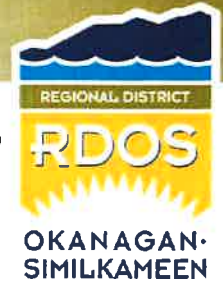


MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT



DATE: October 17, 2023
TO: Christopher Garrish, Senior Manager of Planning
FROM: Fiona Titley, Planner II
RE: Temporary Use Permit (TUP) — Electoral Area “D”

FILE NO.: D2023.027-TUP

Owner: Grant Temple & Michelle McReavy **Agent:** N/A **Folio:** D-06773.000
Civic: 3136 Vaseux Lake Crescent **Legal:** Lot 10, Plan KAP11377, Sublot 15, DL2710, SDYD

Proposed Development:

This application is seeking to renew an existing permit for the operation of a “vacation rental” use on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that there is “No change to [the] existing TUP...this is a follow up application after 1 year trial period...No changes to [the] existing house, 3 bedroom, 6 person maximum occupancy, no use of workshop, 3 parking spaces, follow all RDOS regulations for TUP operations.”

Site Context:

The subject property is approximately 948 m² in area and is situated on the west side of Vaseux Lake Crescent, abutting Vaseux Lake to the east. It is understood that the parcel is comprised of a single detached dwelling, two storage sheds, a children’s playhouse and a workshop/shed.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development with single detached dwellings bordered by Vaseux Lake to the east.

Background:

The boundaries of the property were created on July 3, 1961, while available Regional District records indicate that a building permit for a hobby/workshop (1998) has previously been issued.

The property is designated Low Density Residential (LR) and is the subject of a Watercourse Development Permit (WDP) designation and is also identified as an Important Ecosystem Area.

The Area “D” OCP 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.

The property is zoned Low Density Residential Two (RS2) which permits a single detached dwelling as a principle use and allows for a “bed and breakfast operation” as a secondary use.

The property is within the floodplain associated with Vaseux Lake, BC Assessment has classified the property as “Residential” (Class 01).

Under Section 3.51 of the Regional District's *Chief Administrative Officer Delegation Bylaw No. 2793, 2018*, "the CAO or his designate shall ... be delegated authority to renew or re-issue a temporary use permit under Section 493(3) of the *Local Government Act* where:

- i) no additional changes to the initial permit have been requested by the applicant;
- ii) there have been no compliance issues with the original permit; and
- iii) no representation(s) opposing the requested permit has been submitted to the Regional District within the timeframe specified in the Regional District's Development Procedures Bylaw."

Public Process:

In accordance with Sections 2.4 and 2.15 of Schedule 5 (Application for a Temporary Use Permit) of the Regional District's Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this DVP application on September 18, 2023, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of October 12, 2023, being 15 working days from the date of notification, approximately 16 representations have been received electronically or by submission at the Regional District office.

Analysis:

The Area "D" OCP includes supportive policy for on-going vacation rental use of residential parcels through the issuance of temporary use permits and outlines a number of criteria against which the board will consider such a use. These criteria were previously considered by the Board when it approved TUP No. D2022.015-TUP.

There have been no objections or complaints about the operation of this vacation rental and the use remains unchanged from that previously approved in 2022.

Where a vacation rental has been determined to be appropriate, the TUP policy allows for the temporary use permit to be renewed or reissued for a maximum of three years.

Recommendation:

THAT Temporary Use Permit No. D2023.027-TUP, to renew an existing permit for the operation of a "vacation rental" use 3136 Vaseux Lake Crescent, be approved.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner II

