



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

FN ID: L-250616

Consulting ID: L-250616-X2024.017-ZONE

Project Name

L-250616-X2024.017-ZONE (Vacation Rental Review).

Consulting Organization:

Regional District of Okanagan Similkameen

16-Jun-2025 13:55 PDT

Attention: Ben Kent

RE: 40 (forty) day extension

Thank you for the above application that was received on 22-May-2025.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, snpink'tn (Penticton Indian Band) will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

syilx (Okanagan Nation) Title includes snpink'tn right to proactively use and manage our resources. In Tsilhqot'in, the Supreme Court of Canada emphasizes the need to seek the consent of the title-holding Aboriginal group, and warns, without consent for a project, the proponent risks having the project cancelled. The obligation to seek free, prior and informed consent is further required by the United Nations Declaration on the Rights of Indigenous People (UNDRIP). UNDRIP requires that Indigenous peoples shall be consulted and cooperated with in good faith in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.



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Please note that not receiving a response regarding a referral from snpink'tn in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

limlæmt,

Caroline Stewart
Office Administrator
snpink'tn (Penticton Indian Band)
Natural Resources
email: cstewart@pib.ca
office: 250-492-0411 Ext: 241
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



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Regional District of Okanagan Similkameen

16-Jun-2025 13:55 PDT

Attention: Ben Kent

We are in receipt of the above referral. This proposed activity is within the snpink'tn (PIB) Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

snpink'tn (PIB) has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore



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it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

Invoice Number: L-250616-X2024.017-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

We accept cash and cheque via mailing as well as EMT. Our mailing address is 841 Westhills Drive Penticton BC, V2A OE8. Our EMT is PIBPayments@pib.ca.

Please have 'ATTN: Natural Resources File # [insert invoice number] PC:132 ' in the notes if you are using EMT or if you are using another method, please supply the referral number with it .

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, snpink'tn (PIB) will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend snpink'tn (PIB) Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limlāmt,



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Maryssa Bonneau
Referrals Coordinator
snpink'tn (Penticton Indian Band)
Natural Resources
email: mbonneau@pib.ca
office: 250-492-0411
cell: 250-486-3241
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8

Lesley Gibbons

From: Adrian Samuel [REDACTED]
Sent: June 20, 2025 9:33 AM
To: Planning
Subject: Feed Back on Short -Term Rentals in Electoral Area "E"

Follow Up Flag: Follow up
Flag Status: Completed

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear RDOS Planning Department,

We invested in Naramata three years ago with the clear intention of retiring here within the next five years. Currently, we occupy approximately 10% of the time, as we continue to fulfill our professional obligations in the Lower Mainland with plans to increase this time as we get closer to retirement. Our retirement strategy was thoughtfully planned, with short-term rentals forming a critical part of our financial model—long before the provincial government introduced sudden and sweeping regulatory changes, absent consultation or grandfathering provisions for existing property owners.

We are committed advocates of responsible short-term rentals and strongly believe in the rights of property owners to utilize their properties accordingly. To that end, we *fully support* licensing amendments that:

- Streamline the application process
- Promote certainty in real-estate investment
- Provide a clear framework for the enforcement of safety standards and compliance within fair and reasonable bylaws
- Promote mandatory use of property managers for absent owners
- Require regular in-person inspections by owners or their agents of vacant rentals
- Keep the playing field level and fair for all types of real estate owners

Short-term rentals make an outsized contribution to the local economy. Unlike long-term tenants, (generally speaking) short-term guests will dine out, rent recreational equipment, visit wineries and attractions, and make retail purchases—particularly wine—that fuel small business revenues much more frequently than a long term renter. Restricting these short term stays will have a chilling effect on local commerce, especially in a community that thrives on tourism and weddings but at the same time has so few affordable hotel spaces.

Notwithstanding the above, **we are firmly opposed to the *principal residency requirement***. We understand that the BC Government believes this restriction will help return “homes” to residents, but we believe this is a misguided approach. It undermines existing investments like ours and is based on a flawed assumption: that allowing short-term rentals only in secondary suites or outbuildings attached to principal residences will meaningfully increase long-term housing availability. In reality, the types of accommodation within principal residences frequently serve as essential housing for local workers, especially those in wineries, restaurants, and tourism-related jobs—and are often more appropriate than entire houses that have been tailored for short-term rentals.

