

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: December 7, 2023
RE: Temporary Use Permit Application – Electoral Area “E” (E2023.013-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2023.013-TUP, to allow a vacation rental use at 3940 3rd Street be approved.

Legal: Parcel B, Block 59, Plan KAP519, District Lot 210, SDYD, Portion (KE80926) Folio: E-00651.010

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 (amongst other things) that:

Naramata holds a special place in our hearts, and we believe it deserves to be experienced by others seeking respite from the hustle and bustle of city life. We've noticed a limited availability of accommodations in the summer months, and it's our heartfelt wish to open our doors to fellow families, providing a cozy retreat when we're not there ourselves.

Site Context:

The subject property is approximately 557 m² in area, is situated on the east side of 3rd Street and the north side of Anna Avenue, approximately 75 metres east of Okanagan Lake. The parcel is developed with 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 to the north, east and south, parks and recreation land to the west, and townhouses to the south west.

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 building permits for a single detached dwelling (1991), a deck (2010) and a staircase (2013) have 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).

The Area “E” OCP includes policies supporting the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.

Section 22.3.4 of the Area “E” OCP establishes the following general criteria for evaluating Temporary Use Permit applications:

- 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 11.6.2 of the Area “E” OCP further establishes the following evaluation criteria for a temporary use permit proposing a vacation rental use.

- capability of accommodating on-site domestic water and sewage disposal;
- mitigating measures such as screening and fencing;
- provision of adequate off-street parking;
- confirmation that the structure proposed complies with the BC Building Code; and,
- benefits that such accommodation may provide to the community

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.

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

In April 2021, the Regional District received written complaints regarding the operation of a vacation rental use at the property by a previous owner without a permit. This enforcement file was closed in June 2021 and no complaints related to the vacation rental use have been received since this time.

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 understands the intent of the Regional District Board’s “Vacation Rental Temporary Use Permit Policy”, and supportive Electoral Area OCP policies is to allow for new vacation rental uses to operate for one “season” to determine if such a use is appropriate, compatible, or viable at a particular location.

Following the initial “season”, the Board may choose to renew the permit, or if the use is deemed too intrusive or intensive for the particular location, the Board may choose to allow the permit to lapse.

In response to the evaluation criteria contained in section 22.3.4 of the OCP, the proposed use is seasonal in nature (May - October) and is not intensive in scale. The use is contained within an existing building and is unlikely to impact the natural environment or neighbouring uses.

In response to the evaluation criteria contained in section 11.6.2 of the OCP, the property is connected to a community water system and the applicant has provided confirmation from a Registered On-site Wastewater Professional (ROWP) that the on-site septic system is adequate for the proposed use.

Regarding off-street parking, the applicant has indicated that four (4) parking spaces will be provided within the driveway, which exceeds the minimum parking requirement for this use.

A Health and Safety Inspection was completed and all deficiencies have been addressed.

Summary

In summary, the proposed temporary use generally satisfies the evaluation criteria in the Area E OCP and is seen to be consistent with the Regional District Board’s “Vacation Rental Temporary Use Permit Policy”. For these reasons, administration is recommending approval.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2023.013-TUP

Respectfully submitted:

Ben Kent
Ben Kent, Planner II

Endorsed By:


C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo

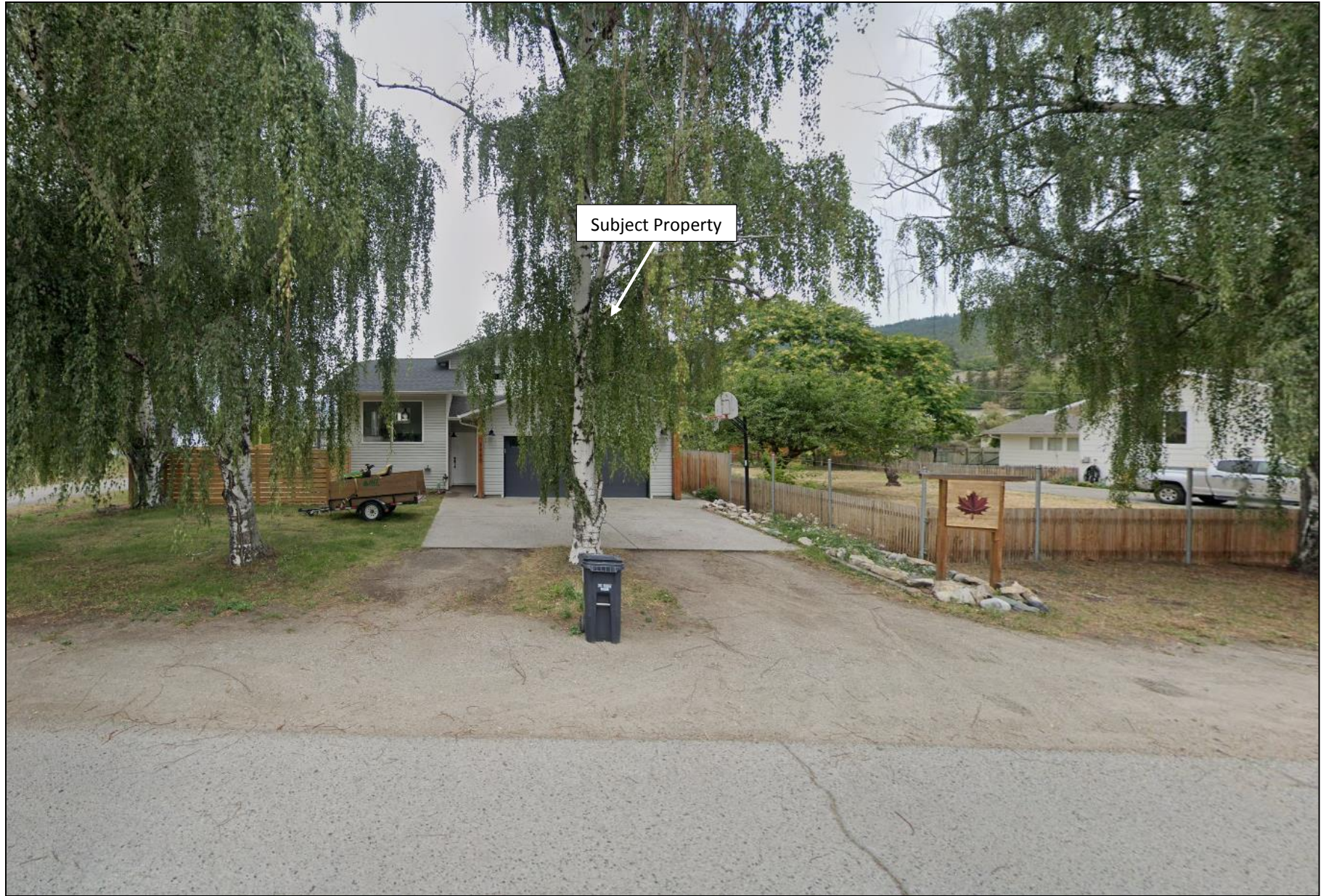
No. 3 – Aerial Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. E2023.013-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 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 – Site Photo (Facing North from Anna Avenue, Google Maps 2023)



Attachment No. 3 – Aerial Photo

