



The subject property is approximately five (5) acres in size and is located on Sproat Lake. There is an existing single family dwelling and a small 350 square foot cabin (ADU) located in the parcel. The applicant is applying to legalise the short-term rental of the ADU. The applicant does not rent the main house.

## 2. Services:

- a. **Sewage Disposal:** On-site septic system.
- b. **Water Supply:** On-site water system (Sproat Lake).
- c. **Fire Protection:** Sproat Lake Volunteer Fire Department.
- d. **Access:** Access to the property is from Bothwell Road.

## 3. Existing Planning Documents 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 the residential use 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 issuing of temporary use permits at the discretion of the Regional Board of Directors in accordance with s. 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”. This DPA is intended to minimize negative environmental impacts from development activities. The applicants hired a QEP and have satisfied the DPA requirements. The issuance of this TUP will not trigger DPA requirements.

***The proposal complies with the policies and objectives of the Sproat Lake OCP. A TUP may be issued to allow the use requested for the subject property.***

**C. Zoning:** The property is zoned Acreage Residential (RA1) District. This zoning designation does not allow short-term vacation rentals, though accessory dwelling units are permitted on properties greater than 1 acre in size.

Under Section 493 of the *Local Government Act* (LGA), 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:

- i. Allow a use not permitted under the Zoning Bylaw;

## TUP19018

- ii. Specify conditions under which the temporary use may be carried;
- iii. Allow and regulate the construction of buildings or structures in respect of 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 LGA, which includes notifying the neighbouring property owners and tenants, and publishing a notice in the newspaper.

The TUP is valid for up to three years and may be renewed by the Regional District once. 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.

A Short Term Vacation Rental 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 the permit is subject to. For the subject property in the Sproat Lake area of the ACRD, a TUP can be issued for up to three years and renewed once as long as the use is temporary or clearly seasonal in nature and compatible with the surrounding uses, area, and environment. The submitted application complies with the conditions and requirements set out in the policy.

When issuing a TUP, the ACRD may specify conditions that restrict the permit including:

- a. The buildings to be used;
- b. The area of use;
- c. The hours of use;
- d. Form and character;
- e. Environmental protection;
- f. Site-related restrictions; and
- g. 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 DISTRICT LOT 41, ALBERNI DISTRICT, EXCEPT PLANS 1191, 1880,14018, AND 29251 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 one (1) bedroom short-term vacation rental (STR) unit at the subject property.
2. A maximum of two (2) persons shall be permitted when the dwelling unit is being occupied as an STR.
3. The rental unit is limited to the accessory dwelling unit (cabin) on the subject property.
4. The rental use of the property shall not change the residential appearance of the property.
5. The owner or a caretaker must live on-site.
6. Contact information for the owner or caretaker and a copy of the TUP must be visible in a

### **TUP19018**

public location.

7. This permit is valid for three (3) years from the date of execution.
8. At the time this permit expires, the property owner may apply to the Regional District to have it re-issued for a period of up to three (3) years or return the property to the original use permitted under the current zoning.
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 applicant is applying to legalise the rental of a small cabin on the property. As part of the ACRD's STR policy, owners operating STRs are provided the opportunity to apply for temporary use permits. The applicant lives on-site and only intends to rent the cabin. The rental is limited to two people.

One of the primary criteria used in evaluating a TUP application, according to section 3.4(a) of the STR Policy adopted by the ACRD Board, is that the STR use must be clearly temporary or seasonal in nature. Based on the application, the owners intend to rent the ADU on a seasonal short-term basis.

The applicants have provided staff with the required documentation to support their application, including confirmation of a new the sewer system being capable of supporting a typical occupancy of the house and ADU. Parking is available for guests.

The existence of this STR came to the attention of the ACRD as part of staff researching STRs in the ACRD that are operating in contravention of the Zoning Bylaw. The issuance of this TUP would allow the applicant to continue operating a STR in the ADU.

ACRD staff recommend that the Regional Board consider issuing Temporary Use Permit TUP19018, subject to neighbouring properties being notified as per LGA s. 494.



