

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 06, 2022
RE: Temporary Use Permit Application – Electoral Area “D” (D2022.015-TUP)

Moved/Seconded

THAT Temporary Use Permit No. D2022.015-TUP, to allow a vacation rental use at 3136 Vaseux Lake Crescent, be denied.

Legal: Lot 10, Plan KAP11377, Sublot 15, DL2710, SDYD Folio: D-06773.000
OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Proposed Development:

This application is seeking to allow the operation of a short-term vacation rental use in the principal dwelling on the subject property through the issuance of a Temporary Use Permit (TUP).

Background:

Section 23.0 of Electoral Area “D” OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 23.2.5 and 23.2.6 specify conditions for temporary use permits and short-term vacation rentals respectively.

May 5, 2022 - A Temporary Use Permit application to allow a vacation rental use at the subject property was denied

September 22, 2022 – A motion to deny the 2nd application was moved/seconded and deferred to October 6, 2022.

Public Process:

On August 10, 2022, a Public Information Meeting (PIM) was held electronically via Webex and was attended by approximately fourteen (14) members of the public.

At its meeting of August 18, 2022, the Electoral Area “D” Advisory Planning Commission (APC) failed to make a recommendation.

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board’s regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

The proposed use is seasonal in nature (May-October) and is not intensive in scale. The impact on the natural environment and neighbouring uses is minimized by being contained within an existing building and parking area on the parcel.

The applicant has submitted a septic assessment letter signed by a Registered Onsite Wastewater Practitioner certifying that the sewerage system is adequate to handle the proposed change in use.

Further, a Health and Safety Inspection was completed on March 18, 2022 and no deficiencies were identified.

The intent of the Regional District's "Vacation Rental Temporary Use Permit Policy", and supportive OCP policies is to allow for a new vacation rental use to operate for one "season" to determine if such a use is inappropriate, incompatible, or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner II

Endorsed By:

CG

C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. D2022.005-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section)	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input checked="" type="checkbox"/>	Vaseux Lake improvement Districts
<input checked="" type="checkbox"/>	Okanagan Falls Fire Department		

Attachment No. 4 – Site Photo (March 2022)

