



STAFF REPORT

TO: Planning and Development Committee **MEETING DATE:** May 5, 2020
FROM: Katie Thomas **FILE NO:** 3220-North-718
Planner 1
SUBJECT: Temporary Use Permit (TUP-2019-03) for a Recreational Vehicle site at 718 North Road

RECOMMENDATIONS

THAT the report titled Temporary Use Permit (TUP-2019-03) for a Recreational Vehicle site at 718 North Road be received;

AND THAT Council directs staff to notify property owners neighbouring 718 North Road of the Temporary Use Permit application (TUP-2019-03);

AND THAT Council direct staff to publish notice of TUP-2019-03 in the newspaper;

AND THAT staff proceed with drafting TUP-2019-03 subject to the owner meeting the following conditions no later than June 19, 2020:

1. Wildlife resistant garbage container to be provided and arranged to be collected fortnightly
2. All outdoor fridge and freezers to be placed in wildlife resistant containers
3. 24-hour access to laundry facilities for all members of the site to be provided
4. Privacy screening along Hillcrest Road to be provided
5. Rental cap of \$500 per pad for the duration of the Temporary Use Permit
6. Bond to be provided to cover cost of site remediation

AND FURTHER THAT these recommendations be forwarded directly to the next Council meeting for adoption.

BACKGROUND / PURPOSE

The Town received a Temporary Use Permit application for the property at 718 North Road, as seen in figure 1. The property is located on the corner of Hillcrest and North Road and is zoned Upper Gibsons Commercial District 1 (C-1). The C-1 zone is intended to provide for a wide range of commercial uses, as well as apartment use above the ground floor.

The owner has applied for a Temporary Use Permit requesting permission for up to ten Recreational Vehicles (RVs) with inhabitants on the site.

The purpose of this staff report is to provide background information on the application and referral comments and obtain direction from the Planning and Development Committee to move the application forward by notifying neighboring residents and publishing notice of the application in the newspaper.

