

Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Brenda Butler/Richard Gould
(please print)

Street Address: _____

Date: Feb 8, 2024

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

Feedback Forms must be completed and returned to the Regional District prior to the Board meeting where the TUP will be considered.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Maryssa Dandurand
(please print)

Street Address: _____

Date: February 6th 2024

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

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The guest house is a quiet, relaxation get away, no louder or more busy than a typical family would create.

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Lauri Feindell

From: Danielson, Steven <Steven.Danielson@fortisbc.com>
Sent: January 8, 2024 12:06 PM
To: Planning
Subject: Saddlehorn Dr, 137, RDOS (I2023.032-TUP)

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from steven.danielson@fortisbc.com. [Learn why this is important](#)

With respect to the above noted file,

Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric ("FBC(E)") services, if required.

Operational & Design Comments

- There are FortisBC Electric ("FBC(E)") primary distribution facilities along Saddlehorn Drive
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

If you have any questions or comments, please contact us at your convenience.

Best Regards,

Steve Danielson, AACI, SR/WA
Contract Land Agent | Property Services | FortisBC Inc.
2850 Benvoulin Rd
Kelowna, BC V1W 2E3
Mobile: 250.681.3365
Fax: 1.866.636.6171
FBCLands@fortisbc.com



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This email was sent to you by FortisBC*. The contact information to reach an authorized representative of FortisBC is 16705 Fraser Highway, Surrey, British Columbia, V4N 0E8, Attention: Communications Department. You can unsubscribe from receiving further emails from FortisBC by emailing unsubscribe@fortisbc.com.

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Lauri Feindell

From: Referrals <Referrals@fortisbc.com>
Sent: November 23, 2023 2:57 PM
To: Planning
Subject: Temporary Use Permit Referral - RDOS File No. C2022.022-TUP - Electoral Area "C" - Fortis Property Referral #2023-1514

Follow Up Flag: Follow up
Flag Status: Flagged

Fortis Property Referral #2023-1514

Hello,

Please be advised FortisBC Energy Inc. (Gas) has no concerns as we have no gas in this area.

Thank you,

Liz Dell

Lands Department, Property Services Assistant

16705 Fraser Highway | Surrey BC V4N 0E8

P: 778-578-8038 / referrals@fortisbc.com



From: Shannon Duong <sduong@rdos.bc.ca>
Sent: Wednesday, November 22, 2023 2:11 PM
To: HBE [IH] <HBE@interiorhealth.ca>; Ross.Hyam@gov.bc.ca; FLNRDOSReferrals@gov.bc.ca; ReferralAppsREG8@gov.bc.ca; Referrals <Referrals@fortisbc.com>; FBC Lands <FBCLands@fortisbc.com>; jcvitko@sd53.bc.ca; ofdchief@oliver.ca
Subject: [External Email] - Temporary Use Permit Referral - RDOS File No. C2022.022-TUP - Electoral Area "C"

CAUTION: This is an external email.
Do not respond, click on links or open attachments unless you recognize the sender.

Re: Temporary Use Permit Application No. C2022.022-TUP

Application Webpage: [C2022.022-TUP | RDOS](#)

The Regional District of Okanagan-Similkameen (RDOS) is seeking input from agencies whose interests may be affected by a Temporary Use Permit (TUP) application.

Please find attached a referral for a TUP and a link above to the draft amendment bylaw and related documents. Please review this information and if you have any questions, please do not hesitate to contact me.

Once reviewed, if you have any comments/concerns, please forward them to planning@rdos.bc.ca by **December 22, 2023**.

Regards,



Shannon Duong, MRM • Planner II
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4384 • tf. 1.877-610-3737 • f. 250-492-0063
www.rdos.bc.ca • sduong@rdos.bc.ca

I acknowledge that I work within the traditional, unceded territory of the syilx people in the Okanagan Nation.

