

REVISION 1

27-Apr-22

TO: FIONA TITLEY , PLANNER 1
RDOS
101 MARTIN ST
PENTICTON BC V2A5J9

RDOS FILE; D2022.005-TUP
FOLIO D-06773.000

BY EMAIL

RE:TEMPORARY USE PERMIT (TUP) 3136 VASEUX LAKE CRES

FIONA:

The writer is a trustee for Vaseux Lake Improvement District (VLID).
VLID received last week a copy of your letter sent to a resident in the neighbourhood
VLID did not receive the letter from your office and was not not contacted by your office to
comment on the TUP application. I will comment anyway

VLID madate from our 1976 charter is to "maintain and operate the waterworks"
VLID operates a well, reservoir and distribution line for 42 connections
These are residential with one private family campground
The infrastructure has been in place since 1976.
The distribution line was replaced in 1999 & 2001
Upgrades are underway to install UV and chlorination and replace lines from well to reservoir
The well pumping capacity was determined to be about 30 US gpm in 2007
There are 2 pumps of that capacity which operate one at a time.
The reservoir capacity is 5000 USgal
Most lakeside residents use lake water for sprinkling and irrigation
In summer the reservoir storage and pump are near the limit even with water restrictions

Any major increase in summer water use would put the whole water system at risk
Commercial use of water would change the demands on the system
Non residents do not have the same regard for water conservation, especially when on holiday
The residential owners would suffer if water shortages occur

**THIS IS THE PERSONAL COMMENT: Based on my experience with the water system
I would recommend that to safeguard the water system the TUP not be granted.
I will not comment on the many other problems associated with Short term rentals**

If any further information is required please contact me

Wayne Rodgers VLID Trustee

Lauri Feindell

From: T Jensen >
Sent: March 8, 2022 12:58 PM
To: Planning Group
Subject: 3136 Vaseux Lk Cres

Categories: Fiona

Hello,

I am writing in regard to the Notice of Development notice posted at 3136 Vaseux Lk Cres., Ok Falls.

We are opposed to this proposal.

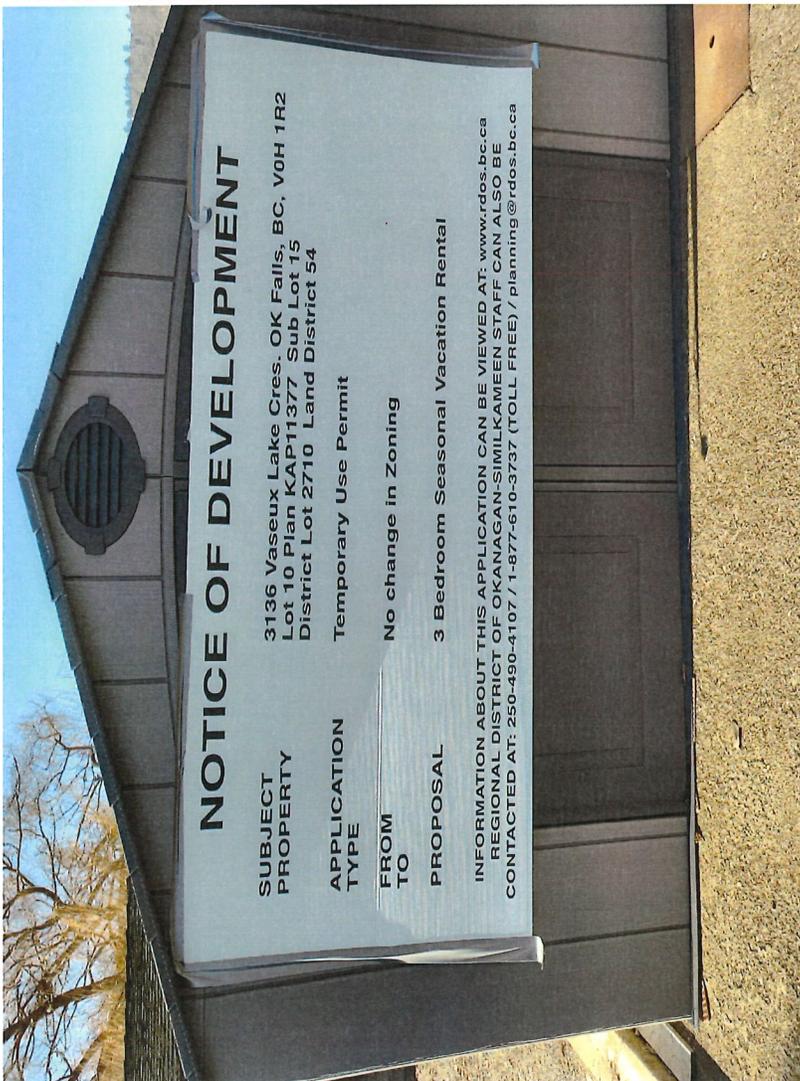
This little subdivision has more than its share of intrusive "Seasonal Vacation Rentals ", Permitted or not.

