

Temporary Use Permit Application (TUP-22-02)

Regional District of Central Okanagan Board Meeting
June 27, 2022

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- To issue a Temporary Use Permit to permit a campground and outdoor storage facility.



Subject Property

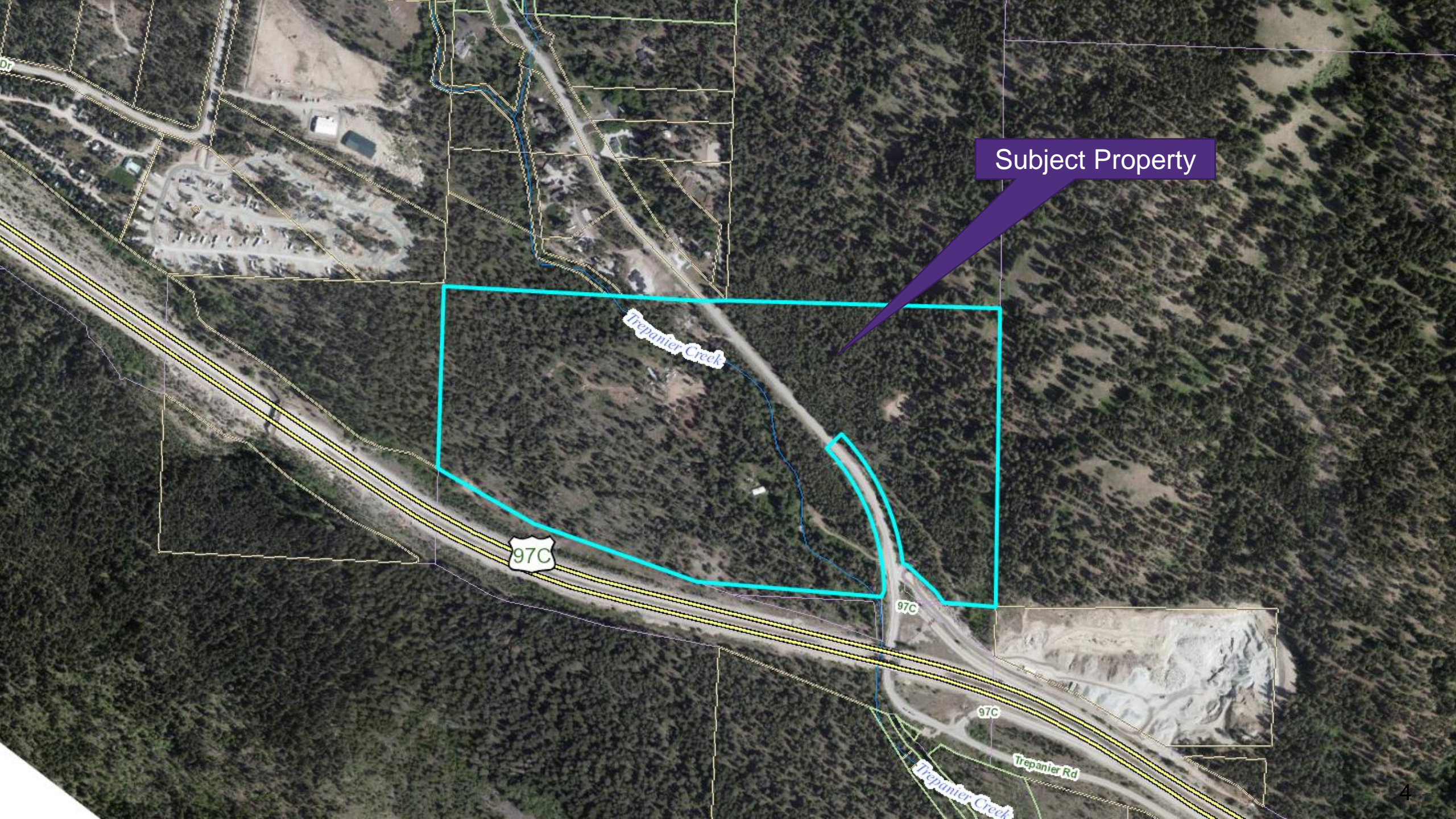
Trepantier Creek

97C

Trepantier Creek

97

Okanagan Lake



Subject Property

Trepanier Creek

97C

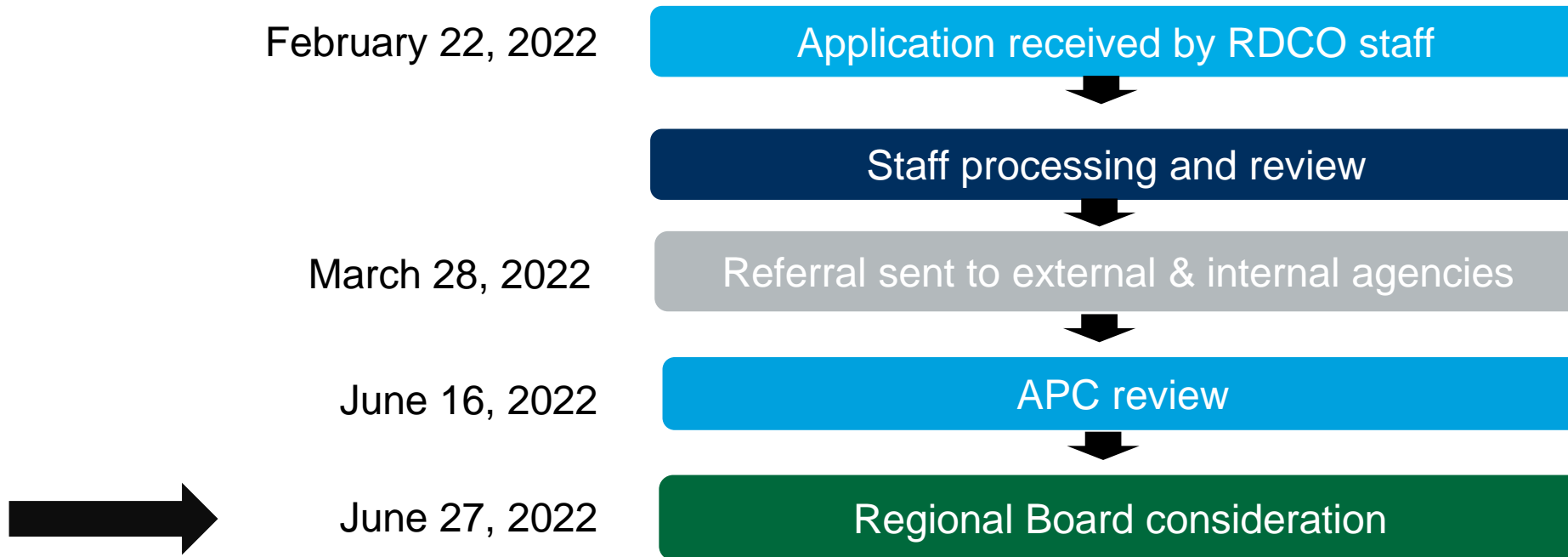
97C

97C

Trepanier Creek

Trepanier Rd