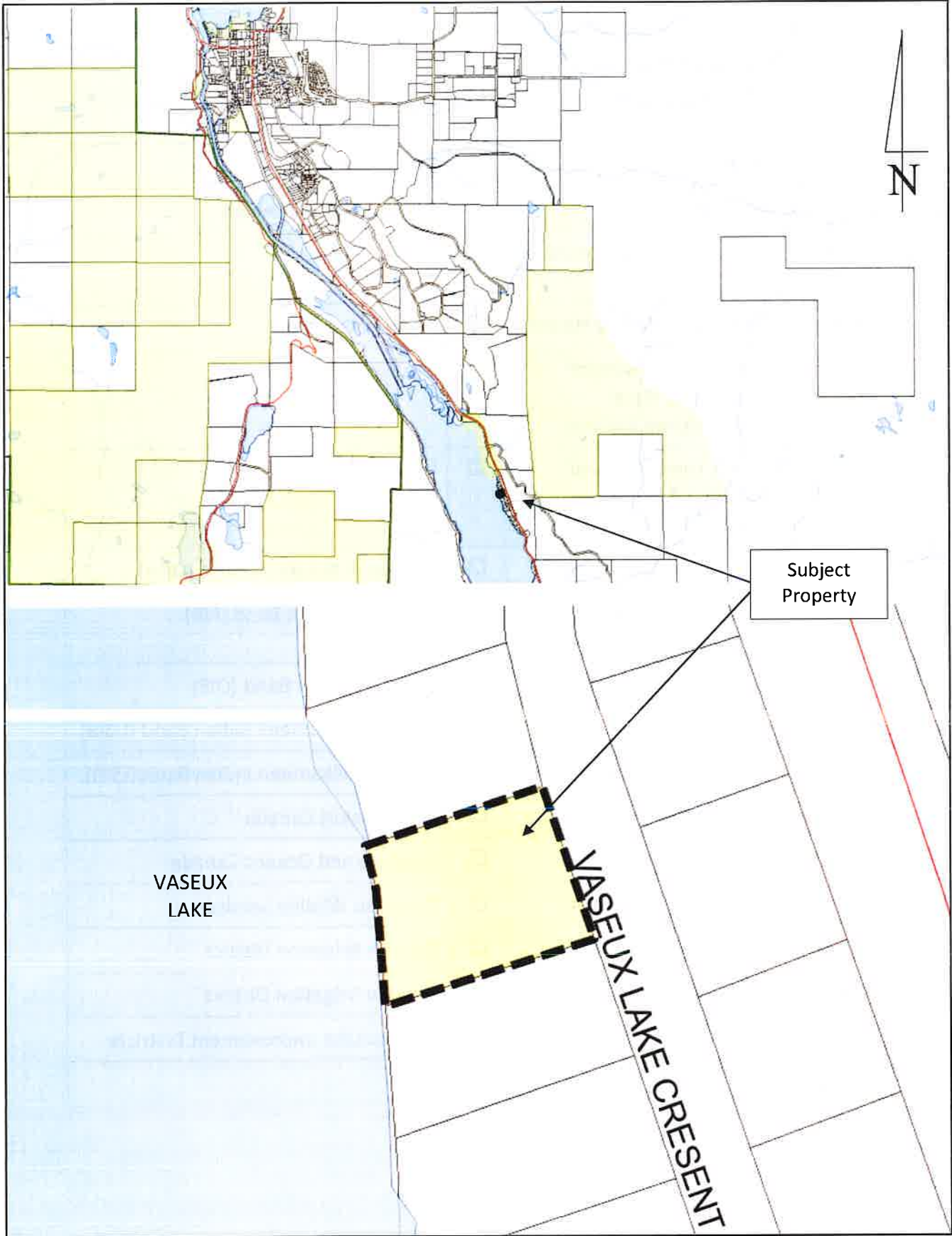
- Attachments:** No. 1 – Agency Referral List
No. 2 – Context Maps
No. 3 – Applicant's Site Plan
No. 4 – Applicant's Floor Plan
No. 5 – Applicant's Parking Plan

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. D2023.027-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. 2 – Context Maps



