

# ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** July 20, 2021  
**RE:** Temporary Use Permit – Electoral Area “C”

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Purpose: To allow for a vacation rental use. Folio: C-06576.125

Civic: 4444 Goldenmile Drive Legal: Lot 932, Plan KAP2314, District Lot 2450S, SDYD

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

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## Proposed Development:

This application is seeking to authorize the operation of a short-term vacation rental use of a single detached dwelling at 4444 Goldenmile Drive for one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP). The dwelling is composed of three (3) bedrooms with a maximum occupancy of six (6) people, with accommodation for three (3) parking stalls.

In support of this proposal, the applicant has stated that the reason for the temporary use is to provide “accommodation to winery guests.”

## Site Context:

The subject property is approximately 4.02 ha in area and is situated on the west side of Goldenmile Drive, approximately 7 km from the Town of Oliver. It is understood that the parcel is comprised of a vineyard, a winery building and a single family dwelling.

The surrounding pattern of development is generally characterised by similarly sized agricultural parcels to the north and east and parks and recreation and resource area to the south and west.

## Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on June 7, 1962, while available Regional District records indicate that a building permits for alterations (1983), winery building (2006), Deficiency inspection for Winery-permit (2011), interior renovations to winery (2017), and a pergola –accessory to winery (2017).

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) Area designation on the south side of the property.

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One zone (AG1) which, among other uses, allows for single detached dwellings as a principal use, with “bed and breakfast operations” as a secondary use.

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

The property is within the Agricultural Land Reserve (ALR); however the ALC does not regulate tenure of a principal residence which has received all necessary permits.

A Health and Safety Inspection was completed on July 6, 2021 and identified several deficiencies that will require attention prior to consideration of the application by the Board.

The applicant has been requested to provide a letter prepared by a Registered On-site Wastewater Practitioner (ROWP) to confirm on-site septic capability and which will be completed before this item is reviewed by the Board.

BC Assessment has classified the property as part "Residential" (Class 01), part "Light Industry" (Class 05) and part "Business and Other" (Class 06).

**Analysis:**

In considering this proposal, Administration notes that the proposed vacation rental use does not remove any land from agricultural production and is proposed to be used in conjunction with the principal dwelling on site and there are no proposed changes to the portion of land currently farmed as a vineyard.

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. However, a health and safety inspection was completed and did identify several deficiencies.

In response to the criteria contained in Section 20.0 of the Electoral Area "C" 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.

Conversely, the addition of uses within an agricultural area that are more commercial in nature can pose potential land use conflicts with agricultural operations. By allowing additional uses to occur, the primary use of the property or surrounding properties as agricultural land can become threatened through the introduction of competing interests.

However, changing the duration of stay within an existing dwelling unit is not anticipated to introduce any land use conflicts that would not be present if the dwelling were used for residential purposes.

For the reasons listed above, Administration support approval of the temporary use permit under the following conditions:

- 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;

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- 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.
  - Confirmation from an Registered On-site Wastewater Practitioner (ROWP) of the on-site septic system being sufficient to support a four bedroom vacation rental use; and
  - Confirmation from a building inspector that all deficiencies identified in the health and safety inspection have been resolved.
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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.
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