Submitted by:

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



Approved by:

\_\_\_\_\_  
 Douglas Holmes, BBA, CPA, CA  
 Chief Administrative Officer

**TUP19018**





# 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.: TUP19018

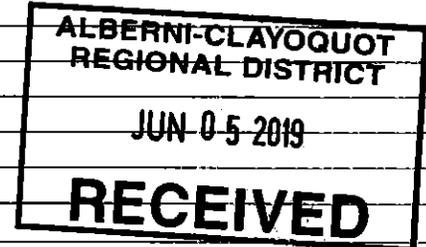
Received: June 5, '19

Fee: 600.00

Receipt No.: 68341

## TEMPORARY USE PERMIT APPLICATION (SHORT TERM VACATION RENTAL)

Applicant/Property Owner Information	Agent Information (if applicable)
Name: Catherine Braiden	Name: N/A PL20190037
Mailing address: 8467 Bothwell Rd Port Alberni BC	Mailing address:
Phone:	Phone:
Cell: 250 7359766	Cell:
Fax:	Fax:
Email: cjbraiden@hotmail.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. N/A

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: 8467 Bothwell Rd

Legal description: DL 41 Alberni Land District Except Plan 1191 1880 14018 + 29251

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

North: Neighbour South: Bothwell Road

East: Faber Road West: Lake

Within the Agricultural Land Reserve (ALR):  No  Yes

Within a Development Permit Area (DPA):  No  Yes

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

Method of sewage disposal:	<input type="checkbox"/> Community system	<input checked="" type="checkbox"/> On-site septic system	<input type="checkbox"/> Other
Method of water supply:	<input type="checkbox"/> Community system	<input type="checkbox"/> On-site water system	<input checked="" type="checkbox"/> Other Lake

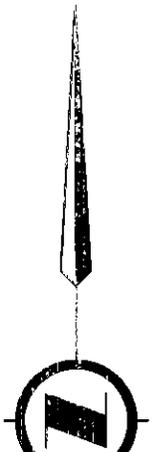
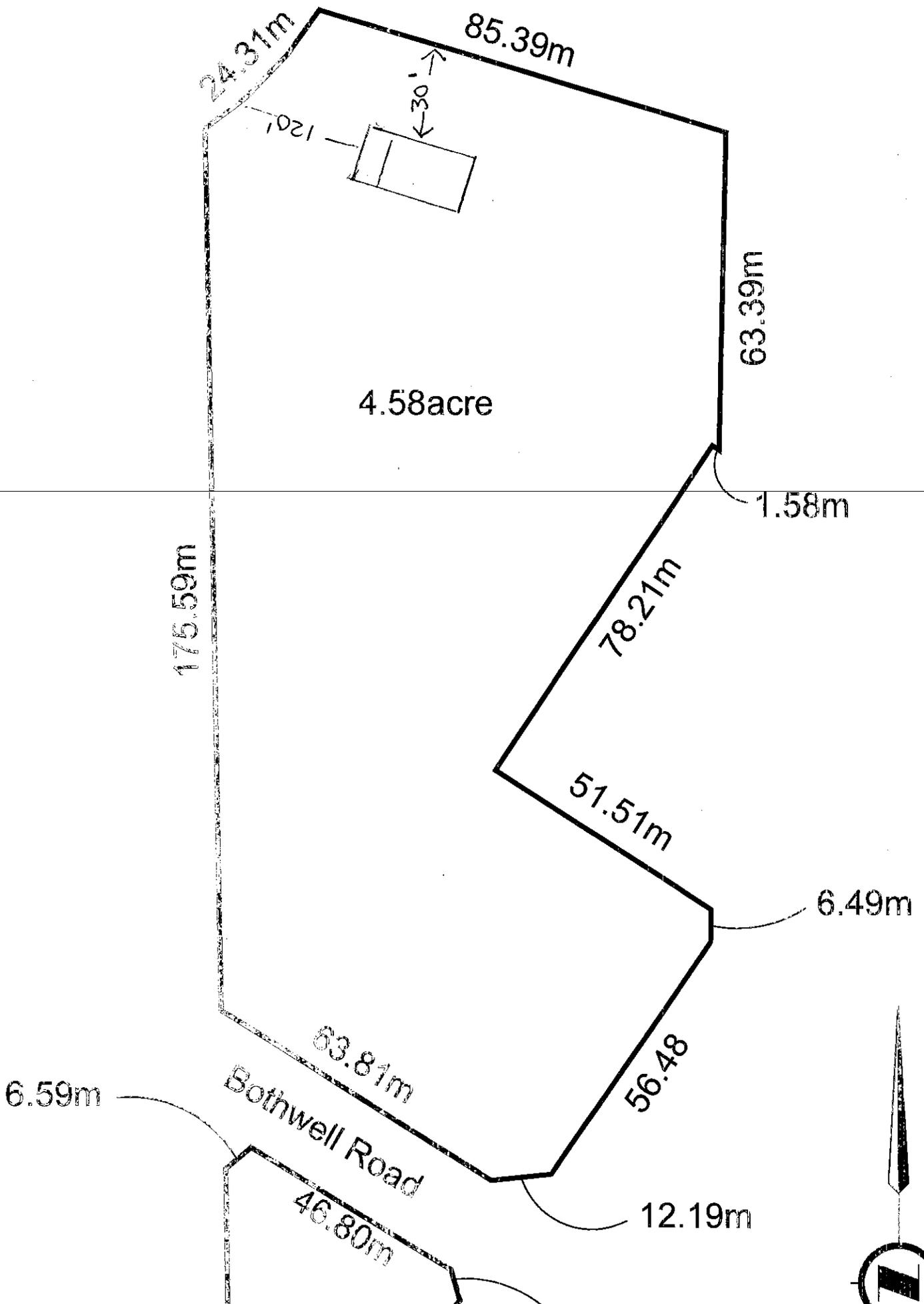
**Current Use (attach as a separate sheet, as required)**