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Lauri Feindell

From: HBE [IH] <HBE@interiorhealth.ca>
Sent: January 10, 2024 4:53 PM
To: Planning
Subject: RE: Temporary Use Permit Referral - RDOS File No. I2023.032-TUP - Electoral Area I

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Shannon,
Thanks for the opportunity to provide comments related to the above noted Temporary Use Permit referral.

Our comments are being provided from a healthy community development and environmental public health perspective.

Health and Safety Risk of Residential Use of RVs:

It is important to understand that RVs are designed to accommodate people while pursuing short duration recreational activities (e.g. camping), and do not meet quality standards for living-in longer-term. The [TNRD info sheet about RV dwelling](#) explains this difference. RVs pose significant safety hazards. The more time a person spends in the RV environment the higher the chances of being exposed to a hazard(s), which significantly increases the risk of harm or poor health outcome. The following are examples of potential hazards associated with RVs:

- Gastro-intestinal illness due to unsafe drinking water, improper/inadequate (warm) food storage, or cross-contamination from touching sewage/wastewater on the ground or while servicing holding tanks;
- Burns, physical trauma or death from fire and carbon monoxide and propane poisoning, especially while using heating, electrical and cooking appliances;
- Mental health impacts or physical trauma or death from exposure to extreme heat or cold.

Mitigating Health and Safety Risks:

We strongly encourage the RDOS and families considering using an RV as a housing option to take actions to mitigate all risks; that is, reduce these hazards and the likelihood they could occur. For examples:

- Providing information/being aware of the hazards;
- Creating/routinely using a safety checklist to ensure all systems are operating properly, such as electrical, heating/cooling and propane systems; and
- Creating a condition of permit/regularly testing the RV unit has two operable emergency exits, and fire, carbon monoxide and propane gas monitors.

The following resources may be useful:

- [On the road again: Keeping your RV safe](#) by Technical Safety BC
- [Recreational Vehicle \(RV\) Fire Safety Guidelines](#) by City of Windsor, Ontario Fire & Rescue Services

Client and Tourist Use of the Accessory Dwelling:

Regarding the tourist accommodation use is conducted within an existing accessory dwelling on the property, and provides for overnight stays for clients of the applicant's business as well as non-business related short-term accommodation guests (including the hot tub), we recommend that the RDOS request the client provide confirmation

that all *Public Health Act and Regulations* have been met related to this commercial operation prior to approving this application.

The local Environmental Health Officer can be contacted at the [Penticton Health Protection Office](#).

Interior Health strongly encourages connection to community water and sanitary sewer systems; however, onsite services may be possible if regulatory requirements can be met. In this case, in relation to the drinking water supplied to the accessory dwelling for domestic purposes and the use of the hot tub by clients of the business the following legislation may directly apply:

- [Drinking Water Protection Act](#) and [Drinking Water Protection Regulation](#)
- [Pool Regulations](#)

More information about drinking water and pool requirements and processes can be found on the [Environmental Health & Hazards | Interior Health](#).

We are committed to collaborating with the RDOS to support healthy community planning. If you have any questions, comments or require more resources please feel free to contact me directly at this email address.

Mike Adams (he/him/his)
Team Leader, Healthy Community Development
Interior Health
www.interiorhealth.ca



Interior Health

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.

From: Shannon Duong <sduong@rdos.bc.ca>
Sent: Monday, December 11, 2023 1:53 PM
To: HBE [IH] <HBE@interiorhealth.ca>; Referrals <Referrals@fortisbc.com>; FBCLands@fortisbc.com; sd67@sd67.bc.ca; Kaleden Fire <kaledenfire@shaw.ca>
Subject: Temporary Use Permit Referral - RDOS File No. I2023.032-TUP - Electoral Area I

Re: Temporary Use Permit Application No. I2023.032-TUP

Application Webpage: [I2023.032-TUP | RDOS](#)

The Regional District of Okanagan-Similkameen (RDOS) is seeking input from agencies whose interests may be affected by a Temporary Use Permit (TUP) application.

Please find attached a referral for a TUP and a link above to the draft amendment bylaw and related documents. Please review this information and if you have any questions, please do not hesitate to contact me.

