

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission

FROM: B. Newell, Chief Administrative Officer

DATE: September 13, 2021

RE: Temporary Use Permit – Electoral Area “E”

Purpose: To allow for a vacation rental use Folio: E-02293.005

Civic: 4785 Mill Road Legal: Lot 3, Plan KAP12051, District Lot 211, SDYD

OCP: Small Holdings (SH) Zone: Small Holdings Five (SH5)

Proposed Development:

This application is seeking to allow for a vacation rental use on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “Proposed Temporary Use is an occasional vacation rental during the shoulder seasons as this is the owner's full-time summer residence. Rentals will be locally professionally hosted by a vacation rental manager. Preferred months are Sept/Oct and March-June ...”

Site Context:

The subject property is approximately 0.13 ha in area and is situated on the south-west end of Mill Road. It borders on Okanagan Lake with approximately 47 m of lake front with a It is understood that the parcel is comprised of a single-detached dwelling that is in the RDOS water service area and serviced by an on-site septic system.

The surrounding pattern of development is generally characterised by residential to the north along the Lake and agricultural on all other sides.

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 23, 1962, while available Regional District records indicate that building permits for demolition of the previous dwelling (February 2006) and building the new single family dwelling (March 2006).

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Small Holdings (SH), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Section 22.0 of Electoral Area “E” OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 22.3.5 and 22.3.6 specify conditions for temporary use permits and short-term vacation rentals respectively

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Small Holdings Five (SH5) which allows a “single detached dwellings” as the principle use as well as “bed and breakfast operation” and “secondary suites” as secondary uses.

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

Analysis:

In considering this proposal, Administration notes that the Electoral Area “E” OCP Bylaw includes supportive policy for 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 contained in Section 22.0 of the Electoral Area “E” OCP bylaw, the proposed use is seasonal in nature (May-June and September-December) and is not intensive in scale. The impact on the natural environment and neighbouring uses is minimized by being contained within an existing building and parking area on the parcel.

The applicant has also submitted a site plan which shows provision of adequate parking on-site. In addition, a health and safety inspection has successfully been completed.

Conversely, Administration recognises that limitations on commercial operations like “bed and breakfast” operations are intended to ensure intrusive or intensive tourist accommodation is not introduced into residential neighbourhoods.

However, 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.

For the reasons listed above, Administration supports approval of the temporary use permit under the following conditions:

- Period of use (May 1 – June 30 and September 1 to December 31);
- Posting of information within vacation rental;
- Maximum number of bedrooms (4);
- Maximum occupancy (8);
- Minimum number of on-site parking stalls (4);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours;
- Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19;
- Confirmation from an Registered On-site Wastewater Practitioner (ROWP) of the on-site septic system being sufficient to support a four bedroom vacation rental use; and
- Successful completion of a health and safety inspection.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be denied.

Respectfully submitted:

D. DeVries

D. DeVries, Planner 1

Endorsed By:



C. Garrish, Planning Manager

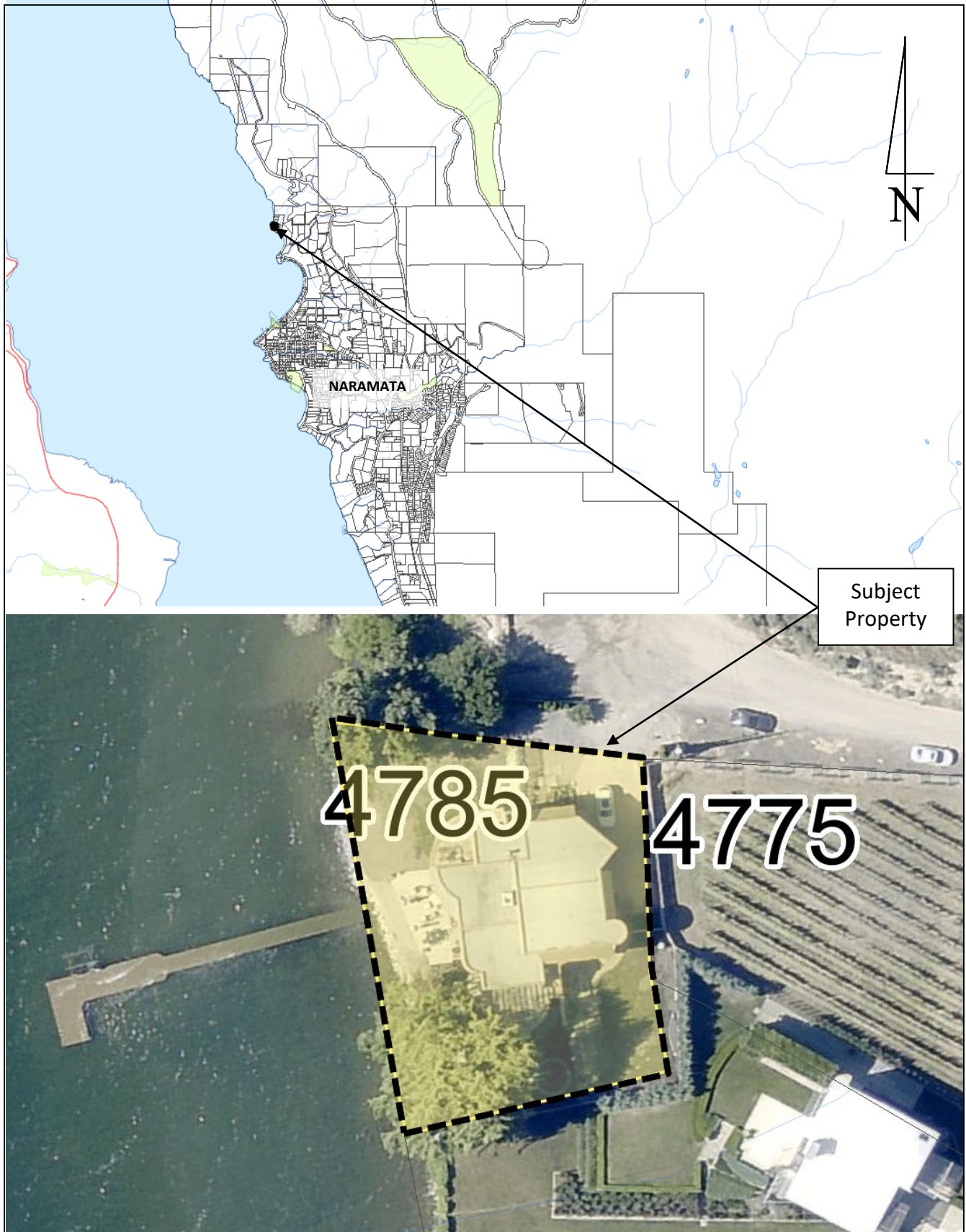
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Site Photo (2012)

No. 4 – Aerial Photo (2017)

Attachment No. 1 – Context Maps



Subject
Property

4785

4775

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photo (2012)



Attachment No. 4 – Aerial Photo (2017)

