

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: October 5, 2023
RE: Temporary Use Permit Application – Electoral Area “E” (E2023.019-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2023.019-TUP, to allow a vacation rental use at 3135 Bartlett Road, Naramata, be approved.

Legal: Lot B, Plan KAP29459, District Lot 210, SDYD Folio: E-02193.020
OCP: Small Holdings (SH) Zone: Small Holdings Two (SH2)

Proposed Development:

To renew a Temporary Use Permit for a vacation rental. The applicant has stated that “we are planning to continue to rent the house for part of the summer as per the original application, to cover some of our costs, and also make it available for others to enjoy the area and bring economic benefits.”

Site Context:

The property is 2,615 m² in area and is situated on the west side of Bartlett Road. It contains one single detached dwelling and an accessory building. The surrounding pattern of development is generally characterised by similar residential development.

Background:

The property was created on December 6, 1978, while a building permit for the single family dwelling (1990 & 1991) has previously been issued for this property.

Under the Area “E” Official Community Plan (OCP) the property is currently designated Small Holdings (SH) and zoned Small Holdings Two (SH2), which lists single detached dwelling as a principal permitted use. BC Assessment has classified the property as “Residential” (Class 01).

A previous TUP was issued for this property authorizing a vacation rental use comprising two bedrooms for a maximum of four paying guests at a time and requiring two on-site parking spaces to be provided.

Bylaw Enforcement:

The Regional District has received a written complaint regarding compliance with the conditions of the previous TUP. Specifically, this complaint related to an online advertisement listing the vacation rental with more rooms than authorized and vehicles parking on the street.

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 August 15, 2023. All comments received are included as a separate item on the Board's Agenda.

Analysis:

The Area "E" OCP includes supportive policy for the ongoing vacation rental use of residential parcels through the issuance of temporary use permits and outlines a number of criteria against which the board will consider such a use.

The proposed use is seasonal in nature (May-October) and is not intensive in scale. The proposal will not impact the natural environment as it is limited to an existing building and parking area on the parcel.

Where a vacation rental has been determined to be appropriate, The TUP policy allows for the temporary use permit to be renewed or reissued for a maximum period of three years.

Written complaints have been received alleging that the vacation rental use *may* have operated contrary to the terms of the original TUP and the Regional District's Vacation Rental Temporary Use Policy specifies that "should it be determined that a vacation rental use is inappropriate, incompatible or unviable at a particular location, a permit may be allowed to lapse or not renewed".

These allegations have not been substantiated through bylaw enforcement action.

Summary:

In summary, the proposed vacation rental use is seen to be consistent with the Electoral Area "E" vacation rental policies.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2023.019-TUP; or

Respectfully submitted:

Ben Kent
Ben Kent, Planner I

Endorsed By:


C. Garrish
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 , prior to the Board considering Temporary Use Permit No. E2023.019-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 Volunteer Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Site Photo (Google Street View – July 2023)



Attachment No. 3 – Aerial Photo

