

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: April 16, 2026
RE: Temporary Use Permit Application – Electoral Area “I” (I2025.001-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. I2025.001-TUP, to allow for a residential use in a recreational vehicle at 1609 Green Lake Road, be denied.

Alternative:

1. THAT Temporary Use Permit No. I2025.001-TUP, to allow for a residential use in a recreational vehicle at 1609 Green Lake Road, be approved.
-

Legal: Lot 30S, SDYD Folio: I-01154.000
OCP: Low Density Residential (LR), Large Holdings (LH), and conservation Area (CA)
Zone: Large Holdings Two Site Specific (LH2s), Small Holdings Four (SH4), and Conservation Area (CA)

Purpose:

This application is seeking to allow the residential use of a recreational vehicle on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated, amongst other things, that:

- *Our unit does not meet four out of the five criteria the RDOS has set out to define a recreational vehicle.*
- *Our unit is designed and constructed to be lived in full time, throughout all Canadian seasons.*
- *Its construction overall far exceeds that of the CSA Z240-RV code, with many components meeting or exceeding BC building code requirements as per Mr. Stankiewicz’s letter.*
- *Our unit does meet the definition of both a dwelling unit and accessory dwelling, and meets the applicable requirements governing the uses of accessory dwellings in SH4 parcels.*
- *The BC Housing Research Centre has put forth a best practice recommendation that tiny homes be permitted as ADUs.*
- *The home we are living in is safe, durable, aesthetically pleasing, not harmful to others or the environment, and is an effective solution amidst our housing crisis.*

Strategic Priorities: Operational

Background:

It is unclear when the current boundaries of the subject property were created, while BC Assessment has classified the property as part “Residential” (Class 01) and part “Farm” (Class 09).

Available Regional District records indicate that no building permits have previously been issued for this property.

Official Community Plan (OCP) Bylaw:

Under the Electoral Area “1” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated part Small Holdings (SH), part Large Holdings (LH), and part Conservation Area (CA).

The property is also the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations, with the latter applying to the location of the RV (NOTE: an ESDP has not yet been applied for to allow the siting of the RV at this location).

The OCP requires all new development to adhere to Provincial Sewerage System Regulation administered by Interior Health Authority for on-site Sewage disposal and private wells. Additionally, the OCP does not support the use of septic holding tanks for new developments and, in support of this policy, holding tanks are prohibited under the Subdivision and Development Servicing Bylaw.

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned part Large Holdings Two Site Specific (LH2s), part Small Holdings Four (SH4), and part Conservation Area (CA).

The SH4 Zone which applies to the land that the recreational vehicle (RV) is located on permits for a “single detached dwelling” (principal use) and one (1) “secondary suite” or one (1) “accessory dwelling” (accessory uses).

Under Section 6.10.2 of the bylaw the residential use of a recreational vehicle is prohibited in all zones, with a “recreational vehicle” being defined as meaning:

a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, pick-up coaches, motorized campers, motorized homes, park model trailers and other similar vehicles, which provide temporary recreational accommodation for the traveling public.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, a part of subject property is within the floodplain associated with the Okanagan River, however, the location of the RV is outside of this floodplain.

Service Areas:

The subject property is not within a community water system, community sewer system or street light service areas, but is within the Okanagan Falls Fire District service area.

Enforcement:

In 2024, a Stop Work Notice was placed on a structure that had been placed on the property and appeared to be occupied for residential purposes.

It was subsequently determined that this “structure” was a recreational vehicle constructed to the CSA Z240-RV standard, which is understood to be a standard applied to a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or seasonal use.

As the Regional District’s Building Bylaw can only be applied to structures and not vehicles, the Stop Work Notice was subsequently rescinded.

Importantly, a CSA Z240RV (Recreational Vehicle) is also not recognized by the BC Building Code but is subject to the *Motor Vehicle Act* (as it constitutes a vehicle).

On September 18, 2024, a written complaint was submitted to the Regional District regarding the residential use of this same recreational vehicle on the subject property. This enforcement action remains active, but has been deferred pending Board determination of this Temporary Use Permit (TUP) application.

Application History:

On May 31, 2023, the Ministry of Transportation and Transit (MoTT) referred a proposed 4-lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws. It is understood that this subdivision remains incomplete.

On January 13, 2025, a Temporary Use Permit application was submitted to the Regional District in order to allow for a residential use of a recreational vehicle (see “Enforcement” sub-section above).

On April 30, 2025, this application was closed as an incomplete and was subsequently re-opened October 24, 2025, following submission of the outstanding application materials.

Analysis:

In considering this proposal, Administration maintains its position that residential uses authorized by a local government should uphold the public interest by maintaining standards for the health and safety of occupants (e.g. adequate ventilation, heating, etc.).

Recreational Vehicles (RVs) are not seen to meet these standards as they have not been constructed to the requirements set out in the BC Building Code for dwelling units and are only intended for the temporary, short-term occupancy of the travelling public.

Consequently, the occupancy of RVs is generally limited, through zoning, to sites where adequate potable water and sewage disposal can be provided (e.g. a campground).

Other health and safety considerations that are known to relate to the residential use of RVs include:

- insulation values being below what a residential dwelling would be required to meet under the BC Building Code, which can lead to risks of freezing pipes, condensation, and mould in the RV;
- electrical systems being designed around use for short durations (e.g. “shore power” or “RV hookup” connections or generators), whereas sustained, year-round use can exceed what the wiring and components were designed for, increasing fire risk; and
- the materials used in construction being lightweight, and often synthetic, which tend to be more combustible than those used in residential construction. When combined with limited egress options and the rapid spread of fire that can occur in a small, enclosed space, RVs present a unique safety challenge.