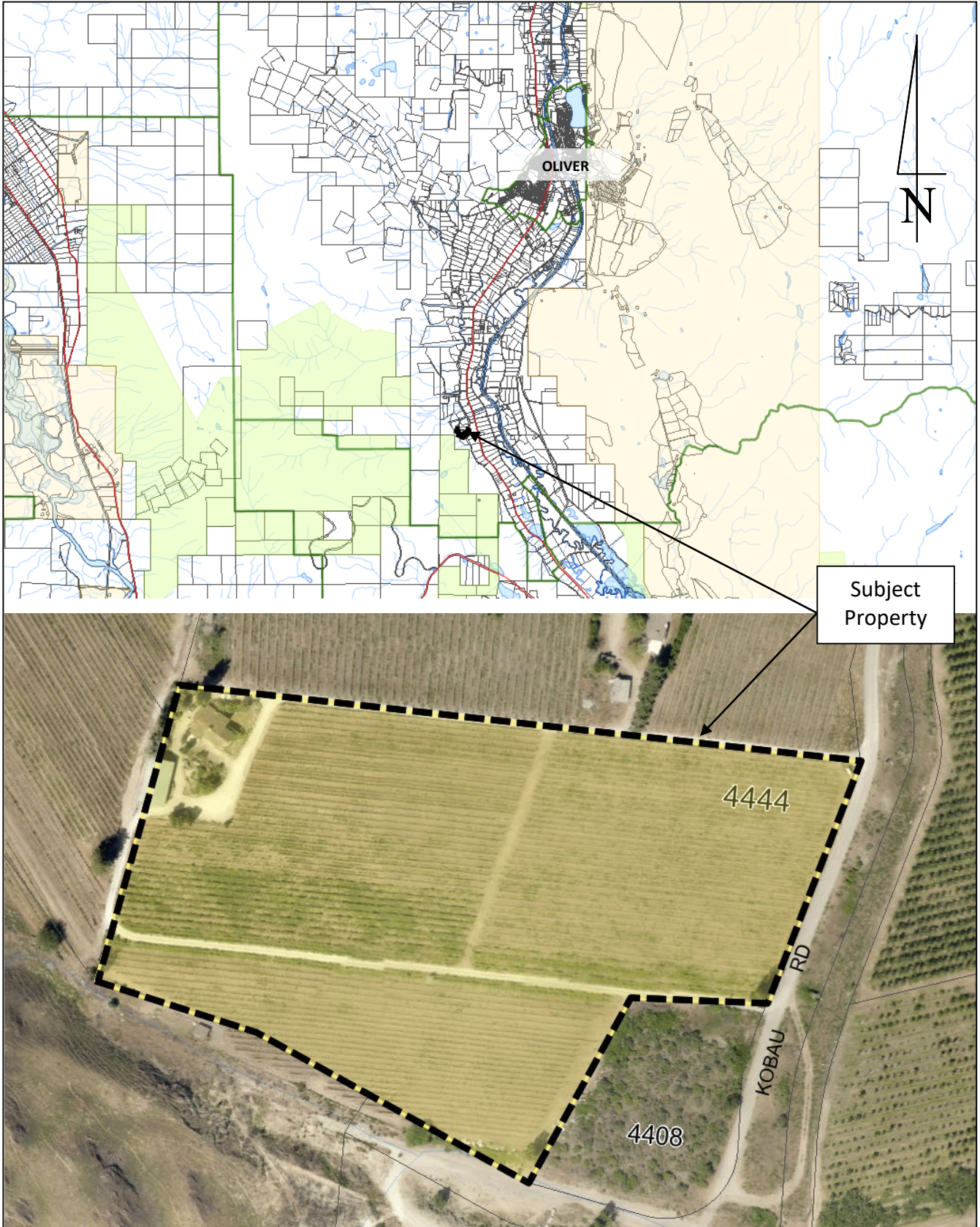
Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

