

**TO:** Advisory Planning Commission

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** June 14, 2021

**RE:** Temporary Use Permit – Electoral Area “E”  
2205 Naramata Road, Naramata (E-02065.000)

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### **Proposed Development:**

This application is seeking to authorize the operation of a short-term vacation rental use of a four-bedroom dwelling at 2205 Naramata Road for a one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “the reason for the temporary use would be to help with our mortgage payments when we are not living in Naramata....vacationers will be limited to families and responsible groups”.

### **Site Context:**

The subject property is approximately 1,294.9 m<sup>2</sup> in area and is situated on the west side of Naramata Road. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures (swimming pool).

The surrounding pattern of development is generally characterised by mix of larger agricultural parcels and similar sized residential parcels.

### **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on February 22, 1965, while available Regional District records indicate that a building permit for deck repair (2020) 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).

In support of this, Section 9.3 of the Electoral Area “E” OCP Bylaw directs that the principal use of lands designated Agriculture shall be agriculture and also encourages secondary ‘value added’ uses such as agri-tourism for the purpose of diversifying and enhancing farm income, provided that these developments are compatible with the agricultural character of the area, and that they do not present a potential conflict with surrounding properties.

Section 22.0 of Electoral Area “E” OCP Bylaw establishes the following general criteria in evaluating a Temporary Use Permit application:

- The use must be clearly temporary or seasonal in nature;
- Compatibility of the proposal with adjacent uses;

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- 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 22.3.5 and 22.3.6 Electoral Area “E” OCP bylaw specify conditions for temporary use permits and short-term vacation rentals respectively. Conditions specific to short-term vacation rentals are summarized as:

- a) The provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;*
- b) The provision of the manager or owner’s contact information, as well as a copy of any issued TUP, to each neighbour whose property is located within 100 metres of the subject property;*
- c) The availability or accessibility by telephone of the manager or owner;*
- d) The posting of information for the property (i.e. noise, fire safety, location, garbage, septic system care, pet control);*
- e) Maximum accommodation (occupancy of two per bedroom, up to 10 persons)*
- f) Provision of one parking space per bedroom*
- g) Prohibition of RV use or camping;*
- h) Confirmation of minimum standard for health and safety; and*
- i) Other requirements, as appropriate*

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Agriculture One (AG1) which, among other uses, allows for single detached dwellings and agriculture as a principal use, with “agri-tourism accommodation” and “bed and breakfast operations” as secondary uses.

The property is within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

While the subject property is located within the Agricultural Land Reserve (ALR), Section 23(1) (Exceptions) of the *Agricultural Land Commission Act*, states that restrictions on the use of agricultural land do not apply to land that, on December 31, 1972, was, by separate certificate of title issued under the *Land Registry Act* (1960), less than 2.0 acres (0.81 ha) in area.

### **Analysis:**

In considering this proposal, Administration notes that the proposed vacation rental use is on a parcel of land historically used for residential purposes and does not remove any land from agricultural production.

In response to the criteria contained in Section 22.0 of the Electoral Area “E” OCP bylaw, the proposed use is seasonal in nature (May-October) and is not intensive in scale. The impact on the

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natural environment and neighbouring uses is minimized by being contained within an existing building and parking area on the parcel.

Conversely, the addition of uses within an agricultural area that are more commercial in nature can pose potential land use conflicts with agricultural operations. By allowing additional uses to occur, the primary use of the property or surrounding properties as agricultural land can become threatened through the introduction of competing interests.

However, changing the duration of stay within an existing dwelling unit is not anticipated to introduce any land use conflicts that would not be present if the dwelling were used for residential purposes. For the reasons listed above, Administration supports approval of the temporary use permit under the following conditions:

- Period of use (May-October);
- Posting of information within vacation rental;
- Maximum number of bedrooms (4);
- Maximum occupancy (8);
- Minimum number of on-site parking stalls (4);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Providing TUP and contact information to neighbours;
- Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19;
- Confirmation from an Registered On-site Wastewater Practitioner (ROWP) of the on-site septic system being sufficient to support a four bedroom vacation rental use; and
- Successful completion of a health and safety inspection.

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**Administrative Recommendation:**

**THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.**


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**Options:**

1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved with the following conditions:
  - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be denied.