As the Board is aware, the issue of residential occupancy of RVs has been considered multiple times during its current term, with approximately 11 previous TUP applications having been submitted to the Regional District, of which 6 (55%) have been approved and 5 (45%) denied. (NOTE: the two previous TUPs submitted for parcels in Electoral Area “1” were both denied by the Board).

In addition, at its meeting of March 2, 2023, the (then) Planning and Development (P&D) Committee of the Board considered options related to Alternative Housing Strategies, one of which included the use of “tiny homes” as residential dwellings.

At that time, the Town of Oliver had brought forward a Resolution to the 2022 Union of British Columbia Municipalities (UBCM) requesting of the provincial government that it amend the BC Building Code to introduce requirements for “tiny homes” so they could be permitted by local governments.

The P&D Committee deferred action pending a formal response from the province, which was presented to the Committee in October of 2023, where in the Ministry of Housing advised that:

The BC Building Code establishes minimum life-safety measures such as structural integrity, smoke alarms, means of egress, and ventilation, and health measures like plumbing. Reducing or removing these measures compromises the health and safety of building occupants.

The Building Code has no limit on how small a house can be built, provided it meets the minimum standard for the protection of people and protection of the environment. Several manufacturers in BC have successfully designed and installed tiny homes that meet the safety standards of the Building Code.

While some tiny homes are built to be permanently sited on a foundation and connected to services, others are built as a trailer with wheels and designed to be movable. Tiny homes on wheels have unique considerations such as connections to potable water, utilities, and sewage disposal.

For these reasons, Administration cannot recommend in favour of the residential use of RVs and, it is noted that since this time, the province has amended the *Local Government Act* in order to address the “housing crisis” by introducing new density regulations in relation to Small-Scale Multi-Unit Housing (SMMUH).

Importantly, the thrust of the provincial legislative changes has been to ensure that new housing is being provided in appropriate locations where basic infrastructure (e.g. community water and community sewer) and other services (e.g. employment, health, education and transit) are readily available.

Finally, when considered against the assessment criteria to be used for TUP applications, Administration has concerns regarding:

- the use being neither seasonal nor temporary in nature and appearing to be permanent and occurring year-round and into the foreseeable future;
- the RV having been placed within a designated Environmentally Sensitive Development Permit (ESDP) without a permit having been issued and the impacts of this are unknown while it is also unclear how wastewater is being disposed of; and
- other options being available to the property owner in order to achieve zoning compliance.

On this last point, Administration considers that the ability for the property owner to place either a “mobile home” (CSA Z240) or “modular home” (CSA A277) instead of housing tenants in a vehicle is available.

The use of one of these types of dwelling units would comply with zoning – thereby negating the need for a TUP – and would be subject to a building permit to confirm compliance with the Building Code (health and safety standards) as well as a potable water source and appropriate wastewater disposal.

With regard to the disposal of wastewater, a site plan submitted in support of the application indicates that there *may* be a “holding tank” servicing the Z240-RV. A “holding tank” is typically a large container that is used to collect and temporarily store sewage from a structure, with the sewage subsequently removed (e.g. “pumped”) from the tank and transported to an approved location for disposal.

Interior Health, in their referral comments on this application, have indicated that they do not have a record of a septic system servicing the Z240-RV, while it is Administration’s understanding that a permit issued by an Environmental Health Officer is required in order to install and use a “holding tank”.

Further, the use of “holding tanks” are prohibited under the Regional District’s Subdivision and Development Servicing Bylaw and there is no record of a DVP having been issued for the use of a tank on this property.

Alternative:

Conversely, the option of approving the temporary occupation of the RV is available to the Board on the basis that housing costs *may* have reached a point where homeownership or rental opportunities are generally unavailable for a significant portion of the population.

Allowing the residential occupancy of an RV dwelling, while imperfect, *may* be seen as representing one of the few remaining low-cost housing options available to people on fixed or modest income.

Should the Board be supportive of this option, Administration recommends that some of the basic health and safety concerns associated with residential occupancy of an RV be addressed, and that conditions of the TUP include confirmation of the following (which are typical for a new dwelling unit at building permit stage):

- potable water source;
- method of wastewater disposal; and
- suitable electrical connections.

Summary:

In summary, Administration has concerns that the proposed use does not uphold health and safety standards and that other options are available to the property owner. For these reasons, Administration does not support the temporary and is recommending denial.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed Temporary Use Permit (TUP) has been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 25.78 ha in area and is situated on the east and west side of Green Lake Road and on the west shore of the Okanagan River. The property is approximately 9.7 km south of the boundary with the City of Penticton. It is understood that the parcel is comprised of a single detached dwelling, various accessory structures, the subject recreational vehicle, and agricultural production.

The surrounding pattern of development is generally characterised by un-surveyed Crown land to the south and west, agriculture to the east across the river.

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.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Colin Martin
Colin Martin
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:

Allen Fillion

A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Agency Referral List

No. 2 – Aerial Photo

No. 3 – Site Photo

Some material in this report was generated using Microsoft Copilot and was reviewed for accuracy by a member of the Development and Infrastructure Department before publication.

Attachment No. 1 – Agency Referral List

Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering adoption of Temporary Use Permit No. I2025.001-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 checked="" type="checkbox"/>	Ministry of Transportation and Transit	<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 type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Okanagan Falls Volunteer Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Aerial Photo



Attachment No. 3 – Site Photo