Supporters of the principal residency condition appear to be less about housing supply and more about economic gatekeeping. By artificially reducing the number of legal short-term rental properties, this policy will inevitably drive-up rates and occupancy for those select few who remain eligible—consolidating advantage rather than broadening access. By no means are we suggesting that owners should not be able to provide short-term rentals in their principal residency. In fact, quite the contrary. We also acknowledge the need for a balanced and sustainable approach to housing and economic development. However, it is critical to recognize that most tourism and service industry employees working in Electoral Area E reside south of Naramata, closer to Penticton—just a 10-minute commute. (For perspective, many city residents, ourselves included, commute 35 minutes or more daily.) Rather than blanket restrictions which unfairly and arbitrarily decide which current owners are allowed to enjoy their properties and earn passive income and which are not, we recommend a data-driven approach: reevaluate the issuance of the number of **new** short-term rental licenses to be approved in subsequent years based on actual occupancy rates in Penticton and surrounding areas. This would provide a fair, flexible framework that aligns with both community needs and economics. Potential new investors would also then be given the opportunity to understand these risks prior to making their purchase.

Kind Regards,

Concerned Naramata Owner

RESPONSE SUMMARY

AMENDMENT BYLAW NOS. 3099 & 2800.50

- ☐ Approval Recommended for Reasons Outlined Below ☐ Interests Unaffected by Bylaw
- ☒ Approval Recommended Subject to Conditions Below ☐ Approval Not Recommended Due to Reasons Outlined Below

File: X2024.017-ZONE (Vacation Rental Review)
Amendment Bylaws No 3099, 2781.01 & 2800.50:

Approval Recommended Subject to the Conditions Outlined Below:

1. Each applicant for a building permit to construct a second dwelling of any type in Kaleden must apply to the Kaleden Irrigation District for a second water service to the property. All capital and connection fees will apply. Connecting off existing water services is not permitted. Under current rules, the RDOS does require "Proof of Water" confirmation from the KID for building permits.
2. Fire flow deficient areas within our service area, will not be permitted a second domestic water service unless mainline upgrades are completed to increase fire flow. If grant money were available to make improvements to the areas with fire flow deficiency, this would greatly affect the community's ability to densify and allow for more properties to have second dwellings.
3. The District currently can meet low density for servicing second dwellings; we are unable to meet medium density without significant infrastructure upgrades due to line sizes in some areas.
4. As always with greater density, the KID has concerns with the current septic systems in use, and any additional systems required to meet current standards. If a second dwelling or a suite is permitted on a low density residential lot, we recommend that both dwellings be inspected by a qualified company to ensure ability to meet capacity for both dwellings.
5. For billing purposes, we request that we receive a listing semi-annually of short term rental approvals and vacation rental licences issued within Area I, or a copy of each licence as they're issued.

Signature: Cheryl E. Della

Signed By: Cheryl E. Della

Agency: KALEDEN IRRIGATION DISTRICT

Title: Financial/Corp. Admin.

Date: June 23/2025.



Feedback Form

Regional District of Okanagan-Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

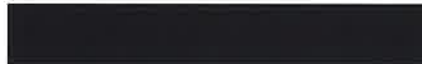
Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan-Similkameen

FILE NO.: X2024.017-ZONE

FROM: Name: Steve Jasper

Street Address:



RE: Electoral Area Official Community Plan Amendment Bylaw No. 3099
Okanagan Valley Zoning Amendment Bylaw No. 2800.50

My comments / concerns are:

I do support the proposed amendment bylaw No. 3099 and No. 2800.50

X I do not support the proposed amendment bylaw No. 3099 and No. 2800.50

Please provide any comments you wish the Board to consider:

We have provided 2 B&B suites in our primary residence for 9 years now. In 2016, when we built our house, the 1980s bylaws allowed up to 3 B&B suites. There is adequate off-street parking for at least 6 vehicles on our property and to date we have no complaints from our neighbours about our B&B operations.

It is confusing to us that the proposed bylaw amendments in Area E would restrict our rental to one B&B suite. That makes no sense - restricting us to one B&B unit would not be 'returning' any rental space to be used for long-term accommodation or any other type of accommodation. In fact, the result would be to decrease the number of tourists that are able to stay in the local area. We know from talking to our guests that they spend a significant amount of dollars at local restaurants and wineries. These dollars are important to the economy of the Naramata area. In addition, decreasing our income potential would also result in undue financial hardship for us.

In conclusion, it is hard for us to understand the rationale for these bylaw amendments that apply to our specific location. Therefore we do not support them.

