

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: June 18, 2026

RE: Temporary Use Permit Application – Electoral Area “A” (A2026.013-STR)

Administrative Recommendation:

THAT Short-Term Rental Permit No. A2026.013-STR, to allow a short-term rental accommodation use at 117 Maguire Avenue, be approved.

Alternative:

1. THAT Short-Term Rental Permit No. A2026.013-STR, to allow a short-term rental accommodation use at 117 Maguire Avenue, be denied.
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Legal: Lot 2, Plan KAP31514, District Lot 2835, SDYD Folio: A-06901.040

OCP: Large Holdings (LH) Zone: Large Holdings One (LH1)

Purpose:

This application is seeking to authorize the operation of a “short-term rental accommodation” use on the subject property through the issuance of a Short-Term Rental Permit (STR).

In support of this proposal, the applicant has stated that they are seeking to supplement their income by making their dwelling available for short-term rental use.

Strategic Priorities: Operational

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, 1981, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that building permits previously issued include a pool (1982), a single family dwelling (1989), deck addition to dwelling (2018) and an addition to the dwelling (2020).

Official Community Plan (OCP):

Under the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2905, 2021, the subject property is currently designated Large Holdings (LH), with the Plan speaking to supporting the use of a residential dwelling unit for short-term rental permitted by a “Short-Term Rental Accommodation” (STR) Permit where:

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- a) *it is occurring within the principal residence, or an accessory dwelling or secondary suite on the same parcel as the principal residence, of the property owner and/or tenant;*
 - b) *no more than two (2) dwelling units on a parcel may be used for short-term rental accommodation, except in the Medium Density Residential zones where there shall be no limit;*
 - c) *the maximum occupancy does not exceed an aggregate occupancy of two (2) persons per bedroom within a dwelling unit; and*
 - d) *off-street vehicle parking is provided in accordance with the requirements of the applicable electoral area zoning bylaw.*

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Three (RS3) which lists “short-term rental accommodation” as a permitted accessory use, subject to Section 7.11.

Amongst other things, Section 7.11 of the Zoning Bylaw requires that “short-term rental accommodation” use occurs within a dwelling unit that is also “used for residential purposes by at least one person, or is located on the same parcel as another dwelling unit that is used for residential purposes by at least one person.”

As an exception to this, Section 7.11.4 of the Zoning Bylaw further requires that, in Electoral Area “A”, the person operating the “short-term rental accommodation” must be present and residing in the same dwelling unit as a patron during the patron’s stay.

In this instance, the proposed STR use is to occur within a principal dwelling and the applicant’s have indicated that they will not be residing in the dwelling when patrons are present. For this reason, an STR Permit is required to authorize the “short-term rental accommodation” use of the principal dwelling.

Enforcement History:

The Regional District has no record of written complaints previously being received in relation to this property.

Analysis:

In considering this proposal, Administration notes that the Electoral Area “A” OCP includes policies speaking to supporting the use of a residential dwelling unit for a short-term rental accommodation, contingent on various conditions being met.

Further, the proposed development is seen to meet these conditions outlined in the OCP. Specifically:

- the use will be occurring within a residential dwelling unit (e.g. single detached dwelling);
- no more than two (2) dwelling units will be used for the purposes of a “short-term rental accommodation” use on the subject property;
- the maximum occupancy will not exceed an aggregate occupancy of two (2) persons per bedroom within a dwelling unit (e.g. the applicant has indicated that they intend utilize four (4) bedrooms within the dwelling unit to a maximum occupancy of eight (8) persons); and

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- the applicant has provided a site plan indicating that four (4) off-street vehicle parking spaces will be provided for use by patrons (e.g. the Zoning Bylaw requires one (1) on-site vehicle parking space per sleeping unit within the dwelling);
 - confirmation from a qualified person has been provided confirming minimum health and safety requirements under the BC Building Code, and that any deficiencies will be addressed prior to issuance of a business licence.

The applicant has further indicated that the proposed duration of the “short-term rental accommodation” use will be May 1st to October 31st.

For these reasons, the use of the single detached dwelling for short-term rental accommodation on the subject property is supported by the policies in the Electoral Area “A” OCP.

Alternative:

Conversely, Administration recognizes that the Board has retained authority to consider the issuance of STR Permits in situations where representations have been received through the public notification process.

It is Administration’s understanding that this was done in order to allow the Board to weigh the merits of public comments submitted on a proposed STR use in a residential neighbourhood and if the use was appropriate at the location.

While public opposition (or support) is not, in and of itself, indicative of the merits of a land use proposal, the issues identified by adjacent property owners may reveal broader concerns related to land use compatibility, noise, parking, and neighbourhood character.

In this instance and given that one (1) representation has been received on this proposal raising concerns related to noise, dogs straying in neighboring properties, fire, garbage and litter problems, the option is available to the Board to determine that this proposal may adversely affect the surrounding residential area and cannot be supported.

It is noted, however, that despite the concerns raised from the negative representation, the proposed development meets all STR-related criteria contained in the Electoral Area “A” OCP.

Summary:

In summary, the proposed short-term rental use is consistent with the relevant policies of the Electoral Area “A” OCP and for this reason Administration is recommending that the permit be approved.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed Short-Term Rental Accommodation (STR) Permit has been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 9 ha in area and is situated on the north side of Maguire Road, approximately 3 km east from the boundary with Town of Osoyoos. The property is understood to contain one (1) singled detached dwelling.

The surrounding pattern of development is generally characterised by similar rural-residential development.

Public Process:

In accordance with Sections 3.5 and 3.6 of Schedule 5 (Application for a Temporary Use Permit) of the Regional District's Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this STR Permit application on April 24, 2026, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of May 15, 2026, being 15 working days from the date of notification, approximately one (1) representation was received electronically or by submission at the Regional District office.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Jerritt Cloney
Jerritt Cloney
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:



A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

Attachment No. 1 – Aerial Photo

