

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission

FROM: B. Newell, Chief Administrative Officer

DATE: May 19, 2021

RE: Temporary Use Permit – Electoral Area “I”

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

Owners: Rocky Druar and Martine Sallaberry Agent: n/a Folio: I-01523.540

Civic: 251 Alder Avenue Legal: Lot 3, Plan EPP74523, District Lot 105s, SDYD

OCP: Low Density Residential (LR) Zoning: Residential Single Family (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 three (3) bedrooms and a maximum occupancy of 6 people within the existing single detached dwelling with accommodation for three (3) parking stalls.

Site Context:

The subject property is approximately 1,320 m² in area and is situated on the southeast side of Alder Avenue directly opposite of a public lake access to Skaha Lake. 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 along Alder Avenue and larger residential parcels behind.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 2, 2017, while available Regional District records indicate that a building permit for a single detached dwelling (2019) has previously been issued for this property.

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2015, the subject property is currently designated Low Density Residential (LR), and is the subject of a Environmentally Sensitive Development Permit (ESDP) Area designations on a portion of the parcel.

Section 23 of the Electoral Area “I” OCP Bylaw contains the objective to consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

This is also supported under Section 11.7 of the Electoral Area “I” OCP bylaw, which includes vacation rental policies that support paid accommodation for visitors through the short-term rental of

residences provided that community and neighbourhood needs and other land use needs can be addressed (Section 11.7.1).

Evaluation criteria in Section 11.7.2 of the Electoral Area “I” OCP bylaw for assessing applications includes:

- a) Capability of accommodating on-site domestic water and sewage disposal;*
- b) Mitigating measures such as screening and fencing;*
- c) Provision of adequate off-street parking;*
- d) Confirmation that the structure proposed complies with the BC Building Code; and*
- e) Benefits that such accommodation may provide to the community.*

Section 23.3.4 of Electoral Area “I” OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 23.3.5 and 23.3.6 specify conditions for temporary use permits and short-term vacation rentals respectively. The previously issued TUPs for the subject property included conditions to limit or require the following:

- Period of use (May-October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (3);
- Maximum occupancy (6);
- Minimum number of on-site parking stalls (3);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours.

Under the Electoral Area “I” Zoning Bylaw No. 2457, 2008, the property is currently zoned Residential Single Family (RS1) which permits single detached dwellings as a principal uses, with limited accommodation for commercial uses in the form of “home occupations” and “bed and breakfast operations” as permitted secondary uses.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is partially within the floodplain associated with Skaha Lake.

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

Analysis:

In considering this proposal, Administration notes that the Electoral Area “I” 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 outlined in Section 11.7.2, the applicant has provided a letter from a Professional Engineer stating that a septic system was installed in November 2020 for a 3 bedroom home and “current septic system design is adequate for this use”.

On-site domestic water is provided by a community water system operated by the Kaleden Irrigation District (KID).

In terms of off-street parking, the applicant has provide a site plan which shows provision of 7 parking stalls, three within a garage and four tandem parking stalls in the driveway, which exceeds the minimum 3-stall parking requirement.

The APC is asked to be aware that the applicant has applied for a Health and Safety Inspection and is in the process of arranging inspection with the Regional District's Building Inspection staff, which will be completed before this item is reviewed by the Board.

Conversely, Administration recognises that operation of a vacation rental will 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 "I" OCP Bylaw generally supports vacation rentals in residential areas, and the applicant has satisfied or will satisfy criteria requirements for a three-bedroom vacation rental, it is recommended that the vacation rental be approved, with conditions. It is recommended that the following conditions are included in the TUP:

- Term of Permit (To Expire December 31, 2021, to provide for one "full season");
- Vacation rental operator and guests adhere to provincial health orders during the Provincial State of Emergency for COVID-19;
- Period of use (May –October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (3);
- Maximum occupancy (6);
- Minimum number of on-site parking stalls (3);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy; and
- Providing TUP and contact information to neighbours.

