

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: September 7, 2023
RE: Temporary Use Permit Application – Electoral Area “F” (F2023.023-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. F2023.023-TUP, to allow a vacation rental use at 432 Highway 97, be approved.

Legal: Lot B, District Lot 2694, ODYD, Plan 33837, Except Plans KAP85367 & EPP3085 Folio: F-06689.300
OCP: Resource Area (RA) Zone: Resource Area (RA)

Proposed Development:

To allow a vacation rental use within a single detached dwelling on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “this short term rental’s purpose is to make use of the time that the house is sitting empty”.

Site Context:

The property is 15.9 ha in area and is situated on the west side of Highway 97. The surrounding pattern of development is generally characterised by vacant, undeveloped lands to the north, west, and south, and smaller-scale rural residential uses on the eastern side of Highway 97.

Background:

The property was created on February 16, 1983, while available Regional District records indicate that a building permit was issued for a single detached dwelling (1983).

The property is designated Resource Area (RA), and is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation. The Electoral Area “F” OCP contains criteria for evaluating a temporary use permit application for short-term vacation rentals. The property is zoned Resource Area (RA).

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:

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.

The property is serviced by an on-site well and septic system and the applicant has submitted a Letter of Compliance signed and stamped by a Registered Onsite Wastewater Professional (ROWP) which indicates that a new Type 2 system was installed on the property on June 15, 2023 to accommodate a four bedroom residence for a TUP. A report signed by the ROWP also indicated that “extra treatment capacity will be added to mitigate extra flows from the residence being used [as] a vacation rental”.

The proposal requests the vacation rental use of four bedrooms, and one recreation room (with a double pull-out couch) for a maximum occupancy of ten guests.

Section 22.3.6(e) of the Electoral Area “F” OCP Bylaw would not include a recreation room as a bedroom. Despite this, a Health & Safety Inspection was completed on July 31, 2023 as part of this TUP application process which indicates that the recreation room meets all health and safety requirements which bedrooms are ordinarily held to.

Furthermore, the property is seen to have sufficient area to accommodate five parking spaces, which would typically be required for a five bedroom vacation rental use.

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 appropriate, compatible, or viable at a particular location. Following the initial “season”, the Board would then have the opportunity to determine whether it would be appropriate to allow for a renewal of the permit.

The proposal is generally in alignment with applicable policies, other than the request to utilize a recreation room as a bedroom.

Alternatives:

1. THAT Temporary Use Permit No. F2023.023-TUP, to allow a vacation rental use at 432 Highway 97, be denied.

Respectfully submitted:

Shannon Duong, Planner II

Endorsed By:

C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Agency Referral List

No. 2 – Aerial Photo (Zoomed In, Showing House and Driveway; 2023)

No. 3 – Aerial Photo (Looking West; 2023)

No. 4 – Site Photo (Looking East)

No. 5 – Site Photo (Looking North)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. F2023.023-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 checked="" 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		

Attachment No. 2 – Aerial Photo (Zoomed In, Showing House and Driveway; 2023)



Attachment No. 3 – Aerial Photo (Looking West; 2023)



Attachment No. 4 – Site Photo (Looking East)



Attachment No. 5 – Site Photo (Looking North)

