



BOARD REPORT

TO: Chair and Directors

SUBJECT: Electoral Area F: Temporary Use Permit No. 830-13

DESCRIPTION: Report from Laura Gibson, Planner II, dated September 25, 2024.
7630 Hudson Road, Anglemont

RECOMMENDATION: THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 830-13 for Lot 57 Section 22 Township 23 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 19710 be approved for issuance this 17th day of October, 2024 for the temporary use of a recreational vehicle for seasonal accommodation (March 1 to October 31) for the property owners during construction of the single detached dwelling,

AND THAT: issuance be withheld until the owners have provided financial security in the amount of \$5000 in the form of a bank draft, certified cheque, or irrevocable letter of credit, compelling the owners to remove the recreational vehicle if the single detached dwelling has not been granted occupancy by the CSR D Building Official by the date the TUP expires.

Stakeholder Vote Unweighted (LGA Part 14) Majority

SUMMARY:

The subject property is located at 7630 Hudson Road in Anglemont in Electoral Area F. The property owners are in the process of building a single detached dwelling on the subject property. The owners are seeking approval of a Temporary Use Permit to allow seasonal accommodation (March 1 to October 31) for the property owners in a recreational vehicle (RV) on the subject property while they build. Anglemont Zoning Bylaw No. 650 only permits use of an RV as part of a campsite in conjunction with a single detached dwelling constructed on the property. If approved, the Temporary Use Permit will allow the RV property owners to use the RV from March 1 to October 31 for 2024 and 2025. A financial security of \$5000 is recommended by staff as a condition of issuance of the TUP, to help ensure the RV is removed from the property if the construction of the single detached dwelling is not completed by the date this TUP expires (October 31, 2025).

BACKGROUND:

ELECTORAL AREA:
F

LEGAL DESCRIPTION:

Lot 57 Section 22 Township 23 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 19710

PID:

006-241-999

CIVIC ADDRESS:

7630 Hudson Road, Anglemont

SURROUNDING LAND USE PATTERN:

North = Hudson Road

South = Vacant rural

East = Vacant residential

West = Residential (single detached dwelling)

CURRENT USE:

Single detached dwelling under construction. RV use which is not compliant with Anglemont Zoning Bylaw No. 650.

PROPOSED USE:

Property owners are seeking approval to use an RV for seasonal accommodation while building the single detached dwelling

PARCEL SIZE:

0.18 ha (0.43 ac)

DESIGNATION:

[Electoral Area F Official Community Plan Bylaw No. 830](#)

SSA - Secondary Settlement Area

ZONE:

[Anglemont Zoning Bylaw No. 650](#)

RS-1 Residential

AGRICULTURAL LAND RESERVE:

0%

SITE COMMENTS:

The subject property is cleared in the centre where the single detached dwelling is under construction and is treed around the east, west and south property lines. The RV is located on a terraced area of the property between the road and the location of the single detached dwelling.

BYLAW ENFORCEMENT:

Yes, this application stems from a bylaw contravention for use of an RV without an existing single detached dwelling, which does not comply with Anglemont Zoning Bylaw No. 650 (Bylaw No 650).

Bylaw enforcement began in June 2021 for the unpermitted camping (RV) use on the subject property. The TUP application was not made by the property owners until February 22, 2022. The delay in bringing the TUP application to the Board was primarily due to a lack of initiative from the property owners, as well as a period of time where the property owners requested the application be put on hold as construction was delayed. On July 5, 2024, Bylaw Enforcement staff issued a fine to the property owners following an investigation that concluded the owners were still camping on the subject property in contravention of Bylaw No. 650. The owners paid the fine and satisfied the outstanding information

required for the application by August 11, 2024. This was not enough time to prepare and post the required Notice of Application sign on the property 30 days before the September 12, 2024, Board meeting, which is why the application is now on the Board agenda for the October 17, 2024, Board meeting.

On September 13, 2024, the property owners contacted Bylaw Enforcement (BE) staff to discuss the rationale for the TUP permit since their single detached dwelling is almost complete and ask what the implications will be should they continue to use the property contrary to zoning without a TUP. Once BE staff explained the subject property's historical non-compliance, enforcement process and implications of continued non-compliance, the owners agree to proceed with the TUP application despite expressing they feel it is unnecessary but want to move forward so they can (eventually) enjoy their new home.

POLICY:

Anglemont Zoning Bylaw No. 650

Part 1 - Definitions

CAMPING is the use of a recreational vehicle or camping tent for temporary accommodations.

CAMPING UNIT is one recreational vehicle, or one camping tent.

CAMPSITE is a use of land for a camping unit, for temporary, rent free accommodation on a non-commercial basis.

SINGLE DETACHED DWELLING means a detached building containing only one (1) principal dwelling unit and, where permitted by this Bylaw, one (1) secondary dwelling unit. For the purposes of this Bylaw, a manufactured home is considered a single detached dwelling

Part 3 - General Regulations

3.0 Uses Permitted in Each Zone

(c) issuance of a Temporary Use Permit to authorize the construction or conditional occupancy of a second dwelling unit, or seasonal recreational vehicle use, on a parcel.

3.13 Campsite

.1 The maximum area of a campsite is 45 m² (484.38 sq. ft.);

.2 A campsite must be located on the same parcel as a single detached dwelling and that single detached dwelling must be the principal use on the parcel; and

.3 Where a campsite is permitted, a maximum of one campsite is permitted on a parcel.