Once reviewed, if you have any comments/concerns, please forward them to planning@rdos.bc.ca by **January 10, 2024**.

Regards,



Shannon Duong, MRM • Planner II
Regional District of Okanagan-Similkameen
101 Martin Street, Penticton, BC V2A 5J9
p. 250-490-4384 • tf. 1.877-610-3737 • f. 250-492-0063
www.rdos.bc.ca • sduong@rdos.bc.ca

I acknowledge that I work within the traditional, unceded territory of the syilx people in the Okanagan Nation.

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Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Chantelle Karoud
(please print)

Street Address: _____

Date: March 11, 2024

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

We fully support our neighbours and their proposal. We need more tourist attractions and accommodations in our area to better support the economy in the South Okanagan

RECEIVED
Regional District

MAR 11 2024

101 Martin Street
Penticton BC V2A 5J9

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Lauri Feindell

From: Christopher Mark -
Sent: March 28, 2024 12:08 PM
To: Planning
Subject: feedback for 137 Saddlehorn permit
Attachments: FeedbackForm-137 Saddlehorn.pdf

Some people who received this message don't often get email from c.


[why this is important](#)

Hello,

I have attached our feedback form for the temporary permit at 137 Saddlehorn. We do not support this application.

Thank you,

Christopher & Jennifer Mark

Feedback Form - attached 

My wife and I are NOT in favor of a temporary use permit at 137 Saddlehorn Drive. We have come to this position due to:

1. The submission states the cottage is not being used as a short term rental. This is false, as we have seen (and other neighbours have seen) all kinds

of vehicles and guests staying there. This is clearly used regularly for random AirBnB-type guests, not friends and family. And you can see all the

available times at graystarfarms.com/vacation-rentals.com as well as on google and instagram, Facebook, AirBNB, Okanagan-local, (unless they've

now removed it). The cottage is used continuously year round for rentals, and is clearly not mostly used by family and equine guests as is stated in their

application.

2. They have their foster son is living year-round in a small trailer which is not good for the individual nor the property use. We were told a septic field

was dug without proper permitting and did not receive Interior Health inspection & approval. This puts local wells at risk.

3. The main house and cottage have plenty of rooms and there is ample space for the foster son to stay in either the guest cottage or the main house.

There are currently only two adults living at the main house, so not having use of the RV would not displace the son as suggested in their application,

as there are plenty of accommodations on the property to house him. Again, the application is not being honest about the situation.

4. There is an additional issue in respect of access. Currently 137 Saddlehorn uses a private easement which 137 Saddlehorn does not have a legal

right to use. In the past, neighbors who own the easement have in general been accommodating of this, but due to the very high level of traffic to and

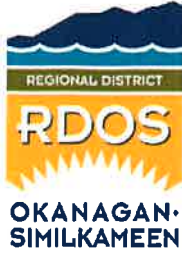
from 137 Saddlehorn, this has created unhappy neighbors. I understand that legal access to 137 Saddlehorn is actually from Saddlehorn drive, near

White Lake Road, and not the private access road they are currently using. This access is not currently paved or maintained and again is already

causing problems for other neighbours as is.

5. We, as part of the Saddlehorn community, are not in favor of RVs being used as dwellings, on either a temporary or permanent basis, and firmly

oppose them (other than for approved occasional use).



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Diana & David Mark
(please print)

Street Address: 132 Saddlehorn Drive

Date: February 26, 2024

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

After much consideration, my husband and I have decided that we are NOT in favor of a temporary use permit at 137 Saddlehorn Drive, for the following reasons:

