

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: August 9, 2022
RE: Temporary Use Permit – Electoral Area “D”

Purpose: To allow for a vacation rental use. Folio: D-06773.000

Civic: 3136 Vaseux Lake Crescent Legal: Lot 10, Plan KAP11377, Sublot 15, District Lot 2710, SDYD

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Proposed Development:

This application is seeking to allow the operation of a short-term vacation rental use in the principal dwelling on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “Tenants must read rules laid out by the owners which include house use as private with no parties or large gatherings, no recreational vehicles, large shed /workshed is not allowed to be used by tenants (locked). A note with fire escape, septic responsibilities and warnings is also clearly available and discussed upon arrival.”

Site Context:

The subject property is approximately 948 m² in area and is situated on the west side of Vaseux Lake Crescent, abutting Vaseux Lake to the east. It is understood that the parcel is comprised of a single detached dwelling, two storage sheds, a children’s playhouse and a workshop/shed.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development with single detached dwellings bordered by Vaseux Lake to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 3, 1961, while available Regional District records indicate that a building permit for a hobby/workshop (1998) has previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Low Density Residential (LR) and is the subject of a Watercourse Development Permit (WDP) designation and is also identified as an Important Ecosystem Area.

Section 23.0 of Electoral Area “D” OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 23.2.5 and 23.2.6 specify conditions for temporary use permits and short-term vacation rentals respectively.

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned Low Density Residential Two (RS2) which permits a single detached dwelling as a principle use and allows for a “bed and breakfast operation” as a secondary use.

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

The property has been the subject of a Stop Work Notice for constructing an accessory building and deck without a building permit.

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

A Temporary Use Permit application to allow a vacation rental use at the subject property was previously refused by the Regional District Board at its meeting of May 5, 2022. This application had been supported by the Electoral Area “D” Advisory Planning Commission (APC) at its meeting of April 12, 2022.

Analysis:

In considering this proposal, Administration notes that notes that the Electoral Area “D” 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 23 of the Electoral Area “D” OCP bylaw, the proposed use is seasonal in nature (May-October) 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.

In response to the criteria outlined in Section 8.6.2, in favour of the application, the applicant has submitted a site plan which shows provision of adequate parking on-site.

Further, the applicant has submitted a septic assessment letter signed by a Registered Onsite Wastewater Practitioner certifying that the sewerage system is adequate to handle the proposed change in use.

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” 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 15th-November 15th);
- Posting of information within vacation rental;
- Maximum number of bedrooms (3);
- Maximum occupancy (6);

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- 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;
 - Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19; and
 - Successful completion of a health and safety inspection.
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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:

Fiona Titley

Fiona Titley, Planner I

Endorsed By:

CG

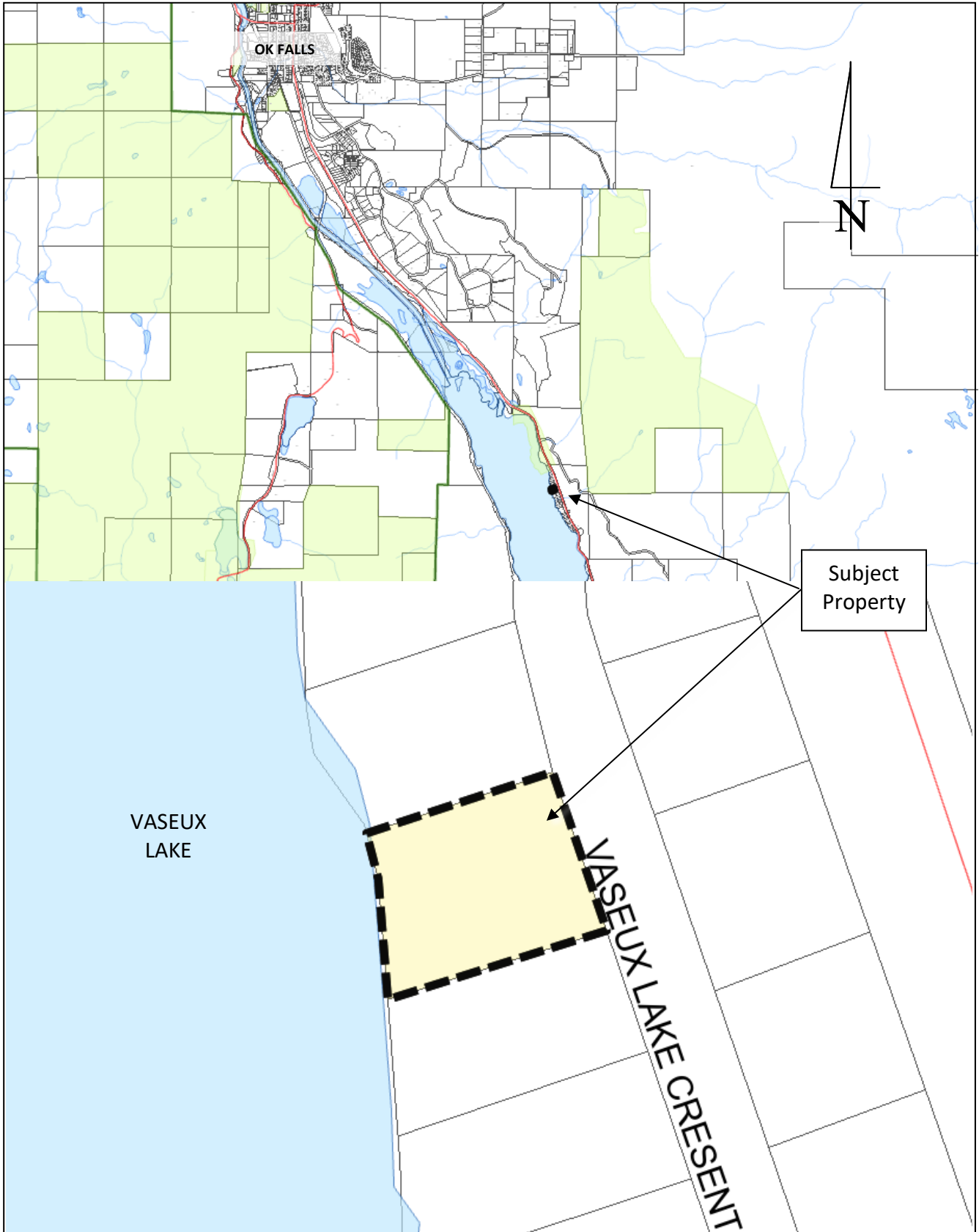
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