Application Process



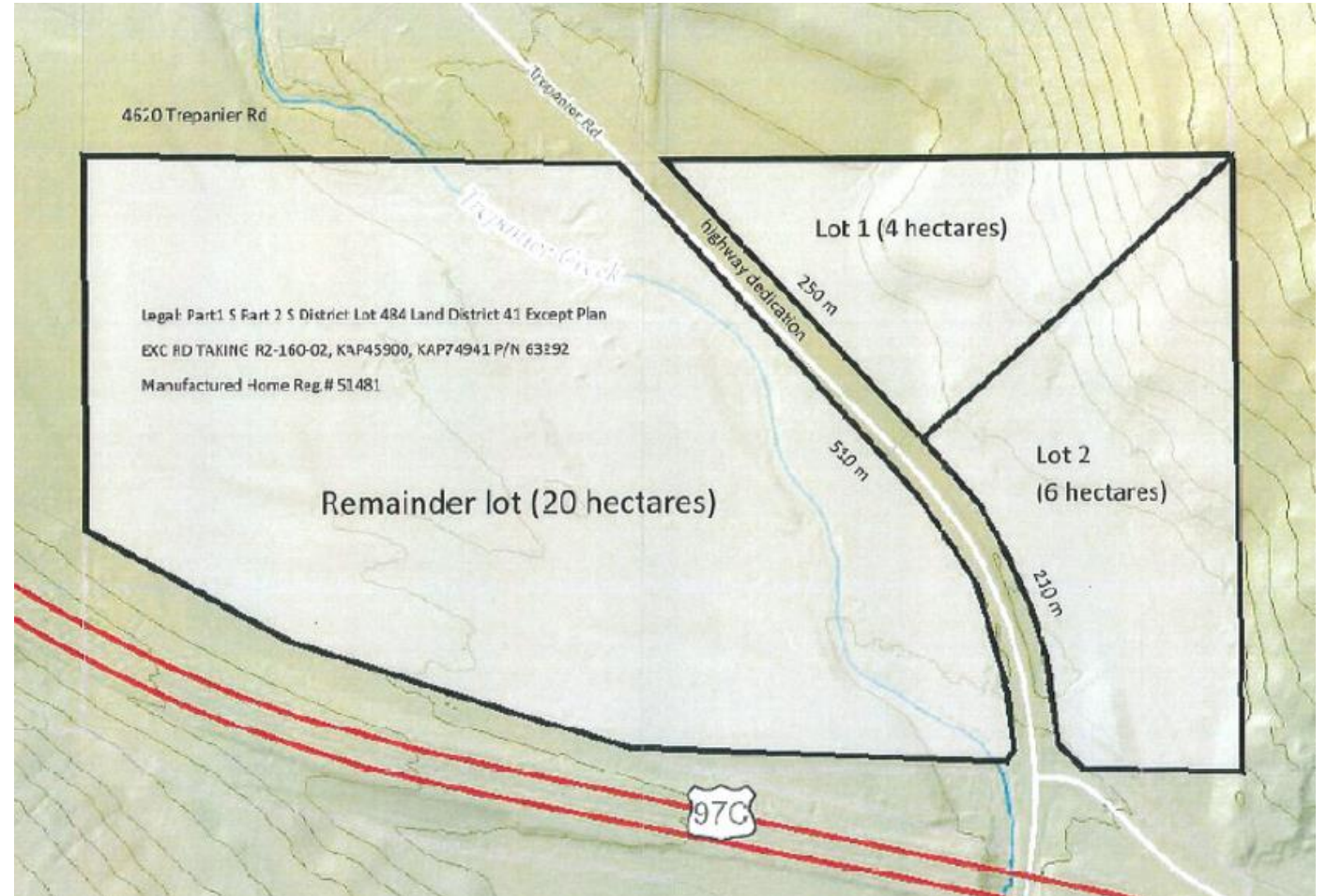
Background

- The property contains:
 - Two mobile homes
 - Washroom facility
 - Vacant 1.15-acre area previously used for storage by the Ministry of Transportation and Infrastructure (MOTI)



