

## ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** April 14, 2022

**RE:** Temporary Use Permit – Electoral Area “E”

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Purpose: To allow for a vacation rental use. Folio: E-06834.425

Civic: 123 Granite Court Legal: Strata Lot 31, Plan KAP 3445, District Lot 2711, SDYD

OCP: Low Density Residential (LR)) Zone: Low Density Residential Three (RS3)

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### **Proposed Development:**

This application is seeking to operate 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 “We are looking to rent the home as a vacation rental for about 10 weeks a year when we are not there, as we would like to earn some income from the property when we are not able to use it.”

### **Site Context:**

The subject property is approximately 3951 m<sup>2</sup> ha in area and is situated on the west side of Granite Court approximately 1.9km east of Okanagan Lake. It is understood that the parcel is comprised of a single detached dwelling, pool and cabana.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been developed with single detached dwellings.

### **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 2, 2008, while available Regional District records indicate that a building permits for a single detached dwelling (2018), and a Pool and Cabana (2017) have previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2468, 2008, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Low Density Residential Three (RS3) which permits a single detached dwelling as a principle use and allows for a “bed and breakfast operation” as a secondary use.

BC Assessment has classified the property as “Residential”.

### **Analysis:**

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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-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 11.6.2 in favour of the application, the applicant has submitted a site plan which shows provision of adequate parking on-site. The applicant has submitted a letter certifying that the septic system has the capacity to accommodate the vacation rental use. In addition, a health and safety inspection was completed and did not identify any deficiencies.

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 15<sup>th</sup> - October 15<sup>th</sup>);
- 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; and
- Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19.

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**Administrative Recommendation:**

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

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**Options:**

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

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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

