

how much  
ich fit like  
ed for suits  
d two tailors

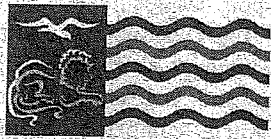
intermingling  
he 15th to 19th  
uildings, ornate  
covered bridge  
s as a symbol of

others Café, where I  
a river-side garden  
Hội An specialties  
bean sprouts and  
mplings filled with

ve restos. At Miss

n, several bearing  
e most important  
It is bright green

pick up the finished  
goodbye. Then it's  
icacies along these



## VILLAGE OF LIONS BAY NOTICE

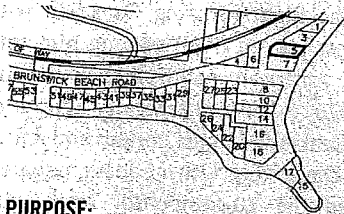
### CONSIDERATION OF TEMPORARY USE PERMIT NO. 3080-20-04

The Village of Lions Bay (the "Municipality") is considering issuing Temporary Use Permit No. 3080-20-04 (the Permit) for the property located at **5 Brunswick Beach Road** and more particularly known and described as:

PID: 009-322-469

LOT 19 BLOCK 18 DISTRICT LOT 1815 PLAN 10651  
(the "Lands")

The Lands are shown in bold outline on the map attached to this notice.



#### PURPOSE:

In general terms, the purpose of the proposed permit is to authorize Short Term Rentals on the Lands, pursuant to section 4.6 of Part IV of Zoning and Development Bylaw No. 520, 2017.

#### INSPECTION OF DOCUMENTS:

A copy of the proposed permit may be inspected at the Reception Desk of Municipal Hall at 400 Centre Road, Lions Bay, BC, during regular office hours of 10:00 a.m. to 4:00 p.m., from Monday to Friday, excluding Wednesdays and statutory holidays.

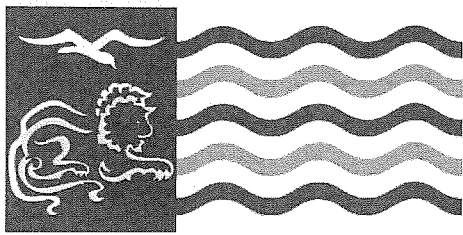
#### WRITTEN SUBMISSIONS

The Council of the Village of Lions Bay has delegated its authority to issue temporary use permits to the Chief Administrative Officer ("CAO"), who will consider issuing Temporary Use Permit No. 3080-20-04 on December 21, 2018. Before deciding whether or not to issue the Permit the CAO will consider written submissions on matters relevant to the issuance of the Permit, from persons who believe their interests may be affected by the Permit.

Submissions must be addressed to "CAO-TUP", and submitted by 4:00 p.m. on December 20, 2018.

Email: [cao@lionsbay.ca](mailto:cao@lionsbay.ca)

In person or mail: Village Office, PO Box 141, 400 Centre Road, Lions Bay, BC, V0N 2E0



# VILLAGE OF LIONS BAY NOTICE

## CONSIDERATION OF TEMPORARY USE PERMIT NO. 3080-20-04

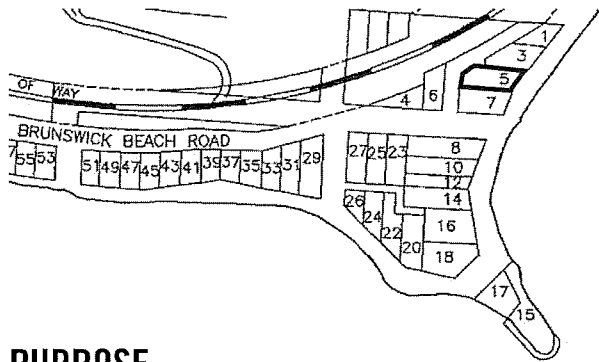
The Village of Lions Bay (the "Municipality") is considering issuing Temporary Use Permit No. 3080-20-04 (the Permit) for the **property located at 5 Brunswick Beach Road** and more particularly known and described as:

PID: 009-322-469

LOT 19 BLOCK 18 DISTRICT LOT 1815 PLAN 10651

(the "Lands")

The Lands are shown in bold outline on the map attached to this notice.



### PURPOSE:

In general terms, the purpose of the proposed permit is to authorize Short Term Rentals on the Lands, pursuant to section 4.6 of Part IV of Zoning and Development Bylaw No. 520, 2017.

### INSPECTION OF DOCUMENTS:

A copy of the proposed permit may be inspected at the Reception Desk of Municipal Hall at 400 Centre Road, Lions Bay, BC, during regular office hours of 10:00 a.m. to 4:00 p.m., from Monday to Friday, excluding Wednesdays and statutory holidays.

### WRITTEN SUBMISSIONS

The Council of the Village of Lions Bay has delegated its authority to issue temporary use permits to the Chief Administrative Officer ("CAO"), who will consider issuing Temporary Use Permit No. 3080-20-04 on December 21, 2018. Before deciding whether or not to issue the Permit the CAO will consider written submissions on matters relevant to the issuance of the Permit, from persons who believe their interests may be affected by the Permit.

