

Temporary Use Permit Application TUP-22-03

Regional Board Meeting
February 2, 2023

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



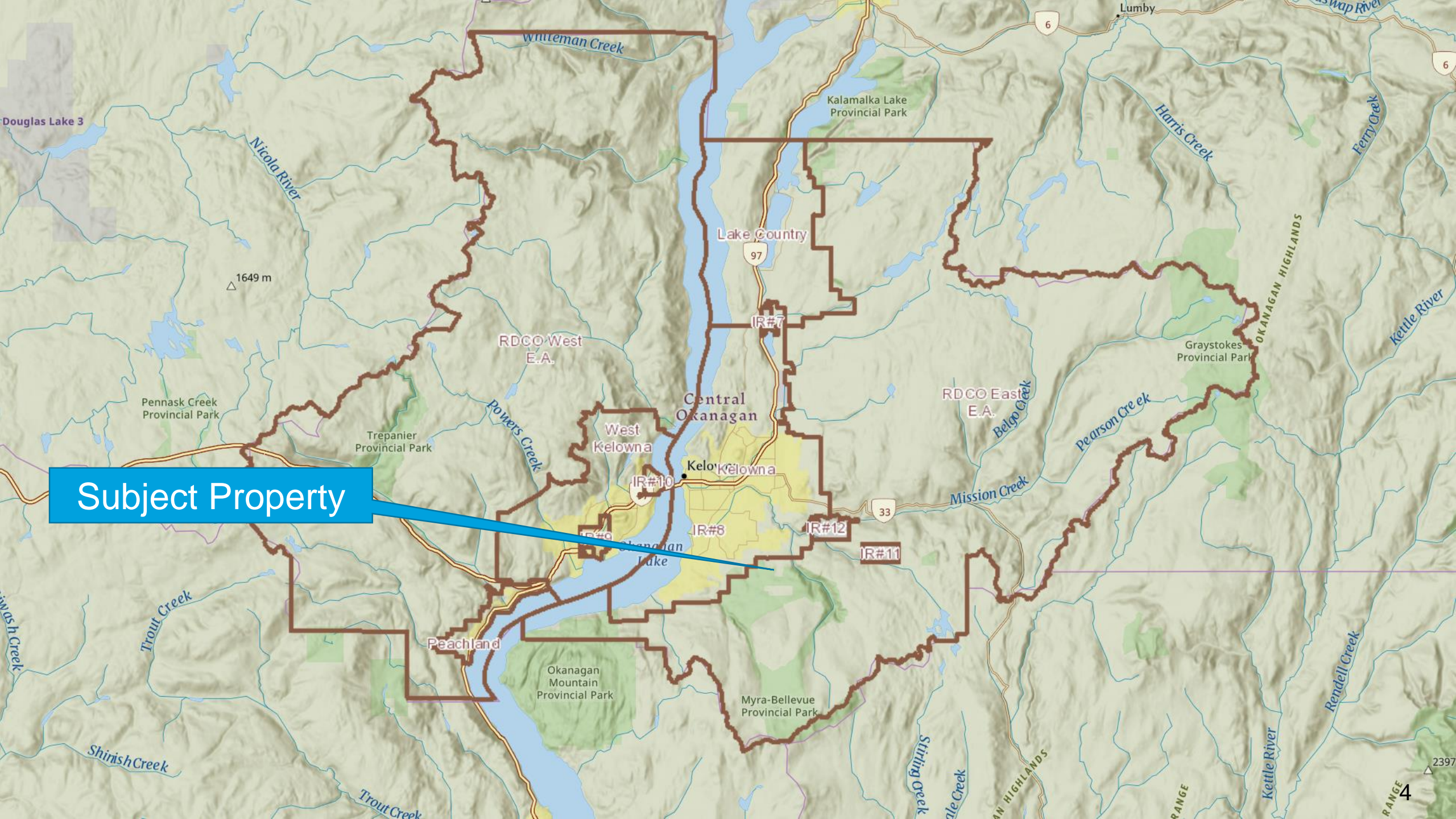
Purpose

To consider a Temporary Use Permit to allow Myra Canyon Lodge to operate to allow four self-contained suites for short term occupancy within the single-family home.

