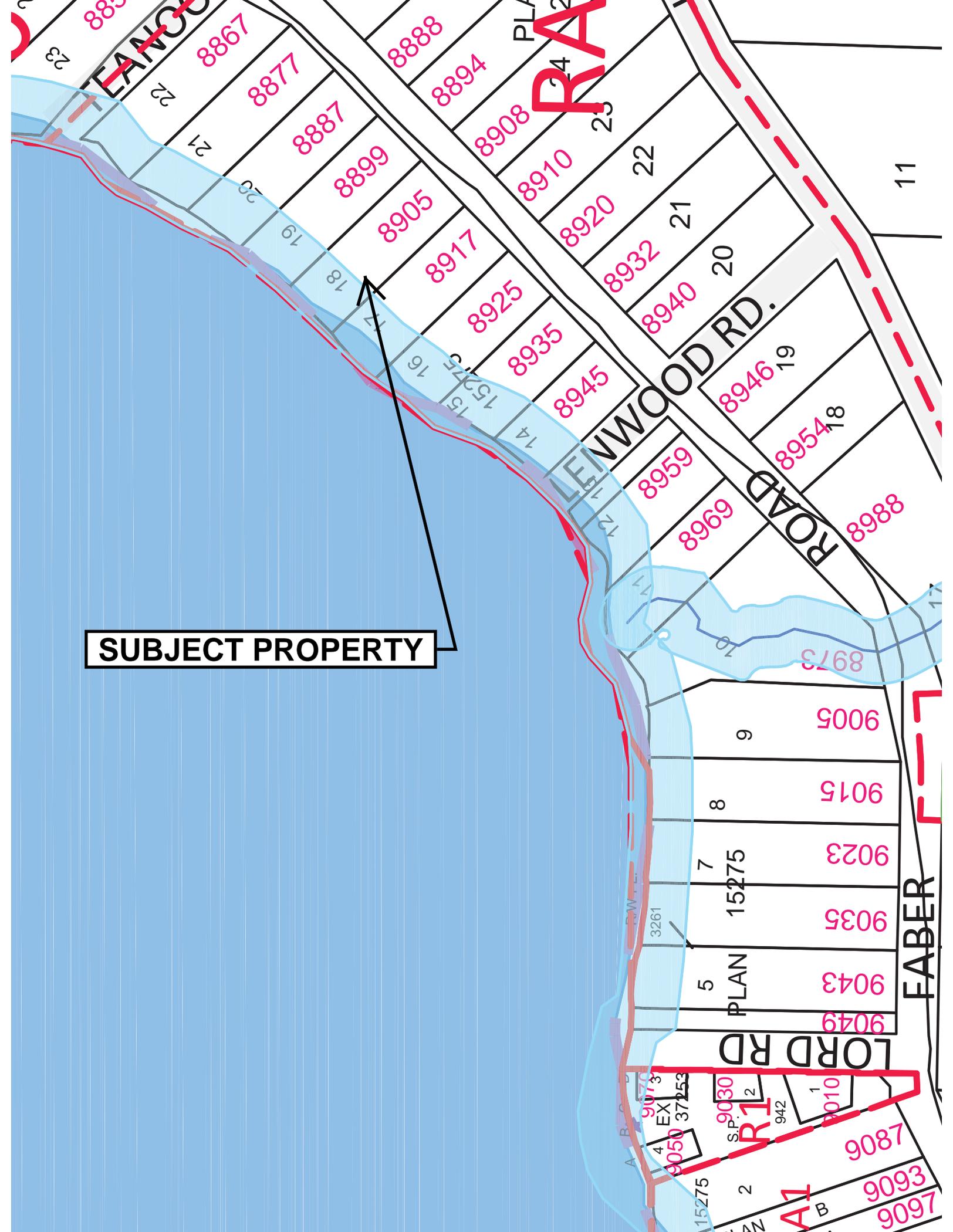
Lower floor living/dining/kitchen



Main floor Bathroom



Lower floor Bathroom



SUBJECT PROPERTY

R1

LORD RD

LEINWOOD RD.

ROAD

FABER

A1

PLAN

PLAN

EX

S.P.

1806

9093

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