

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 17, 2020
RE: Temporary Use Permit Application – Electoral Area “E”

Administrative Recommendation:

THAT Temporary Use Permit No. E2020.006-TUP be approved

Purpose: To allow for a short-term vacation rental use through issuance of a TUP

Owners: Robin Fredrickson Agent: Donnalee Davidson Folio: E-02169.010

Civic: 3161 Hayman Road Legal: Lot 3, Plan 22228, District Lot 210, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family One (RS1)

Proposed Development:

This application is seeking a temporary use permit to authorize the operation of a short-term vacation rental use of a single detached dwelling, from May 1st to October 31st and which is to be comprised of two (2) bedrooms and a maximum occupancy of 4 people within the existing single detached dwelling with accommodation for two (2) parking stalls.

Site Context:

The subject property is approximately 0.104 ha in area and is situated on the west side of Hayman Road. It is understood that the parcel is comprised of a single detached dwelling.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development with single detached dwellings, surrounded by larger rural parcels.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on January 13, 1972, while available Regional District records indicate that a building permits for single detached dwelling addition (2012) and renovation (2015) have previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR). Under Section 22 of the bylaw, it is a Board objective to consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

In support of this application, a Health & Safety Inspection was completed on November 20, 2020. An assessment from a ROWP regarding the septic system was provided and the property is serviced by a community water system.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which permits single detached dwellings as a principal use, with limited accommodation for commercial uses in the form of “home occupations” and “bed and breakfast operations” as permitted secondary uses.

BC Assessment has classified the property as “Residential” (Class 01).

The Province of British Columbia has declared a state of emergency in response to the COVID-19 pandemic. Travel restrictions and precautions are in place for travel across provincial and international borders and the Province is encouraging British Columbians not to travel for tourism or recreation in an effort to protect vulnerable people in communities from COVID-19.

Public Process:

On August 18, 2020, a Public Information Meeting (PIM) was held electronically and was attended by approximately one member of the public (as well as the property owner and Area Director).

Due to COVID-19, an Area “E” Advisory Planning Commission (APC) meeting was not held. Area “E” APC members were provided the opportunity to comment individually on this application.

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The Electoral Area “E” OCP Bylaw supports vacation rental uses in residential areas and outlines a number of criteria against which the Board will consider such a use.

In response to the criteria outlined in Section 11.6.2, the applicant has provided a letter from a Registered On-site Wastewater Practitioner (ROWP) inspecting the septic tank and stating that “existing system should be sufficient” for intended use.

There are established hedges and vegetation between the dwelling and neighbouring properties.

The applicant has submitted a site plan which shows provision of two parking stalls in the front yard of the subject parcel.

A Health and Safety Inspection was completed on November 20, 2020 and no deficiencies were noted.

Conversely, Administration recognises that operation of a vacation rental will potentially attract non-residents to the area and into an established residential neighbourhood during a Provincial State of Emergency for COVID-19.

The intent of the Regional District’s “Vacation Rental Temporary Use Permit Policy”, and supportive OCP policies is to allow for a new vacation rental use to operate for one “season” in order to


determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Given the Electoral Area "E" OCP Bylaw generally supports vacation rentals in residential areas, and the applicant has satisfied or will satisfy criteria requirements for a two-bedroom vacation rental.

Alternatives:


1. THAT the Board of Directors deny Temporary Use Permit No. E2020.006-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2002.006-TUP for the following reasons:
 - i) *TBD*

Respectfully submitted:



JoAnn Peachey, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (May 2020)

No. 3 – Aerial Photo (2017)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☑, prior to Board consideration of TUP No. E2020.006-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Fire Department		

Attachment No. 2 – Site Photo (May 2020)



Attachment No. 3 – Aerial Photo (2017)



Subject
Property