Submissions must be addressed to "CAO-TUP", and submitted by 4:00 p.m. on December 20, 2018.

**Email:** [cao@lionsbay.ca](mailto:cao@lionsbay.ca)

**In person or mail:** Village Office, PO Box 141, 400 Centre Road, Lions Bay, BC, V0N 2E0

## **DEVELOPMENT APPLICATION DECISION**

**TYPE:** Temporary Use Permit (TUP) for Short Term Rentals (STRs)

**FILE NO:** 3080-20-04

**APPLICANT:** Talat (Goli) Massah and Vahid Massah

**PROPERTY:** 5 Brunswick Beach Road

**APPLICATION APPROVED:** Yes

**REASONS:** The applicants responded to the Municipality's notice to property owners who have been renting their properties on a short term basis by making an appointment to come to the Village Office and discuss the zoning rules and the requirements for short term rentals. I met with one or both applicants on a few occasions to explain the requirements and to understand their situation vis-à-vis the Village of Lions Bay TUP for STRs Policy No. 1702.

Mr. and Mrs. Massah purchased the Property with the intention of one day retiring there. In the interim, they would like to be able to use it with their family in the summertime, which is difficult to do if they were to rent it out on a long term basis. They stated they do not wish to rent to large groups and aim to limit capacity to a maximum of 4 people at a time. I noted the situations in the summer that I was familiar with regarding an outdoor campfire and a dog off leash and that it would be important to ensure that guests are well-educated on Lions Bay bylaws. I also acknowledged the complaints received from the neighbours at #1 Brunswick Beach, who the applicants have spoken with on a few occasions.

In respect of notice of the application, the required signage was posted on the property shortly after the application was received and once the inspections indicated building compliance would be achieved, the Notice of Consideration of Temporary Use Permit No. 3080-20-04 was posted to the neighbours at numbers 1, 3, 4, 6, and 7 Brunswick Beach Rd, and advertised in the Pique Newsmagazine, the Village Update (x2), the Office Notice Board, and the Post Office Notice Board.

Neighbour responses to the application were received from numbers 1 and 4 Brunswick Beach Road, with an additional response from number 51 Brunswick Beach Road. The owner of number 4 Brunswick disagreed with the concept of short term rentals for the Brunswick Beach neighbourhood and for Lions Bay in general, preferring the idea of long term rentals to persons working locally, such as staff and volunteer fire fighters, or for families to help support the school. I note that Council has already made the policy decision to allow short term rentals in accordance with the requirements of Policy No. 1702, while also promoting the inspection and registration of secondary suites to address the need for long term rentals too. There is no guarantee that a long term rental of this Property would result in a rental to a family and in fact, that is not likely to happen as the owners wish to use the property in the summer so any rental over 30 days is more likely to be to someone who is able to move out for the summer. It is also the case that the Municipality has

received complaints in the past regarding properties rented on a long term basis, by both volunteer fire fighters and families, so length of rental is not necessarily indicative of compliance with Village of Lions Bay bylaws.

The owner of number 51 Brunswick also disagreed with the concept of short term rentals, particularly where the owner does not live on the property or dwell in Lions Bay. However, Policy No. 1702 provides for 24 hour per day contact requirements in respect of non-resident owners and the applicant is complying with those requirements. There was also mention of complaints regarding fires, unleashed dogs and late night parties from the short term rentals to date by the applicant. The Municipal Bylaw Officer's experience has been that renters were very polite and compliant once they were informed of the rules, all of which speaks to the importance of educating guests (and residents) as to Lions Bay's bylaws.

The owners of number 1 Brunswick have contacted the Municipality on a few occasions to complain of short term rentals being conducted at the applicant's property. They do not agree with allowing this use where the owner of the property is not present to monitor how their renters behave. Some of the previously cited incidents were noted along with the following additional incidents:

- A large group of men partying
- A large BBQ with many vehicles dropping off people and clogging roads
- A wedding
- A renter banging on the complainant's door at 11 pm at night after locking himself out of the applicant's rental property

Subject to establishing the numbers of persons in relation to the first 3 items above, these would all be serious violations of Policy No. 1702 and the standard requirements of a TUP for STRs. However, one of the objectives of implementing a policy to deal with STRs was to regulate an activity which was previously unregulated, albeit prohibited. Council determined that controlled STRs had a place in the fabric of the community provided that property owners wishing to avail themselves of the opportunity to legitimize such uses would have to follow the requirements established by the Municipality for STRs. A significant aspect of ensuring compliance with regulations is education of property owners and renters. Policy No. 1702 requires that initial TUPs may only be granted for a one year period so that staff can evaluate the ability, or lack thereof, of a property owner to comply with the terms of the TUP, which include terms intended to educate and inform regarding Municipal bylaws. On this basis, I approve the application for a one year term.



---

Peter DeJong, CAO, Village of Lions Bay

December 21, 2018

---

Date