Part 5 – Zones

5.6 Residential

.1 Permitted Uses

- (a) Single detached dwelling
- (b) Campsite
- (c) Secondary dwelling unit
- (d) Home business
- (e) Place of religious worship
- (f) Limited agriculture
- (g) Accessory use

FINANCIAL:

Security payment in the amount of \$5000 will be required to be paid to the CSRD prior to issuance of this TUP. The payment may be in the form of a bank draft, cheque, or irrevocable letter of credit.

This application is a result of CSRD Bylaw Enforcement action. Future Bylaw Enforcement involvement will be required if there is future non-compliance with the issued Temporary Use Permit or after it expires.

KEY ISSUES/CONCEPTS:Background

The property owners have been camping in a recreational vehicle (RV) on the subject property while they build their single detached dwelling. Anglemont Zoning Bylaw No. 650 (Bylaw No. 650) only allows an RV to be used as part of a campsite when there is a single detached dwelling as a principal use on a parcel. An RV is not permitted while a single detached dwelling is under construction. As a result of action from bylaw enforcement staff, the owners have applied for a Temporary Use Permit to seek approval to seasonally occupy the RV while they complete building the single detached dwelling. When the single detached dwelling is complete (meaning it has been granted occupancy from a CSRD Building Official) the use of the RV will be permitted by Bylaw No. 650.

In June 2022, the CSRD updated the Development Services Procedures Bylaw No. 4001-2 to include an option to delegate specific Temporary Use Permits to the General Manager of Development Services. See item 9.1 on the [June 16, 2022, Board agenda](#). Temporary Use Permits may be considered and renewed by the General Manager to authorize the construction or conditional occupancy of a second dwelling unit, or seasonal recreational vehicle use:

- Whereby the second dwelling unit or recreational vehicle is serviced by an approved sewer system and potable water source; and,
- Where the second dwelling or recreational vehicle is utilized for the purposes of the landowner's accommodation during the construction of a principal dwelling.

This TUP application is being brought to the Board because of the bylaw enforcement history.

Analysis

RVs do not comply with the BC Building Code housing standards, which are in place to protect health and safety. For example, RVs do not meet code requirements for required insulation, ventilation, heating, and snow loads. Therefore, if approved, the TUP will permit only seasonal use of the RV, specifically from March 1 to October 31. The owners are aware that they are not permitted to occupy the RV between November 1 and April 30.

It is proposed that this TUP expire on October 31, 2025, as the owners have confirmed that they anticipate construction of the single detached dwelling to be complete this fall (2024). Establishing an expiry of October 31, 2025, will accommodate potential unforeseen circumstances that may delay completion of the single detached dwelling. If the owners require an extension of the TUP beyond October 31, 2025, they have the option to apply to renew the TUP. The issuance of a renewal is delegated to the General Manager of Development Services.

The general regulations in Bylaw No. 650 permit a campsite to be up to 45 m². A campsite is use of land for a camping unit (RV or tent) for temporary, rent free accommodation on a non-commercial basis. The RV, including its awning area, is approximately 43 m² in area.

The subject property is serviced by the Anglemont Waterworks System and a Type 1 onsite septic system. The RV is connected to the existing septic system. The single detached dwelling under construction is connected to the Anglemont Waterworks System and the RV is connected by a hose to the single detached dwelling.

A financial security of \$5000 is recommended by staff as a condition of issuance of the TUP, to help ensure the RV is removed from the property if the construction of the single detached dwelling is not completed by the date this TUP expires (October 31, 2025). Completion of the single detached dwelling means that a CSRD building official has granted occupancy of the building. The financial security amount is consistent with other TUPs that have been issued for use of an RV during construction of a single detached dwelling.

The subject property is bordered by trees to the east and west and is sloped down from the road. There should be little impact to adjacent property owners as a result of the RV being seasonally occupied by the property owners.

Rationale for Recommendation

The applicant has made an application for a Temporary Use Permit (TUP) to seek approval for the temporary use of a recreational vehicle for seasonal accommodation (March 1 to October 31) for the property owners during construction of the single detached dwelling. If approved, the TUP will allow the property owners to occupy the RV from March 1 to October 31 during construction of the single detached dwelling on the property. It is recommended the TUP expire October 31, 2025. This application was made as a result of bylaw enforcement. Staff are recommending the Board approve TUP830-13 for the following reasons:

- The property owners have a building permit issued for the single detached dwelling and are actively building;
- The subject property is connected to the Anglemont Water System and the RV is connected to an existing septic system;
- The financial security will help ensure that the campsite use is discontinued (the RV is removed) if the single detached dwelling is not completed as proposed; and,
- It is not expected that the use of the RV on the property will have significant negative impacts to the neighbouring properties.

IMPLEMENTATION:

If the Board authorizes the issuance of TUP830-13, the property owners will be notified of the Board's decision and, upon receipt of the financial security, the TUP will be issued.

COMMUNICATIONS:

Neighbouring property owners will have become aware of the proposal when the applicant posted a notice of development sign on the subject property for the TUP and when required CSRD notification letters were received by property owners within 100 m of the subject property. An advertisement will be placed in the October 3 and 10 editions of the Shuswap Market News regarding the TUP application. Copies of any written submissions received by the deadline of 4 PM on Tuesday, October 15, 2024, will be provided to the Board on the revised agenda.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

Report Approval Details

Document Title:	2024-10-17_Board_DS_TUP830-13.docx
Attachments:	- TUP830-13_Redacted.pdf - TUP830-13_Maps_Plans_Photos.pdf
Final Approval Date:	Oct 8, 2024

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



Corey Paiement

No Signature - Task assigned to Gerald Christie was completed by assistant Jennifer Sham

Gerald Christie



Jennifer Sham



John MacLean