1. After reviewing the temporary use submission, we note they state the cottage is not being used as a short term rental. This is untrue, and you can see their multiple advertisements for rentals under their site: graystarfarms.com/vacation-rentals-comm, as well as on google and instagram, Facebook, AirBnB, Okanagan-local, etc. In fact, in their advertisement, it is described as "year round vacation cottage rentals". The cottage is used continuously year round for rentals, as the closest neighbors can confirm by the number of different cars constantly parked at the cottage, and is clearly not mostly used by family, friends and equine guests as is stated in their application.
2. The foster son is living year-round in a small trailer, which we disagree with, both for the individual's well being as well as for the property use. We understand a septic field was dug, & we are concerned that it did not receive Interior Health inspection & approval. This puts local wells at risk.
3. The main house has 3 bedrooms and the guest cottage has 2 additional bedrooms, so there is plenty of room for the foster son to stay in either the guest cottage or the main house. There are currently only two adults living at the main house, so not having use of the RV would not displace the son as suggested in their application, as there are plenty of accommodations on the property to house him.
4. There is an additional issue in respect of access. Currently 137 Saddlehorn uses a private easement which 137 Saddlehorn does not have a legal right to use. In the past, neighbors who own the easement have in general been accommodating of this, but due to the very high level of traffic to and from 137 Saddlehorn, this has created unhappy neighbors. I understand that legal access to 137 Saddlehorn is actually from Saddlehorn drive, near White Lake Road, and not the private access road they are currently using.
5. We are also concerned that the owners may not sell the property this spring, due to current legal proceedings, and if a temporary use permit is granted, this could drag the use of the RV and rental cottage out for years to come.
6. We, as part of the Saddlehorn community, are not in favor of RVs being used as dwellings, on either a temporary or permanent basis, and firmly oppose them (other than for approved occasional use).

SEE NEXT PAGE FOR FULL LETTER

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Okanagan-local, etc. In, fact, in their advertisement, it is described as "year round vacation cottage rentals". The cottage is used continuously year round for

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Road, and not the private access road they are currently using.

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101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Lorna and Bruce Ramage
(please print)

Street Address: [REDACTED]

Date: December 11, 2023

RE: **Temporary Use Permit (TUP)**
137 Saddlehorn Drive

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

[REDACTED]

They then proceeded to bring large groups of people on to the property and into our quiet subdivision AGAIN with no consideration of the neighbours. We oppose the TUP for the cottage because we can hear all the guests from our place all hours of the night in the summer.

[REDACTED]

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Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Jim Semple
(please print)

Street Address: _____

Date: April 24, 2024

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

My reasons for non-support are:

- continuous daily traffic on neighbour's easement.
 - use of neighbour's property for access.
 - lack of respect for the privacy of neighbours.
-
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101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Tamara Semple
(please print)

Street Address: _____

Date: November 15, 2023

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

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- I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

~~My property is the closest property to the air bnb and the most impacted. The residents of 137 continually direct their air bnb guests onto our property to interact with their animals and explore the area. We have an easement on our property that they believe gives them the right to use as they wish and they use it for business purposes daily. They have turned our dead end driveway into a major thoroughfare without concern for their closest neighbours and have not heeded our requests that their guests stay on their property. On any given day we come home to people using our driveway as their walking path and are met with looks of disapproval as if we have no right to be there. The residents of 137 Saddlehorn do not care about the impact their business has on the people around them. Regarding the RV- the individual who lives in the RV is a vulnerbale person who they are paid to care for. They have a 3 or 4 bedroom home and a 2 bedroom cottage but he lives in the RV and has for two years, year round. We do not support a 3rd dwelling being approved. We live rurally for a reason and would like to keep it that way. The arrival of Darren MacLellan and Tracy Gray at 137 and their multiple businesses, including their air bnb has significantly impacted the enjoymnet of our property and our well being. We live here because this is our home and refuge, not a place of work with the activity of a city street.~~

Feedback Forms must be completed and returned to the Regional District prior to the Board meeting where the TUP will be considered.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

Lauri Feindell

Subject: FW: TUP Application 12023.032

From: Tamara Semple
Sent: March 11, 2024 10:14 AM
To: Shannon Duong <sduong@rdos.bc.ca>; Subrina Monteith <smonteith@rdos.bc.ca>
Subject: TUP Application 12023.032

Hello Shannon,

We are following up on the TUP application 12023.032 from our neighbours at 137 Saddlehorn Dr. We are increasingly frustrated with the time this is taking to get this addressed. As you know they do not have their own legal access. They and their short term rental guests continue to use our legal access and that of our neighbours at 143 to access the property of 137 **every day**.

