

**MUNICIPAL PLANNING COMMISSION AGENDA
SUMMER VILLAGE OF JARVIS BAY
SUMMER VILLAGES ADMINISTRATION OFFICE
JULY 6, 2021 @ 9:00 A.M.**

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. DEVELOPMENT ITEMS

1) 251 Jarvis Bay Drive

D. ADJOURNMENT

Summer Village of Jarvis Bay – Municipal Planning Commission**July 6, 2021****Agenda Item****251 Jarvis Bay Drive (Lot 2, Block 3, Plan 9622249)****Development Permit Application****Background:**

An application was submitted by the registered owner for a home occupation development permit for 251 Jarvis Bay Drive. This property is located in the R-A (Residential A) District in the Summer Village of Jarvis Bay.

The intent of the home occupation would be to provide swim lessons in a one-person swim spa on the property and occasionally perform a treadmill run analysis in the garage. There is a large area for parking on the property and the business would entail 1-2 people visiting per weekday. The definition for Home Occupation in the Land Use Bylaw is “means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building. No cannabis retail sales or cannabis production and distribution operations shall be permitted as a home occupation.”

Discussion:

This application is before MPC for the following reason:

1. Home Occupation is listed as a discretionary use and therefore the decision must come from the Municipal Planning Commission.

Recommendation:

A “discretionary use” means a use which may be compatible with other uses in the district, for which a Development Permit may be issued upon an application having been made.

After viewing the application and all relevant planning documents, it is the recommendation of administration to approve the application as a discretionary use, the proposed development complies with the regulations. This is the first application for a home occupation permit.

Conditions:

If approved, Administration would recommend the following conditions:

June 25, 2021

1. The Home occupation commences and continues in the manner applied for and complies with the regulations and specifications of the Land Use Bylaw under which this permit was issued.
2. The development permit is only valid for one (1) year from the date of issuance. A new development approval will be required at that time should the applicant wish to continue with the Home Occupation use.
3. Any change in use or intensification of this home occupation will require a new development permit.
4. There shall be no exterior display or advertisement, except as provided for in section 2.2(11) of the Land Use Bylaw.
5. The applicant is responsible to comply with any other regulations or approvals required by any other provincial or federal agency.
6. No person other than a resident the dwelling unit shall be employed.
7. There shall be no outside storage of materials, commodities, or finished products.

Authorities:

For a discretionary use, the MPC may:

1. Approve an application a development permit:
 - a. With or without conditions,
 - b. Based on the merits of the proposed development, including its relationship to any approved statutory plan, non-statutory plan, or approved policy, affecting the site,
 - c. Where the proposed development conforms in every respect to the Land Use Bylaw; or
2. Refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this land use bylaw; or
3. Subject to the provisions of section 2.4(2), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.

Decision:

In order to retain transparency of the Commission, Administration recommends one of the following:

1. Approve the application with or without conditions (*Section 642 of the MGA*), or
2. Deny the application stating reasons why (*Section 642(4) of the MGA*).

June 25, 2021

May 31, 2021

To the Summer Village of Jarvis Bay Council and Staff

Hello!

My name is [REDACTED], and I live at 251 Jarvis Bay Drive. I met with Kara today to ensure we are compliant and clear to get a Swim Spa – a 7 foot x 14 foot hot tub that has motors to create a current for swimming.

The spa will be located in the back corner of our home, out of sight from anyone.

My request is this:

As a Certified Triathlon Coach, I would like to be able to occasionally teach swim lessons in the swim spa or allow people I coach to come by the house and use the spa as a 'lane swim'.

The spa only holds one swimmer at a time.

We have plenty of parking for one person to visit for an hour.

The earliest I would have anyone over would be 7am, and the latest 8pm, which would be odd, but just to set an outside time. I would suspect no more than 1-2 people per weekday as a guess.

I am working with Sylvan Agencies to determine insurance etc.

Additionally, I would like to perform a Treadmill Run analysis in the garage for the occasional client, history would show perhaps 3-4 per year, so not a daily occurrence by any stretch.

Thank you for your time and consideration.

[REDACTED]
[REDACTED]