I would also like you to notice that the sign is held to the shed by Duct Tape, it is currently laying face down, on the ground. No one can see it.

Thank you

Terri & Rob Jensen

Vaseux Lk Cres.



Lauri Feindell

Subject:

FW: [External Email] - Bylaw Referral Project No. D2022.005-TUP

From: Referrals <Referrals@fortisbc.com>

Sent: March 21, 2022 4:42 PM

To: Planning <planning@rdos.bc.ca>

Subject: RE: [External Email] - Bylaw Referral Project No. D2022.005-TUP

Good afternoon,

FortisBC has reviewed the subject application and has no objections or concerns.

Thank you,

Krystina O’Gorman

Lands Administrator

Lands, FortisBC Energy Inc.

16705 Fraser Hwy, Surrey, BC V4N 0E8

Direct Phone 604-592-8205

Toll Free 1-800-773-7001



Lauri Feindell

From: Jen Cabeldu
Sent: April 11, 2022 11:33 AM
To: Fiona Titley
Subject: Fwd: Application no D2022.005-TUP

Sent to wrong email...resending

----- Forwarded message -----

From: Jen Cabeldu
Date: Mon., Apr. 11, 2022, 10:24 a.m.
Subject: Application no D2022.005-TUP
To: <ftitley@rdos.ba.ca>

Hi Fiona,

I would like to voice my support for the captioned application.

I have no concerns or reservations about 3136 Baseux Lake Crescent operating as a vacation rental.

Jennifer Cabeldu

Lauri Feindell

Subject:

FW: No. D2022.005-TUP

From: Ted Tweedie

Sent: April 20, 2022 4:15 PM

To: Fiona Titley <ftitley@rdos.bc.ca>; Info E-Box <info@rdos.bc.ca>

Subject: No. D2022.005-TUP

Hello,

We are Ted & Annzena Tweedie and we own the property at ---- Vaseux Lake Cr

I am writing to you regarding the application for a temporary use permit D2022.005 - TUP which would allow the owners of 3136 Vaseux Lake Cr to rent their property as a VRBO to as many as 6 guests at a time. We would like to express our opinion that we are opposed to this for many reasons. The by-laws prohibit this type of rental. Furthermore, the water supply is a real issue that we face every year. We have had drought conditions where we are asked to conserve water to avoid running out. How does it make sense to put more pressure on our water system by allowing VRBOs? If we run out, which is a real possibility, we will be faced with having to drill another deeper and very expensive new well for which we have no budget whatsoever.

Aside from the serious water issues we would not like to see our neighbours disturbed by potentially noisy vacationers who may or may not be sensitive to the neighbours desire for peace and quiet and the enjoyment of their homes.

Our cottage at Vaseux is a summer getaway where we may use it perhaps 6-8 weeks out of the year. Yes we would like the luxury of renting it out for extra revenue to cover taxes, water use etc but aside from being sensitive to the water shortage issues, we also respect the by-laws and our great neighbours who are permanent residents. Aside from the serious water shortage issues, we would not want them to be disturbed in any way by boisterous vacationers. And certainly none of us want to come up with several thousand dollars each to pay for a new well.