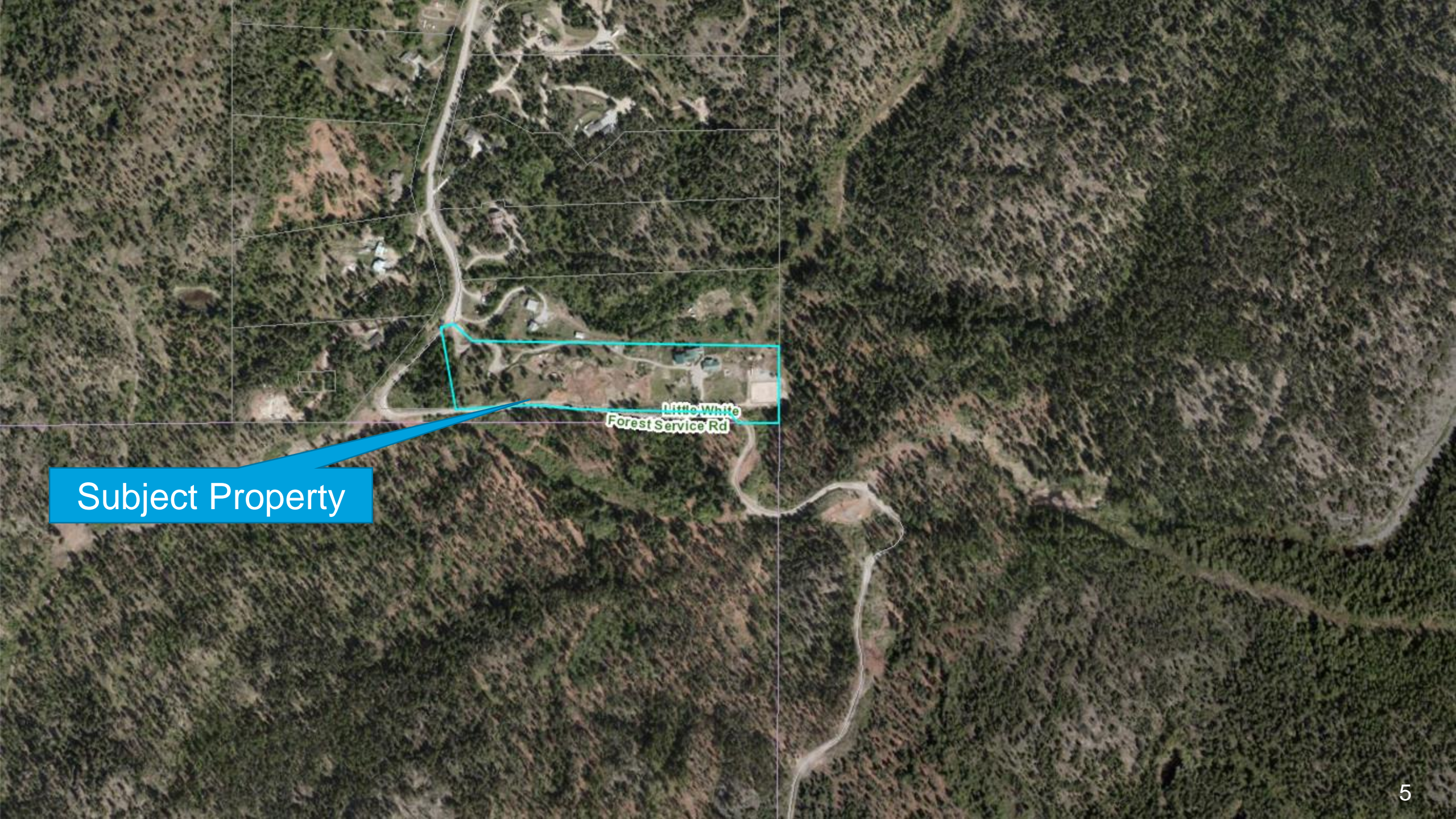
Overview – Temporary Use Permits

	Can permit alternate use?	Permanent change to property rights?	Level of consultation?	Potential for delegation?
OCP / Zoning Amendment	✓	✓	High	Low
Development Variance Permit	✗	✓	Medium	Medium
Temporary Use Permit	✓	✗	Medium	Medium
Development Permit	✗	✓	Low	High