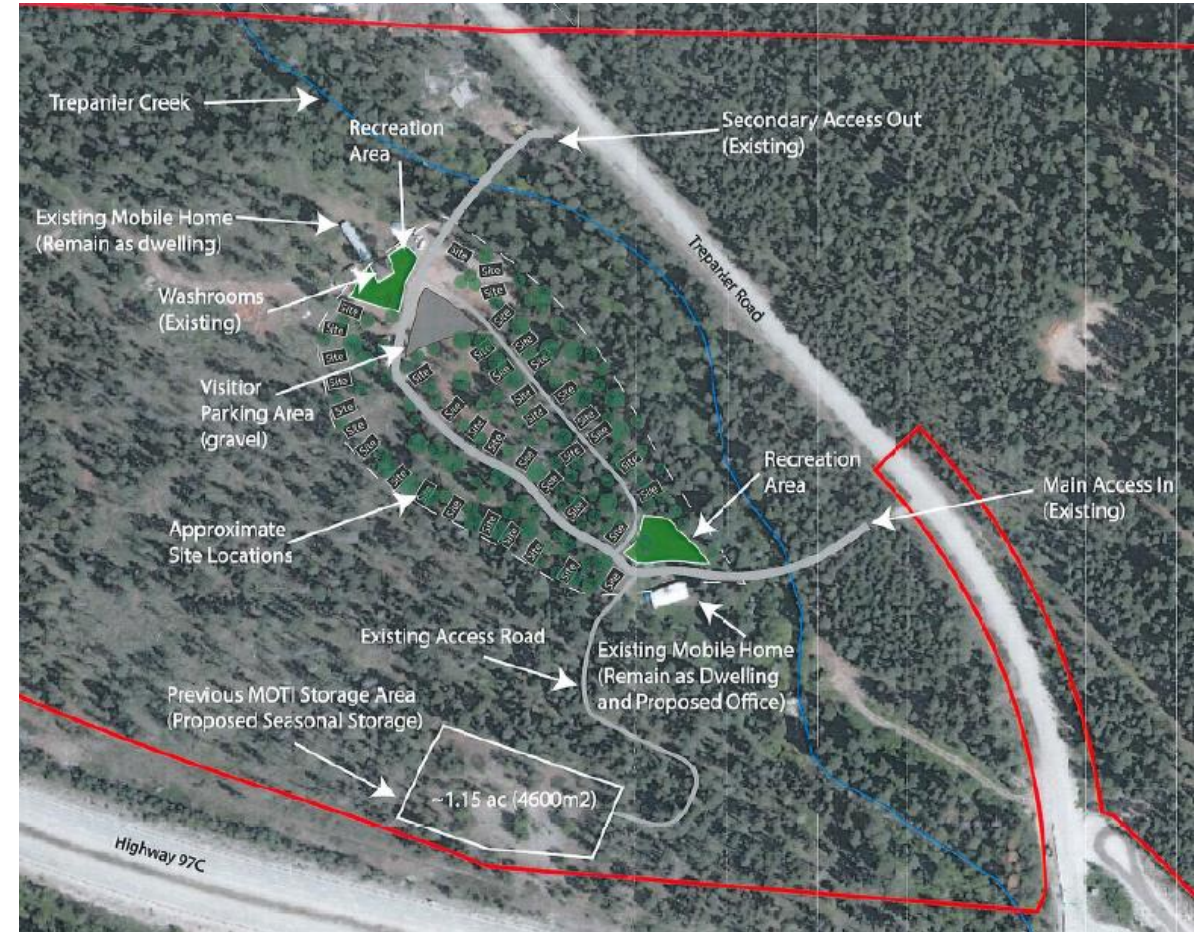
Background

- Subdivision application currently in progress.
- The applicant will be required to submit a Development Permit.



Proposal

- The applicant seeks to operate a campground and outdoor storage facility.
- Campground:
 - Maximum of 40 campsites
 - Operate from March-October
 - No water or electricity
 - Upgraded washroom facility