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

My current home where I reside with my 2 sons.

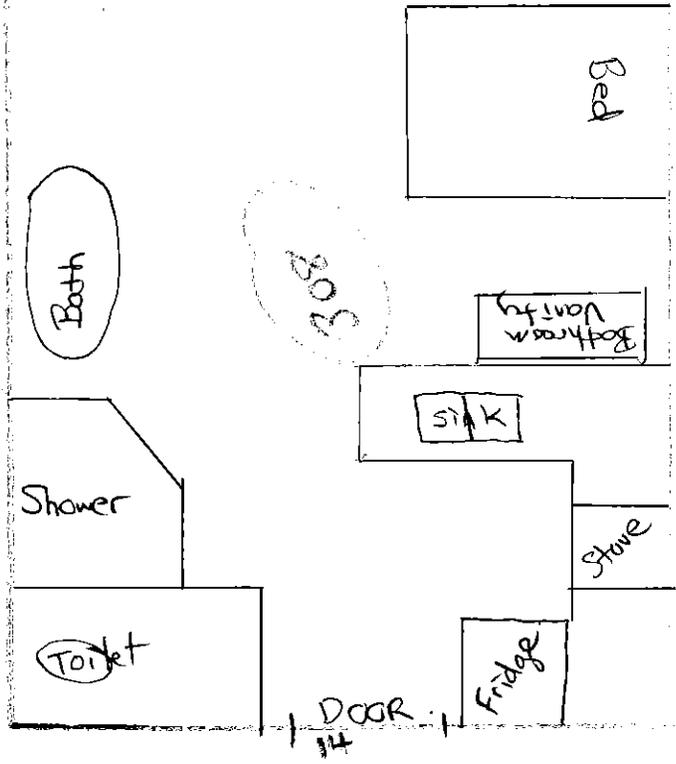
A 350 sq ft cabin rented on a short term vacation basis and used to accomodate family on occasion.



