

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** January 22, 2026

**RE:** Temporary Use Permit Application – Electoral Area “C” (C2022.022-TUP)

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### Administrative Recommendation:

**THAT Temporary Use Permit No. C2022.022-TUP, to allow for the use of lands for outdoor storage, the residential and commercial use of one (1) recreational vehicle, and the residential use of one (1) recreational vehicle at 380 Wilson Mountain Road, be denied.**

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**Legal:** District Lot 548, SDYD, Surveyed as ‘White Swan’ Mineral Claim, Folio: C-03456.100  
Not Included Within District Lot 331S, SDYD, Except Road on Plan 34109

**OCP:** Large Holdings (LH) / Resource Area (RA) **Zone:** Large Holdings One (LH1) / Resource Area (RA)

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### Purpose:

This application is requesting the following uses on the subject property through the issuance of a Temporary Use Permit (TUP):

- Outdoor storage (e.g., boats, recreational vehicles, etc.);
- Residential and commercial (i.e., security/office space) use of one recreational vehicle; and
- Residential use of one additional recreational vehicle.

In support of this proposal, the applicant has stated that the proposal is to use “approx. 4 acres (land area, out of sight). No buildings to be used for wet storage. Parking based on contracts and availability. 8 am – 6 pm”.

The applicant has further stated that the purpose of the proposal is to “generate funds to build a proper residence (as residence burned), and to comply with local bylaws, and to rezone”.

**Strategic Priorities:** Operational

### Background & Analysis:

It is unknown when the current boundaries of the subject property were created. Available Regional District records indicate that building permits have been issued for an addition to a mobile home (2002), the relocation of an accessory building (shop) onto the property (2019), and the construction of an accessory building (shop/barn) (2020).

### Official Community Plan Bylaw

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently split-designated Large Holdings (LH) and Resource Area (RA), and is the subject

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of Environmentally Sensitive Development Permit (ESDP) and Watercourse Development Permit (WDP) Areas.

An ESDP and a WDP have not been issued for the development, and will be required regardless of the outcome of the application in order to formalize the land disturbance.

While a WDP for the land disturbance would ordinarily require the approval of the Province under the *Riparian Areas Protection Regulation* (RAPR), the earthworks have already taken place without the necessary Ministerial approvals.

As it pertains to Temporary Use Permits (TUPs), Section 20.3.4 of the OCP Bylaw sets out criteria for the evaluation of TUP applications. Specifically, considerations may include whether the use is temporary/seasonal in nature, its compatibility with adjacent uses, any associated impacts on the natural environment and remedial/mitigative measures to be undertaken, the intensity of the use, and whether there are opportunities to conduct the use in other locations.

### Zoning Bylaw

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently split-zoned, with the portion of the property north of Wilson Mountain Road zoned Large Holdings One (LH1) and the southerly portion zoned Resource Area (RA).

With regard to “recreational vehicles”, the Zoning Bylaw sets out the following:

- the use of a recreational vehicles (RVs) as a dwelling unit is prohibited in all zones;
- one (1) RV belonging to a property owner or resident may be stored or parked on a parcel;
- stored RVs shall not be connected to a sewage disposal system, water system or power source;
- an RV may be temporarily lived in while a new house is being constructed.

### Building Inspection

Recreational vehicles in British Columbia are generally regulated under the *Motor Vehicle Act* and the *Safety Standards Act*, and not by the *Building Act*.

For this reason, the BC Building Code does not apply to recreational vehicles and the long-term residential use of recreational vehicles is not subject to inspection or certification for health and safety.

### Enforcement

The Regional District has received written complaints regarding the residential use of multiple recreational vehicles (RVs) on the property, as well as the siting of residential structures without building permits. In response, an enforcement file was opened in 2018.

### Board Consideration

This application was submitted to the Regional District on October 4, 2022, and has been considered by the Board on multiple occasions, primarily in relation to extension requests in order to keep the file associated with this proposal from being closed due to inactivity.

The most recent of these was at the Board’s meeting of June 5, 2025, where it was resolved to approve an extension to December 5, 2025.