Our understanding is that there are several properties at Vaseux Lake that run VRBOs without permission. We believe that they shouldn't be allowed to contravene existing by-laws and adding to their numbers would only exacerbate an already tenuous situation especially concerning our limited water supply.

Thank you for your kind attention,

Ted & Annzena Tweedie

Lauri Feindell

Subject:

FW: Vacation Rental 3136 Vasuex Lake Cres

From: Brian Mulholland

Sent: April 25, 2022 10:02 AM

To: Fiona Titley <ftitley@rdos.bc.ca>

Subject: Vacation Rental 3136 Vasuex Lake Cres

Hi Fiona

My Name is Brian Mulholland my family owns the house located at ---- Vasuex Lake Cres and has for long period of time.

I am writing in response to your letter dated 2022-04-06 about application for vacation rental permit at 3136 Vasuex Cres .

Since we are all on a community well system and share the water water .. Vacation short term rentals bring up a serious concern for me .

People living full time or even long term rentals have a vested interest in water consumption as they need it for long term . Short term are in for week or 2 , do not have the concern as they are in on vacation and dosent matter what happens after they leave not their concern .

We have had the residence for a long time and each year the water has and is becoming more of a concern . The climate has changed, v the temperatures are hotter and consumption has increased everywhere . When your on a small community well there is not a lot of options . We have had water treatment issues over last few years which is trying to be corrected but that does not help with the amount of water in the well. Each year the snow pack seems less and temps go up.

A short term rental may advertise for 4 people but realistically I am sure more people use it

Putting up signs saying water restrictions in effect no doubtl the perminate owners will respect and try to adhere to , but to say a person on short term rental ? why would it be a concern to them ?

I think that if a short term rental permit is to be considered then there has to be some means to control the usage to prevent the well from running dry. Be it is water meters or the rentals have to supply their own water to allow the extra usage .

I am not sure what they answer is but I know if this is allowed to go ahead without proper study everyone will suffer including perminate and short term rental owners as well.

I am sure their are other rentals that run without permits so this application needs to be taken and looked at seriously . We have come close to running out of water a few times so it's only a matter of time when it will happens if things are not addressed .

Thank you for your time

Brian Mulholland

Lauri Feindell

Subject: FW: Objection to RDOS file D2022.005-TUP DRAFT

From: Phyllis Radchenko
Sent: April 25, 2022 10:00 AM
To: Info E-Box <info@rdos.bc.ca>
Cc: Ron Obirek <robirek@rdos.bc.ca>
Subject: Fwd: Objection to RDOS file D2022.005-TUP DRAFT

Greetings

In regards to Temporary Use Permit Application No. D2202.005-TUP 3136 Vaseux Lake Crescent (Lot 10, Plan KAP11377, Sublot 15 District Lot 2710, SDYD) we as community members would like to express grave concern regarding this application for the following reasons.

1. The owner has rented this location in the past to large groups and although the application has listed for 6 people the number of renters generally rented to bigger groups. Having the place rented to larger groups puts strain on the water reservoir that puts the community at risk. Although the main house has only three bedrooms there are multiple beds in the rooms (more than 6) AND additionally there is an outdoor cabana with more multiple beds. All these people require more water use through showering, bathing, toilet use and additional laundering of towels, beach towels etcetera. Since the home was rented previously without a Vacation Rental Permit how can we have any confidence that the owners are not renting to more than 6 people? The best predictor of future behavior is past behavior so we are very skeptical that it will only be rented to 6 people.
2. Vaseux Lake Crescent where this house is located is a standard street with homes located on both sides of the street and no sidewalks. The applicant has one parking space for his home because he has a storage shed on part of the parking areas. People who rent the home have only one parking space which results in multiple vehicles parked in front of the home resulting in congestion on the street. Additionally, in the past the owner who rented this home out allowed additional guests associated with the renters to park their large recreation trailers on the street. The other homeowners have to contend with congested traffic and putting pedestrians further into the traffic lane. How will the applicant manage parking for six people (plus) when he has one parking space in his yard? Ideally there will never be the need for Emergency Response Vehicles but what if an ambulance or firetruck or ER truck is necessary?
3. Lastly, the recreation vehicles associated with guests at this vacation rental may also be additional water users. Since there is no water hook up for the RV toilets, sinks or showers it is realistic to surmise that these people are also showering, going to the bathroom, using water or potentially even freshening up their laundry from the community water.