Administrative Recommendation:

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

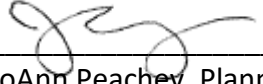
Options:

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:


JoAnn Peachey, Planner I

Endorsed By:


C. Garrish, Planning Manager

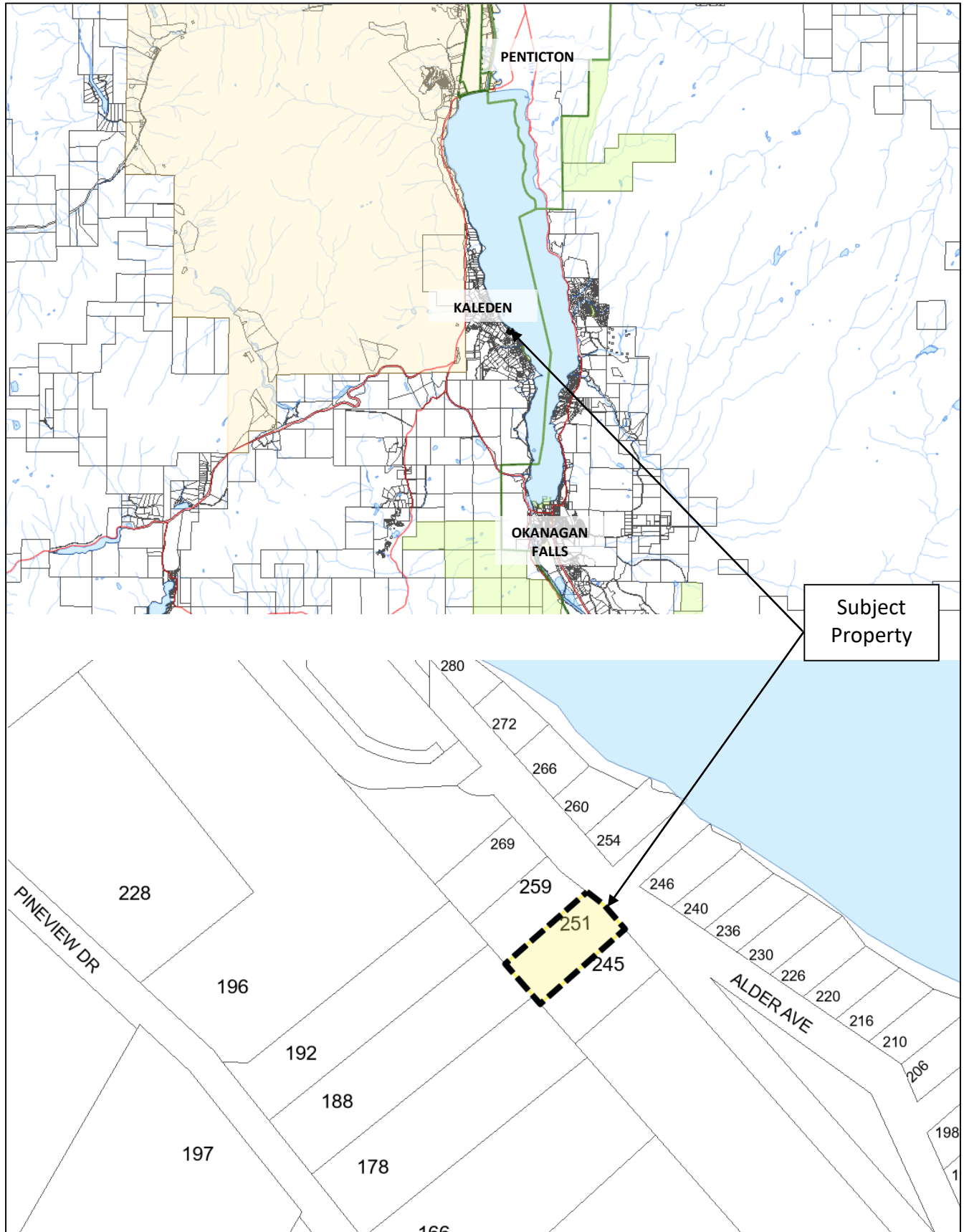
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Applicant's Floor Plan