We were frustrated to hear that they had until the end of April to submit everything for their application as it was our understanding that they had 3 months from submitting an application to do so. We made our initial complaint in the summer of 2023 and they submitted their application at the end of October 2023. Since then they have been permitted to continue operating, and accept new bookings for future dates which ensures the continual misuse of our property to run their short term rental.

We were hopeful that they were acting in some good faith when we saw that they had blocked off the ability for guests to book from June onwards. We see now that bookings are open for the summer and beyond despite the fact that this issue is not resolved and has not even been addressed by the RDOS at all.

As property owners and tax payers in the RDOS we are angry and frustrated that our property rights are being infringed upon every single day and the RDOS is permitting it. By allowing this to be delayed and by allowing new bookings to be made you are allowing the continual misuse of our property and the property of our neighbours at 143 Saddlehorn Dr. who we share the legal access and therefore the liability of its use with.

Tamara Semple and Dennis Wiren



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: Katie Sweeting
(please print)

Street Address: _____

Date: March 27

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

I do support the proposed use at 137 Saddlehorn Drive.

I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.

I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

We stayed at this bnb during my son's hockey try outs in Penticton. It was an amazing place and well situated for us. My daughter was able to go on a trail ride and we could easily get to Penticton for hockey. I would hands down recommend this place to future families, especially hockey families! What a treat to be that relaxed and use their beautiful amenities on a trip that is otherwise in a hotel. For example, my son's hockey team stayed in a hotel and most rooms had bed bugs. BnB's are a family's travel dream.

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Feedback Form

OKANAGAN-SIMILKAMEEN

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: I2023.032-TUP

FROM: Name: Daniel & Shirley ESAU (please print)

Street Address:

Date: Nov. 23, 2023

RE: Temporary Use Permit (TUP) 137 Saddlehorn Drive

REVISED FINAL

My comments / concerns are:

I do support the proposed use at 137 Saddlehorn Drive.

I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.

I do not support the proposed use at 137 Saddlehorn Drive.

Written submissions received from this information meeting will be considered by the Regional District Board prior to a decision being made on this application.

My wife and I are the owners of the property with the driveway access that the owners of 137 Saddlehorn Drive use to access their property. I am aware of a current dispute over property boundary issues between 137 and 141 Saddlehorn Drive.

there is access to Saddlehorn Drive from the North end of his property. Furthermore, the continued use of my driveway for commercial use could potentially put my wife and I in a position where we could be held liable should there be an incident on our property.

Dan & Shirley ESAU

Feedback Forms must be completed and returned to the Regional District prior to the Board meeting where the TUP will be considered.

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Att Shannon: Subject: Temporary Use Permit
#12023.032-TUP

I have been trying to send this letter via e-mail, but it keeps being rejected so I am trying an attachment.

My name is Dan Esau. My wife and I live at Saddlehorn dr. We are writing in response to the RDOS letter

dated April 24, 2024 asking for input.

My wife and I DO NOT SUPPORT the application for the temporary use permit. The only access to the subject property is totally on the property jointly owned by my neighbour at 141 Saddlehorn Dr. and myself at 143 Saddlehorn Dr. The potential for liability issues is more than I want to accept responsibility for.

There is access allowed for a driveway directly from Saddlehorn Dr. to the subject property. If this driveway were to be constructed, the problem would be solved.

Dan & Shirley Esau

Sincerely,



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Fax: 250-492-0063 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** I2023.032-TUP

FROM: Name: (please print)

Street Address:

Date:

**RE: Temporary Use Permit (TUP)
137 Saddlehorn Drive**

My comments / concerns are:

- I do support the proposed use at 137 Saddlehorn Drive.
- I do support the proposed use at 137 Saddlehorn Drive, subject to the comments listed below.
- I do not support the proposed use at 137 Saddlehorn Drive.