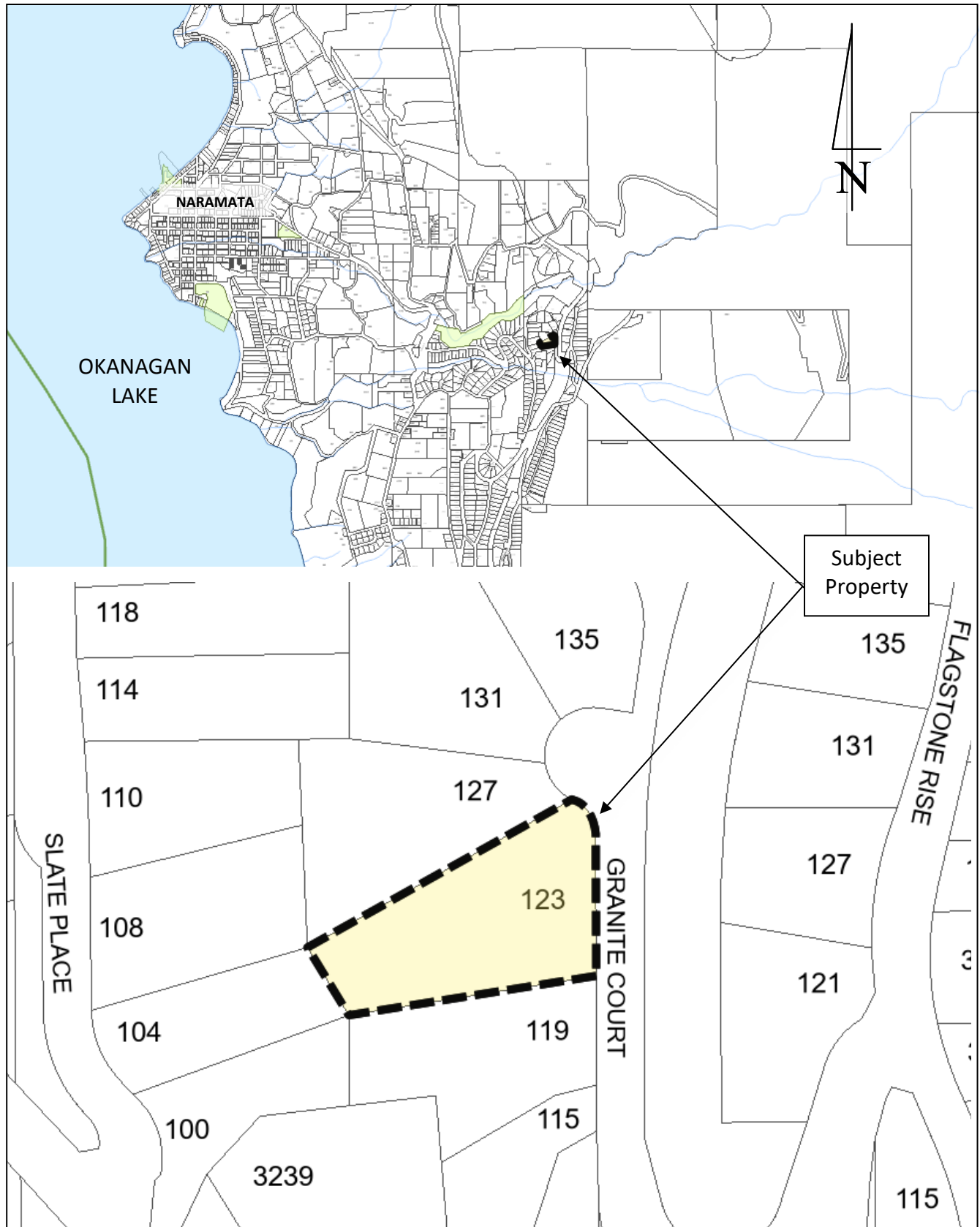
No. 3 – Applicant's Basement Floor Plan

No. 4 – Applicant's Main Floor Plan

No. 5 – Applicant's Upper Floor Plan

No. 6 – Applicant's Building Elevations