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### Water Sustainability Act

Section 11 of the *Water Sustainability Act* requires authorizations from the Province in order to make changes in and about a stream. The Act defines a “stream” to mean a natural watercourse or a natural source of water supply which includes ponds and wetlands.

### Analysis:

Administration notes that a broad goal of the Electoral Area “C” OCP Bylaw is to generally ensure that development is compatible with the land base (e.g. environmental and water resource protection), that rural character is protected and that new development is planned in a responsible manner (e.g. health and safety).

In reviewing this proposal, Administration considers it to be inconsistent with the objectives and policies contained in the OCP, specifically:

- recreational vehicles (RV) are not able to meet minimum standards for the health and safety for use as a dwelling unit (e.g. adequate ventilation, heating, etc.) and should not be permitted for long-term occupancy;
- the proposed density of RV living *may* (in future) be comparable to a manufactured home park (NOTE: while the application only requests the residential use of two RVs, it is noted that it also indicates the current use of the site being “residential/camping (living in motorhomes)”), which is normally serviced by an on-site water and sewer system, neither of which are being proposed in this instance;
- a manufactured home park outside of a designated growth area is not supported by the Electoral Area OCPs due to servicing requirements;
- the establishment of new “outdoor storage” uses are generally encouraged to occur in existing industrial areas such as in Okanagan Falls or the Senkulmen Enterprise Park on Osoyoos Indian Band Reserve lands;
- earthworks required to facilitate the proposed uses have resulted in significant, adverse impacts to meadow habitat and two (2) separate wetlands on the property (comprising an area of 0.87 hectares) comprised of ESA-1 and ESA-2 lands that is unlikely reversible; and
- that the proposed uses do not appear to be temporary and can be better accommodated elsewhere in the Electoral Area or in adjacent areas.

### Alternative:

Conversely, Administration notes that it can be argued that substantial earthworks have already taken place to facilitate the proposed “outdoor storage” use.

In addition, the applicant has previously submitted an assessment from a qualified environmental professional (QEP) that concluded:

*... successful reclamation of the wetlands, should have a small and short-term cumulative impact ... The ongoing maintenance of the property and infrequent public access should not create significant residual impacts. However, it is important that the soils and groundwater are not contaminated by leaking vehicles and equipment within the storage area.*

The report also outlines various mitigative measures and issues which must be addressed including noxious weed management, fuel management, and wildfire risk considerations.

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However, Administration highlights that the pre-existence of non-compliant uses should not merit their continuation. In this case, given the assessment above, there is no clear policy which supports the continuation of the uses from a land use planning perspective.

### Summary

In light of the comments above, Administration finds that the proposal is contrary to the relevant provisions of the Electoral Area “C” OCP Bylaw, and does not meet the intended application Temporary Use Permits. As such, it is being recommended that the application be refused.

Given that the application was submitted in response to bylaw enforcement, if the file is closed, further enforcement action may be taken if the unpermitted residential use of recreational vehicles on the property does not cease and applications for development permits are not submitted to formalize the works undertaken in relation to the proposed outdoor storage use within the ESDP and WDP Areas on the property.

### **Financial Implications:**

Financial implications have been considered and none were found.

### **Communication Strategy:**

The proposed Temporary Use Permit (TUP) has been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

### **Site Context:**

The subject property is approximately 11.6 ha in area and is bisected by Wilson Mountain Road. It is understood that the parcel is comprised of the subject recreational vehicles, and recent aerial imagery further indicates the presence of numerous accessory structures (see Attachment No. 1).

The surrounding pattern of development is generally characterised by large lot rural residential use, with Resource Area (RA) parcels to the south and southeast being generally undeveloped.

