



Request for Decision Temporary Use Permit

File No: P 724 552
Reference: TUP 8-24
Date: October 22, 2024

Subject: TUP No. 8-24 (Fairmont Hot Springs / Middlecoat & Schur)
Applicant: Darlene Middlecoat and Carl Schur
Location: Wills Road, Fairmont Hot Springs
Legal: Lot 8, District Lot 138, Kootenay District Plan 8296
(PID: 013-295-861)

Proposal: To permit an accessory shed building and placement and residential use of a recreational vehicle with a deck addition on the property prior to the principal dwelling being constructed. This permit is proposed to be valid for 12 months with no option for renewal unless an active building permit for a single family dwelling has been obtained.

Options:

1. THAT Temporary Use Permit No. 8-24 (Fairmont Hot Springs / Middlecoat & Schur) be granted.
2. THAT Temporary Use Permit No. 8-24 (Fairmont Hot Springs / Middlecoat & Schur) be refused.

Recommendation: **Option #2**

The property is zoned for residential use within an established residential neighborhood and does not comply with multiple OCP policies of when an application for a Temporary Use Permit would be considered.

Property Information: **OCP Designation:** R-SF, Residential Low Density which includes single family residential subdivisions, duplexes and zoning that supports secondary suites.

OCP Policies:

- An application for a Temporary Land Use Permit will be considered in relation to:
 - demonstration that the use is temporary or seasonal in nature;
 - compatibility with the existing land use;
 - compatibility with surrounding land use;
 - potential conflict with agricultural or resource based activities;
 - potential conflict with adjacent land uses;
 - potential impact on fish or wildlife habitat;
 - provision of adequate servicing for water and sewage disposal;
 - duration of the proposed temporary land use; and
 - relevant policies within other sections of this plan.
- The Permit may be issued subject to conditions such as, but not limited to:
 - the buildings, structures, or area of land that may be used for the temporary use;

Property Information cont'd:

- the period of applicability of the permit;
 - required site rehabilitation upon cessation of the use;
 - other business or operating conditions to mitigate the impacts of the temporary use.
- The RDEK will consider a variety of housing types and encourage innovative housing approaches to meet the needs of permanent, semi-permanent and seasonal residents of the community.

Zoning Designation: R-1, Single Family Residential Zone

Parcel Area: 0.18 ha (0.4 acres)

Density: One Single Family Dwelling and a secondary suite within the principal dwelling is permitted per parcel in the R-1 Zone.

ALR Status: Not within the ALR

BC Assessment: Residential – Vacant

Interface Fire Hazard Rating: Moderate, within the Fairmont Hot Springs Fire Service Area.

Flood Hazard Rating: This property has a moderate flood hazard rating identified in the Cold Spring Creek Hazard Assessment

Water / Sewer Services: The property is connected to the Fairmont Community Water System. There is currently an outhouse on the property. The black water is taken to an RV dump site weekly when in use. An onsite septic system is proposed for future installation.

Professional Studies:

None

Additional Information:

- The accessory structure and recreational vehicle with deck are already on the property. The structures were built without building permits.
- The application states that they plan to submit a building permit for the house in the next couple of years. The structures will be used for onsite contractors during construction and secure storage for materials.

Consultation:

Advisory Planning Commission

APC Area F: Support recommendation for 3 years, but do not recommend renewal unless active building permit is in place.

Response(s) to Notice: 10 notices were mailed on October 17, 2024 to all property owners within 100 m of the subject property. A notice was also published in the October 24, 2024 issue of the Columbia Valley Pioneer. No notices were returned as undeliverable and no responses have been received from the public.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Zone Designation Map
- Site Photos
- Aerial Photo

**RDEK
Contact:**

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