

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 7, 2022
RE: Temporary Use Permit Application – Electoral Area “I” (I2022.028-TUP)

Administrative Recommendation:

THAT Temporary Use Permit I2022.028-TUP to allow for a vacation rental at 235 Linden Avenue in Kaleden be approved.

Folio: I-01486.000

Legal: Lot A, Plan KAP2198, District Lot 104S, SDYD

OCP: Agriculture (AG)

Zone: Agriculture One (AG1)

Proposed Development:

This application is seeking approval for a vacation rental use in the secondary suite on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “[we] will not host for people looking for a place to throw parties ... we have friends and families from Europe who are looking forward visiting Canada.”

Site Context:

The subject property is approximately 1.4 ha in area and is situated on the east side of Linden Avenue. It is approximately 10 km south of the border with the City of Penticton and approximately 0.5 km west of Skaha Lake.

It is understood that the parcel is comprised of a single detached dwelling and secondary suite.

The surrounding pattern of development is generally characterised by similarly sized agricultural parcels to the south and residential parcels to the north that have been developed with single detached dwellings.

Background:

The current boundaries of the subject property were created on June 24, 1929, while available Regional District records indicate that a building permit for a single-family dwelling has previously been issued for this property.

The property is designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations on its northern edge. The property is zoned Agriculture One (AG1) which allows for a single detached dwelling and secondary suite on the property. The property is within the ALR and is assessed “Residential”.

Public Process:

On March 15, 2022, a Public Information Meeting (PIM) was held via WebEx and was attended by no members of the public.

At its meeting of March 16, 2022, the Electoral Area “I” Advisory Planning Commission recommended that the development application be approved. 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 vacation rental is on a parcel of land historically used for residential purposes and does not remove any land from agricultural production. 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 and parking area on the parcel.

The applicant has submitted a letter from a Registered Onsite Wastewater Practitioner confirming that the septic system is capable of supporting the proposed vacation rental in addition to the full-time residential use of the dwelling. The Health and Safety Inspection had identified certain deficiencies; however, the applicant has resolved those issues and provided proof on March 9, 2022.

Further, 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 inappropriate, incompatible, or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. I2021.028-TUP; or

Respectfully submitted:

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed By:

C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to the Board’s consideration of Temporary Use Permit No I2021.028-TUP:

<input checked="" type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	Fortis
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input checked="" 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 checked="" type="checkbox"/>	Kaleden Irrigation District
<input checked="" type="checkbox"/>	Kaleden Volunteer Fire Department	<input type="checkbox"/>	Public Works (Water Areas C, D, E, F; Sewer Area D)

Attachment No. 2 – Site Photo