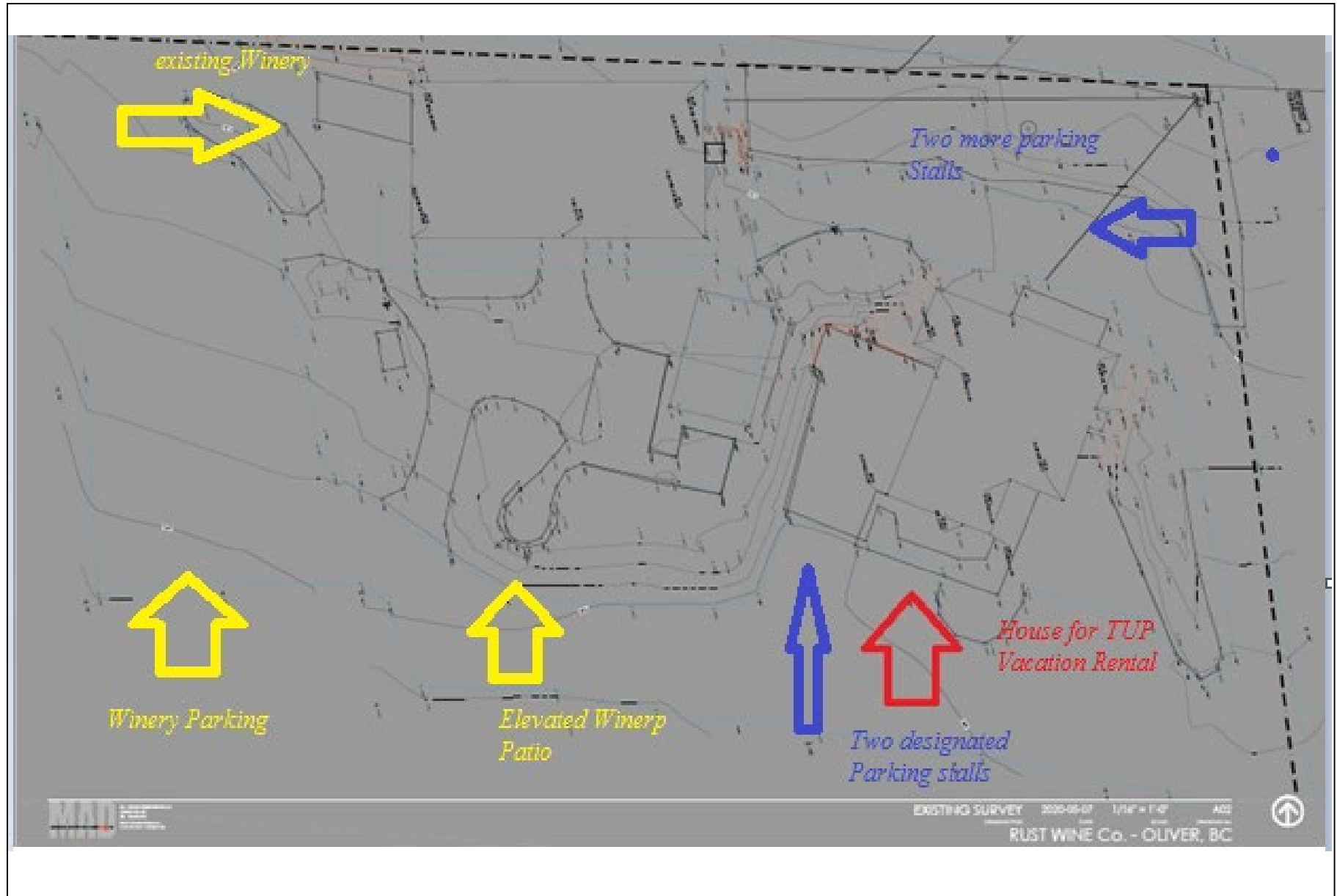
No. 3 – Applicant’s Floor Plan

No. 4 – Site Photo (from health and safety inspection)

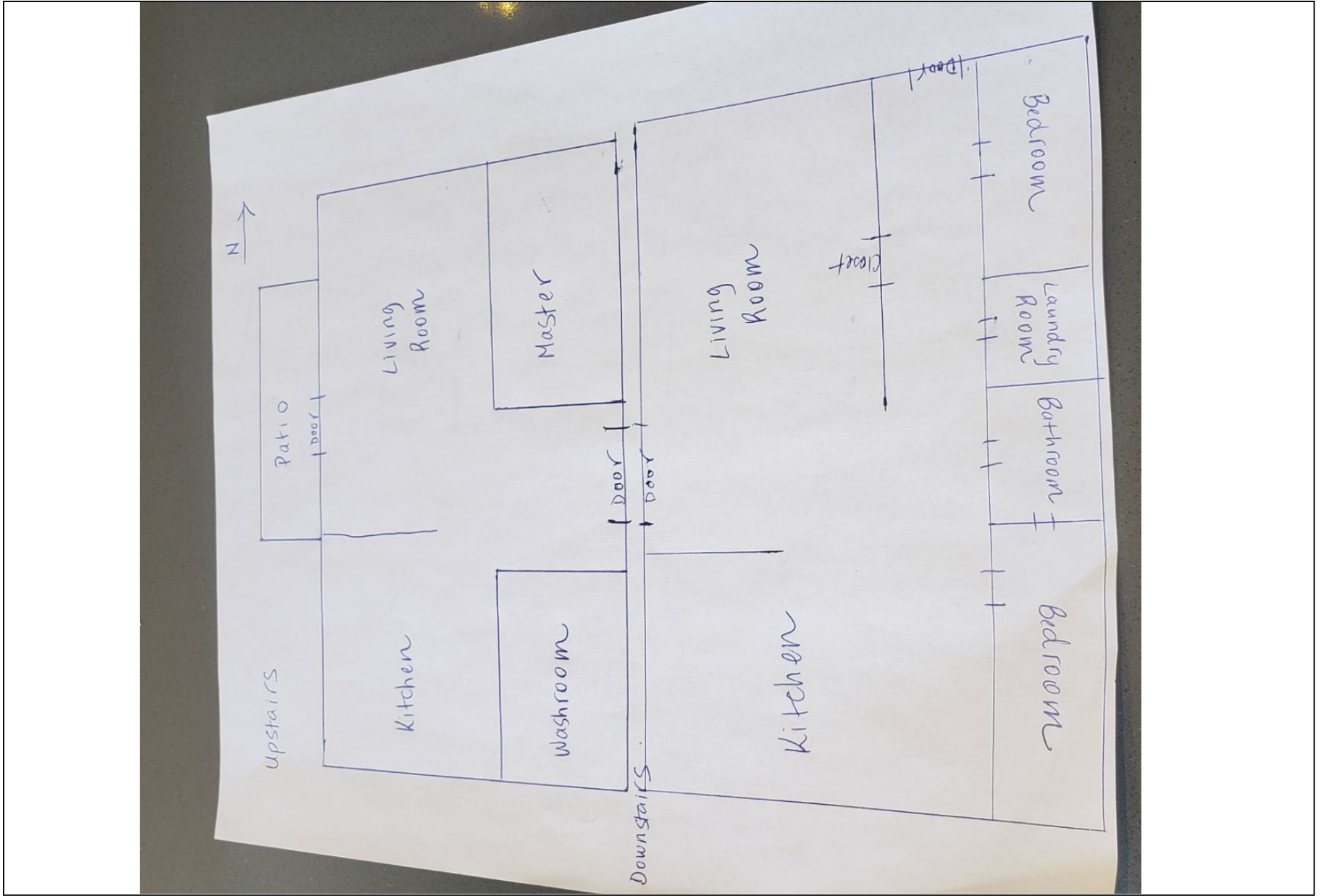
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Attachment No. 4 – Site Photo (from health and safety inspection)