Finally, although this applicant was shamed into applying for a Vacation Rental Permit We believe he is not the only person who is currently impacting the water availability. With the strong desire for lake vacation rentals we have to do a better job of knowing how many homeowners are renting their homes to potentially large groups that can run our reservoir dry.

For the previously stated reasons I strongly oppose the application unless the RDOS can verify that the Applicant has only beds for 6 people and there will be no groups larger than the prescribed 6 renters. It would be prudent to inspect the Short Term Vacation Rentals as exceeding the permitted number will put significant strain on the community reservoir as well as adding to street congestion and Emergency Vehicle Response.

Thanks for hearing our concerns and I look forward to your response. I would also like to state that as a community resident that would be affected we did not receive a letter regarding the application as some neighbors did (some live further from the applicant received a letter or notification but others who live closer to the location did not receive the letter which is seems unusual

Best regards,
Phyllis and Myles Radchenko

Vicki Rodgers

OK Falls, BC V0H 1R2

April 24, 2022

RDOS
101 Martin Street,
Penticton, BC V2A 519

Attention: Fiona Titley, Planner

Dear Sirs:

Re: TUP #D2202.005-TUP for 3136 Vaseux Lake Crescent

Some residents of this neighborhood received your letter relating to the application for the above permit. I did not receive a copy although I live in this neighborhood. I am not in favor of this application as I am impacted by the summer rentals.

I would like to bring your attention to the issue of water in this area. Perhaps you are unaware of the circumstances that we are presently dealing with. We have been under a boil water advisory for the past two years. As well, we have water restrictions every summer in order that the well can continue to provide enough water. The people that come to vacation here seem to have no idea that we only have a small reservoir or that water restrictions are in effect. In winter less than 50 people live here and water consumption is minimal, but in the summer consumption more than triples and I am aware of five similar rental properties here. This can only be attributed to these rentals and increased useage. Our water system is being compromised by all the vacation rentals and I believe the testing done to date supports this. We have been advised by the water district that during the next few months upgrades to the system will be done because of changes to the system.

Water is becoming a critical issue and I question if you have been in touch with the Vaseux Lake Improvement District when you propose authorizing a commercial interest in such a small residential district. I hope you do not set a precedent enabling people to buy houses and turn them into full time rentals when they do not live here.

I trust you will look into this further before proceeding.

Yours truly,

Vicki Rodgers
cc VLID

Lauri Feindell

Subject: FW: Application No. D2022.005-TUP for 3136 Vaseux Lake Cres. (Lot 10, Plan KAP11377, Sublot 15, District Lot 2710, SDYD)
Attachments: Attachment 1.pdf; Attachment 2.pdf

From: Sheila Hartman **Sent:** April 26, 2022 9:19 PM

To: Fiona Titley <ftitley@rdos.bc.ca>

Subject: Application No. D2022.005-TUP for 3136 Vaseux Lake Cres. (Lot 10, Plan KAP11377, Sublot 15, District Lot 2710, SDYD)

To the RDOS Board of Directors,

We are Neil and Sheila Hartman of ---- Vaseux Lake Cres. and we have owned our home since 2006 and one of the reasons we purchased this home was that it was in a small single family residential neighbourhood.

This letter is in regards to TUP Application No. D2022.005-TUP for 3136 Vaseux Lake Cres.

