

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 6, 2023

RE: Temporary Use Permit Application – Electoral Area “D” (D2023.006-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. D2023.006-TUP, to allow for a vacation rental use at 413 Hody Drive be approved.

Legal: Lot 3, District Lot 337, SDYD, Plan KAP31967 Folio: D-00948.030

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

Proposed Development:

This application is seeking to allow for the operation of a vacation rental within an existing four bedroom single detached dwelling on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated:

- *We purchased the property in 2022 with plans to retire there within the next five years. In addition, we have elderly parents and other chronically ill family members that require regular support in the area as we balance our time between our working location of Maple Ridge, BC and our retirement location here on Hody Dr. Allowing us to temporarily use the property as a vacation rental will allow us to maintain and improve the property with funds from the rental revenue and will provide additional revenue opportunities to the fantastic local businesses as compared to the house being empty between own visits.*
- *The domestic water and sewage shouldn't be a issue as we are hooked up to city sewage and water. My wife and I are big supporters of local businesses, so we were excited to have people in our home for the summers to make sure the local economy stays strong until we retire in the next 4 to 5 years and move in full-time. In addition for example we are using a local property manager who will also be a great resource for non-local renters as a guide to local businesses.*

Site Context:

The subject property is approximately 563 m² in area and is situated at the eastern end of the cul-de-sac on Hody Drive. It is understood that the parcel is comprised of a single detached dwelling and a swimming pool.

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

Background:

The property was May 28, 1981, while available Regional District records indicate that building permits have been issued for a single detached dwelling (2004) and a swimming pool (2008).

The property is designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP) Area designation. It is zoned Low Density Residential Two (RS2) which permits “single detached dwelling” as a principal use.

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

Section 11.5 of the OCP Bylaw further provides for Vacation Rental policies for lands designed as Residential; more specifically, that the Regional District Board supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.

Section 11.5.2 of the OCP Bylaw also indicates support for short-term vacation rentals on lands designated as Residential where permitted by a Temporary Use Permit and provides the following criteria for the Board to assess such applications:

- capability of accommodating on-site domestic water and sewage disposal;
- mitigating measures such as screening and fencing;
- provision of adequate off-street parking;
- confirmation that the structure proposed complies with the BC Building Code; and
- benefits that such accommodation may provide to the community.

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

Public Process:

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 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.

In reviewing the proposal against the criteria under Section 11.5 of the OCP Bylaw, the property is connected to community sewer and water systems operated by the Regional District, which are seen to be adequate for the proposed use. Much of the property is fenced with 6 foot fencing, as illustrated in Attachment No. 2, which aids in the provision of privacy to neighbouring parcels to the north and south.

As it relates to the provision of off-street parking, the agent has indicated that two parking spaces would be provided within the attached garage, and an additional two parking spaces would be provided in the driveway which would satisfy the minimum parking requirement for this use.

A Health and Safety Inspection was completed on February 24, 2023, with no deficiencies being identified.

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 appropriate, compatible, or viable at a particular location. Following the initial “season”, the Board would then have the opportunity to determine whether it would be appropriate to allow for a renewal of the permit.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. D2023.006-TUP.

Respectfully submitted:



Shannon Duong, Planner II

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Applicant’s Site Plan

No. 3 – Applicant’s Interior Photos

No. 4 – Applicant’s Exterior Photos

No. 5 – Aerial Photo 1 (Nearmap – August 2022)