Subject Property



Subject Property

Little White
Forest Service Rd



Hromek trail

RU2
(RDCO)

Little White
Forest Service Rd

Subject Property

Angel Springs trail

Myra-Bellevue Provincial Park

Background

- Myra Canyon Lodge
- Developed as a B&B
- Business License since 2012

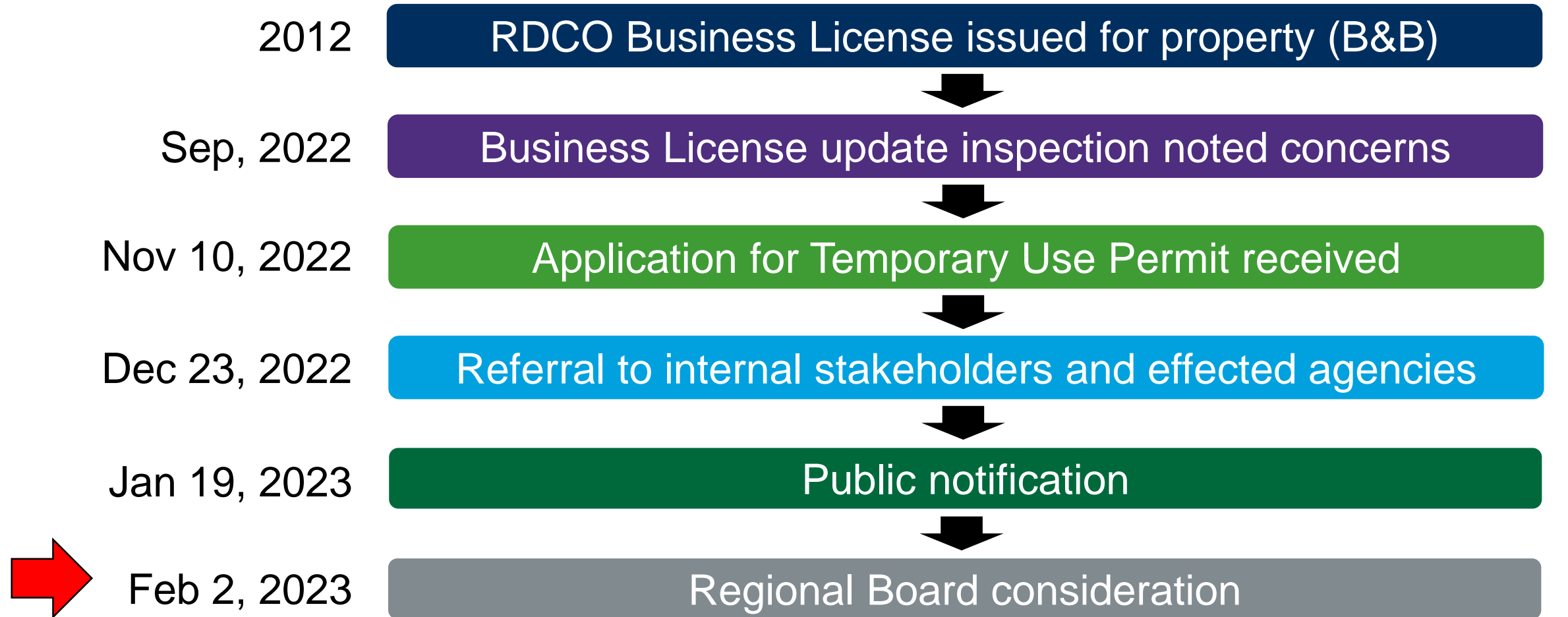


Background

- 4 additional kitchens recently installed in guest areas.
- Use does not align with Zoning or Building Code requirements

