

Zoning Bylaw, Foreshore & Lake Zoning Bylaw, and Short Term Rental Policy/Program Recommendations

Committee of the Whole Meeting
Tuesday, May 9th, 2023



AGENDA

1. Engagement Overview
2. Zoning Bylaw
 - a. Accessory Dwelling Units
 - b. Parking
3. Short-Term Rentals
4. Foreshore and Lake Zoning Bylaw
 - a. Jasmine Drive and Acacia Court Private Moorage
 - b. Walton's Resort
 - c. Buoy Lease Program
5. Next Steps

ENGAGEMENT



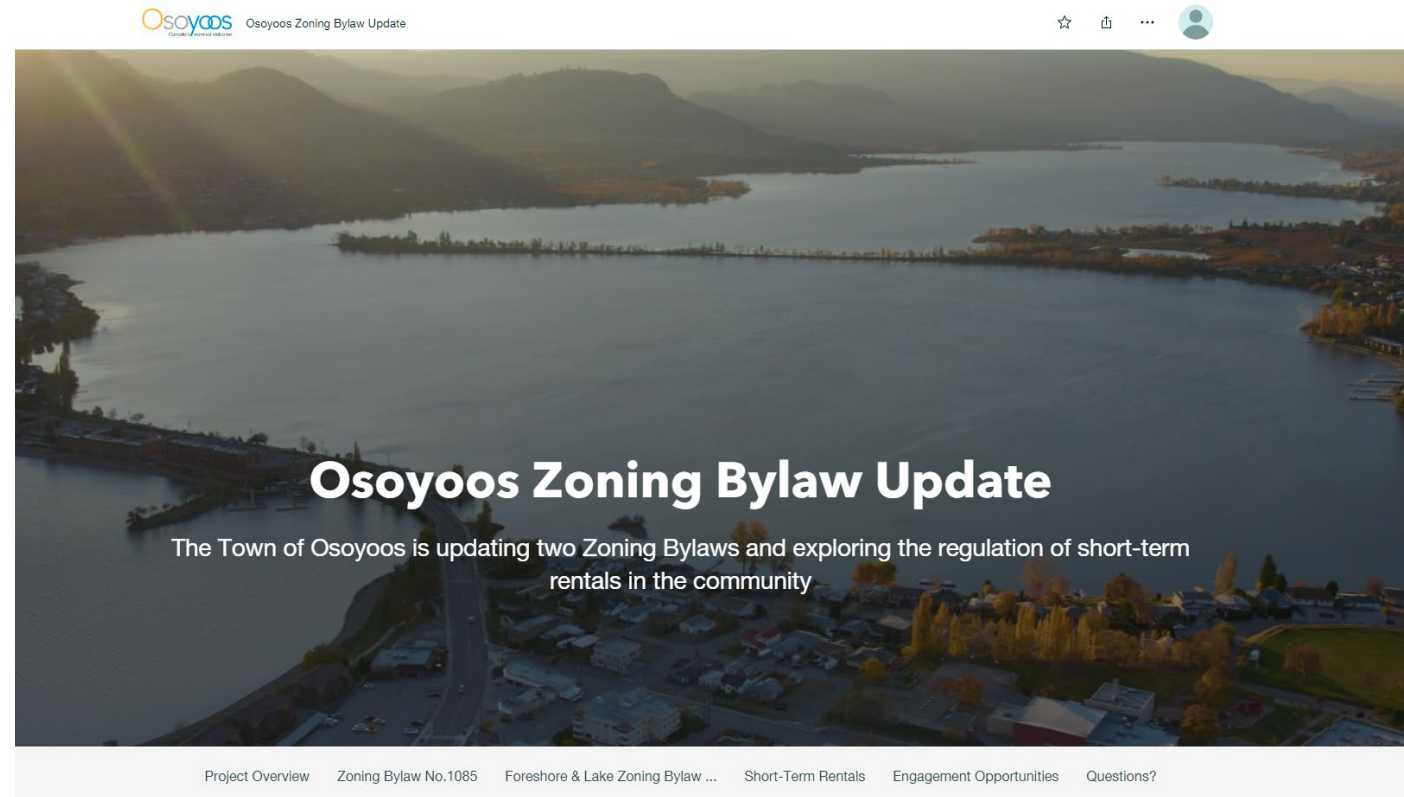
ENGAGEMENT OVERVIEW

Website:

www.osoyooszoningupdate.ca

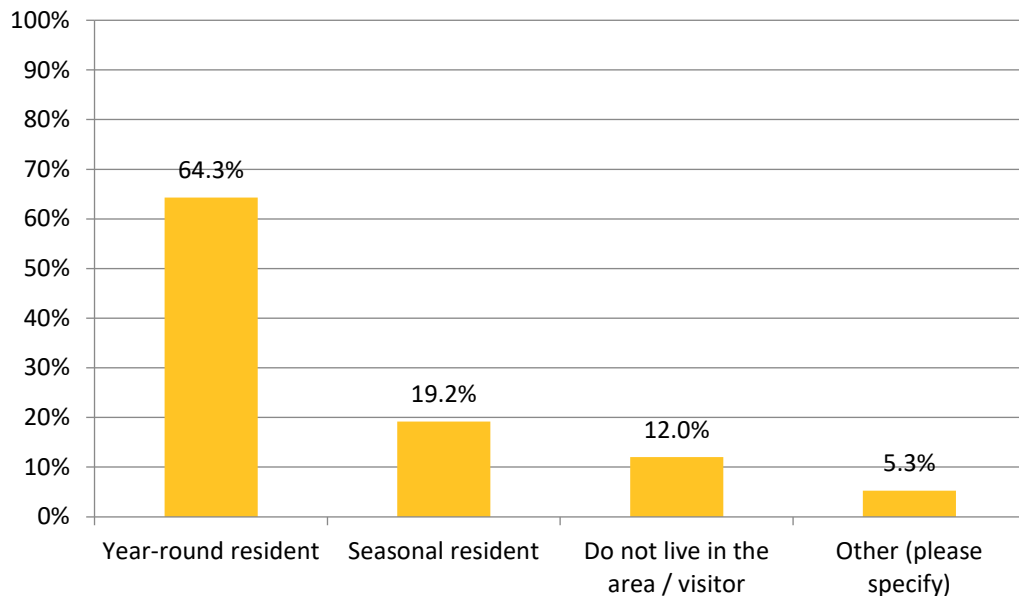
Survey:

- February 13th to March 13th
- Responses: 263

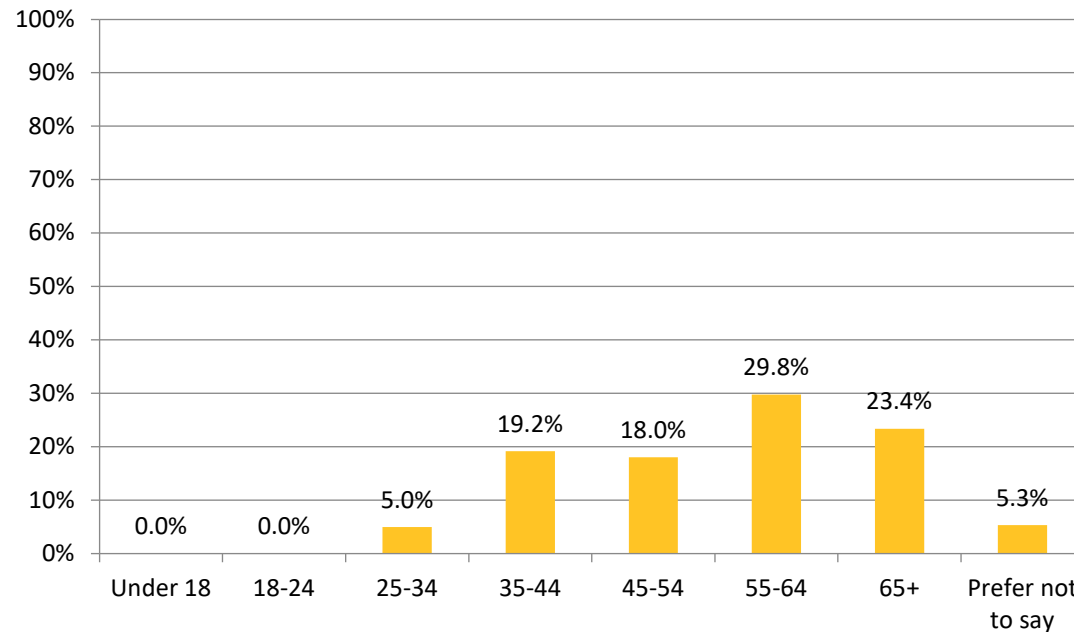


ENGAGEMENT OVERVIEW

Q1: Which of the following best describes your residence in Osoyoos? Please select all that apply.



