

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** February 2, 2023  
**RE:** Temporary Use Permit Application – Electoral Area “C” - C2022.031-TUP

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## Administrative Recommendation:

**THAT Temporary Use Permit No. C2022.031-TUP, to allow a vacation rental use at 166 Sundial Road at Vaseux Lake, be approved.**

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Legal: Lot 8, District Lot 158, SDYD, Plan 7333      Folio: C-01963.005  
OCP: Low Density Residential (LR)      Zone: Low Density Residential Two (RS2)

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## Proposed Development:

This application is seeking to renew an existing Temporary Use Permit (TUP) for vacation rental use on the subject property. In support of this proposal, the applicant has stated that:

- *The proposal is identical to the previously approved temporary use;*
- *The house is unique in the South Okanagan because it is one of very few properties offered on Airbnb or Vrbo that can accommodate a group of this size...This property fills a gap in vacation accommodations that hotels are unable to provide because hotels don't have the same communal spaces that this Property has for vacation renters to cook, eat, and relax in.*

## Site Context:

The subject property is approximately 1,185 m<sup>2</sup> in area and is situated on the north side of Sundial Road and is located along the southern shore of Vaseux Lake. It is understood that the parcel is comprised of a single detached dwelling.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been developed with single detached dwellings.

## Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 28, 1955, while available Regional District records indicate that building permits have been issued to fill in a porch (1978) and a single detached dwelling (1999) been issued for this property.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP) Area.

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Section 20.3.5 of Electoral Area “C” OCP Bylaw contains criteria in evaluating a temporary use permit application. Sections 20.3.5 and 20.3.6 specify conditions for temporary use permits and short-term vacation rentals respectively.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Two (RS2) which permits “single detached dwelling” as a principal use.

Three identical TUPs have previously been issued for vacation rental use in 2015, 2016, and 2019; however, property ownership has changed twice since the initial issuance of a TUP in 2015.

BC Assessment has classified the property as “Residential” (Class 01).

**Public Process:**

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:**

In considering this proposal, Administration notes that there have been no recorded complaints received in relation to the operation of this vacation rental use and that the use remains unchanged from that previously approved by the Board in 2019.

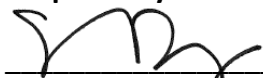
While it is recognized that the Electoral Area “C” OCP contains a number of specific criteria against which vacation rental TUPs are to be assessed (i.e. septic capacity, screening, and on-site vehicle parking provisions), these criteria were previously considered by the Board when it approved TUP No. C2019.012-TUP.

Further, the Electoral Area “C” OCP generally supports vacation rentals in residential areas, and contains objectives which include allowing “on-going” vacation rental uses through the issuance of Temporary Use Permits. For these reasons, administration is recommending approval.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. C2022.031-TUP.

**Respectfully submitted:**



Shannon Duong, Planner II

**Endorsed By:**



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No.2 – Aerial Photo

No. 3 – Site Photo (Google Streetview – 2022)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. C2022.031-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 checked="" 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"/>	Oliver Fire Department

Attachment No. 2 – Aerial Photo



Attachment No. 3 – Site Photo (Google Streetview – 2022)