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**Respectfully submitted:**

  
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JoAnn Peachey, Planner I

**Endorsed By:**

  
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C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

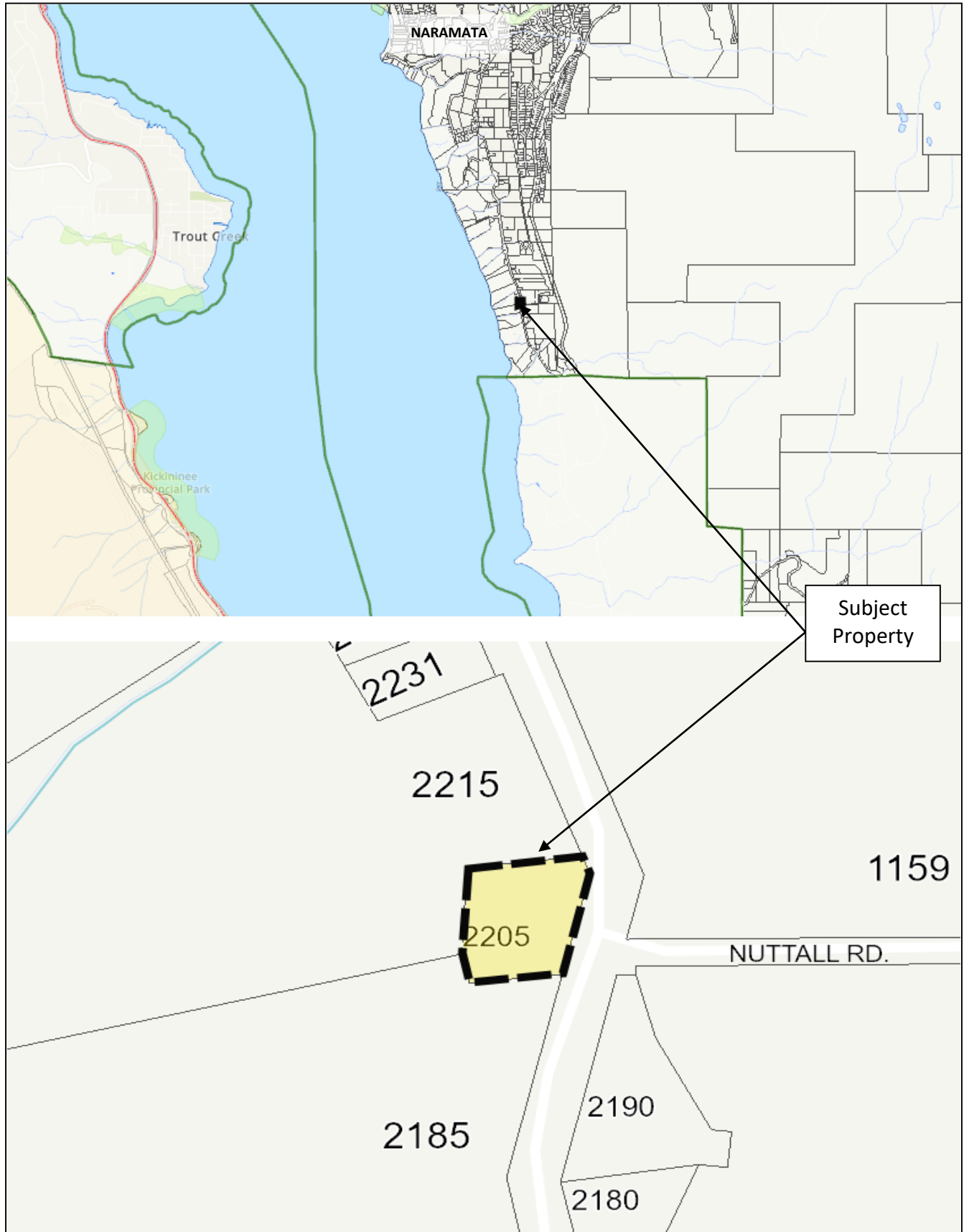
No. 3 – Applicant's Site Plan

No. 4 – Applicant's Floor Plan

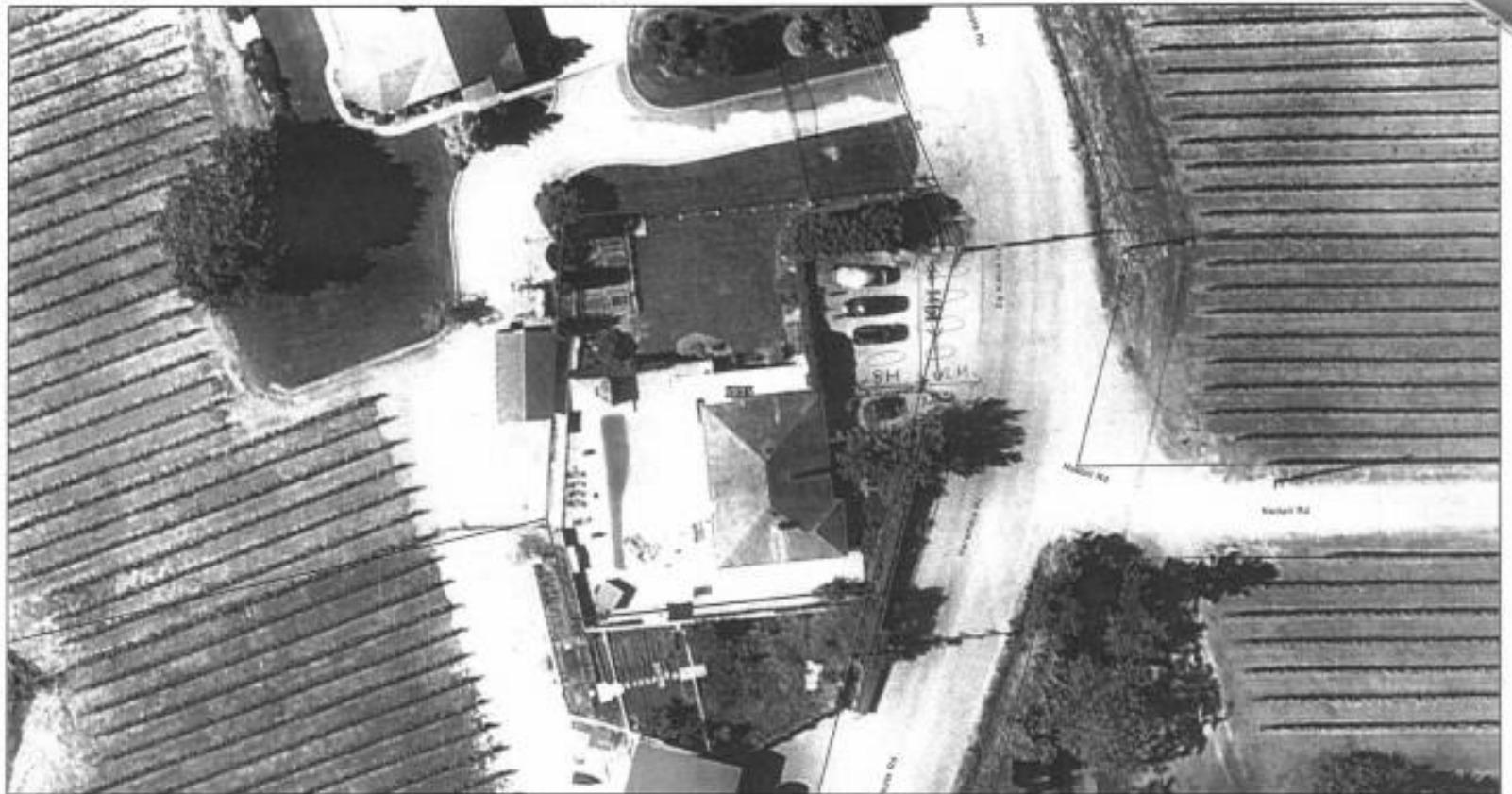
No. 5 – Applicant's Floor Plan

No. 6 – Applicant's Site Photo (April 2021)