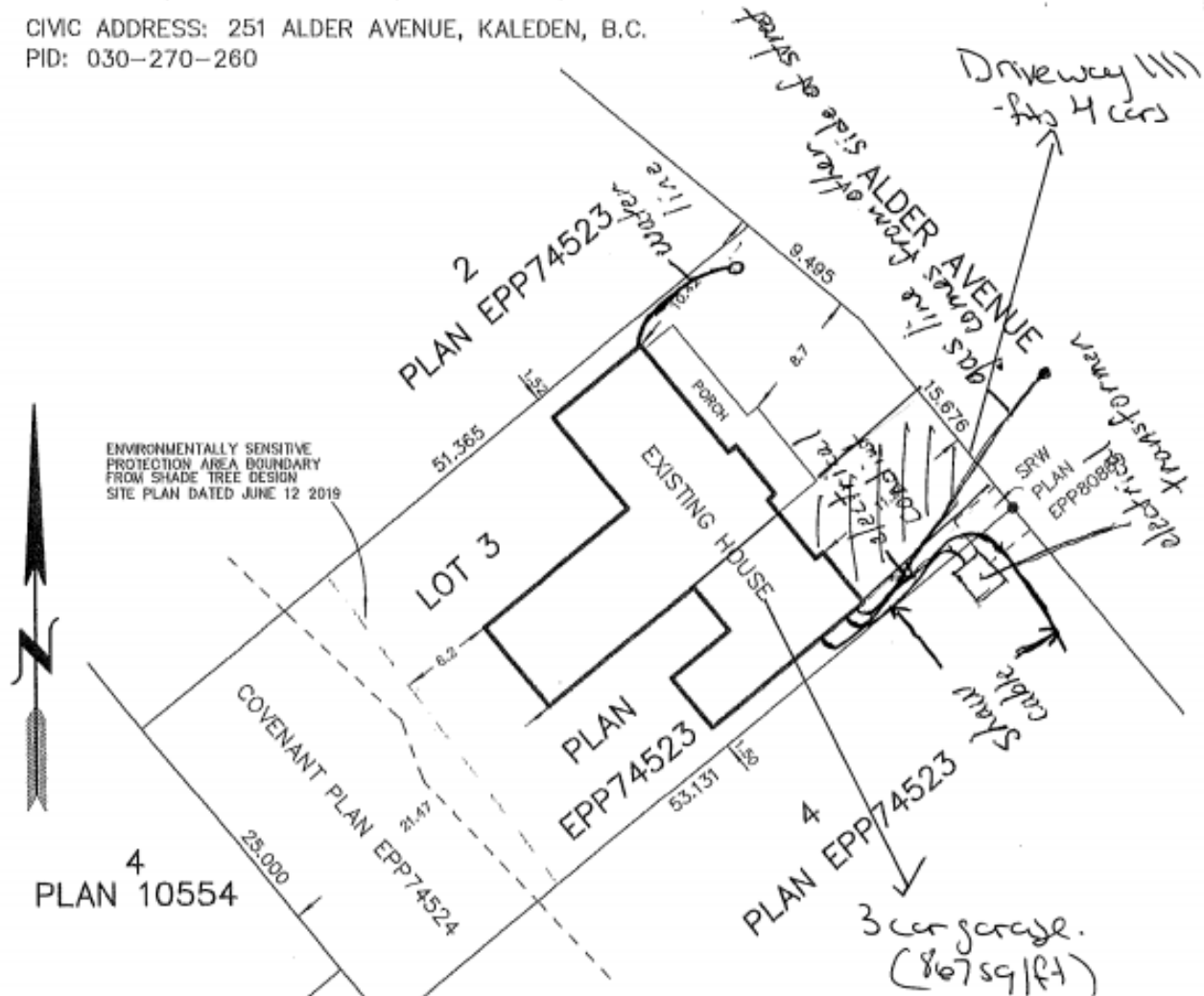
No. 4 – Applicant's Site Photo (April 2021)

Attachment No. 1 – Context Maps



BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION ON LOT 3, DL 105s, SDYD, PLAN EPP74523

CIVIC ADDRESS: 251 ALDER AVENUE, KALEDEN, B.C.
PID: 030-270-280



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THIS CERTIFICATE IS BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS AND A FIELD SURVEY. UNREGISTERED INTERESTS HAVE NOT BEEN CONSIDERED.