Attachment No. 3 – Applicant’s Site Plan

Parcel Information: 3136 VASELUX LK CRES
Google Street View

Civic 3136 VASELUX LK CRES
Address 1
Civic
Address 2
Folio 06773-0080

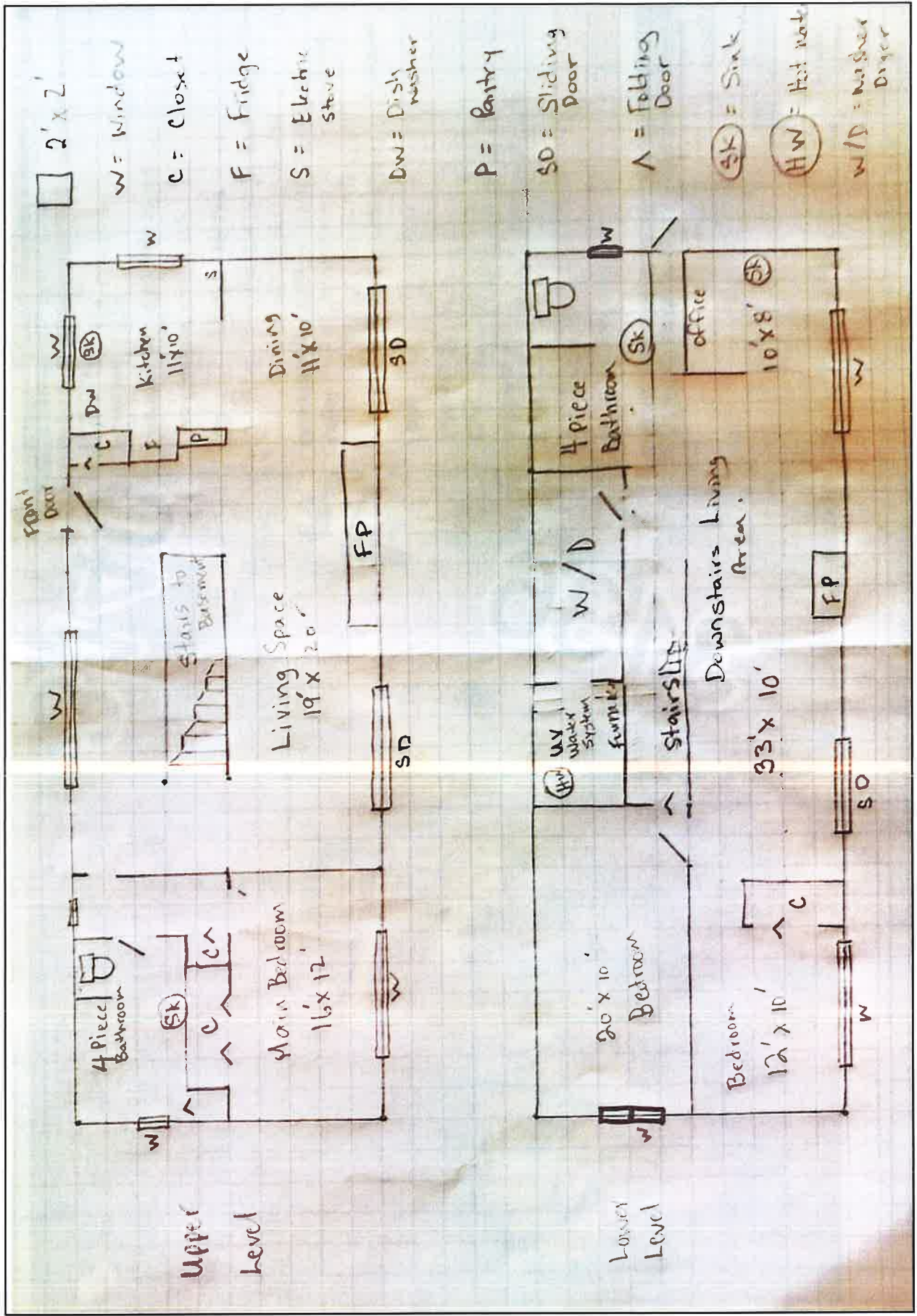
Legal Description
Lot 10, Plan KAP11377 Subplot
15, District Lot 2710
Southwestern Div of Yale Land
District TOGETHER WITH
ACCREDITED AND/OR
OCCUPIED CROWN LAND

PID 001-049-489
Plan Number KAP11377
Community Georgian Falls
Assessed

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Community Maps Contr

Attachment No. 4—Applicant's Floor Plan



Attachment No. 5— Applicant's Parking Plan