Q2: What is your age?



ENGAGEMENT OVERVIEW

Activity/Event	Date	Number of Participants
In-Person Workshop #1 at the Sonora Centre	February 28 th from 5:00 to 8:00 pm	~43
Virtual Workshop on Zoom	March 7 th from 6:00 to 8:00 pm	14
In-Person Workshop #2 at the Sonora Centre	March 11 th from 12:00 pm to 3:00 pm	~28

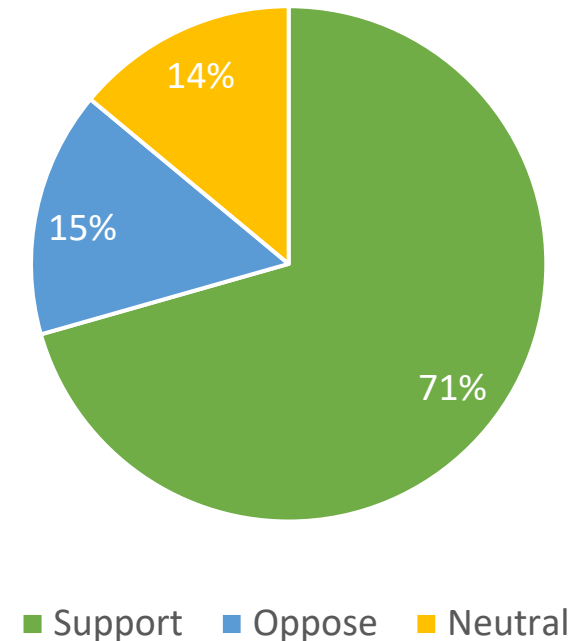
ZONING BYLAW



ACCESSORY DWELLING UNITS

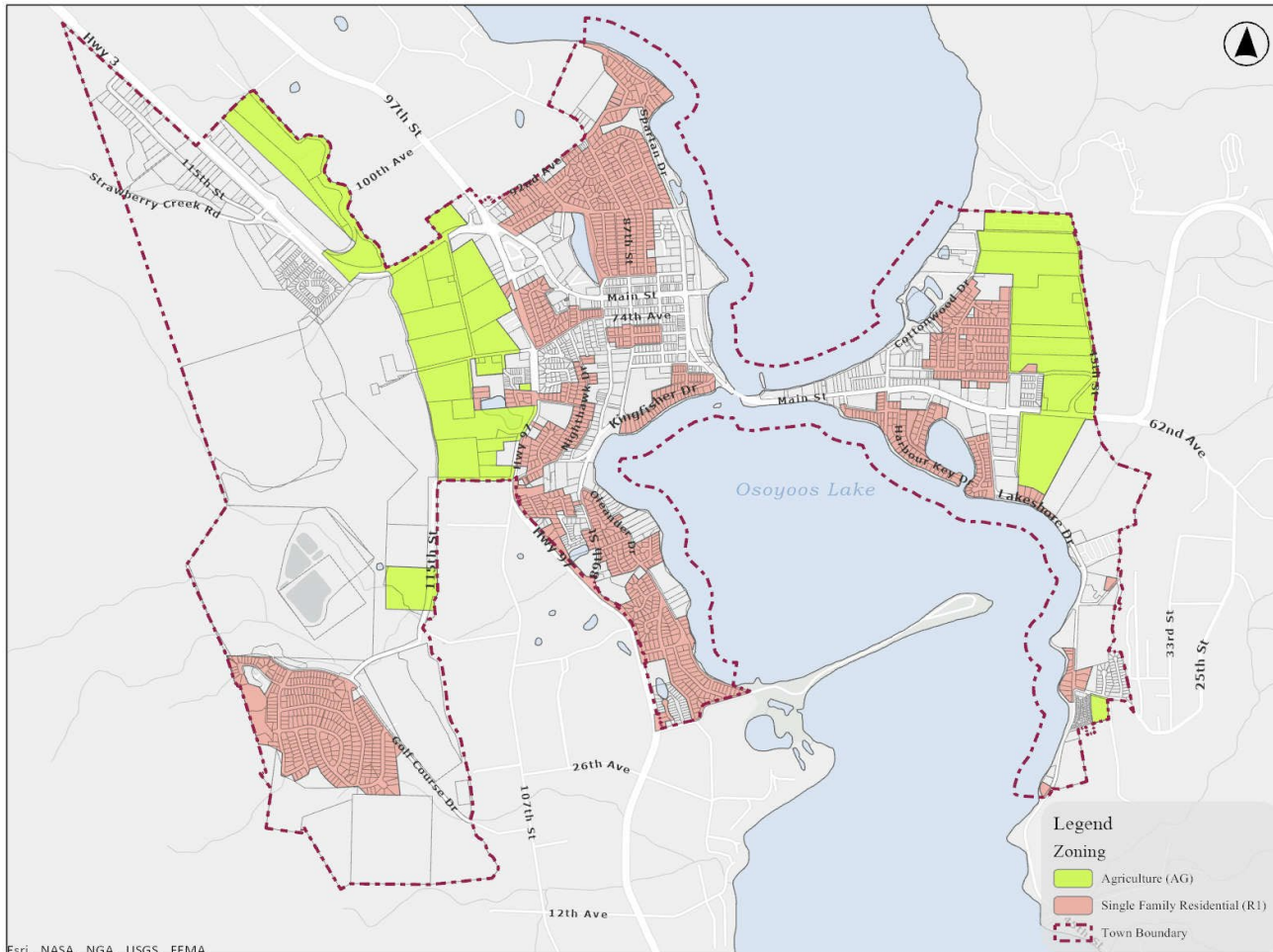
Engagement Results

- 71% support permitting one detached accessory dwelling unit per parcel in the Agricultural (AG) and Single Family Residential (R1) zones
- Concerns:
 - Parking
 - Relationship between laneway homes and STRs



ACCESSORY DWELLING UNITS

Recommendations



Permit laneway homes in AG and R1 zones where:

1. Parcels have access to a rear lane OR
2. Parcels meet a minimum lot size and width

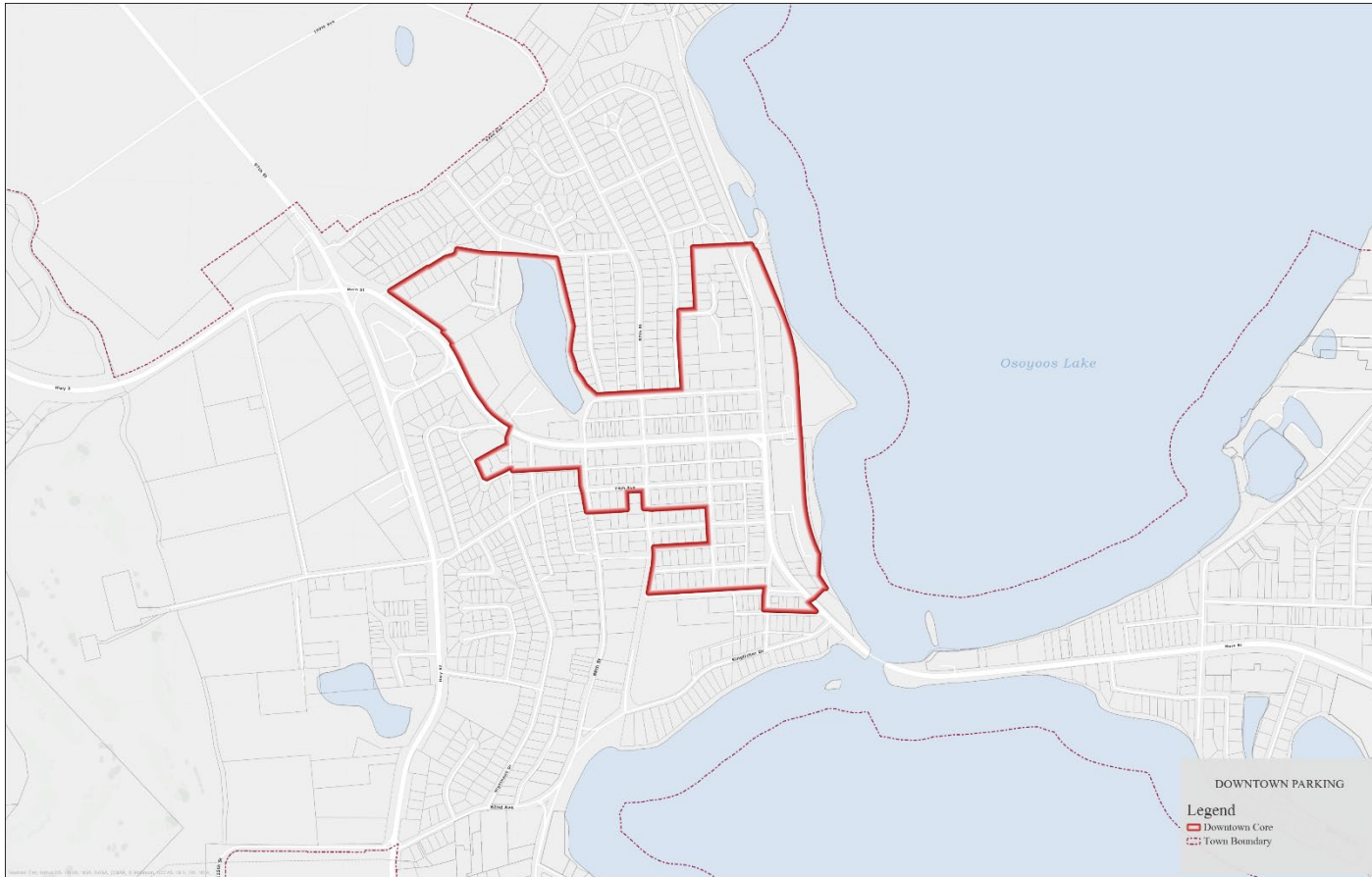
ACCESSORY DWELLING UNITS

Recommendations

- Proposed regulations:
 - Provide 1 additional parking space for the ADU
 - Provide a path with a minimum width (TBD) from the front to the rear of the property to access the ADU
 - Setback the ADU a minimum distance from the principal dwelling

PARKING

Engagement Results & Context



- 57% support an increase to the parking standards for multiple-unit residential development in Downtown
- Current requirements:
 - Downtown: 1 space per dwelling unit
 - All other areas: 1.75 spaces per dwelling unit

PARKING

Recommendations

- Assign parking standards based on number of bedrooms:
 - 1 bedroom = 1.5 spaces per dwelling unit