Attachment No. 1 – Context Maps



## Attachment No. 2 – Applicant's Site Plan



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World Imagery

Low Resolution 15m Imagery

High Resolution 90cm Imagery

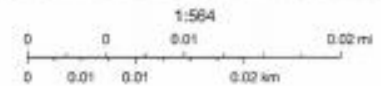
High Resolution 30cm Imagery

Citations

15cm Resolution Metadata

Electoral and Municipal Boundaries

Cadastral

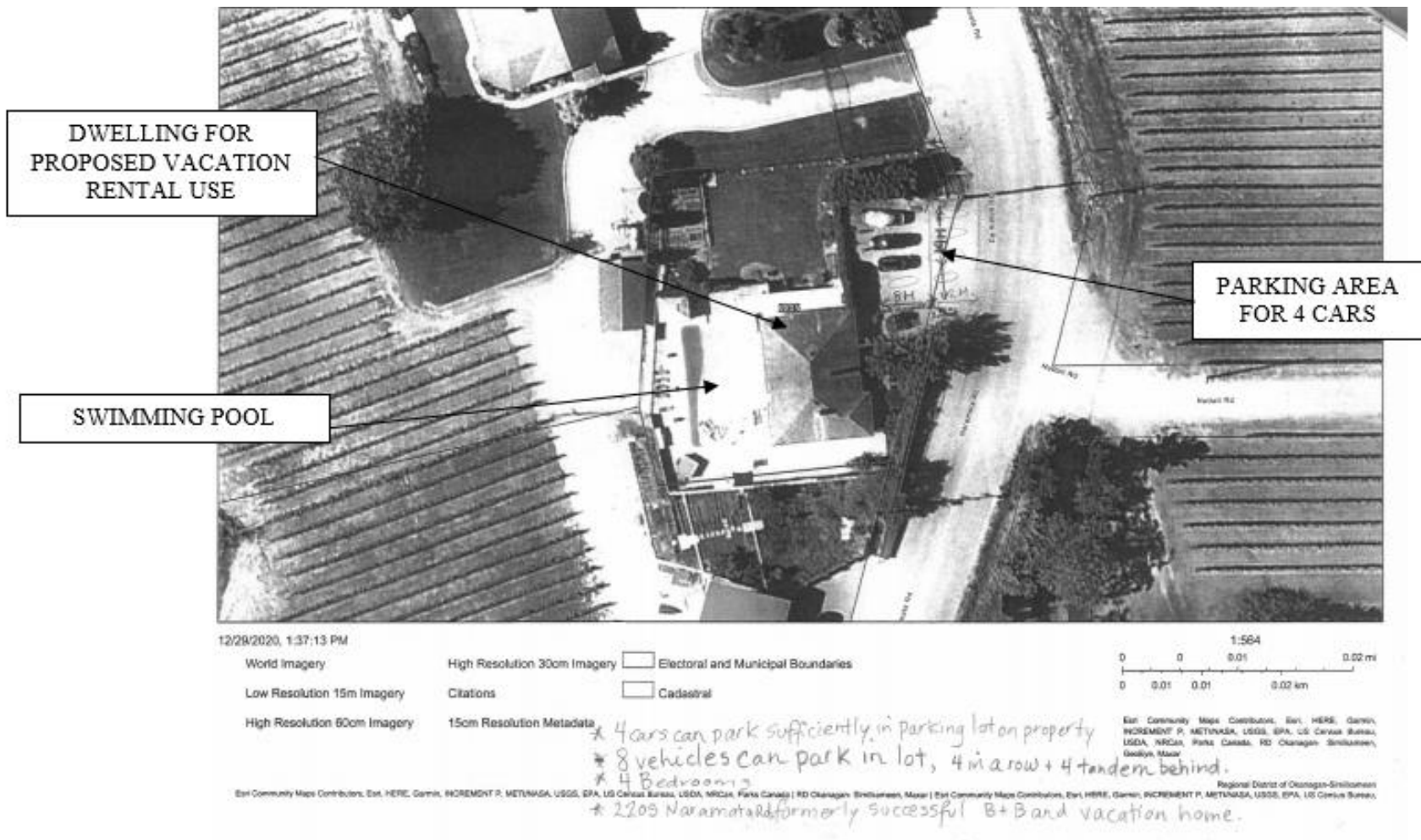


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\* 4 cars can park sufficiently in parking lot on property  
 \* 8 vehicles can park in lot, 4 in a row + 4 tandem behind.  
 \* 4 Bedrooms  
 \* 2205 Naramata Rd formerly successful B+B and vacation home.

# Attachment No. 3 – Applicant's Site Plan



Attachment No. 4 – Applicant's Floor Plan





Attachment No. 5 – Applicant's Floor Plan



Attachment No. 6 – Applicant's Site Photo (April 2021)