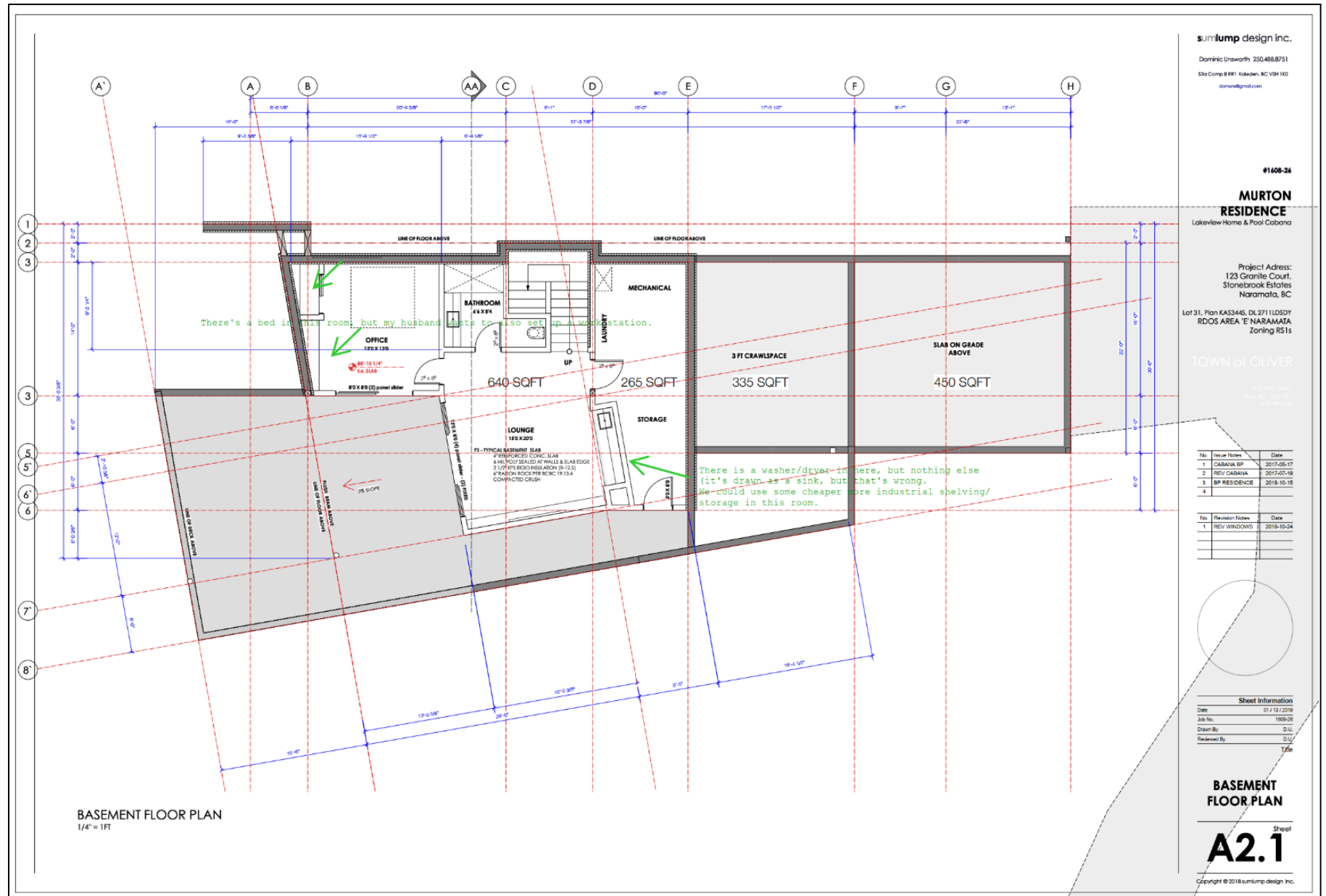
Attachment No. 1 – Context Maps



# Attachment No. 2 – Applicant’s Site Plan

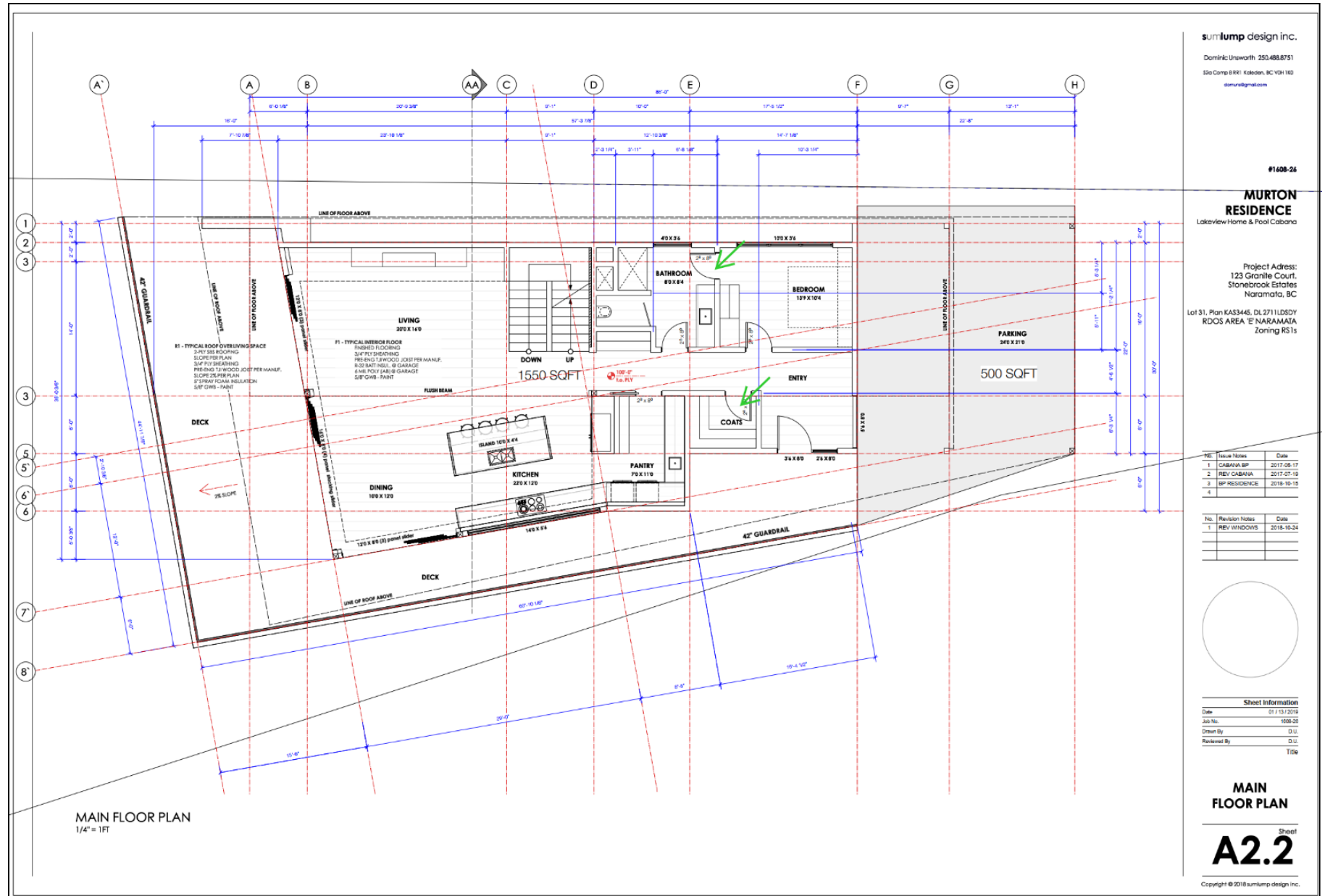


### Attachment No. 3 – Applicant's Basement Floor