

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: March 7, 2024
RE: Temporary Use Permit Application – Electoral Area “E” (E2023.035-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2023.035-TUP, to allow a vacation rental use at 2160 Naramata Road be approved.

Legal: Lot 1, Plan KAP31970, District Lot 206, SDYD Folio: E-02048.010
OCP: Agriculture Zone: Agriculture One (AG1)

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:

When we are not at our home at 2160 Naramata Road, we'd like to rent it out as a short-term vacation property. We would like to rent the property out occasionally from May to the end of October each year.

The home is 4 bedrooms and 2 bathrooms which is a part of this permit application. There is also a fully permitted stand-alone art studio on the property that will not be used for short term rental (i.e., owner use only).

We are looking to rent the home to help pay for a small portion of our mortgage and provide valuable short term tenancy to the area to support local businesses.

There is a newly constructed and fully permitted septic system, including tanks and field.

Site Context:

The subject property is approximately 2847 m² in area and is situated on the east side of Naramata Road, approximately 560 metres north from the boundary with City of Penticton. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures.

The surrounding pattern of development is generally characterised by agriculture. Immediately adjacent properties to the north and east are similarly sized 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 May 29, 1981, while available Regional District records indicate that a building permit for an accessory building and deck (2015) 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 Agriculture (AG).

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 Agriculture One (AG1) which lists single detached dwelling as a permitted principal use.

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

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 proof of adequate on-site septic.

Regarding off-street parking, the applicant has indicated that four (4) parking spaces will be provided within the driveway, which satisfies 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. E2023.035-TUP

Respectfully submitted:

Ben Kent

Ben Kent, Planner II

Endorsed By:

CG

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. E2023.035-TUP:

<input checked="" 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 Volunteer Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Site Photo



Attachment No. 3 – Aerial Photo

