

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 7, 2022

RE: Temporary Use Permit Application – Electoral Area “A” (A2022.011-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. A2022.011-TUP, to allow a mobile home to be used as an “accessory dwelling” at 16435 87th Street be approved.

Proposed Development:

This application is seeking to renew a temporary use permit to allow for the use of a mobile home as an accessory dwelling for the applicants to provide care for an elderly parent who is currently residing in the existing principal dwelling on the on the subject property, which is less than 4.0 ha in size.

The applicant has stated that “we are caregivers for [one of the property owners]... who needs help with her daily needs. When the situation changes the mobile home will be removed. We are trying to keep her in her own home.”

Site Context:

The subject property is 2.022 m² in area and is situated on the western corner of 87th Street and 164th Street, on the western shore of Osoyoos Lake, about 2.7 km west of the town of Osoyoos. The parcel is comprised of a single detached dwelling and the subject mobile home.

The surrounding pattern of development is generally characterised by low density residential development and agricultural lands south of 89th Street.

Background:

The boundaries of the subject property were created on May 19, 1998, while available Regional District records indicate that a building permit was issued in 2016 for the placement of the mobile home.

The property is zoned Small Holdings One (SH1) which permits “single detached dwelling” as a principal use, and “accessory dwelling, as an accessory use. The Zoning Bylaw permits the use of a mobile home as an accessory dwelling on parcels greater than 4.0 ha.

As the parcel is only approximately 0.2 ha in size, the use of a mobile home as an accessory dwelling is not permitted and requires either a rezoning or issuance of a temporary use permit.

The property is designated Small Holdings (SH), and is the subject of a Watercourse Development Permit (WDP) Area Designation. A WDP was previously issued for the placement of the mobile home.

The Regional District has previously issued temporary use permits for the use of the subject mobile home in 2016 and 2019.

The property is within the floodplain associated with Osoyoos Lake and is situated within the Agricultural Land Reserve. BC Assessment has classed the subject property as “Residential”.

Public Process:

On June 8, 2022, a Public Information Meeting (PIM) was held online with Webex and was attended by no members of the public. An Advisory Planning Commission (APC) was scheduled for June 13, 2022, and the Electoral Area “A” APC resolved to cancel its meeting.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

The applicant has indicated they are continuing to use the mobile home while acting as caregivers for their elderly relative living in the principal dwelling. A mobile home would support the temporary nature of the permit. It would provide accommodation for a limited time and can be relocated from the property with relative ease when it is no longer needed.

In addition, there have been no recorded complaints received in relation to the existing use during the terms of Temporary Use Permits A2016.048-TUP and A2019.005-TUP.

Conversely, although the use of the mobile home as a caretaker’s residence is compatible with the residential use in the surrounding area, it is a different built form than the surrounding one to two-story single detached dwellings in the neighbourhood. In a previous application, it was stated that the construction of a secondary suite while acting as caregivers for their relative was not a viable option.

There has been no change to the personal circumstances used to justify the need for a mobile home at this location and no complaints have been received.

Alternatives:


1. THAT the Board of Directors deny Temporary Use Permit No. A2022.011-TUP.

Respectfully submitted:

Colin Martin

Colin Martin, Planning Services Clerk

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant’s Site Plan

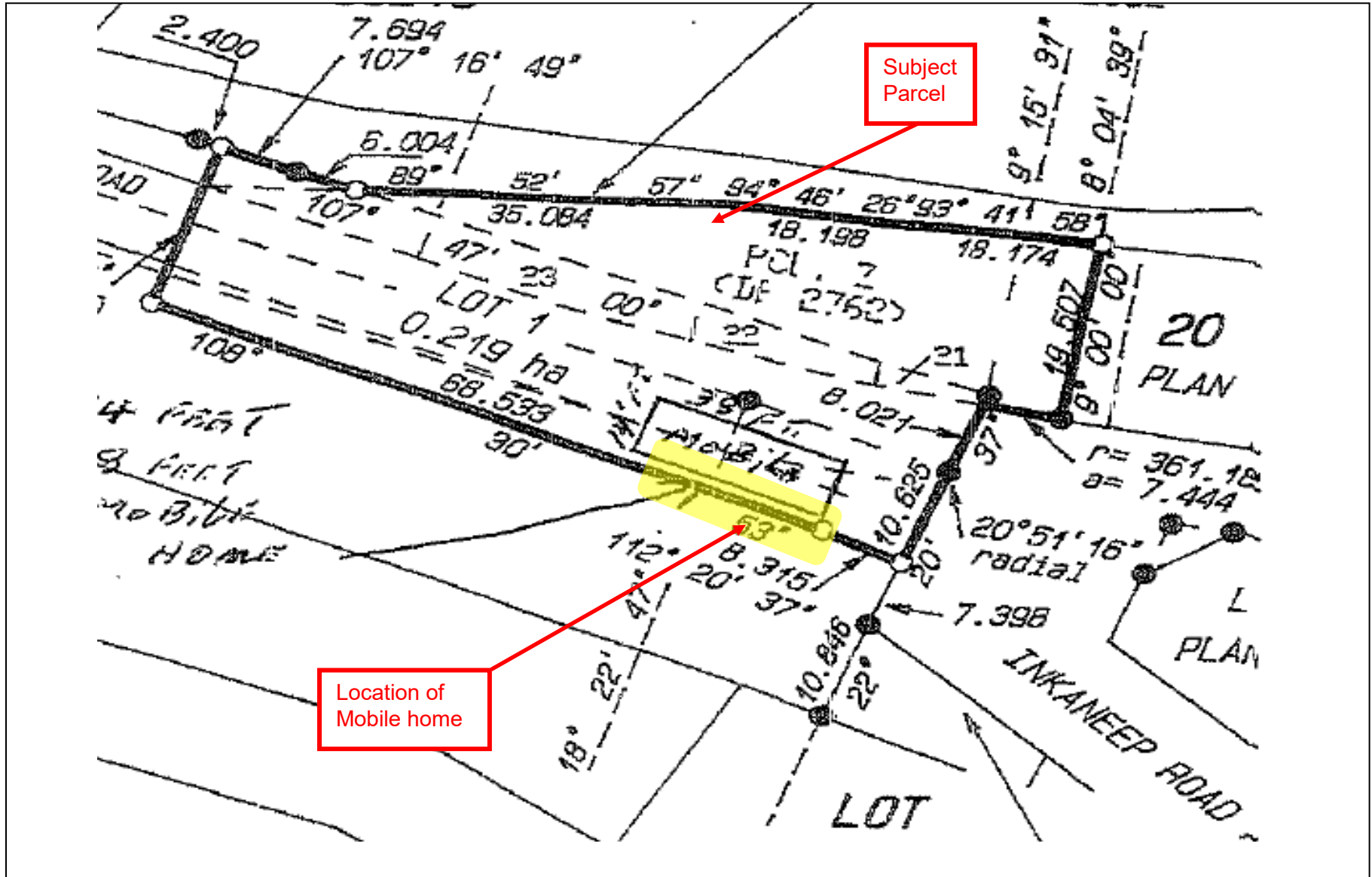
No. 3 – Site Photo (May 2019)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. A2022.011-TUP:

| | | | |
|-------------------------------------|---|-------------------------------------|--|
| <input checked="" 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 checked="" 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 checked="" type="checkbox"/> | Town of Osoyoos |
| <input type="checkbox"/> | Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section) | <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"/> | <input checked="" type="checkbox"/> Irrigation District / improvement Districts / etc. |
| <input checked="" type="checkbox"/> | Osoyoos Fire District | <input type="checkbox"/> | Public Works (Water Areas C, D, E, F; Sewer Area D) |

Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Site Photo (May 2019)