Plan

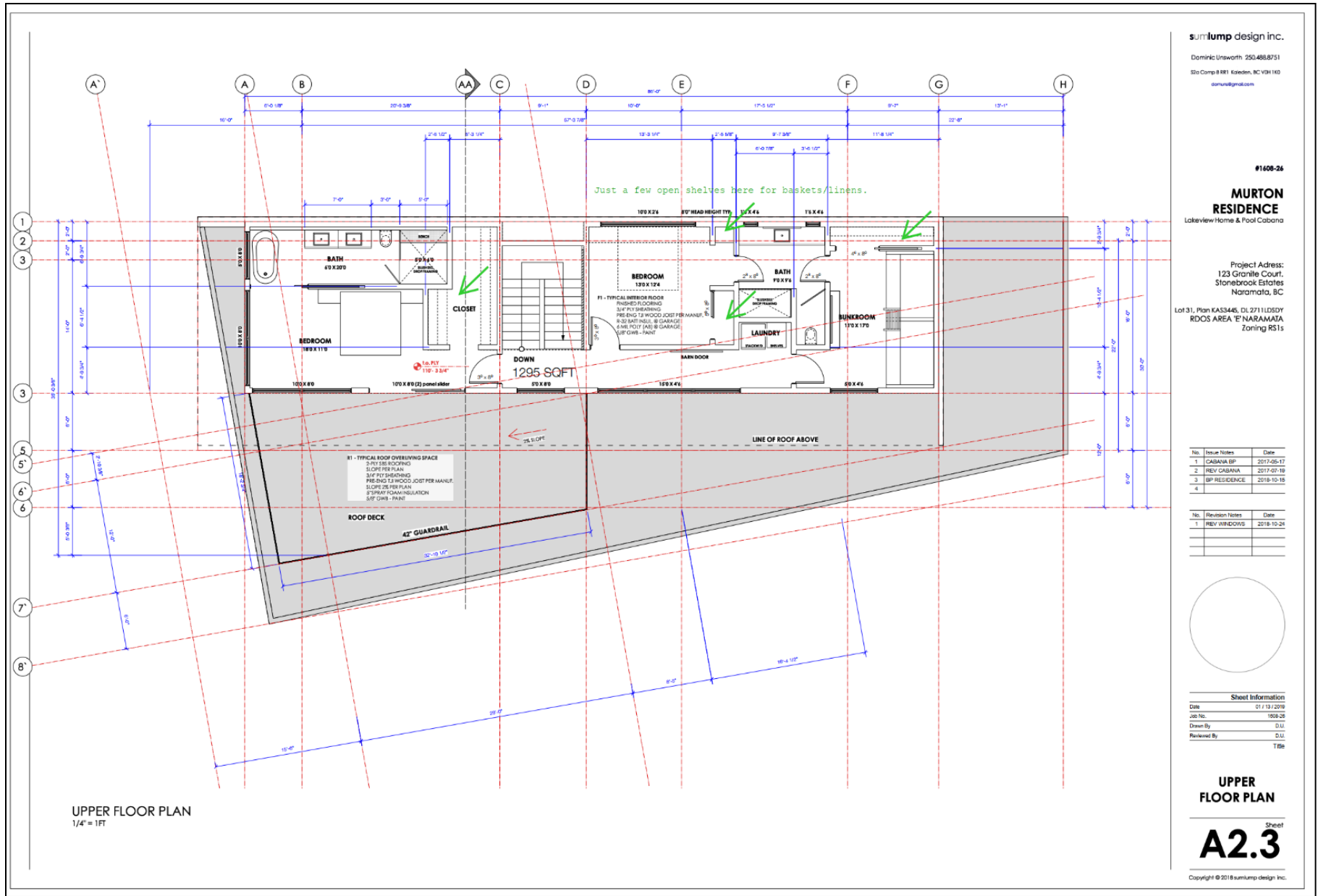




# Attachment No. 4 – Applicant's Main Floor Plan



## Attachment No. 5 – Applicant's Upper Floor Plan





## Attachment No. 6 – Applicant's Elevation Plans

