
To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: June 17, 2025
Meeting Type: Regular Council Meeting

Prepared by: Jason Tran, Planner
Department: Planning and Development

Title: Temporary Use Permit | TUP00109 | 14041 Talbot Road
Description: Application to allow short term rental accommodation for an Agri-Tourism business on a property in the Agricultural Land Reserve.

RECOMMENDATION

THAT Temporary Use Permit TUP00109 (Attachment A in the Report to Council dated June 17, 2025) for the property at 14041 Talbot Road (PID: 013-538-616), to allow agri-tourism accommodation for an Agri-Tourism business, be approved.

EXECUTIVE SUMMARY

The applicant proposes a Temporary Use Permit (TUP) authorizing agri-tourism (short term rental) accommodation for an Agri-Tourism business on the subject property. The agriculture property has a Farm Yoga with Livestock activity which would be available to guests staying in the agri-tourism accommodation units. Allowing rental accommodation at the property would enhance the visitor experience at the farm as per their rationale letter (Attachment B).

The subject property (27.57 ha/68.14 ac) is zoned A1 – Agriculture, within the Agricultural Land Reserve (ALR) and is accessible by Talbot Road.

Staff recommend authorizing agri-tourism accommodation for an Agri-Tourism business through a Temporary Use Permit on the subject property.

BACKGROUND

Application Information			
Application Type	Temporary Use Permit	Application Date:	2025-04-01
Applicant:	Morgan Tranfield	Owner:	Morgan Tranfield
Application Description	Request to allow short term rental accommodation for an Agri-Tourism business on a property in the Agricultural Land Reserve.		

Property Information: General	
Folio/Roll #:	03040.000
Legal Description	SECTION 36 OSOYOOS DIV OF YALE LAND DISTRICT TOWNSHIP 20 PART S 1/2 OF NE 1/4 EXCEPT PLAN B4224 EXC PL KAP92997
PID	013-538-616
Civic Address:	14041 Talbot Road
Property Information: Land Use	
OCP Designation:	Agricultural
Zoning Designation:	A1– Agriculture 1
Land Use Contract	n/a
ALR:	Yes
Parcel Size:	27.57 Ha/68.14 Acres

Development Permit Areas:	Wildland Fire & Natural Environment	
Adjacent Land Summary:	Zoning:	Use:
<i>North:</i>	A1 - Agriculture 1	Agriculture & Residential
<i>East:</i>	RLPO – Rural Large Parcel Oyama	Rural Residential
<i>South:</i>	A1 - Agriculture 1	Agriculture & Residential
<i>West:</i>	A1 - Agriculture 1	Agriculture & Residential

Property Information: Infrastructure and Development Engineering	
Road Network	Paved local road
Driveway Access	Permit not required
Water Supply:	Municipal (source: Oyama Lake) Connections for domestic and irrigation
Sewer:	Private – on-site septic
Drainage / Stormwater	None
Comments:	In addition to the municipal connection, the property has an existing onsite water supply. Owner must ensure there is no cross connection between the onsite system and the municipal system.

ANALYSIS

The applicant has proposed to use an existing house for agri-tourism accommodation in accordance with the regulations set out by the Agricultural Land Commission (ALC). The applicant has requested that a Temporary Use Permit be issued, rather than requesting that the property be rezoned to A1ta – Agriculture 1 (Agri-Tourism Accommodation).

The existing buildings (Attachment C) proposed for agri-tourism accommodation include the following:

1. An existing dwelling for four agri-tourism accommodation units (4 bedrooms)
2. An accessory building for one -agri-tourism accommodation unit (1 bedroom)

Other existing buildings (Attachment B) on the property include:

1. A second dwelling (used by owner family)
2. An accessory residential building (pool building)
3. Various agricultural buildings, including an existing building used to shelter goats that are used to provide goat yoga (agri-tourism activity)

The applicant's current primary source of income is selling hay from the property. The applicant intends to supplement the farm operation (Attachment B) by promoting sustainable tourism, with minimal environmental impact (using existing buildings and structures on the property) and offering unique experiences that combine relaxation, education, and agriculture. The applicants' proposal includes adding agri-tourism activities (livestock [goat] yoga, and farm craft workshops) and accommodations simultaneously to offer visitors short term rental accommodation (agri-tourism accommodation).

As per Zoning Bylaw #561 Section 10.15, the proposed use (agri-tourism accommodation) is prohibited in A1 – Agriculture 1 zone. While the applicant could have applied to rezone the property to A1ta – Agri-Tourism Accommodation, they have requested a temporary use permit (TUP) instead to allow for a trial run of the use. The TUP proposal is consistent with the *Local Government Act* (s. 493), the District's Official Community Plan (OCP) section 23.6 and section 7 of the ALC Information Bulletin 06: Tourist and Agri-Tourism Accommodation (Attachment D) in the ALR.

Official Community Plan compliance to the following Council' policies	
Section 14.1.3 Policy: i.	Allow farm agri-tourism or agri-business initiatives to occur in accordance with Agricultural Land Commission policies.