We are opposed to the TUP application for the following reasons:

1. We do not wish to see our single-family zoned residential neighbourhood turned into a short-term vacation rental community.
2. Our community has already experienced, for a number of years, what it is like to have Short Term Vacation Rentals (STVR's) as it has grown in recent years to 6 properties operating illegally, one of them being the applicants, and it has not been a positive experience in our opinion. Due to the applicants not adhering to the Bylaws and operating an STVR illegally we have little faith that they will operate within the rules and regulations as stipulated in the TUP.
3. STVR's have had a detrimental effect on the residents right to peace and quiet and the enjoyment of their homes. Most homeowners have the occasional loud gathering, that is to be expected in any neighbourhood, and because it is occasional the impacted neighbours tend to be accepting of this. But, as many in our neighbourhood have experienced, it is not occasional with STVR's. The renters are on vacation and they want to do whatever they want and stay up to whatever time they desire, since they don't have to work the next day, having a good time without any concern for the people living in proximity to the STVR because once their vacation is over, they will never have to face the neighbours again.
4. We consider that this is a business. During the April 12 Webex meeting the applicants stated they are applying for the TUP to do an STVR, although as previously stated they have already been doing so illegally for a number of years, in order to supplement their income as retired teachers. We are familiar with their home, having known the previous owner, and we know that when the home was purchased by the applicants there was a lower-level self-contained suite and that it could have been rented long term in order to supplement their income. This STVR is a business and it's about making substantially more money, than just supplementing their income, than a long-term rental would generate for them. This is a fully functioning commercial enterprise.

5. For us the following is the most important reason of all. We are a community on a shared shallow well and the strain on our water supply during the drought filled summer months is a major concern. On our section of the Crescent there are 6 properties of which there are 7 residents who reside year-round. This one TUP would allow for 6 paying guests on one property and they would be consuming nearly as much, or in all likelihood more, water than our section of 6 houses combined. Of the now 5 properties that operate illegally indicate, as sourced from their internet advertisements, and this TUP for a total of 6, they can sleep up to 34 people and that is about 5 times the water consumption of our 6 properties combined. Most vacationers are from cities where water seems endless and they are people who are used to not having to think about their water supply and the repercussions of running out of it. During the Webex meeting on April 12th, it was stated that the applicants had to have an Onsite Waste Water Practitioner certify that their septic system met the requirements to accommodate usage by 6 people for their TUP. During this meeting there was no mention of Water Restriction Notices until we posed the question regarding them and was told that yes, they do have to post these notices but as it was not initially mentioned as a requirement of the TUP and it came across to us as being an afterthought that wasn't really a concern. Unlike having the Onsite Waste Water Practitioner certify the septic there has never been an inquiry as to whether the community well can deal with the increased demand, given climate change and the resulting drought issues, TUPs would put on it. Without water the ability of the septic system to function won't matter. During the April 12th meeting the TUP applicants stated that they will not be onsite, therefore they will be unable to monitor the water usage on their property. Each year the Vaseux Lake Improvement District issues a Water Restriction Notice that is in effect from May 1st to September 30th of each year and they do so in order to ensure that our domestic water supply is protected (to view see attachment 1). On May 25, 2021 notice was sent out to all property owners that water consumption was at least double the expectation for that time of year (to view see attachment 1). We believe that there is a direct correlation between the increase in the population from STVR's, as May is typically the month when business picks up for them, and the much higher than average water usage. On June 28, 2021 another notice was issued that water usage was at an all-time high and must be reduced to prevent running out of water in the well (to view see attachment 1). Again, we believe there is a direct correlation to this high usage and the STVR's as they are generally fully booked at that time of year. On July 19, 2021 a letter was sent from Ray Crampton District Manager for the Okanagan Shuswap Natural Resource District- Ministry of Forests, Lands, Natural Resource Operation, and Rural Development stating that Vaseux Creek was elevated to Drought Level 4 on July 14th from Drought Level 2 bypassing Level 3 because drought conditions had rapidly deteriorated. The request was made to reduce water use by 50% for those that draw water from the river directly as well as via wells from the surrounding aquifers (to view see attachment 2). The residents and long-term renters have a vested interest in reducing and conserving their water consumption especially during times of drought. Vacationers staying at STVR's are generally people who feel entitled to use all the water they want to because they've paid for the rental accommodation and they are going to use however much like to because they're on holidays, they've paid for it and they are going to enjoy themselves. With users of STVR's frugality can be encouraged but there is no way to ensure that they are limiting their water usage especially when there is no property owner on site and they can use and abuse the water supply with no responsibility towards the community's wellbeing. Respectful residents and long-term renters are extremely frugal because we want to preserve the water so we can bathe, cook, do dishes, flush our toilets and have water to drink as we recognize that water is a vital resource and it is in short supply. We as a community have no recourse to stop STVR's with a TUP from operating when the water levels are low and the potential exists that we could run out. If we were to run out of water it only means a loss of income for them, as they've got water where they live, but it would prove very difficult for the residents of this neighbourhood to live here as water is necessary.