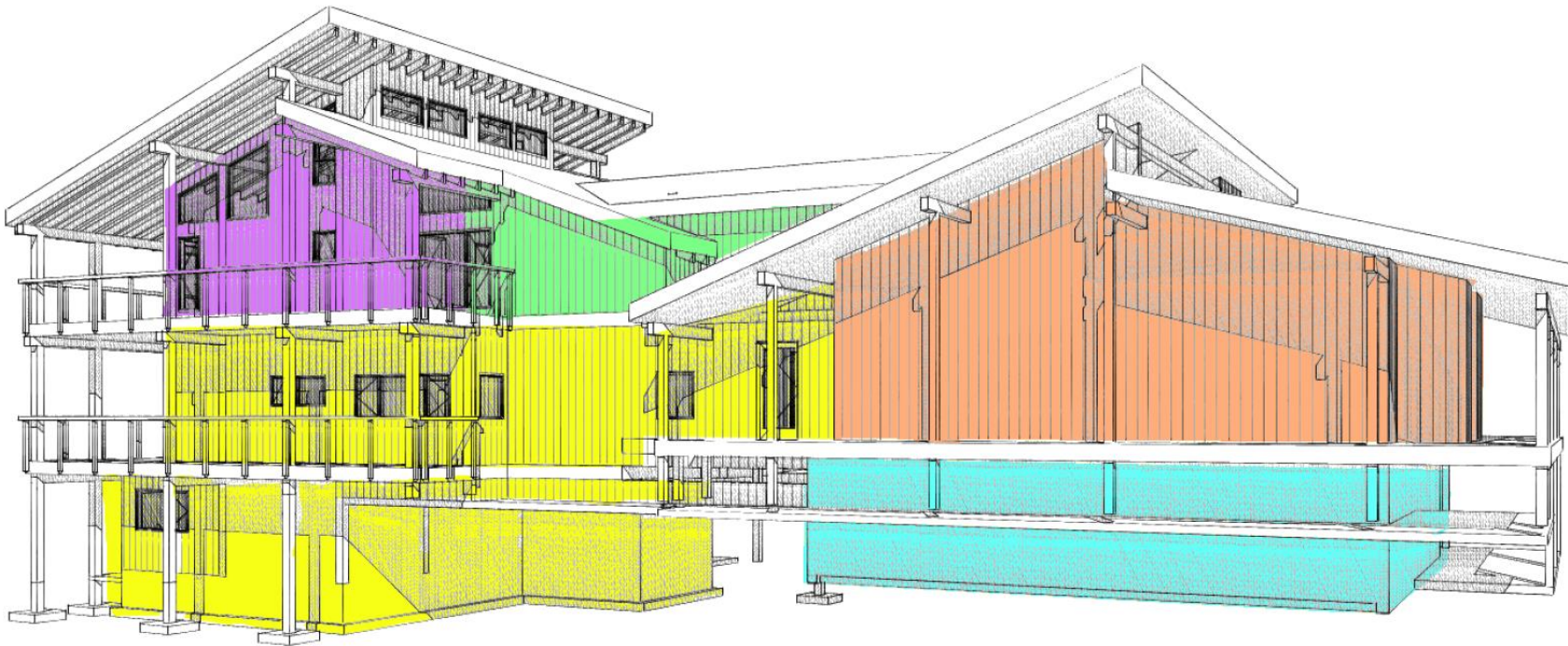


Process overview



Proposal


- To legalize the 4 existing self-contained suites as hotel units (includes 7 bedrooms and maximum occupancy of 16 guests)



	Owners residence (4brm)
	Deer suite (2brm)
	Bear suite (2brm)
	Bird suite (2brm)
	Eagle suite (1brm)

Rationale

- Kitchens installed and operations adjusted to better meet COVID protocols
- Property currently for sale
- TUP sought to legalize operations but allow new owner to seek a permanent solution that aligns with their vision for the property.



Future option;
OCP and Zoning
Amendment

Site Servicing



June Springs Fire Protection Area



Onsite water service



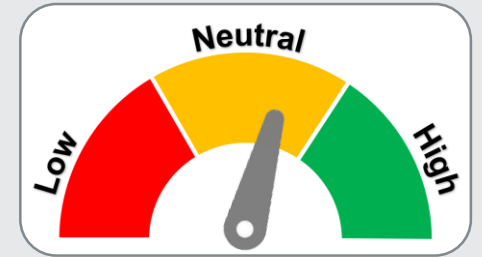
Onsite wastewater system

Policy Alignment

South Slopes Official Community Plan / Zoning Bylaw

Rural Residential Land Use Designation:

- Supports home based businesses that do not conflict with the predominant residential or rural land uses.