Section 14.1.9 Policy h.	Encourage agri-tourism as an additional income generator for farmers.
Section 14.6	Agri-tourism provides an opportunity for farm operators to diversify their revenue base. The District recognizes the importance of providing agriculturalists an opportunity to develop agri-tourism businesses on active farms as a means of assisting farmers and promoting local tourism. Agri-tourism uses could include on-farm campsites, agriculturally-themed bed and breakfasts along with other on farm activities intended to entertain, accommodate and educate tourists.
TUP Section 23.6 & 23.6.1	<p>a. The District will consider the issuance of a Temporary Use Permit provided the proposed use:</p> <ul style="list-style-type: none"> i. is temporary or seasonal; ii. not be noxious or undesirable because of smoke, noise, vibration, dirt, glare, odour, radiation, electrical interference or an offensive trade within the meaning of the Health Act, as amended from time to time; iii. have no negative impact on adjacent lands; iv. create no significant increase in the level or demand for services; v. not permanently alter the site upon which it is located. <p>b. The District may apply any conditions to the permit, including but not limited to the hours of operation, square footage, appearance, screening, site rehabilitation or clean up, or any other matters deemed appropriate by Council.</p> <p>c. Temporary Use Permits may be issued for a period of up to three years and may be renewed once for a second period of up to three years.</p> <p>d. Temporary Use Permits may be issued in all areas of the District.</p>

As noted, the typical process would be to request to rezone to A1ta – Agriculture 1 (Agri-Tourism Accommodation), but after discussions with staff, they have opted to apply for a TUP instead. For these types of uses, a TUP can be a better route than going straight to rezoning for the following reasons:

- **Flexibility and Trial Period:** A TUP allows the applicant to test the viability of agri-tourism accommodation without committing to permanent rezoning. This trial period helps assess the impact on the land and community before making long-term changes.
- **Simplified Process:** Obtaining a TUP is generally faster and less complex than rezoning, which involves extensive reviews and public hearings. This streamlined process can save time and resources.
- **Compliance with Regulations:** Agri-tourism accommodation is permitted by the Agricultural Land Commission (ALC) despite the Province's limitations on short-term vacation rentals. A TUP ensures compliance with these regulations while providing the necessary flexibility.
- **Community Feedback:** A TUP allows for community input and feedback during the trial period, which can be invaluable in making informed decisions about future rezoning.

District staff are supportive of the proposed Temporary Use Permit adheres to the OCP objectives and policies. The proposal complies with ALC policies and regulations for short term rental accommodation.

DEVELOPMENT REGULATIONS		
CRITERIA	A1 Zone	PROPOSAL
Site Coverage (residential & accessory building and agri-tourism accommodation)	10%	No Change
Site Coverage (agri-tourism accommodation)	5%	1.87%
Agri-Tourism Accommodation sleeping units (A1ta only)	(>6.0 ha) 10 sleeping units	5 sleeping units (half of what is permitted under A1ta)
Height	9.5 metres or 2 ½ storeys	2 storeys
Min. Front Yard (West)	6.0 metres	>500 metres
Min. Side Yard (North)	15 metres for agri-tourism accommodation	>25 metres
Min. Side Yard (South)	15 metres for agri-tourism accommodation	>150 metres
Min. Rear Yard (East)	15 metres for agri-tourism accommodation	>191 metres
Landscaping		
CRITERIA	A1 Zone	PROPOSAL
Front	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building and on the property
Sides	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building and on the property
Rear	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building and on the property

PARKING REGULATIONS		
CRITERIA	A1 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	1 per sleeping unit	There are plenty of spaces on the property for parking. Staff have no concern.

FINANCIAL IMPLICATIONS

☒ None
 ☐ Budget Previously Approved
 ☐ Other (see below)

COMMUNICATION

- This application was referred out for comments:
 - Building commented that the approval should be dependent on the applicants applying for, and obtaining a change of use/building permits for the proposed use of existing buildings.
- The applicant completed the Neighbour Consultation prior to Council Meeting.
- The Planning Department prepared the appropriate letter/signage and landowner notifications prior to approval.
- The application was referred to the Agricultural Advisory Committee, where the following motion was carried unanimously:

THAT Temporary Use Permit TUP00109 for the property located at 14041 Talbot Road, to allow short term rental accommodation for an Agri-Tourism business, be supported subject to the following conditions:

- Maximum of four agri-tourism accommodation units within the existing house, and*
- No agri-tourism accommodation units to be located within accessory buildings.*

ALTERNATE RECOMMENDATION(S)

1. THAT Temporary Use Permit TUP00109 (Attachment A in the Report to Council dated June 17, 2025) for the property at 14041 Talbot Road (PID: 013-538-616), to allow short term rental accommodation for an Agri-Tourism business, not be approved.
2. THAT Temporary Use Permit TUP00109 (Attachment A in the Report to Council dated June 17, 2025) for the property at 14041 Talbot Road (PID: 013-538-616), to allow short term rental accommodation for an Agri-Tourism business, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,

Jason Tran, Planner

Report Approval Details

Document Title:	TUP00109 - 14041 Talbot Road - Temporary Use Permit - Council Report.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A - TUP00109-Draft Temporary Use Permit.docx - Attachment B - TUP00109 - Rationale Letter.pdf - Attachment C - TUP00109 - Location and Site Plan.pdf - Attachment D - TUP00109 - ALC Info Bulletin 06.pdf
Final Approval Date:	Jun 10, 2025

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

No Signature found

Steven Gubbels, Development Engineering Manager - May 23, 2025 - 3:47 PM

No Signature found

Matthew Salmon, Infrastructure & Development Engineering Director - May 27, 2025 - 8:53 AM

No Signature found

Carie Liefke, Manager of Current Planning - Jun 6, 2025 - 9:28 AM

No Signature found

Jeremy Frick, Director of Development Approvals - Jun 9, 2025 - 4:31 PM

Reyna Seabrook, Director of Corporate Services - Jun 9, 2025 - 4:53 PM

Paul Gipps, Chief Administrative Officer - Jun 10, 2025 - 7:51 AM

Makayla Ablitt, Legislative & FOI Coordinator - Jun 10, 2025 - 9:07 AM