

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 | TUP00108 | 1525 Camp 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 TUP00108 (Attachment A in the Report to Council dated June 17, 2025) for the property at 1525 Camp Road (PID: 012-392-821), to allow short term rental accommodation (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 addition of agri-tourism accommodation would enhance the visitor experience at the existing winery as per their rationale letter (Attachment B).

The subject property (4.0 ha/10 ac) is zoned A1 – Agriculture, within the Agricultural Land Reserve (ALR) and is accessible by Camp Road.

Staff recommend authorizing short term rental 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:	2025-03-31
Applicant:	EXN VINEYARDS INC	Owner:	EXN VINEYARDS INC
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 #:	02517.000
Legal Description	LOT 65 SECTION 16 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 444
PID	012-392-821
Civic Address:	1525 Camp Road

Property Information: Land Use		
OCP Designation:	Agricultural	
Zoning Designation:	A1– Agriculture 1	
Land Use Contract	n/a	
ALR:	Yes	
Parcel Size:	4.0 ha/10.0 ac	
Development Permit Areas:	• N/A	
Adjacent Land Summary:	Zoning:	Use:

<i>North:</i>	RR2 – Rural Residential 2	Agriculture & Residential
<i>East:</i>	P1 – Public Park & Open Space A1 - Agriculture 1	Park Agriculture & Residential
<i>South:</i>	A1 - Agriculture 1	Agriculture & Residential
<i>West:</i>	Agriculture & Residential	Agriculture & Residential

Property Information: Infrastructure and Development Engineering	
Road Network	Minor Connector
Driveway Access	2004 Access Permit on file
Water Supply:	Municipal (source: Okanagan Lake/Beaver Lake)
Sewer:	Private – on-site septic
Drainage / Stormwater	Ditch

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 applicant currently operates a winery (Ex Nihilo) on the subject property. They also offer visitors agri-tourism activities, with visitors being able to learn about the farm-to-glass journey, explore vineyard practices, seasonal farming activities, and the daily operations that shape the winemaking process.

To help supplement the farm operation and winery, they would like to use the existing 1690sq ft house, built in 2004, to offer visitors short term rental accommodation (agri-tourism accommodation); the floor plans (Attachment C) show it has two bedroom units. The proposed accommodations feature an ample living space, with a kitchen, dining area, living room, and a powder room on the main floor, and the second level including two bedroom units and a full bathroom. In the past, the business partners used the building as their residence.

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	a. The District will consider the issuance of a Temporary Use Permit provided the proposed use:

	<p>i. is temporary or seasonal;</p> <p>ii. 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;</p> <p>iii. iii. have no negative impact on adjacent lands;</p> <p>iv. iv. create no significant increase in the level or demand for services;</p> <p>v. v. not permanently alter the site upon which it is located.</p> <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>
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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 as it is permitted by the ALC and adheres to the OCP objectives and policies.

DEVELOPMENT REGULATIONS		
CRITERIA	A1 Zone	PROPOSAL
Site Coverage (residential & accessory building and agri-tourism accommodation)	10%	No Change
Site Coverage (agri-tourism accommodation)	5%	2.9%
Agri-Tourism Accommodation sleeping units (A1ta only)	(4.0-5.9 ha) 7 sleeping units	2 sleeping units
Height	9.5 metres or 2 ½ storeys	2 storeys

Setbacks		
Min. Front Yard (West)	6.0 metres	92 metres
Min. Side Yard (North)	15 metres for agri-tourism accommodation	100 metres
Min. Side Yard (South)	15 metres for agri-tourism accommodation	19 metres

Min. Rear Yard (East)	15 metres for agri-tourism accommodation	191 metres
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Landscaping	A1 Zone	PROPOSAL
Front	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building
Sides	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building
Rear	Level 1 Buffer: No specific guidelines for the design of the landscape buffer	Using existing landscaping around the building

PARKING REGULATIONS		
CRITERIA	A1 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	1 per sleeping unit	two parking spaces

FINANCIAL IMPLICATIONS

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

COMMUNICATION

- This application was referred to internal departments and their comments are below:
 - Engineering stated: A renewal of access permit will be required due to the change in use. Driveway will require regrading or to be hard resurfaced.
 - Protective Services provided comments to be addressed during the Business Licence review.
- 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 at the May 12, 2025 meeting, where the following motion was carried unanimously:

THAT Temporary Use Permit TUP00108 for the property located at 1525 Camp Road, to allow short term rental accommodation (agri-tourism accommodation) for an Agri-Tourism business, be supported.

ALTERNATE RECOMMENDATION(S)

- THAT Temporary Use Permit TUP00108 (Attachment A in the Report to Council dated June 17, 2025) for the property at 1525 Camp Road (PID: 012-392-821), to allow short term rental accommodation for an Agri-Tourism business, not be approved.
- THAT Temporary Use Permit TUP00108 (Attachment A in the Report to Council dated June 17, 2025) for the property at 1525 Camp Road (PID: 012-392-821), 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:	TUP00108 - 1525 Camp Road - Temporary Use Permit - Council Report.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A - TUP00108-Draft Temporary Use Permit.docx - Attachment B - TUP00108 - Rationale letter.pdf - Attachment C - TUP00108 - Floor Plans.pdf - Attachment D - TUP00108 - ALC Info Bulletin 06.pdf - Attachment E - TUP00108 - Location Map.pdf
Final Approval Date:	Jun 12, 2025

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

Steven Gubbels, Development Engineering Manager - May 23, 2025 - 3:22 PM

Matthew Salmon, Infrastructure & Development Engineering Director - May 27, 2025 - 8:55 AM

Carie Liefke, Manager of Current Planning - Jun 6, 2025 - 9:34 AM

Jeremy Frick, Director of Development Approvals - Jun 9, 2025 - 4:27 PM

Reyna Seabrook, Director of Corporate Services - Jun 9, 2025 - 4:55 PM

Paul Gipps, Chief Administrative Officer - Jun 11, 2025 - 8:41 PM

Makayla Ablitt, Legislative & FOI Coordinator - Jun 12, 2025 - 7:22 AM