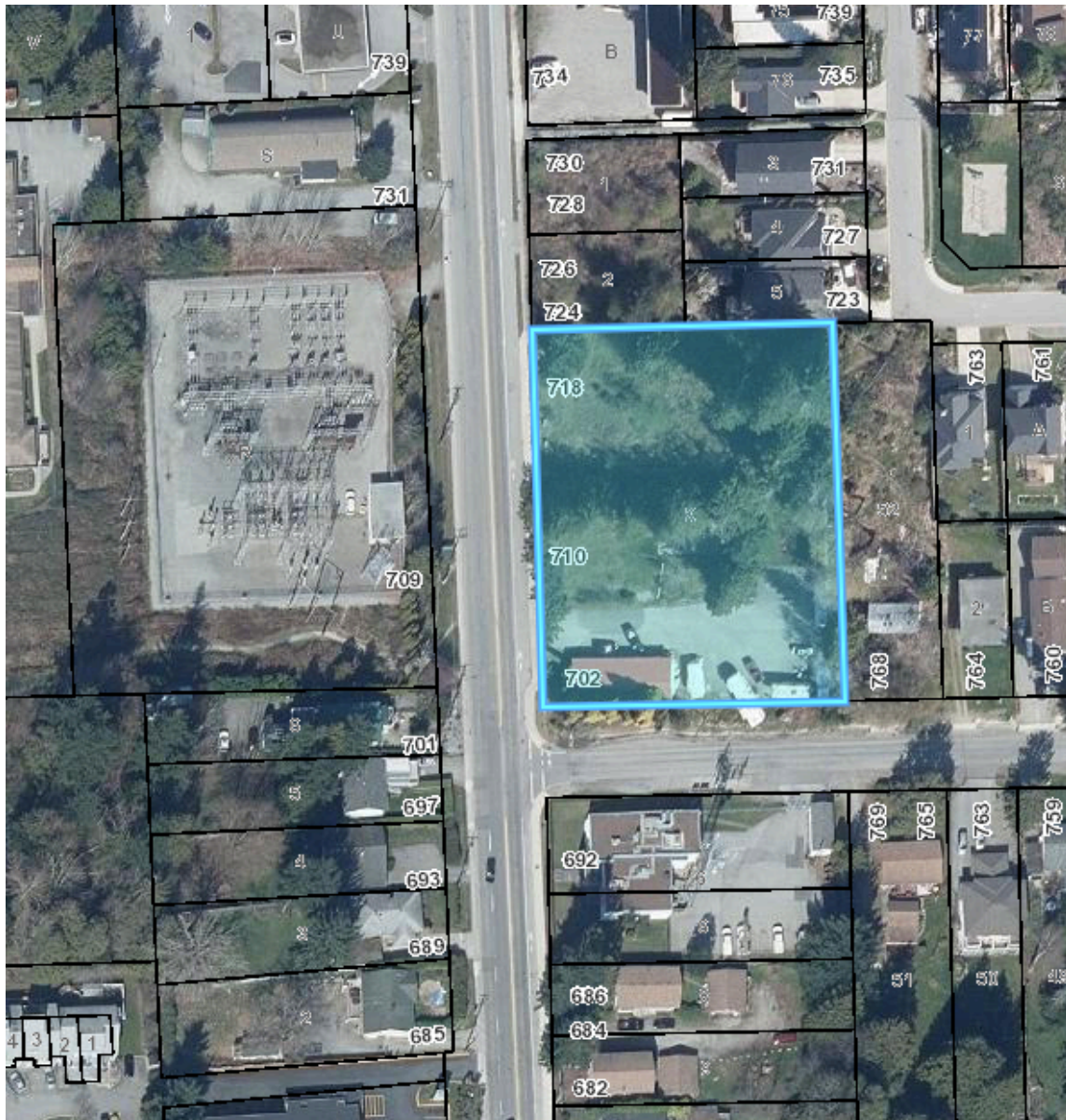


Figure1: Location of Subject Property

SUMMARY

RVs began arriving at the site at 718 North Road in early to mid-2018, as shown in the 2018 aerial photo in figure 1. A Bylaw complaint was received in May 2018 and staff contacted the owner to explain that the RV's, essentially campground use, did not comply with the current zoning.

The property is not determined to be a legal non-conforming use, as the Local Government Act Section 528 (2) states that once a non-conforming use ceases operation for 6 continuous months or longer, the use must come into compliance with land use bylaws. Therefore a Zoning Amendment or a Temporary Use Permit is required for the property to operate an RV park, or campground use.



Figure 2: Derelict Mobile Home has now been removed from the sit. Photo taken February 21, 2020

The Town issued a stop work order in January 2019 to a derelict mobile home that had moved onto the property without a permit, as seen in Figure 2. The Town requested that the derelict mobile home be removed– this was removed at the beginning of April 2020.

A Temporary Use Permit was applied for in June 2019. Since then, Planning staff have worked with the applicant to prepare the application and understand the intentions for future use of the site.

In the last month, the applicant has cleared the north portion of the property where an informal trail linking North Road to Steinbrunner is located. The property owner has cleaned up the site and removed the debris in the north vacant portion to prevent loitering.

The application is now ready for consideration by the Planning and Development Committee

DISCUSSION

An application summary is provided in Table 1.

Application Purpose	To allow an RV park for up to 12 RVs for a maximum of 3 years
Owner/Applicant	Michco Investments Ltd
Civic Address	718 North Road
Lot Area	5337.04 m ²
Zoning Land Use	Upper Gibsons Commercial District 1 (C-1)
OCP Land Use	Medium Density Residential

The property at 718 North Road has one permanent structure on site – a concrete office block (seen in figure 3) with 4 office inside units, one of which is used for laundry facilities. The site currently houses seven (7) RVs and one (1) ATCO trailer.



Figure 3: The old motel building which now houses an office and laundry facilities

The property owner wishes to construct a residential rental building on the site in the next three (3) years and therefore has requested a Temporary Use Permit for three (3) years, during the planning phase of the project.

The property used to be the site of Uptown Motel and Trailer Park from 1991 until 2000/2001 when it was closed to the public. Two of the motel rooms have been used on and off for staff accommodation over the years, as was the ATCO trailer that sits at the rear of the property.