Given our community has a shallow well water supply, if TUPs are permitted by the RDOS Board and we were to run out of water what responsibility does RDOS have in supplying the residents with water daily until there is once again a sufficient amount in our well? What policies does RDOS currently have in place if a community were to run dry? Does RDOS have a tanker truck that can haul potable water to our reservoir at their cost? If RDOS does not have a bulk water hauler, would they cover the cost of hiring a company to supply the water? We contacted a bulk water hauler and the cost to transport 3500 gallons of water to our reservoir would be approximately \$1000.00 per load. If the bulk water hauler could source the water locally, from either Okanagan Falls or Oliver, the cost would be \$150.00 an hour from the time they leave their yard until the truck returns to it. Our reservoir holds 4617 gallons of water and that lasts our community a half day in the summer months. The reservoir would have to be filled from either 3 truckloads delivering at intervals or, if supplied from a local source, filled to capacity twice a day for the 9234 gallons that is needed every day to service the 42 connections on our system for as long as we don't have water. So, as you can see by the numbers the cost would be thousands of dollars every day that we are without water and we want to know is RDOS prepared to pay that cost? These are questions we want answers to.

Our concern for the community water supply is not an imaginary situation as we have already faced the real possibility of running out of water. Once one TUP is permitted in our area it will be very difficult for the board to deny other applications.

Water is a necessity to life. Just imagine what your daily life would be like without water.

Again, for the reasons stated above we are adamantly opposed to this TUP application and any others that may follow.

Thank you for your time regarding this matter.

Neil and Sheila Hartman

Vaseux Lake Improvement District

May 24, 2021

Water Restriction Notice

In order to ensure that our supply of water for domestic use is protected, BYLAW 17 outlines sprinkling restrictions

FOR USERS PAYING THE LAWN SPRINKLING FEE.

Water restrictions will be in force from

01 MAY 2021 to 30 September 2021.

Residents with even numbered addresses will water only on even numbered days.

Residents with odd numbered addresses will water only on odd numbered days.

Watering is restricted to the hours of:

7:00 a.m. - 9:00 a.m. OR 7:00 p.m. - 9:00 p.m.

BUT NOT BOTH

The Trustees are encouraging those residents with automatic sprinkling systems to adjust their start time for the hours between 10:00 p.m. and 4:00 a.m. on their designated days.

**FOR USERS NOT PAYING THE LAWN SPRINKLING FEE
---- NO SPRINKLING WITH DOMESTIC WATER---**

All residents are requested to conserve water as much as possible and are reminded that no watering means no use of Vaseux Lake Improvement District water for space heating or cooling, sprinklers, direct hoses, filling of pools, washing of cars, power washing or cleaning driveways.

WATER RESTRICTIONS

Vicki Rodgers ·

Tue 2021-05-25 2:05 PM

 1 attachments (185 KB)

Water Restictions 2021.pdf;

THE BOIL WATER NOTICE CONTINUES

A plan to upgrade the water system has been prepared by a consultant and approved by Interior Health. The trustees will be asking the owners for approval to construct. Details in a few days

Attached is the 2021 water restriction notice

Water consumption is at least double expectation for this time of year. System leaks are not evident since the winter consumption was normal. There are 12 properties that paid the sprinkling fee. This should result in about 1 hr of increased pump time per day. There has been an increase of at least 5 hrs per day of pump time.

Please use VLID water carefully.