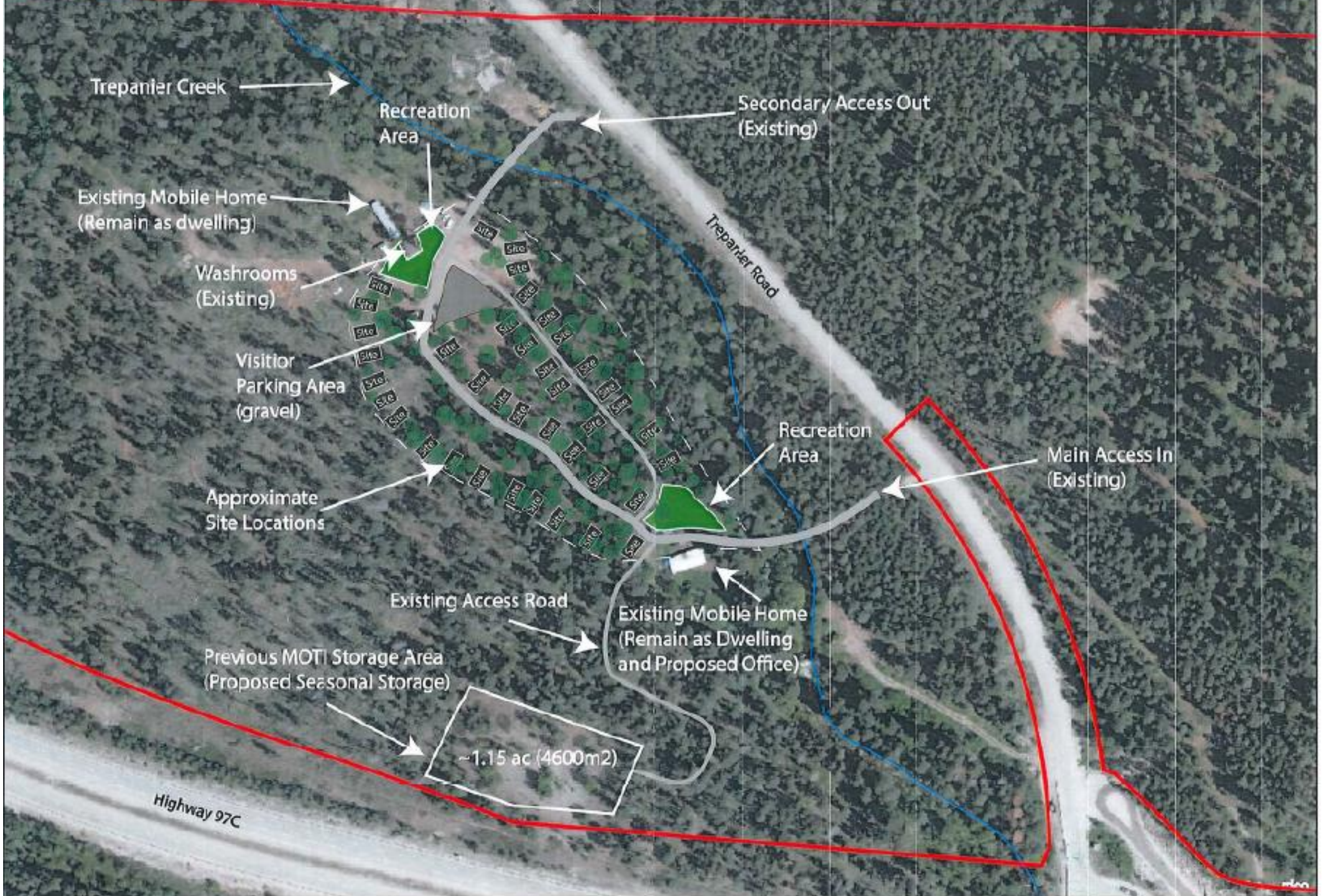




Proposal

- The outdoor storage facility will:
 - Limited to the area previously used by MOTI
 - Seasonal storage of patrons' recreational vehicles.
- An approved Temporary Use Permit would allow this use for a period of three years.





Trepanier Creek

Recreation Area

Secondary Access Out (Existing)

Existing Mobile Home (Remain as dwelling)

Washrooms (Existing)

Visitor Parking Area (gravel)

Approximate Site Locations

Existing Access Road

Previous MOTI Storage Area (Proposed Seasonal Storage)

$\sim 1.15 \text{ ac (4600m}^2\text{)}$

Highway 97C

Trepanier Road

Recreation Area

Main Access In (Existing)

Existing Mobile Home (Remain as Dwelling and Proposed Office)

Professional Reports

- Recommendations from the Wildfire Hazard Assessment and Wildfire Hazard Mitigation Report
 - Remove dead and unhealthy trees
 - Clearing the property from debris
 - Establish FireSmart Priority Zones around buildings

Development Permits Areas

- Property is affected by several Development Permit Areas
- Proposal is only located in the Wildfire DPA
- A Development Permit may be required

Servicing

- Campground:
 - No water service
 - No power
 - Serviced by the existing washroom
- The property is not within a Fire Protection Area

Local Government Act

- Permits issuance of a TUP that does not align with the zoning
- 3-year period
 - Potential for one renewal for an additional 3 years

Regional Growth Strategy

- Policies:

- Support the protection of rural areas and rural lifestyle
- Promote land development that supports a diverse regional economy
- Protect natural environments and water systems

Brent Road and Trepanier OCP

- Rural Residential future land use designation
 - Supports rural residential development
 - Supports home based businesses

Brent Road and Trepanier OCP

- The OCP considers TUPs that:
 - Temporary or seasonal in nature
 - No negative impact on surrounding uses
 - Plan for the conclusion of the use
- Policies from the OCP support the application

Zoning Bylaw

- RU1 – Rural 1 zoning
- Use not permitted by RU1 zone
- Use can be permitted by a TUP

Fire Services

- Applicant must adhere to recommendations contained in the Wildfire Hazard Mitigation Report as well as FireSmart Principles
- Recommend that the applicant provide an evacuation plan
- Any proposed buildings and structures must meet BC Fire Code
- Property is outside RDCO Fire Protection Areas so initial responses to wildfires would be provided by BC Wildfire Service

Engineering Services

- Trepanier Ditch Users water system is located on or nearby the subject property
- This water system supplies a number of private properties on Trepanier Road
- Earthworks, services upgrades or any changes to the Trepanier Ditch Users water system have the ability to potentially impact downstream water users