### **Alternatives:**

1. THAT the Board of Directors approve Temporary Use Permit No. C2022.022-TUP.


Will a PowerPoint presentation be presented at the meeting?      Yes

### **Respectfully submitted:**



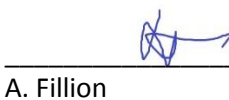
Shannon Duong  
Planner II

### **Endorsed By:**



C. Garrish  
Senior Manager of Planning

### **Endorsed By:**



A. Fillion  
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

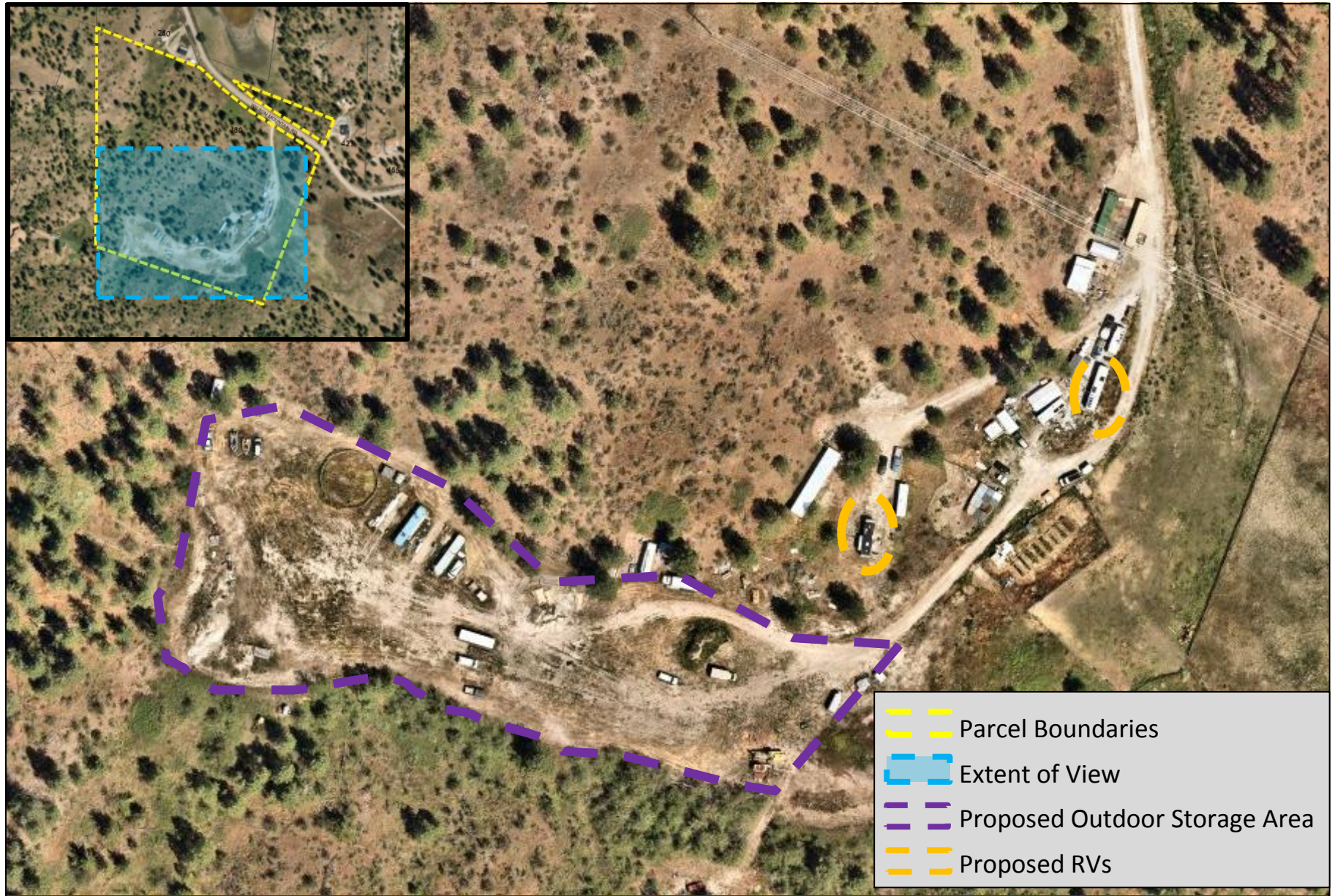
No. 2 – Comparison of Waterbodies (2016 vs. 2023)

No. 3 – Site Photo (2023)