Steve and Susan Jasper

All representations, including names, will be made public if and when they are included in the Board Agenda.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Corporate Officer, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

July 24, 2025

Reply to the attention of Claire Buchanan
ALC Planning Review: 103929 and 103927
Local Government File: X2024.017.Zone

Ben Kent
Regional District of Okanagan Similkameen
EMAIL ADDRESS

Re: Amendments to Electoral Area "A", "C", "D", "E", "F" and "I" Official Community Plans ("OCP") for Short-Term Rental Accommodations and Amendments to the Okanagan Valley Zoning Bylaw No. 2025

Thank you for forwarding a draft copy of the Electoral Area "A", "C", "D", "E", "F" and "I" Official Community Plan updates (the "OCP") for review and comment (the "Referral") by the Agricultural Land Commission (the "ALC" or "Commission").

In March 2025, ALC provided comments on updates to the Electoral Area OCPs with respect to short-term rentals. The Referral provides an update and includes changes related to increasing the number of short-term rentals permitted on properties in certain electoral areas, and allowing year-round short-term rental of secondary suites and accessory dwellings.

Section 46 of the ALCA requires local governments to ensure their bylaws are consistent with the *Agricultural Land Commission Act* (ALCA), Agricultural Land Reserve (ALR) regulations, and any orders of the Commission. Inconsistent bylaws include (but are not limited to) those which allow a use of land in the ALR that is not permitted under the ALCA or contemplate a use of land that would impair or impede the intent of the ALCA. ALC staff provide the following comments to help ensure that the bylaw is consistent with the purposes of the ALCA, ALR regulations, and any previous decisions of the ALC. Please note that ALC staff cannot endorse any inconsistencies – that requires a resolution of the Commission.

Electoral Area "A", "C", "D", "E", "F" and "I" Official Community Plan

The Referral proposes updates to OCP policy statements regarding short-term rental accommodations to support these in residential, rural-residential, and rural land use designated through the issuance of a "Short-Term Rental Accommodation" permit.

ALC staff understand that the amendments proposed are applicable to land use designations that may contain lands within the ALR; however, there does not appear to be any mention of the ALR and the provisions that apply to land within the ALR.

ALC staff recommend clarifying that for parcels in the ALR, the short-term rental use must be consistent with the ALR Use Regulation or a decision of the Commission. More information on the short-term rentals in the ALR can be found in ALC Information Bulletin 06: Tourist and Agri-Tourism Accommodation in the ALR.

Okanagan Valley Zoning Bylaw No. 2025

Section 7.11 (Vacation Rentals) under Section 7.0 (Specific Use Regulations) will be entirely updated with the following:

7.11 Short-Term Rental Accommodations

The following regulations apply to short-term rental accommodation uses where permitted as a use in this Bylaw:

- .1 a short-term rental accommodation use is to be located within a dwelling unit that is also used for residential purposes by at least one person, or is located on the same parcel as another dwelling unit that is used for residential purposes by at least one person;*
- .2 the maximum number of dwelling units that may be used for a short-term rental accommodation use per parcel shall be as follows:*
 - a) in the Resource Area, Agricultural, Large Holdings, Small Holdings and Low Density Residential zones:*
 - i) one (1) per parcel in Electoral Areas "E" and "F";*
 - ii) two (2) per parcel in Electoral Areas "A", "C", "D" and "I";*
 - b) in the Medium Density Residential, Town and Village Centre and Comprehensive Development zones there shall be no limit;*
- .3 the maximum number of patrons that may be accommodated within a dwelling unit shall not exceed two (2) per bedroom;*

.4 despite Section 7.11.1, in Electoral Areas "A", "C" and "E", persons operating a short-term rental accommodation must be present and residing in the same dwelling unit as a patron during the patron's stay;

.5 despite Sections 7.11.2 and 7.11.3, for parcels situated within the Agricultural Land Reserve (ALR), a short-term rental accommodation use is permitted only to the extent that it is consistent with applicable provincial legislation or an approval from the Agricultural Land Commission (ALC) has been granted for such a short-term rental accommodation use.

ALC staff appreciate the addition of the language under 7.11.5 noting that lands within the ALR must be consistent with provincial legislation or an approval from the ALC. ALC staff recommend including referring to the *Agricultural Land Commission Act* and ALR regulations for greater clarity of the provincial legislation that applies to lands within the ALR.

ALC staff note that the several agricultural zones will be update to reference the updated Section 7.11 Short Term Rental Accommodations. ALC staff have no concerns about these updates based on the language in Section 7.11.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-2034 or by e-mail at ALC.Referrals@gov.bc.ca).

Yours truly,



Claire Buchanan, Regional Planner

Enclosure: Referral of X2024.017.Zone
CC: Ministry of Agriculture and Food

103929m2

103927m2