LOCATIONS OF THE STRUCTURE CERTIFIED CORRECT ACCORDING TO A FIELD SURVEY COMPLETED THIS 28th DAY OF JANUARY, 2021

Ross Mandeville
ROSS MANDEVILLE

BRITISH COLUMBIA LAND SURVEYOR
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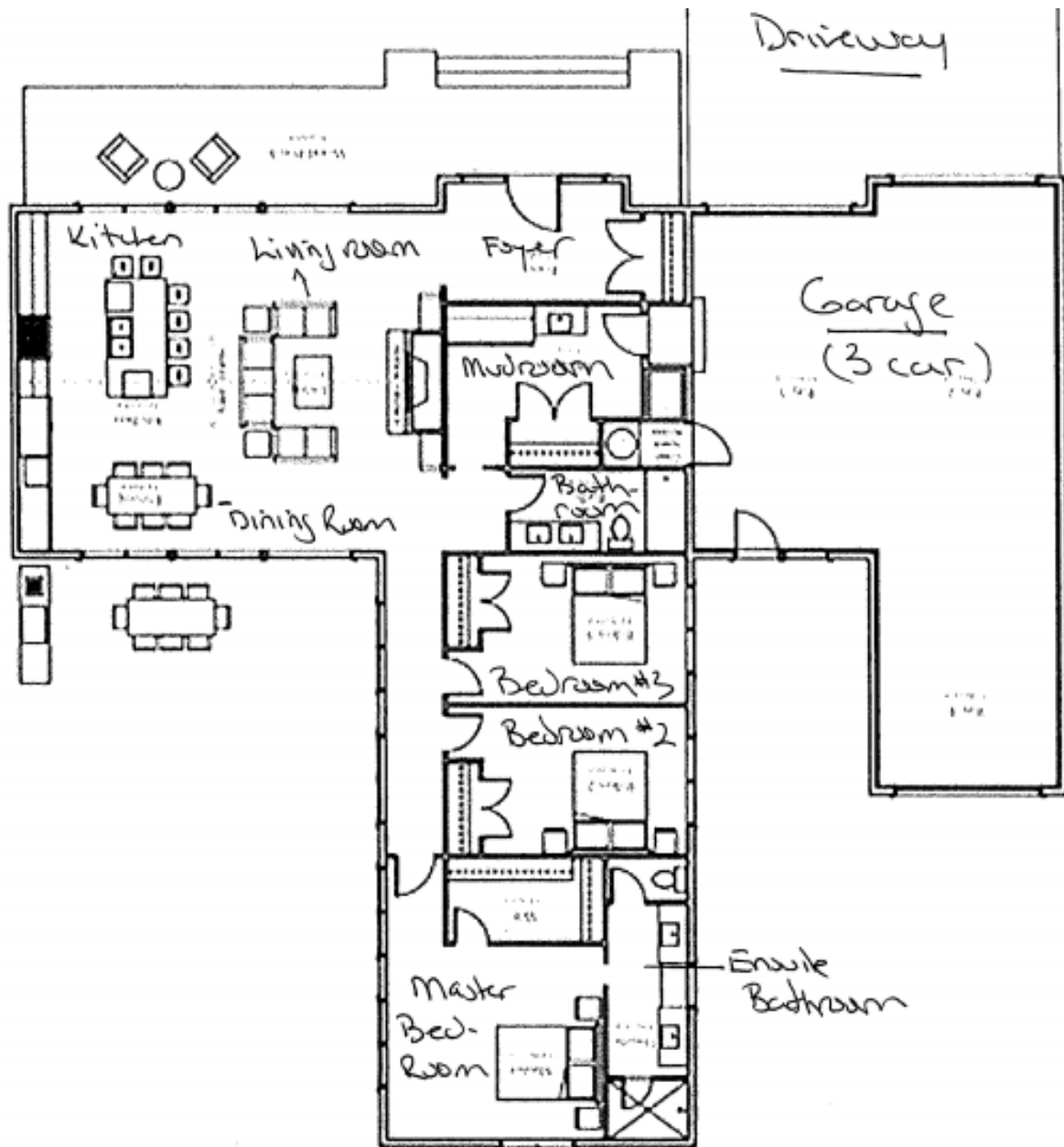
PH: 250-488-6377

WEB: MSURVEYING.COM

FILE: 20-005

DWG: 20-005

Attachment No. 3 – Applicant's Floor Plan



Attachment No. 4 – Applicant's Site Photo (April 2021)