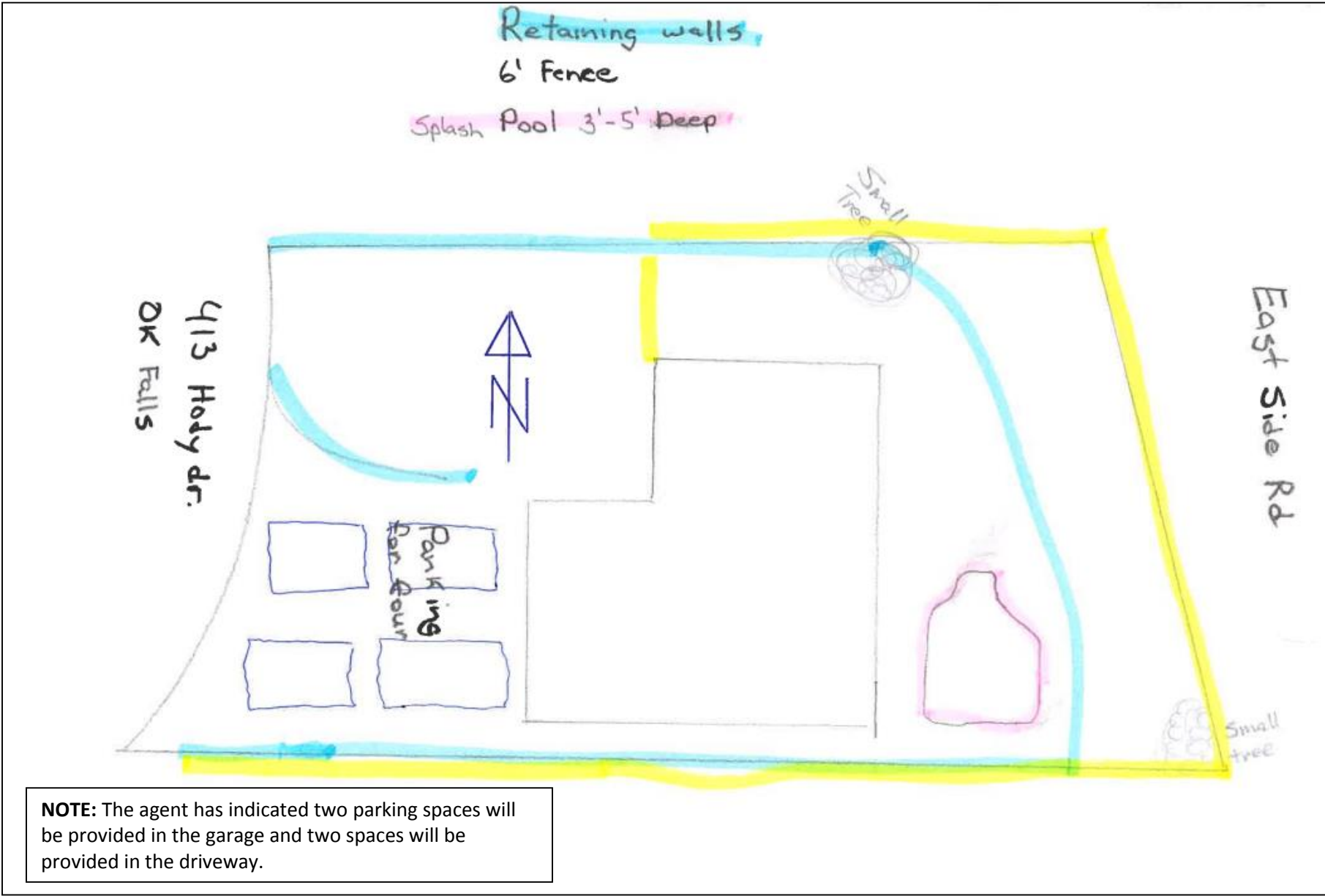
No. 6 – Aerial Photo 2 (Neapmap – August 2022)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. D2023.006-TUP:

| | | | |
|-------------------------------------|---|-------------------------------------|--|
| <input type="checkbox"/> | Agricultural Land Commission (ALC) | <input checked="" type="checkbox"/> | Fortis |
| <input type="checkbox"/> | Interior Health Authority (IHA) | <input type="checkbox"/> | City of Penticton |
| <input 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 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 checked="" 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"/> | Kaleden Irrigation District |
| <input type="checkbox"/> | Thompson Nicola Regional District | <input type="checkbox"/> | X Irrigation District / improvement Districts / etc. |
| <input type="checkbox"/> | Fraser Valley Regional District | | |
| <input checked="" type="checkbox"/> | Okanagan Falls Volunteer Fire Department | | |

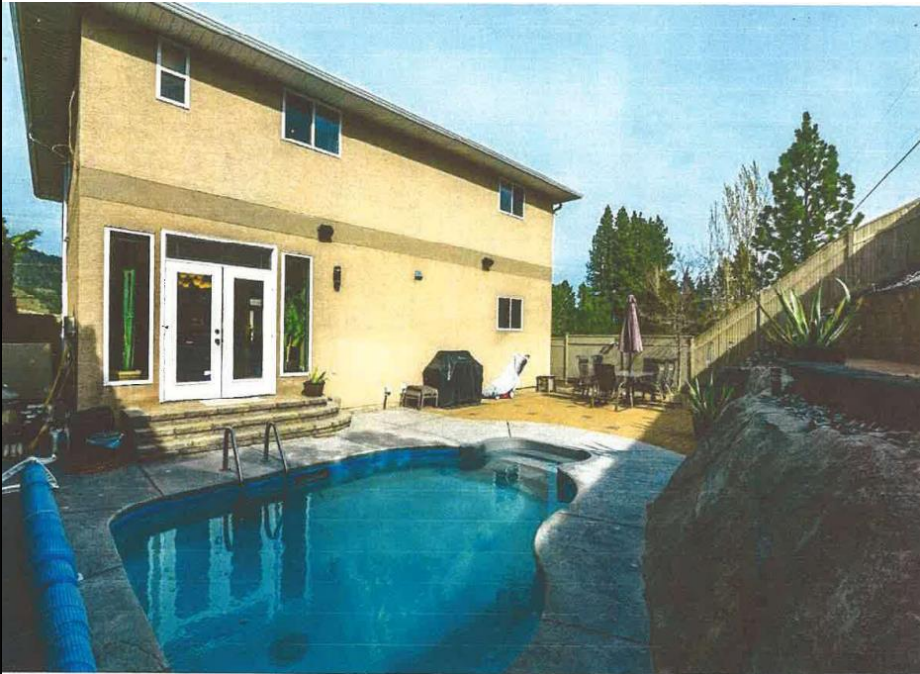
Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Applicant's Interior Photos



Attachment No. 4 – Applicant’s Exterior Photos



Attachment No. 5 – Aerial Photo 1 (Nearmap – August 2022)



Attachment No. 6 – Aerial Photo 2 (Nearmap – August 2022)



Approx. Boundaries of
Subject Property
(DASHED YELLOW LINE)