I believe the application to be misleading . The use for clients of the retreat and therapeutic riding business should be considered as part of the temporary permit. The use for family and friends use is minimal in comparison to paying guests. Access to the cottage and the RV is done via access of an easement on the neighbouring properties meaning access off of their property is unavailable.

Due to the number of businesses run on the roperty our quiet dead end road is subject to high traffic and loud gatherings on a regular basis.

I a concerned as a well water user that both septics for the cottage and the RV were not completed properly by permitted contractors to ensure safety of ground water.

As for RV tenancy the past 2 winters in our area have been uncharacteristically cold and I do not understand why proper safe healthier options for living is not an option for their client considering how many bedrooms are available for him. It seems given the options the applicants have the ability to house this person decently without risk of homelessness.

As far as the intentions for selling the property this legal situation could drag on for years so the 12 month permit applicaion seems suspect

as they have continued to rent the cottage even after they have been told not to by thr RDOS. These applicants have proven already to ignore rules and operate as they feel entitled to.

As a long term resident of Saddlehorn drive i can say since their move into our neighbourhood the traffic, noise and disrespect for the neighours is palpable,

Thank you for your consideration

D. Wiren

I do not support the 12023.032- TUP application for the property at 137 Saddlehorn Dr.

I am the closest neighbour at 141 Saddlehorn Dr. and the most impacted by their short term rental. Since the owners of 137 arrived to our street 2.5 years ago the traffic at the short term rental has steadily increased and continues to do so. This traffic has changed our dead end street that was previously quiet and private to a street with constant activity and strangers utilizing MY property every day.

The owners of 137 Saddlehorn Dr indicate in their supplementary information that they and their guests use a "Shared road access". This is not accurate and a manipulation of the use of OUR legal access and the legal access of our neighbours at 143. The owners of 137 refuse to develop and utilize their own legal access. They depend on the access of 141 and 143 Saddlehorn Dr. for vehicle access to their short term rental. Our access does have an easement on it that permits 137 access WITHOUT vehicle. This includes the entirety of the access from Saddlehorn Dr. to the driveway of each of our 3 properties. The term "shared road" does not appear on anyone's title nor do any terms describing the same. Every time their short term rental guests drive to their property they are committing an unlawful trespass according to the terms of the easement agreement and the law. It is our understanding that it is a requirement by the RDOS that a property has its own legal access to operate a short term rental.

As well as the un-permitted vehicle access the owners of 137 Saddlehorn Dr. continually direct their guests onto our property to access their barns and livestock. We have communicated with them numerous times that we do not want their guests on our property. We have communicated concerns of liability and lack of privacy which have been dismissed and ignored. They insist and depend on our property to operate their business and this has lead to a relationship breakdown and a relationship that is hostile.

The application for a TUP for 137 is not only an application for a permit for their property but it is in essence an application to run a business on our property which we do not consent to.

If the property of 137 had it's own access and all the guests were directed to stay within the boundaries of their property we would not object. We believe if it is your property you should have the right to do with it as you please. Unfortunately with the presence of the short term rental and neighbours who do not respect those closest to them, we have not been afforded that same right as our rights as property owners are infringed upon daily.

Despite the fact that they already have a secondary dwelling, their son lives in an RV on the property. We do not support a 3rd dwelling when they have a secondary dwelling that would provide him with much more adequate and liveable accommodations. RDOS bylaws clearly state that no one can live in an RV longer than 90 days and he has lived there for 2.5 years.

We chose to purchase and live where we do because it is remote, out of the way and very private. The arrival of the residents and owners of 137 have severely impacted our peace and quiet and made our end of the street as active as a city street. On a daily basis there are people on our property that we did not invite to be there. This has negatively impacted the well-being of my entire family and the enjoyment of our property. We have been treated with nothing but disrespect. Our concerns have gone unnoticed, unacknowledged and in fact completely disregarded. They do not care about the impact they are having on their community and they have upset the balance of our entire neighbourhood for their business purposes.