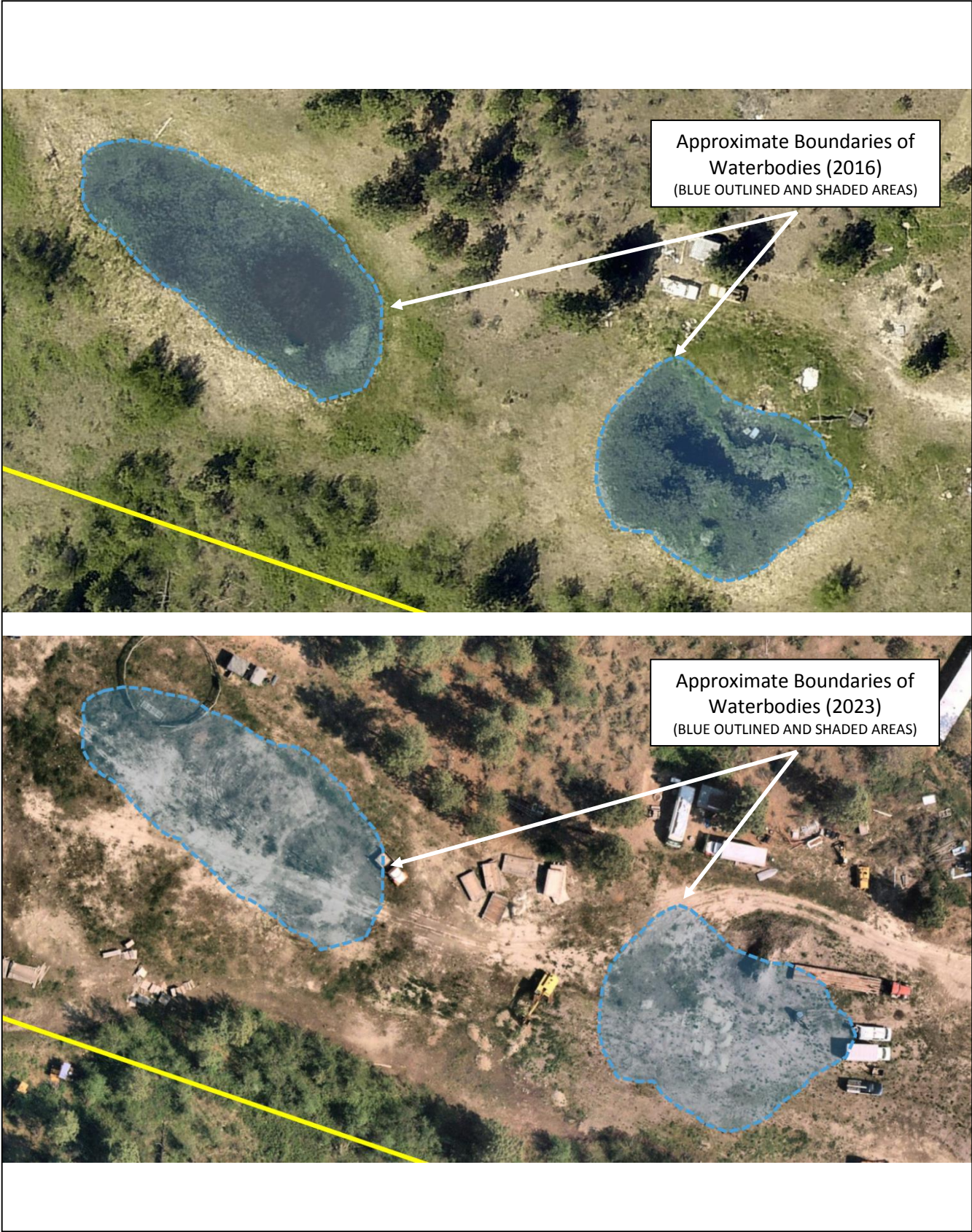


Attachment No. 1 – Aerial Photo





Attachment No. 2 – Comparison of Waterbodies (2016 vs. 2023)





Attachment No.3 – Site Photo (2023)

