



BOARD REPORT

TO: Chair and Directors

File No: LC2530B PL20160201

SUBJECT: Electoral Area B: Agricultural Land Commission (ALC)
Application Section 20(3) - Non-Farm Use LC2530B James and Lee-Ann Kramer

DESCRIPTION: Report from Candice Benner, Development Services Assistant, dated April 28, 2017.
4496 Airport Way, Rural Revelstoke

RECOMMENDATION #1: THAT: Application No. LC2530B, Section 20(3) Non-Farm Use in the ALR, for Lot 1, Section 31, Township 22, Range 1, W6M, Kootenay District, Plan NEP73271 be forwarded to the Provincial Agricultural Land Commission recommending approval, on this 18th day of May, 2017.

SHORT SUMMARY:

The subject property is located in the south of the City of Revelstoke in Electoral Area 'B' and is zoned SH – Small Holdings. This non-farm use application is to address two uses currently being operated on the property:

1. Vacation Rental -The owners are currently operating a vacation rental out of a second dwelling they built on the property. After receiving notice from the CSR D that a vacation rental use is not permitted, the owners started the process of bringing the use into compliance, starting with this ALR application for non-farm use.
2. Second Dwelling Unit -This application is also a review of the second dwelling itself (from which the vacation rental is being operated) on the property; a second dwelling may be a permitted use in the Small Holdings zone if it meets zoning requirements. The ALC requires a non-farm use application for secondary dwelling units.

VOTING: Unweighted Corporate LGA Part 14 (Unweighted) Weighted Corporate Stakeholder (Weighted)

BACKGROUND:

See APC Report attached.

POLICY:

See APC Report attached.

FINANCIAL:

There are no financial implications to the CSR D with this application; if the ALC approves this application there may be financial implications with regard to the Temporary Use Application for a

vacation rental; this would be addressed at that time. This application is not the result of Bylaw Enforcement.

KEY ISSUES/CONCEPTS:

See APC Report attached.

SUMMARY:

Development Services staff is recommending that the Board send a recommendation of approval for the vacation rental to the ALC for the following reasons:

- The OCP vacation rental policy allows for property owners to apply for Temporary Use Permits rather than rezone for a permanent use;
- The owners intend to apply for a Temporary Use Permit which, if successful, would provide an opportunity for staff, the Board, and the public an opportunity to comment on the use;
- The existing vacation rental use on the property appears to meet the requirements for vacation rental in Rural Revelstoke Zoning Bylaw No. 851 and OCP Bylaw No. 850; further details on the use, including health standards and servicing, BC Building Code standards, and ministry access requirements, may be obtained as part of a future TUP application.

Development Services staff is recommending that the Board send a recommendation of approval for the second dwelling to the ALC for the following reasons:

- A secondary dwelling unit is permitted in the SH zone and it also meets most of the provisions for secondary dwelling unit in the General Regulations;
- The ALC previously approved a temporary second dwelling (mobile home for specific family member) in the same location as the current dwelling.

IMPLEMENTATION:

If the ALC approves this application, the owners will be able to continue with the bylaw amendment or temporary use permit process. The owners have indicated that they intend to apply for a Temporary Use Permit.

COMMUNICATIONS:

Electoral Area B APC recommended approval of the application of a vacation rental in a second dwelling.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

1. *Endorse staff recommendation; application LC2530B will be forwarded to the Provincial Agricultural Land Commission with a recommendation of approval for a vacation rental and a second dwelling.*
2. *Forward the recommendation of refusal for a vacation rental a second dwelling.*
3. *Defer.*

4. *Any other action deemed appropriate by the Board.*

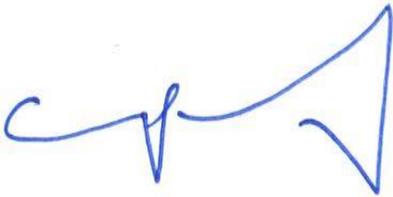
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Agricultural Land Commission Application Package

Report Approval Details

Document Title:	2017-05-18_Board_DS_LC2530B_Kramer.docx
Attachments:	- LC2530_APC Report.pdf
Final Approval Date:	May 8, 2017

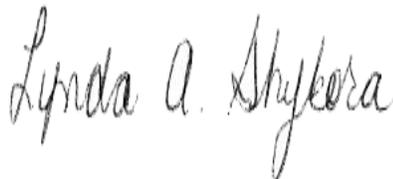
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - May 3, 2017 - 8:53 AM



Gerald Christie - May 8, 2017 - 6:40 AM



Lynda Shykora - May 8, 2017 - 9:10 AM



Charles Hamilton - May 8, 2017 - 2:32 PM