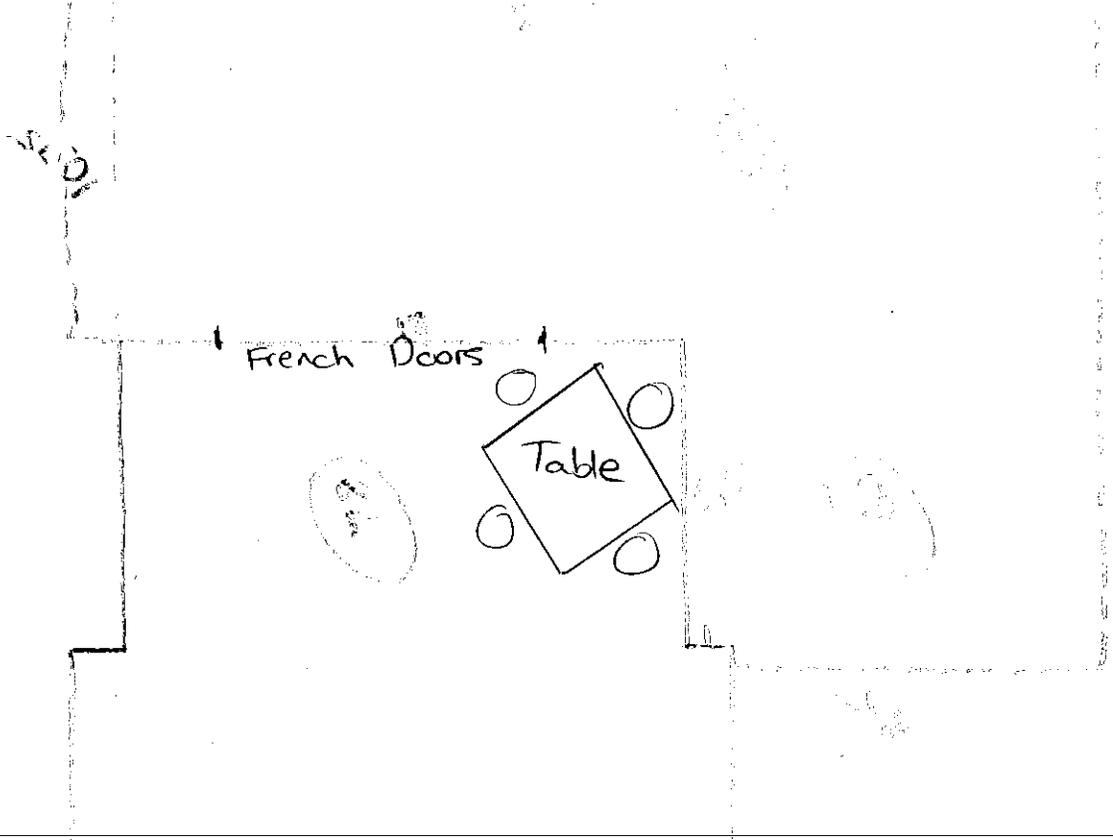


8467 Bothwell

Cabin



Cabin 386 sq. ft.  
Deck 300 sq. ft.





JSalmonContractingLtd@shaw.ca

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May 15, 2019

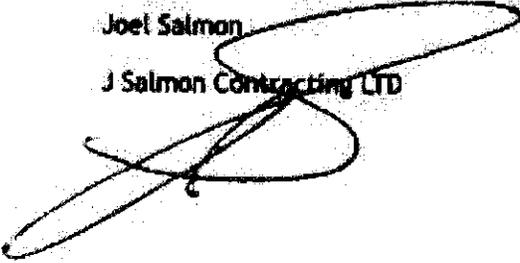
To whom this may concern,

After an inspection of the proposed rental suite at 8467 Bothwell rd Port Alberni B.C. I find that the dwelling meets all of the minimum health and safety standards. The suite is equipped with its own hydro meter, full bath, kitchen and open bedroom living area. There is no notice of any major defect or maintenance issue that would lead to causing harm to any rental occupant.

Please feel free to contact me at anytime with any Questions or Concerns,

Joel Salmon

J Salmon Contracting LTD





Alberni Septic Tank Service  
Septic Tank Inspection

Date: May 22/19 Completed By: Mike Turner  
Address: 8467 Bothwell Rd.

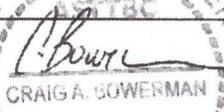
The septic system at this address has a two chamber concrete tank with a gravity fed septic field.