Economic Development:

- Supports tourism businesses that complement existing parks.

Temporary Use Permits:

- Must be temporary or seasonal and not create negative impact on surrounding permanent uses.

Referral Comments

RDCO Inspections Services

- Wildfire Development Permit Area – covenant required.
- Additional building permits required.
- Professional Code review of entire building required prior to any continued use of the operations.
- Significant concerns to be addressed, irrespective of Board approval for the proposed use.

Referral Comments

RDCO Inspections Services cont.

- Commercial occupancy code analysis may require;
 - Fire alarm systems
 - Fire suppression systems
 - Access and staging area for fire fighting vehicles
 - Fire separations
 - Adequate water supply for firefighting

Referral Comments

RDCO Business Licensing

- The Business License is on hold, pending;
 - Board review of the TUP application, and
 - Building Permit concerns being addressed

Referral Comments

Interior Health

- 2013 certification of sewerage system designed for 7 bedroom bed and breakfast.
- Renovations may have added additional sewage volume.
- Recommends an Authorized Person assess the system to determine whether it has adequate capacity.

Referral Comments

Fortis BC Electric

- For any changes to the existing service, the applicant must contact Fortis regarding design, servicing solutions, and land right requirements.

Public Comment



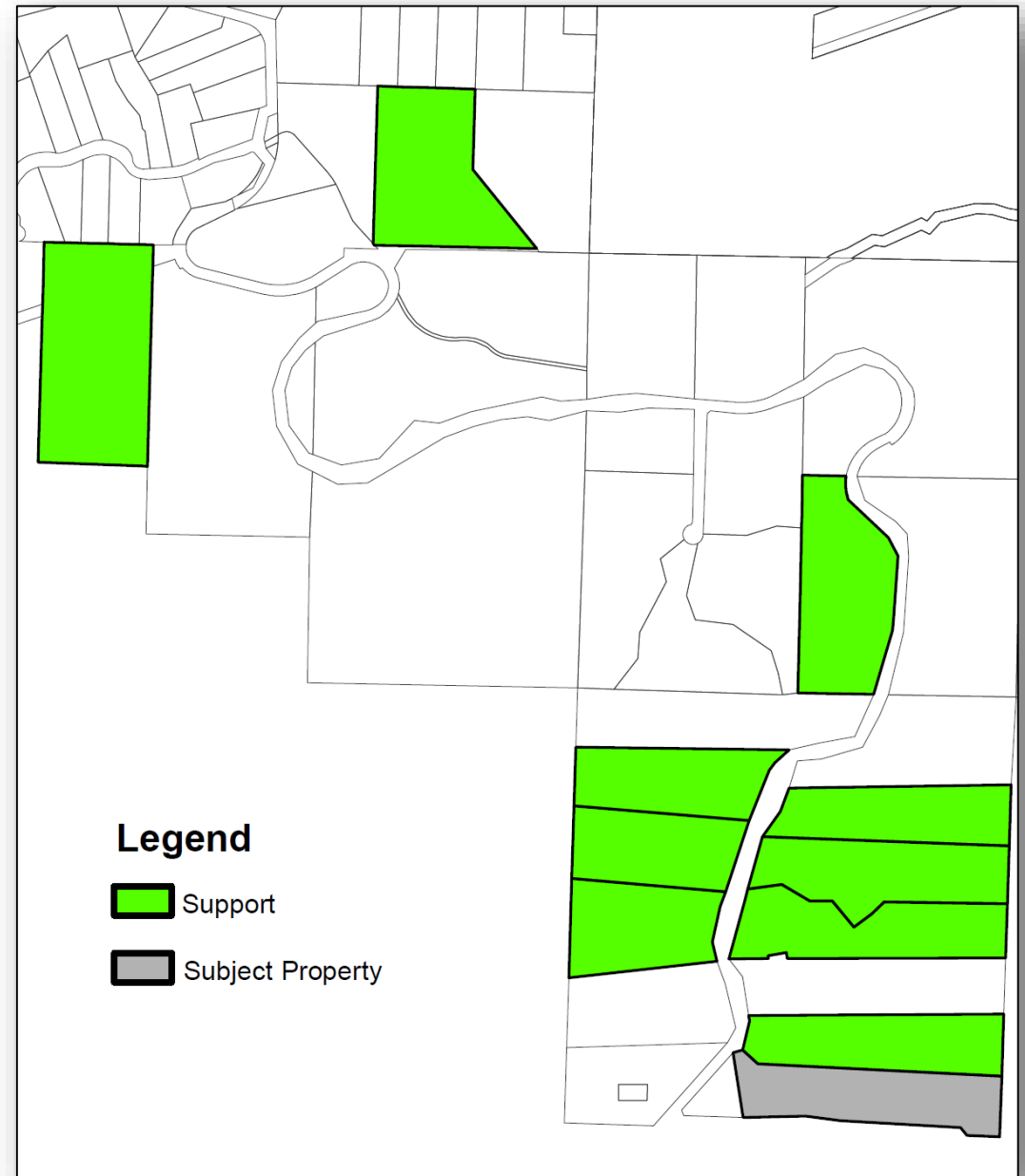
Newspaper



Mail



Onsite signage



Summary

- The current use and the structure does not comply with RDCO Bylaws.
- A TUP would temporarily legalize the use.
- Moderate policy alignment with the proposal and letters of support from community.
- Concerns about structure need to be addressed if the TUP is approved.

Recommendation continued

Custom Vote – Electoral Area East & Kelowna Fringe Area – Electoral Area Directors, Kelowna - 1 Director, 1 Vote

THAT the Regional Board issue a Temporary Use Permit TUP-22-03 for Myra Canyon Lodge to permit four self-contained suites for short term occupancy within the single-family home at Lot A, Plan KAP64676, Section 26, Township 29, Similkameen Div of Yale Land District (the Subject Property), subject to:

Conditions prior to issuance:

- A Professional of Record shall retained to conduct a Code Review of the entire building, its proposed use and occupancy. The review shall be submitted to the RDCO prior to any continued use of the guest accommodations;

Recommendation continued

- The owners shall complete all required building upgrades as identified by the Code Review, or by RDCO Inspection Services;
- Building Permits for any existing renovations or required upgrades are to be issued by the RDCO prior to any continued use of the guest accommodations;
- The owners must satisfy the RDCO Manager of Fire Services regarding fire protection measures and an evacuation plan for the property;

Recommendation continued

- The property owners must demonstrate compliance with the South Slopes OCP's Wildfire Development Permit Guidelines, and register of a restrictive covenant on the property title to ensure that future property owners are aware of, and obligated to adhere to, wildfire risk and fuel hazard reduction measures;
- An Authorized Person under the BC Sewerage System Regulation shall be retained to assess and certify the onsite wastewater system to the satisfaction of Interior Health; and,
- A current Regional District of Central Okanagan Business License shall be obtained.

Recommendation continued

Operational conditions:

- During the term of the Temporary Use Permit the layout of guest accommodations shall remain consistent with the floor plans prepared by iGuide, dated January 20, 2022;
- The maximum length of stay in guest suites shall be one month;
- The business shall be operated only from spring to fall each year; and,
- The Regional District of Central Okanagan may revoke the Temporary Use Permit at any time if the aforementioned conditions are not met.

Recommendation continued

AND THAT the Temporary Use Permit shall expire on February 2, 2026, and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.



Alternate Recommendation

THAT the Temporary Use Permit application for four self-contained suites for short term occupancy within the single-family at Lot A, Plan KAP64676, Section 26, Township 29, Similkameen Div of Yale Land District, be denied.

AND THAT the applicant be directed to decommission any renovations that have not received a Regional District of Central Okanagan Building Permit, so that any and all future use is consistent with the permitted use of the property.