 - 2 bedroom = 2 spaces per dwelling unit
- Implement visitor parking requirements
 - E.g. 0.2 spaces per dwelling unit
- Remove Downtown parking area/apply one rate for multiple-unit residential

PARKING

Recommendations

- Increase the rate required for cash-in-lieu of parking?
 - Existing rate: \$3,000
 - Rates in other communities :
 - Peachland - \$6,000
 - Oliver - \$8,000
 - Nelson - \$10,000
 - Penticton - \$13,000
 - Kelowna - \$33,000

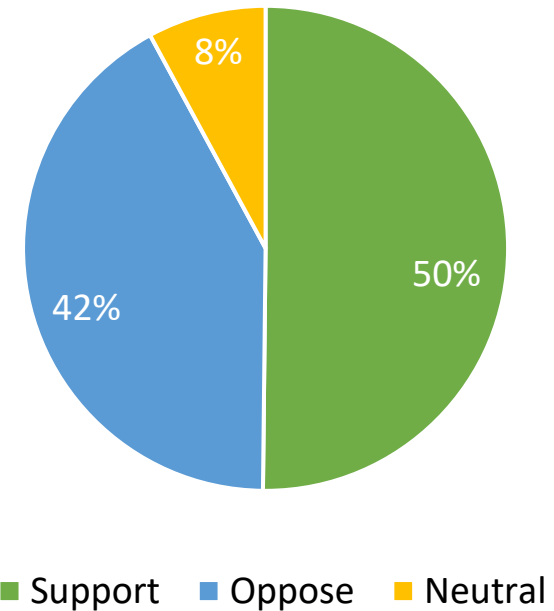
SHORT-TERM RENTALS PROGRAM



SHORT-TERM RENTALS PROGRAM

Engagement Results

- 50% of participants support implementing a short-term rentals program
 - 42% oppose
 - 8% neutral
- Concerns:
 - Negative impact of STRs on long-term housing supply and well-being of community
 - Ability to enforce