Inspection Services

- A Building Permit will be required for the proposal

Advisory Planning Committee

- Support the proposal with the condition that a consulting archaeologist be retained
- APC expressed concerns regarding
 - Traffic and safety
 - Grey water dumping and garbage
 - Adverse effects to the environment and Trepanier Creek

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

- Lands Team

- Section 16 Land Reserve
- Provincial approval require prior to development
- Work in or around a stream will require a Water Sustainability Act Section 11 approval

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

- Archaeological Branch

- No know archaeological sites
- Recommend retaining a consulting archaeologist to review the proposal and site
- If archaeological material is encountered a Provincial Heritage Permit will be required

Ministry of Transportation & Infrastructure

- No concerns with the proposal
- Issued a temporary commercial access permit

Interior Health Authority

- Septic system must be appropriate for 40 campsites
- An Authorized Person must sign off on the septic system
- Concerns regarding releasing RV waste water tanks inappropriately
- If water is provided to the public, it must come from an approved source

District of Peachland

- Peachland Fire and Rescue Service do not respond to fires on the subject property
- Concerns regarding the existing septic system and proximate water intakes from Trepanier Creek
- Recommend no Sani-dump be installed on site
- Limit accommodation of campsites to 1 week stays

BC Hydro

- Overhead works in this area
- BC Hydro will prepare a Right of Way document to be registered on title

Public Notification

- Letters have been mailed to surrounding property owners
- Sign posted on the property
- 10 letters of opposition have been received
- Concerns regarding:
 - Traffic
 - Wildfires
 - Environment
 - RV resort development

Summary

- TUP to operate a 40 campsite campground and outdoor storage facility
- The OCP supports the TUP
- Building Permit will be required
- Development Permit may be required
- Septic system has been approved

Summary

- Provincial approval is required
- Agencies have concerns and recommendations
- No agency opposition
- Staff have received 10 letters of opposition from the public

Recommendation

THAT the Temporary Use Permit TUP-22-02 for 4690 Trepanier Road to operate a campground and outdoor storage facility business to take place on part of the South ½ of the South ½ of District Lot 484, ODYD, Except Plans KAP45900 and KAP74941, be permitted for three years subject to the following conditions:

Recommendation (continued)

- Conditions Prior to Issuance
 - Ministry of Environment and Climate Change Strategy approval for an amendment to the Section 16 *Land Act* designation (Tenure 3404754);
 - Construction of a septic system to the specifications of the ROWP report prepared by Jim Ripley, Registered Onsite Wastewater Practitioner;
 - Building Permit issuance for the proposed upgrades required to the washroom facility;
 - Development Permit issuance if determined necessary through the Building Permit;

Recommendation (continued)

- Submission of an Evacuation Plan to the satisfaction of the RDCO Fire Services Manager;
- If archaeological material is encountered during development, all activities must cease immediately, and the Archaeology Branch shall be contacted for direction;
- Water License shall be amended to reflect the proposed use;
- Issuance of a RDCO Business License; and
- Receipt of a security deposit in the amount of \$5,000.00 to ensure compliance of the conditions of the Temporary Use Permit.

Recommendation (continued)

- Conditions of Operation:
 - Adherence to the Wildfire Hazard Mitigation Report prepared by Swanson Forestry Services;
 - Maximum of 40 campsites as shown on the site plan (dated February 22, 2022);
 - Operate between March and October;
 - Campsite occupancy is limited for periods to a maximum of one week;
 - Quiet hours after 10:00 pm;
 - Limit operational area to area show in site plan (dated February 22, 2022);
 - Outdoor storage is limited to the 1.15-acre area shown on the site plan (dated February 22, 2022); and
 - No new permanent structures.

Recommendation (continued)

- **AND FURTHER THAT** the Temporary Use Permit shall expire exactly 3 years after the date of Temporary Use Permit issuance, and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

Recommendation (Alternate)

THAT the Regional Board defer consideration of Temporary Use Permit Application No. TUP-22-02 for the property located at 4690 Trepanier Road to allow the applicant to address the following outstanding conditions:

- Ministry of Environment and Climate Change Strategy approval for an amendment to the Section 16 *Land Act* designation (Tenure 3404754);
- Submission of an Evacuation Plan to the satisfaction of the RDCO Fire Services Manager; and
- Water License shall be amended to reflect the proposed use.

Recommendation (Alternate)

AND THAT staff report back to the Regional Board at a future meeting with an updated application for consideration;

AND FURTHER THAT public notification for the updated application be undertaken prior to board consideration.