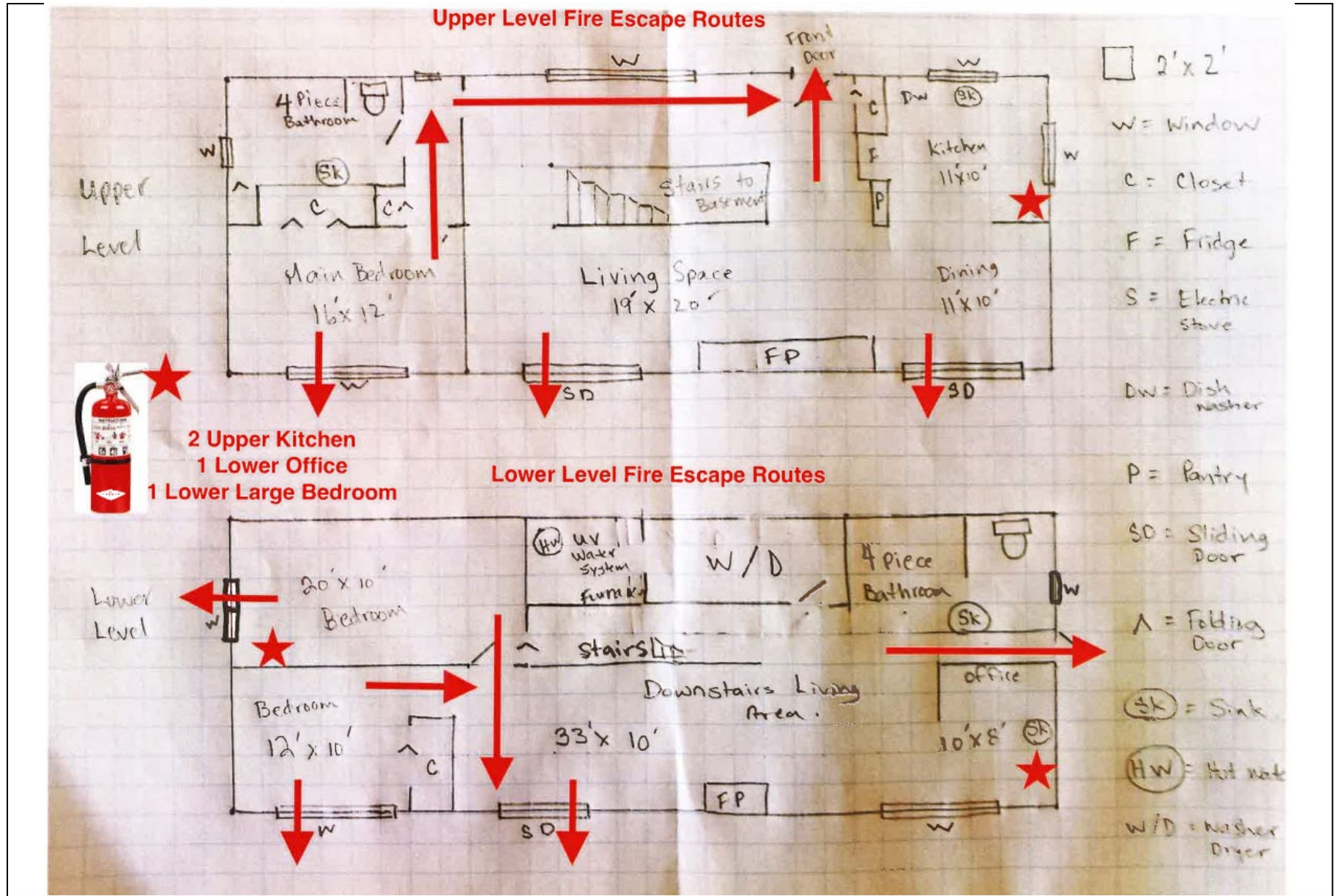
No. 2 – Applicant’s Site Plan

No. 3 – Applicant’s Parking Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Floor Plan



Attachment No. 3 – Applicant’s Parking Plan