Further increases in consumption will result in the trustees issuing more water restrictions..

Thank you

VLID WATER SHORTAGE

Vicki Rodgers ✓

Mon 2021-06-28 7:39 PM

In this time of extreme heat and low lake level minimizing water use is important to prevent running out of water in the well. Water consumption is at an all time high and must be reduced. Please be considerate of your water use. Further water restrictions are possible

Thanks to all who returned the Proposed Capital Spending handout. All owners who returned it approved and nearly all residents returned it.

The trustees will meet to develop the plan for construction.

If anyone is interested in participating contact any trustee

Thanks again



July 19, 2021

Vaseux Creek: Drought level 4

Vaseux Creek was elevated to provincial drought level 4 on July 14. Flow conditions have deteriorated rapidly, requiring we bypass level 3. The situation may continue to change rapidly and further changes to the drought level may occur soon.

We are requesting water users reduce their water use by 50%. We are making this request of users who draw from the river directly, as well as via wells from surrounding aquifers. We hope this will help preserve flow in the river and avoid a need for mandatory curtailments of water use later this summer.

Please monitor your local drought conditions by searching the internet for the *Thompson Okanagan Stream Watch Tab* of the *British Columbia Drought Information Portal*. If the drought level increases, please take note of the following reduction target:

Drought level 5 – Full stop to water withdrawals

I commit to continuing to communicate often as drought conditions develop and worsen. However, because letter mail remains our primary mode of communication, further outreach may be slow and time intensive. Please take note of the requested restrictions above, the location of the *B.C. Drought Information Portal* online, and follow the guidance provided.

If you have any questions, please contact Ray Reilly – Senior Water Authorizations Specialist – at (778) 622-6829 or by email at Ray.Reilly@gov.bc.ca.

Many Thanks,

A handwritten signature in cursive script that reads "Ray Crampton".

Ray Crampton
District Manager

Okanagan Shuswap Natural Resource District
Ministry of Forests, Lands, Natural Resource Operations, and Rural Development

Lauri Feindell

Subject: FW: Temporary Use Permit Application TUP NO.DUP. 005-TUP, 3136 Vaseux Lake Crescent

From: RANDY RUF

Sent: April 27, 2022 9:30 AM

To: Planning <planning@rdos.bc.ca>

Subject: Temporary Use Permit Application TUP NO.DUP. 005-TUP, 3136 Vaseux Lake Crescent

To Whom it May Concern at RDOS:

I am sending this letter in regards to the application for the vacation rental listed and other applications in the future. As a permanent resident owner at Vaseux Lake we have a huge concern regarding the many legal and illegal VRBO vacation homes on the lake. This has in the last few years created a huge issue with the water available especially in the summer months that taxes our well system and we have had to ration and shut the water down for minimal use. All families who live here make their friends and families visiting aware of the water usage that taxes our well system and septic systems which is a concern for every household. Although all vacation renters may not be abusive on the system, many just do not realize or care about our well system. During the last few summers the well has hit critical low levels which means a minimal usage for all of the permanent residents as the vacationers renting use the system as they want at the expense of the permanent resident as they are paying good money to stay there.

According to our water management director the reservoir holds 4617 gallons of water and that currently lasts us half a day in the summer and the information we received from the water companies is that the largest trucks can haul 3500 gallons at a \$1000.00 a load so even if everyone was very conservative with their water usage, we would need 2 trucks per day at a minimum at a cost of \$56000.00 + GST every 28 days or \$1333.00 + GST per household every 4 weeks up front. One Short Term Vacation Rental with 6 guests uses almost as much water as the 6 houses on our end with 7 full time residents. If one permit is issued, then it sets a precedent for all future applications. The other issue is if we have water problems then that will greatly affect the value of our homes. Of course this is not a problem for the homes renting as permanent households as they are getting paid and we would end up subsidizing the rentals water use.

Another huge concern is that during the fire season that if a possible fire was to start along the highway or campground close by or any property we would not have any resources at all to defend our homes.

Thank you for your consideration to this very environmentally sensitive issue

Randy and Sandra Ruf