

Nikita Kheterpal

From: Caren Walker
Sent: March 3, 2022 8:28 AM
To: Nikita Kheterpal
Subject: Vacation Rental permitted use request, D2021.015-ZONE
Attachments: Rezone app form amended 220303.pdf

Follow Up Flag: Follow up
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Together with the current application by Restoration by Liam Ltd. (File D2021.015) to rezone 5356 8th Avenue in Okanagan Falls to the Okanagan Falls Town Centre Zone, the following amendment is requested:

Ability to have **Vacation Rental** as defined by Zoning Bylaw No. 2455, 2018 as a Permitted Use in both buildings as shown in the revised concept plans and renderings.

It is suggested that, should the rezoning be successful and once the buildings have received the appropriate permit approvals and occupancy permissions, strata unit owners may wish to rent their units for short term periods when they may not be using the unit themselves. This is not to say that all owners would want to rent their units, only to have that option. The applicants rationale to support vacation rentals is as follows:

- The applicant has reviewed the regulations that are required to be met under Section 7.10 of proposed Okanagan Valley Zoning Bylaw No. 2800, 2022 and the definition thereof: *"vacation rental" means the use of a residential dwelling unit for the temporary commercial accommodation of paying guests for a period of less than one month. The use does not include bed and breakfast.*
- The applicant has also reviewed the Temporary Use Permit regulations under Section 23 of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013 and understands that the Board may wish to place a timeline on vacation rental approvals and that a permit issuance and renewal process may be applicable.
- The applicant is aware that the Board of Directors has reviewed vacation rental uses generally, adopting a Board Policy in 2014 requiring Temporary Use Permit applications and outlining term limits.
- It is suggested that Vacation rentals meet the Electoral Area "D" Official Community Plan policies for Okanagan Falls and the current Tourist Commercial designation of the lands under the following sections:
 - 13.5.4 *To attract and retain an appropriate range of commercial uses in Okanagan Falls to meet the needs of industry, residents and tourists.*
 - 13.6.1 *The Regional Board generally supports the use of lands designated Commercial (C) in Okanagan Falls, being those lands generally adjacent to Highway 97 between the Okanagan River bridge and the Shuttleworth Creek bridge and identified in Schedule 'B' (Official Community Plan Map) for retail, professional, entertainment, hotel, motel and other tourist accommodations, tourist recreation facilities, restaurants, accessory retail establishments.*
- The OFTC zone as proposed and as much of the surrounding neighbourhood is already zoned allows Tourist Accommodation as a permitted use but not vacation rentals. Therefore, tourist accommodation in the form of tourist cabins, lodges, motels, hotels, inns, or hostels are allowed outright for new developments or re-development of land. In this regard, it is suggested that residential units within strata apartment buildings as proposed would have much less of an impact on the neighbourhood than a commercial tourist development, many of which would also contain associated commercial uses such as restaurants or drinking establishments. For this reason, allowing vacation rentals outright may make sense in this commercially designated area.
- The applicant is aware that vacation rentals are permitted outright in tourist areas where strata apartment buildings are rented seasonally, ie. Apex Mountain (5 zones) and Twin Lakes Village. Allowing vacation rentals in Okanagan Falls makes sense given the influx of tourists to the Okanagan in all seasons.

- It is suggested that allowing vacation rentals would provide accommodation for tourists in the heart of Okanagan Falls who in turn would spend their vacation dollars at local businesses and spend more time enjoying the lake, adjacent parks and trails. Tourists will have a new reason to stop and stay in Okanagan Falls, rather than staying in Penticton or Oliver. A small town that is quiet is appealing to those who only want to venture out for activities such as biking, hiking or wine tours and who prefer to have a self-contained unit that is not a motel.
- It is suggested that currently, rental of apartment units in Okanagan Falls is apparent with or without approval of the Board of Directors under a Temporary Use Permit. Therefore, by requesting this site specific use now, the applicant is being transparent and willing to open a dialogue.
- The very nature and success of the Sun and Sand RV Park is based on families visiting Okanagan Falls seasonally and over many generations. The applicant would like that tradition to continue in a measured way, ie. by establishing a Strata Bylaw to ensure that vacation rentals have the appropriate restrictions to ensure harmony with homeowners who choose not to have rentals and that there is no adverse affect to the buildings or surrounding neighbours.
- The development is committed to and indeed must meet all of the required health and safety requirements of the BC Building Code and must be serviced in accordance with Regional District Bylaws. Therefore, the development will feature the newest construction methods, including sprinklers; secured and ample parking areas and a shared pool amenity while also providing public access to the waterfront.

Following a major re-design of the proposed development, the applicant is keen to move the rezoning application forward together with this permitted use request to the Board Of Directors and Public Hearing process. If more information is required, please don't hesitate to contact the undersigned directly.

Regards,
Caren Walker, CRW Consulting
on behalf of Restoration by LIAM Ltd.

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