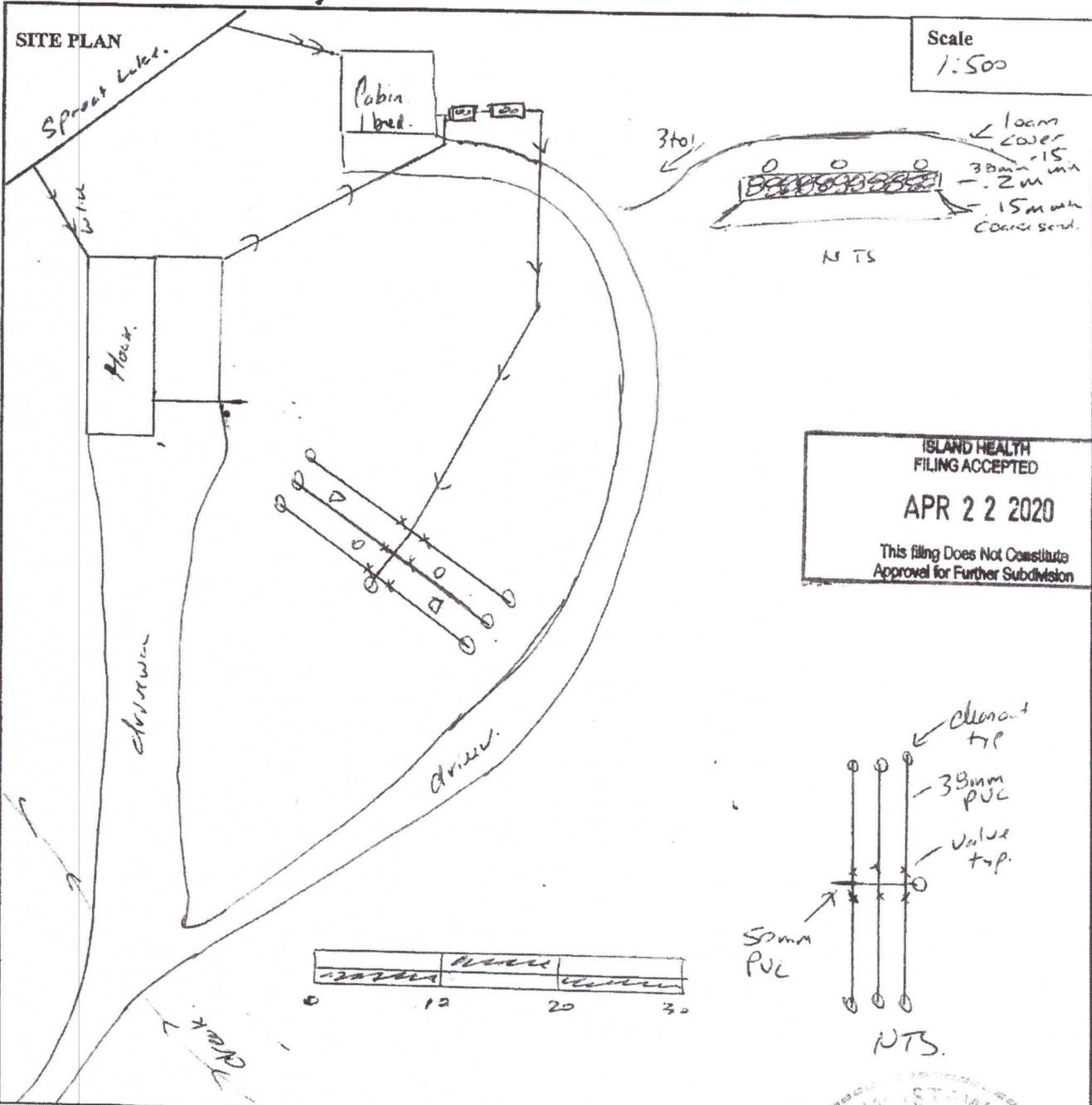
I saw no cracks, leaks, or water coming back to the tank from the field. This system seems to be working.