Due to the history of the site, there are 12 hook ups on the site. The pad rental rates are \$450 per month, on a month-to-month basis. Planning staff suggest that these rates are affordable.

Section 493 (2) (a) of the *Local Government Act* states that a Temporary Use Permit may specify conditions under which the temporary use may be carried on. Staff understands that there are 12 tenants including children, currently living on the site. Further, there is limited affordable housing. While permanently living in an RV is not permitted under the BC Building Code, RV's do provide a temporary or seasonal housing option, Given that this campground/ RV park has been established for about 1.5 years, staff recommend drafting the proposed Temporary Use Permit subject to the owner meeting the following conditions no later than June 19, 2020::

1. Wildlife resistant garbage container to be provided and arranged to be collected fortnightly;
2. All outdoor fridge and freezers to be placed in wildlife resistant containers;
3. 24-hour access to laundry facilities for all residents to be provided;
4. Privacy screening along Hillcrest Road to be provided;
5. A Rental cap of \$500 per pad for the duration of the Temporary Use Permit;
6. \$5000 Bond to be provided to cover the cost of site remediation after Temporary Use Permit expiry.

Currently, garbage is removed from the site informally. Per the Town's Garbage and Organics Collection and Disposal Bylaw No. 1252, a wildlife resistant container is required on-site, and should be arranged to be collected frequently. Under the same Bylaw, unlocked outdoor fridge and freezers are prohibited to prevent wildlife attractants.

On a site visit this February, Planning Staff were provided entry to the laundry facilities which are locked unless the key holder is notified. Staff recommends all residents should be provided with access to the facilities on site 24 hours a day.

To provide some privacy screening for residents living in the rental pads, a condition of the TUP includes screening requirements along Hillcrest Road.

Staff suggest that a Housing Agreement would need to be drafted to enforce that the pad rental is limited to \$500 per month. This Housing Agreement would expire at the same time as the proposed Temporary Use Permit.

The Local Government Act allows a Temporary Use Permit to be extended once. If Council decides to authorize the issuance of the TUP on May 19th for a period of time, a Council resolution can be made at the same time to state that Council will not extend the TUP for 718 North Road. Staff could explore options to allow extension, for example, if an application for the proposed residential rental building has been received, if requested by Council.

To ensure that RVs are removed once the Temporary Use Permit expires, a security bond of \$5000 will be held, which would cover the cost of the removal of the RVs and remediate the site back to the state prior to the arrival of the RVs.

COMMUNICATION

The Local Government Act requires that a notice be published in a newspaper prior to Council's adoption of a resolution to issue the TUP. Staff recommends publishing notice of TUP-2019-03 in the Coast Reporter.

To obtain comments from immediate neighbours, staff recommend notifying properties within a 50-metre radius by mail, providing notice of the application and an opportunity to provide comments.

POLICY / PLAN IMPLICATIONS

Strategic Plan Implications

The 2019-2022 Strategic Plan speaks to actively working towards increasing the supply and range of safe, secure and attainable affordable housing options.

NEXT STEPS

Should Council authorize proceeding with this application, and notifications, Staff plan to bring a report to the May 19th Council meeting with input received for Council's consideration of issuing the Temporary Use Permit.

RECOMMENDATIONS / ALTERNATIVES

Recommendations are listed on page 1 of this report.

Alternatively, Council may reject the TUP application because the proposal is not consistent with the OCP or Zoning Bylaw, resulting in bylaw enforcement and the removal of the Recreational Vehicles at 718 North Road.

Respectfully Submitted,



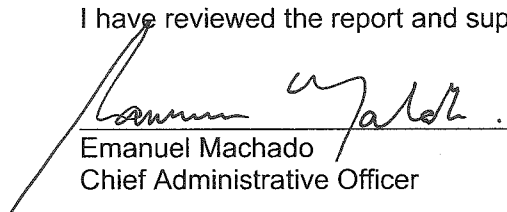
Katie Thomas
Planner I



Lesley-Anne Staats, MCIP, RPP
Director of Planning

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I have reviewed the report and support the recommendation(s).


Emanuel Machado
Chief Administrative Officer