

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: August 15, 2024
RE: Temporary Use Permit Application – Electoral Area “E” (E2024.015-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2024.015-TUP, to allow a vacation rental use at 450 Robinson Avenue, Naramata, be approved.

Legal: Plan KAP519, Block 71, District Lot 210, SDYD Folio: E-00694.025
OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Proposed Development:

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

In support of this proposal, the applicant has stated that “We would like to rent out our home for the benefit of other than family members, and in order to provide more tourism revenue to the area’s local wineries and businesses, and to aid with the increasing maintenance costs as inflation has set in.”

Site Context:

The subject property is approximately 836 m² in area and is situated on the south side of Robinson Avenue in Naramata, approximately 5 km north from the boundary of the City of Penticton. It is understood that the parcel is comprised of only a single detached dwelling.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development 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 July 8, 1908, while available Regional District records indicate that a building permit for a single family dwelling (1992) have previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, the subject property is currently designated Low Density Residential (LR), and is the subject of no Development Permit Area designations.

Section 22.3.4 of Electoral Area “E” OCP Bylaw establishes the following criteria in evaluating a Temporary Use Permit application:

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- The use must be clearly temporary or seasonal in nature;
 - Compatibility of the proposal with adjacent uses;
 - Impact of the proposed uses on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas;
 - Intensity of the proposed use;
 - Opportunity to conduct the proposed use on land elsewhere in the community; and
 - The remedial measures to be carried out to mitigate any damage to the natural environment as result of the temporary use.

Section 22.3.3 of Electoral Area “E” OCP Bylaw contains criteria in evaluating a temporary use permit application. Section 11.6.2 and 22.3.6 specify conditions for temporary use permits and short-term vacation rentals respectively. Section 11.6.2 provides the following criteria for the Board to assess such applications.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2024, the property is currently zoned Low Density Residential Two (RS2) which includes single detached dwelling as a permitted principal use.

There is no active bylaw enforcement issues. The Regional District has received written complaints regarding a vacation rental use on the property in 2023, but the file has since been closed, as no infractions were observed.

The property is not within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

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.

Analysis:

In considering this proposal, Administration notes that the proposed vacation rental use would take place between May 15th and November 15th, and would allow for a maximum of six (6) guests to stay in a maximum of three (3) bedrooms at a time.

In response to the criteria contained in Section 22.3.4 of the OCP, the proposed use is seasonal in nature, operating between May 15th and November 15th. The vacation rental use is limited to the proposed dwelling at 450 Robinson Avenue, and will be contained in the existing single detached dwelling. The subject property is not in an Environmentally Sensitive Development Permit or Watercourse Development Permit Area and is located in a residential area of Naramata. Additionally, the property is connected to a community water system.

A letter from a Registered Onsite Wastewater Practitioner was provided stating that the system that was built in 1992 is sufficient for slightly more than a three bedroom home by today’s standards.

There is a significant number of trees surrounding the house that will provide screening and privacy for both neighbours and the proposed vacation rental use.

A parking plan provided by the applicant shows up to five parking spaces available on the property which meets the minimum requirement of three, one per bedroom.

A Health and Safety Inspection was completed and no deficiencies were noted.

In summary, the proposed temporary use generally satisfies the evaluation criteria in the Area EOCP and is seen to be consistent with the Regional District Board's "vacation rental Temporary Use Policy". For these reasons, administration is recommending approval.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2024.015-TUP.

Respectfully submitted:

Colin Martin

Colin Martin, Planner I

Endorsed By:



C. Garrish, Senior Manager of Planning

- Attachments: No. 1 – Agency Referral List
No. 2 – Applicant's Site Plan
No. 3 – Applicant's Building Floor Plans
No. 4 – Site Photo (Google Earth, 2024)

Attachment No. 1 – Agency Referral List

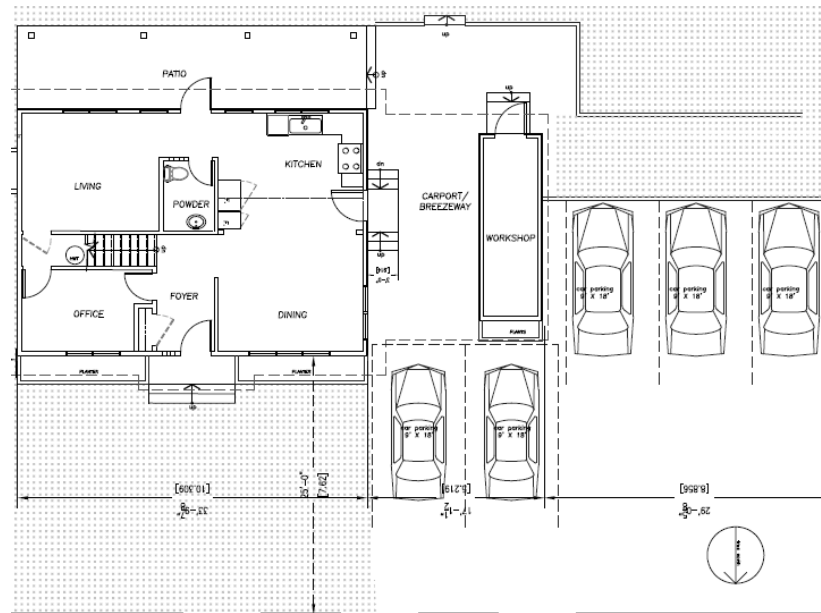
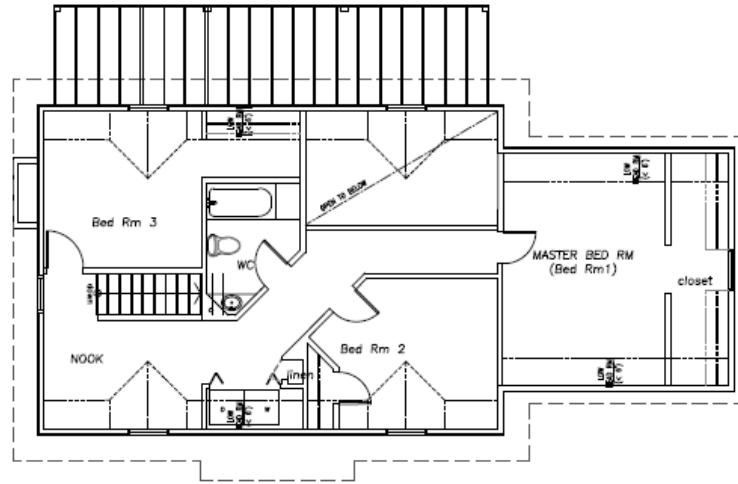
Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering adoption of Temporary Use Permit No. E2024.015-TUP.

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input checked="" type="checkbox"/>	Fortis
<input 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 Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Applicant’s Building Floor Plans



Attachment No. 4 – Site Photo (Google Earth, 2024)