*"Over 20 Years in the Environmental Waste Business"*

4715 Roger Street, Port Alberni, BC V9Y 3Z3 Phone (250) 724-5112 Fax (250) 724-5100

Toll Free: 1-800-563-6004

RECORD OF SEWERAGE SYSTEM			FILIN PA20/020	
<b>1. PROPERTY INFORMATION</b>  	<input checked="" type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR	<input type="checkbox"/> AMENDMENT – ORIGINAL FILING #:		
	TAX ASSESSMENT ROLL #: 04-70-770-00781.000		PID #: 008-421-226	
	LEGAL DESCRIPTION (PLAN, LOT, DISTRICT LOT, BLOCK NUMBERS): <b>Lot 41 Alberni Land District Except Plan 1191 1880 14018 &amp; 29251</b>			
	STREET (CIVIC) ADDRESS OR GENERAL LOCATION: <b>8467 Bothwell Road</b>		CITY: <b>Port Alberni</b>	
<b>2. OWNER INFORMATION</b>	NAME OF LEGAL OWNER: <b>Catherine Braiden</b>		MAILING ADDRESS: <b>8467 Bothwell Road</b>	
	PHONE: <b>250 735-9766</b>	CITY: <b>Port Alberni</b>	PROV: <b>BC</b>	POSTAL CODE: <b>V9Y9B6</b>
<b>3. AUTHORIZED PERSON INFORMATION</b>	NAME OF AUTHORIZED PERSON: <b>Craig Bowerman</b>		REGISTRATION #: <b>OW0021</b>	MAILING ADDRESS: <b>2365 Old Nanaimo Hwy</b>
	PHONE: <b>250-723-8775</b>	EMAIL: <b>bowermanexcavating@shaw.ca</b>	CITY: <small>Port Alberni</small>	PROV: <b>BC</b>
<b>4. STRUCTURE INFORMATION</b>	SEWERAGE SYSTEM WILL SERVE: <input checked="" type="checkbox"/> SINGLE FAMILY DWELLING <input type="checkbox"/> OTHER STRUCTURE (SPECIFY) <input type="checkbox"/> OTHER DWELLING (SPECIFY) <b>4 bedroom single family and 1 bedroom carriage home</b>			
	THE DESIGN DAILY DOMESTIC SEWAGE FLOW IS (CHECK ONE): <input checked="" type="checkbox"/> LESS THAN OR EQUAL TO 9 100 LITRES <input type="checkbox"/> MORE THAN 9 100 LITRES BUT LESS THAN 22 700 LITRES			
<b>5. SITE INFORMATION</b>	DEPTH OF NATIVE SOIL TO SEASONAL HIGH WATER TABLE OR RESTRICTIVE LAYER (cm): <b>65cms</b>		INFORMATION RESPECTING THE TYPE, DEPTH AND POROSITY OF THE SOIL IS ATTACHED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	GPS LOCATION OF SYSTEM (DECIMAL DEGREES) LATITUDE: <u>49 17'02.30"N</u> LONGITUDE: <u>124 54'59.04"W</u>			
	HORIZONTAL ACCURACY (m) +/-10m _____		<input checked="" type="checkbox"/> RECREATIONAL GPS <input type="checkbox"/> DIFFERENTIAL GPS	
<b>6. DRINKING WATER PROTECTION</b>	WILL THE SEWERAGE SYSTEM BE LOCATED LESS THAN 30m FROM A WELL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
	IF YES, ATTACH A PROFESSIONAL'S REPORT AND SPECIFY THE INTENDED DISTANCE _____ (m) DISTANCE OF PROPOSED SEWERAGE SYSTEM TO THE CLOSEST SURFACE WATER <u>50m+</u> (m)			
<b>7. SYSTEM INFORMATION</b>	SEWERAGE TREATMENT METHOD: <input checked="" type="checkbox"/> TYPE 1 <input type="checkbox"/> TYPE 2 <input type="checkbox"/> TYPE 3			
<b>8. LEGAL OR REGULATORY CONSIDERATIONS</b>	<input checked="" type="checkbox"/> CONSTRUCTION OF THE PROPOSED SEWERAGE SYSTEM WILL NOT CONFLICT WITH LEGAL INSTRUMENTS REGISTERED ON THE PROPERTY.		IS THIS FILING SUBMITTED AS THE RESULT OF AN ORDER FROM THE HEALTH AUTHORITY? <input type="checkbox"/> YES (ATTACH A COPY OF THE ORDER) <input checked="" type="checkbox"/> NO	
	<input checked="" type="checkbox"/> PLOT PLAN (TO SCALE) AND SPECIFICATIONS ARE ATTACHED <input checked="" type="checkbox"/> THE PLANS AND SPECIFICATIONS ARE CONSISTENT WITH STANDARD PRACTICE SOURCE OF STANDARD PRACTICE: <input checked="" type="checkbox"/> MINISTRY OF HEALTH STANDARD PRACTICE MANUAL <input type="checkbox"/> OTHER			
<b>10. AUTHORIZED PERSON'S SIGNATURE</b>	SIGNATURE:  <small>CRAIG A. BOWERMAN</small>		OFFICE USE ONLY	
	DATE: <b>April 22, 2020</b>		FILING ACCEPTED DATE: <u>April 22/20</u> RECEIPT NUMBER: <u>244303</u>	