SHORT-TERM RENTALS PROGRAM

Options for Regulation

1. Require a STR Permit for Operation

Benefits	Risks/Implications
<ul style="list-style-type: none">• Compliance with codes, bylaws, and policies• Record of operation• Active STR tracking	<ul style="list-style-type: none">• Monitoring illegal STRs• Enforcement of fines

SHORT-TERM RENTALS PROGRAM

Options for Regulation

2. Restrict to Certain Areas of Community

Benefits	Risks/Implications
<ul style="list-style-type: none">• Potential impacts are limited to certain areas of the community (easier to enforce)	<ul style="list-style-type: none">• Illegal use likely to occur outside of permitted area – how to monitor and enforce?• Concentration of potential implications occurring in this area (e.g. increased traffic, lack of on-street parking, noise, lack of long-term housing options, etc.)

SHORT-TERM RENTALS PROGRAM

Options for Regulation

3. Allow STR in Accessory or Principal Dwelling Unit Only

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures that entire property will not be used for STR (for those where two or more units are permitted)• Considers the lot sizing and parking requirements and infrastructure servicing levels that may be necessary	<ul style="list-style-type: none">• Illegal STR could be added to the property after permit approval – how to monitor and enforce?• Required number of parking spaces is insufficient

SHORT-TERM RENTALS PROGRAM

Options for Regulation

4. Require Owner or Designate to be Present

Benefits	Risks/Implications
<ul style="list-style-type: none">Addresses common concerns associated with noise, nuisance, and parking	<ul style="list-style-type: none">Owner or Designate indicates on paper that they live on-site, but this is not the case - how to enforce?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

5. Maximum Number of Guests per Property or Dwelling Unit

Benefits	Risks/Implications
<ul style="list-style-type: none">Addresses common concerns associated with noise, nuisance, and parking	<ul style="list-style-type: none">How to enforce the number of guests on-site?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

6. Proof of Insurance Required

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures health and safety of STR guests in the event of an emergency or incident• Allows the Town to have record of STRs that are legally operating at any given time	<ul style="list-style-type: none">• Illegal STRs likely – how to monitor and enforce?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

7. Inspection Required for Operation

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures health and safety of STR guests• Ensures the unit is constructed to Fire and Building Codes	<ul style="list-style-type: none">• Inspections must be conducted by a Building Inspector• No authority to conduct annual inspection (one-time only)• Illegal STRs likely – how to monitor and enforce?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

8. Limit the Number of Consecutive Nights of Operation by One Party

Benefits	Risks/Implications
<ul style="list-style-type: none">Addresses common concerns associated with noise, nuisance, and parking	<ul style="list-style-type: none">How to enforce the number of nights that one party stays at the STR?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

9. Require Neighborhood Notification for STR Operation

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures community is aware of new STRs operating in their neighborhood• Provides opportunity for potential concerns about STR operation to be addressed	<ul style="list-style-type: none">• Illegal STRs will not observe this process – how to monitor and enforce?• Number of inquiries may be significant – limited capacity to address

SHORT-TERM RENTALS PROGRAM

Options for Regulation

10. Require Additional Parking for STR

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures sufficient off-street parking is required for the STR use• Addresses concerns associated with parking overflow/on-street parking	<ul style="list-style-type: none">• Parking may be insufficient for large STRs with multiple bedrooms if parking is not provided on a per bedroom basis• Illegal STRs will not observe this requirement – how to monitor and enforce?

SHORT-TERM RENTALS PROGRAM

Options for Regulation

11. Limit Operations to Number of Days or Time of Year

Benefits	Risks/Implications
<ul style="list-style-type: none">• Ensures property is not used for STR year-round to provide more housing options• Limits potential nuisances to certain time of year	<ul style="list-style-type: none">• Illegal STRs will not observe this requirement – how to monitor and enforce?

