

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 16, 2023
RE: Temporary Use Permit Application – Electoral Area “E” (E2023.003-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2023.003-TUP, to allow a vacation rental use at 3189 3rd Street, Naramata, be approved.

Legal: Lot 1, Plan KAP67634, District Lot 210, SDYD Folio: E-00747.005
OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Proposed Development:

This application is seeking approval for a vacation rental use on the subject property through the reissuance of an existing Temporary Use Permit (TUP) No. E2020.005-TUP.

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

We are applying for a new Three Year TUP in order to provide short term, seasonal rentals at our property located at 3189 3rd Street, Naramata. Under the previous TUP, we operated the property as a seasonal, short term rental beginning May of 2015, and have had nothing but positive reviews from our guests, neighbours and other members of the community. Going forward, we plan to continue to rent the property in the same manner, and have met with our immediate neighbours to communicate this to them. We employ a Naramata based property manager, who greets all guests on site upon arrival and provides for any of their needs during their stay. She also looks after all cleaning and maintenance of the property, throughout the year, and communicates all feedback regarding the property.

Site Context:

The subject property is approximately 768m² in area and is situated on the west side of 3rd Street. It is understood that the parcel is comprised of a single detached dwelling.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been developed with single detached dwellings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 10, 2000, while available Regional District records indicate that a building permit for a single detached dwelling (2002) has previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP).

Section 22.2 of the Electoral Area “E” OCP supports on-going vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Two (RS2) which lists single detached dwelling as a permitted principal use.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Okanagan Lake.

BC Assessment has classified the property as “Residential” (Class 01).

A seasonal vacation rental use has been in continuous operation on the subject property since 2015, with the previous temporary use permit (D2020.005-TUP) expiring on December 31, 2022. As such, the proposed Temporary Use Permit will allow the applicant to continue this longstanding use.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.15 of Schedule ‘5’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on March 6, 2023. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

In considering this proposal, administration notes that since the previous TUP was issued, there have been no written submissions or enforcement actions against the vacation rental use at the subject property. For this reason, the vacation rental use is seen to be viable and compatible at this particular location.

The Electoral Area “E” OCP also contains policies supporting on-going vacation rental uses through the issuance of temporary use permits.

In considering the three previous TUP applications, administration noted that the proposal generally satisfies the approval criteria for vacation rental TUPs contained in section 22.0 of the Electoral Area “E” OCP. This continues to be the case, as there have been no changes to the vacation rental use.

Conversely, Administration recognises that limitations on commercial operations like vacation rentals are intended to ensure that intrusive or intensive tourist accommodation is not introduced into residential neighbourhoods.

However, the intent of RDOS vacation rental 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.

In summary, Administration supports approval of the requested temporary use permit.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2023.003-TUP.

Respectfully submitted:

Ben Kent

Ben Kent, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Aerial Photo (2017)

No. 3 – Site Photo (2015)

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. E2023.003-TUP:

<input 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 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 type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Volunteer Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Aerial Photo (2017)



Attachment No. 3 – Site Photo (2015)