**PERC TEST RESULTS**

Hole #1	8min
Hole #2	6.5min
Hole #3	
Hole #4	

**SOIL INVESTIGATION RESULTS(Describe)**

Observation Hole #1	Observation Hole #2
0.5cm loam	6.5cm loam

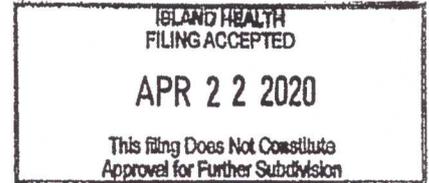
AP Seal

CRAIG A. BOWERMAN  
PE IN  
CW00021



Excavators • Trucking • Lowbed Service • Sand & Gravel

2365 Old Nanaimo Hwy  
Port Alberni, BC V9Y 8P5  
Phone: (250) 723-8775 Fax: (250) 723-8785  
Wastewater Design & Specifications



File Number: Bothwell

Date: April 20, 2020

Legal Description: Lot 41 Alberni Land District Except Plan 1191, 1880, 14018 & 29251

Civic Address: 8467 Bothwell Road

GPS: 49 17'02.30"N 124 54'59.04"W

Owner Information: Catherine Braiden

Summary of Proposed Wastewater System: 4 bedroom home with 1 bedroom carriage home

**Disclaimer:** Bowerman Excavating Ltd. is not involved in pricing that pertains to any part of the systems components. The installer and or property owner is responsible for searching out the best price for their system. Bowerman Excavating Ltd. does not affect pricing and does not have pre-arranged pricing for the system designed. Bowerman Excavating must satisfy Health Authority requirements which include identifying tank volumes and pump volumes as part of the design documentation, because these values are required by Health Authority, Bowerman Excavating Ltd. must use a manufactures specifications from which to complete the design, these values and tanks do not mean that Bowerman Excavating Ltd. has entered into a pre-arranged agreement between the manufacture of tanks.

**Proposed wastewater system specs are as follows:**

2300 liters per day

Site Information:

Site/Soil Evaluation: see attached drawings for location of test pits



Project: Click here to enter text.  
Client: Click here to enter text.  
Date: Click here to enter text.

Bowerman Excavating Ltd.

**Topography:**

Field area is level

**Setback:**

Meets all setbacks

**Site Constraints:**

Sproat Lake 50m+ away

**Record of Design Information and Calculations:**

Anticipated Waste Flows:

2300 liters per day

Configuration Details:

3mx25m sand mound

Design Rational/Safety Factor:

2300 liter per day divided by 36lm2day=63.88m2 area will be 75m2

**Design Specifications:**

A. Dispersal Bed:

3mx25m sand mound

B. Aggregates/Soil:

Coarse sand with 38mm washed rock

C. Pipe:

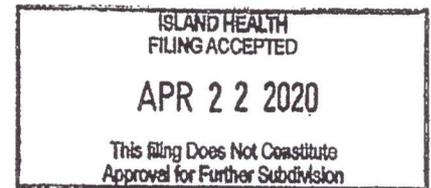
50mm pump and manifold with 38mm laterals

D. Tank(s):

Two 4500 liter two chambers

E. Pump, Alarm, Floats:

Rombus Xt Alarm



Project: Click here to enter text.  
Client: Click here to enter text.  
Date: Click here to enter text.

Bowerman Excavating Ltd.

F. Interceptor Drain:

NA

G. Hydrotech Valve:

NA

**Total Length of Laterals:**

75 lm

**Dosing:**

Pump values are subject to change depending on manufacture. Click here to enter text.