SHORT-TERM RENTALS PROGRAM

Permit Fees

- Options for fee categories:
 - Operation in principal dwelling unit vs. accessory dwelling unit
 - Number of days per year of operation
 - Number of guests permitted/size of STR
- Fees range from \$250 – 900 per year, per permit

How would Council like to regulate STRs? What unknowns are necessary to discuss with the public?

FORESHORE AND LAKE ZONING BYLAW



JASMINE DRIVE AND ACACIA COURT PRIVATE MOORAGE

- Semi-waterfront parcels
- Existing head lease in these foreshore areas-does not permit current use of foreshore by upland private property owners
- S. 5.1.2.0 Site Specific Conditions of Use indicates that parcels may apply to the Town for installation of docks, boat lifts, or private buoys (not permitted under current lease)



JASMINE DRIVE AND ACACIA COURT PRIVATE MOORAGE

Options for Consideration

1. Remove the docks and have owners comply with the foreshore lease
2. Obtain a head lease and charge cost to property owners
3. Build a dock for the owners (and others?) of this area and require payment for construction and maintenance

OASIS RESORT, LAKESHORE DRIVE

- Private buoys and swimming docks located public area, private use only sign on Town boat launch
- Contrary to the terms of foreshore lease

Options for Consideration:

- Notify of unauthorized activity
- Request that resort install buoys/docking system in front of their private property?



WALTON'S RESORT, LAKESHORE DRIVE

Options for Consideration

- Private buoys and swimming docks located in public area/
public beach
- Contrary to foreshore lease

Options for Consideration:

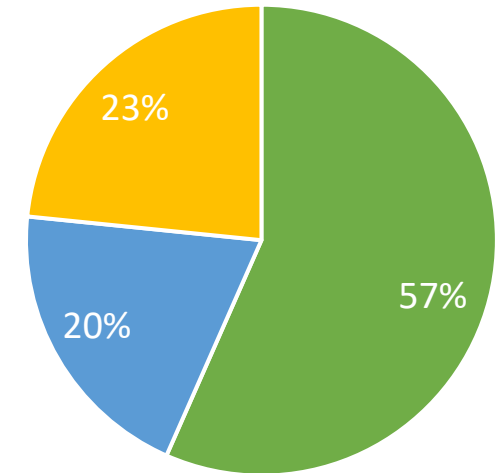
- Notify of unauthorized activity
- Buoy lease program?
- Notify of illegal activity
- Increase swim grid area to help
prevent injury to swimmers?



BUOY LEASE PROGRAM

Engagement Results

- 57% of respondents support a program on Osoyoos Lake for foreshore and lake areas adjacent to publicly-owned lands
- Number of buoys in the lake poses safety and lake health concerns



■ Support ■ Oppose ■ Neutral

BUOY LEASE PROGRAM

Context

What is it?

- Requires annual registration of buoys placed in lake areas adjacent to public lands

Benefits:

- Manages number of motorized boat users on the lake
- Reduces environmental impacts
- Reduces safety concerns for non-motorized lake users
- Ensures legal use of the lake (in accordance with foreshore leases)

Implications:

- Monitoring and enforcement – capacity of Town, cost, etc.

BUOY LEASE PROGRAM

Cultus Lake Example

- Boating and Foreshore Bylaw No. 1179
 - Number of buoys: 220
 - Registration fee: \$500 annual fee, 10% fee for late registration
 - Number of registrants per buoy registration: two family members
 - Number of buoys per applicant: Maximum 1
 - Annual registration period: late January to mid-March
 - Compliance checks conducted annually
- Placement of buoys:
 - Minimum 25 m from the high water mark
 - Minimum 15 m from a wharf or other buoy

BUOY LEASE PROGRAM

Possible Next Steps / Items to consider

1. Would require professional review to determine capacity of the lake to accommodate a buoy lease program and identify areas that may be appropriate to host buoy farms.
2. Would need to consider options for contracted services for the program as Town does not currently have the capacity or infrastructure to support program.
3. Determine if a buoy lease program is feasible for the Town in the future?. (note would take approximately 3 years to implement)

NEXT STEPS



NEXT STEPS

- Stakeholder Workshop: date TBD
- Short-Term Rentals Community Workshop:
 - Saturday, June 10th at the Sonora Centre
 - 12:30 to 2:30 pm
- Key Issues Brief – late June
- Meeting with Council to discuss next steps - TBD

THANK YOU!