**Design Dose:**

350 liters per cycle

**Reserve:**

750 liters

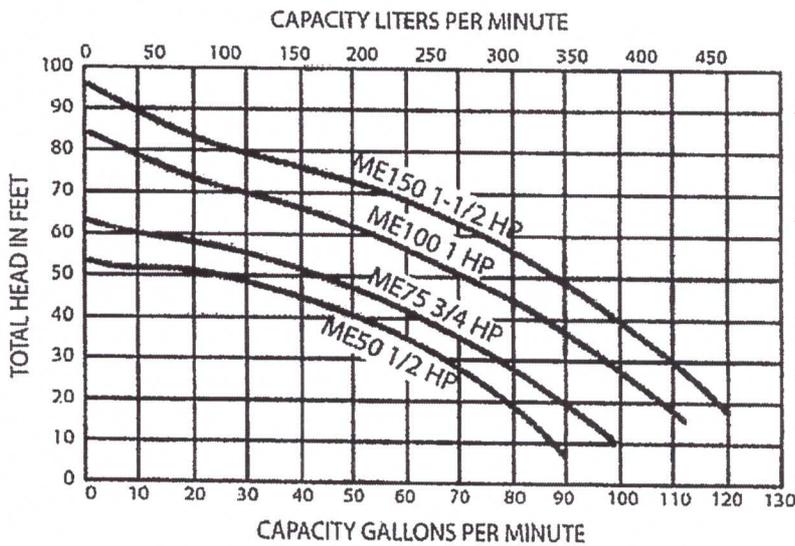
**Alarm:**

Half of Reserve

**Pump Specifications:**

ME50 230 volt

ISLAND HEALTH  
FILING ACCEPTED  
**APR 22 2020**  
This filing Does Not Constitute  
Approval for Further Subdivision



REGISTERED ON-SITE WATER TREATMENT PRACTITIONER  
CRAIG A. BOWERMAN  
P.L.M.  
01W-1024

Project: Click here to enter text.  
Client: Click here to enter text.  
Date: Click here to enter text.

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Bowerman Excavating Ltd.

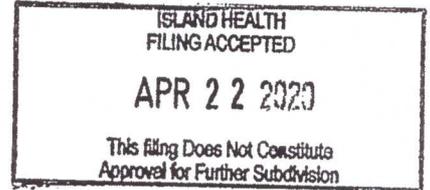
**Conclusion:**

Bowerman Excavating Ltd. appreciates the opportunity to be of service on this project. If you have any comments or questions, please contact us at your convenience.

Considerately Submitted,  
Bowerman Excavating Ltd.

Reviewed by,

Craig Bowerman





# 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. TUP19018

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:** Catherine Braiden

**Address:** 8467 Bothwell Road

With respect to:

**Legal Description:** DISTRICT LOT 41, ALBERNI DISTRICT, EXCEPT PLANS 1191, 1880, 14018, AND 29251

**PID:** 008-421-226

**Civic Address:** 8467 Bothwell Road

The Regional District of Alberni-Clayoquot hereby issues a Temporary Use Permit to Catherine Braiden with respect to property legally described as DISTRICT LOT 41, ALBERNI DISTRICT, EXCEPT PLANS 1191, 1880, 14018, AND 29251 subject to the conditions as follows:

1. This permit is issued for the operation of a one (1) bedroom short-term vacation rental (STR) unit at the subject property.
2. A maximum of two (2) persons shall be permitted when the dwelling unit is being occupied as an STR.
3. The rental unit is limited to the accessory dwelling unit (cabin) on the subject property.
4. The rental use of the property shall not change the residential appearance of the property.
5. The owner or a caretaker must live on-site.
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. At the time this permit expires, the property owner may apply to the Regional District to have it re-issued for a period of up to three (3) years or return the property to the original use permitted under the current zoning.
9. The operation of the STR must be in compliance with all Provincial Health Officer orders.

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 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 \_\_\_\_\_, 2020.

This permit was issued under the seal of the Regional District of Alberni-Clayoquot on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Douglas Holmes, BBA, CPA, CA  
Chief Administrative Officer

\_\_\_\_\_  
Chair of the Regional Board

## TUP19018