

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission

FROM: B. Newell, Chief Administrative Officer

DATE: July 12, 2021

RE: Temporary Use Permit – Electoral Area “E”

Purpose: To allow for a vacation rental use.

Folio: E-02200.011

Civic: 3180 Bartlett Road

Legal: Lot 2, Plan KAP47279, District Lot, SDYD

OCP: Low Density Residential (LR)

Zone: Residential Single Family One (RS1)

Proposed Development:

This application is seeking to authorize the operation of a short-term vacation rental use of single detached at 3180 Bartlett Road for one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP). The dwelling is comprised of five (5) bedrooms with a maximum occupancy of ten (10) people, with accommodation for five (5) parking stalls.

In support of this proposal, the applicant has stated that they “are looking to spend more time, and eventually retire in the Naramata area as we transition from our working careers over the next 5-7 years...We have invested significantly in this property and want to maintain its’ beauty, tranquility and value by ensuring that all guests are responsible people who will treat both the property and the neighboring community and public recreation spaces with respect and consideration. It is our intention to use the property ourselves for our vacation time, and then to rent to friends and family first, but occasionally to private renters who maintain good references.”

Site Context:

The subject property is approximately 1,054 m² in area and is situated on the east side of Bartlett Road. It is understood that the parcel is comprised of a single detached dwelling and an accessory structure (swimming pool).

The surrounding pattern of development is generally characterised by similar sized Small Holdings (SH) and Low density Residential (LR) parcels surrounding the north, south and west of the property, and larger agricultural parcels to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office on June 2, 1992. Available Regional District records indicate that a building permit for swimming pool (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 Low Density Residential (LR), which supports the residential use of properties.

The OCP Bylaw does, however, contain an objective of allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which, permits single detached dwellings as a principal use, with limited occupation for commercial uses in the form of “home occupations” and “bed and breakfast operations” as permitted secondary uses.

A Health and Safety Inspection was completed on June 4, 2021 and the Building Inspector identified no deficiencies.

A letter prepared by a Registered On-Site Wastewater Practitioner (ROWP) has been provided stating that “The inspection report shows the system is functioning normally. The system was built for extra capacity beyond the current 5 bedroom designation specifications. There is little chance of overloading the system and creating a health hazard based on occupancy referenced in the owner's declaration” which stated a 10 person limit.

The property has a geotechnical hazard rating of “limited or no hazard of slumps and slides. No development problems anticipated” and has been classified as “Residential” (Class 01) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that the Electoral Area “E” OCP Bylaw includes supportive policy for vacation rental uses in residential areas and outlines a number of criteria against which the board will consider such a use.

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

In response to the criteria outlined in Section 11.6.2, in favour of the application, the applicant has submitted a site plan which shows provision of adequate parking on-site. In addition the ROWP letter stated that the on site septic system is capable of accommodating a ten person vacation rental use.

Further, a health and safety inspection was completed and did not identify any deficiencies.

Conversely, the intent of the Regional District’s “Vacation Rental Temporary Use Permit Policy”, and supportive OCP policies is to allow for a new vacation rental use to operate for one “season” in order to determine if such a use is inappropriate, incompatible or unviable at a particular location and, if so, to allow for the permit to lapse or not be renewed within a relatively short period.

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 (5);
- Maximum occupancy (10);

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- Minimum number of on-site parking stalls (5);
 - 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.
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Administrative Recommendation:

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

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.

Respectfully submitted:



Fiona Titley, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

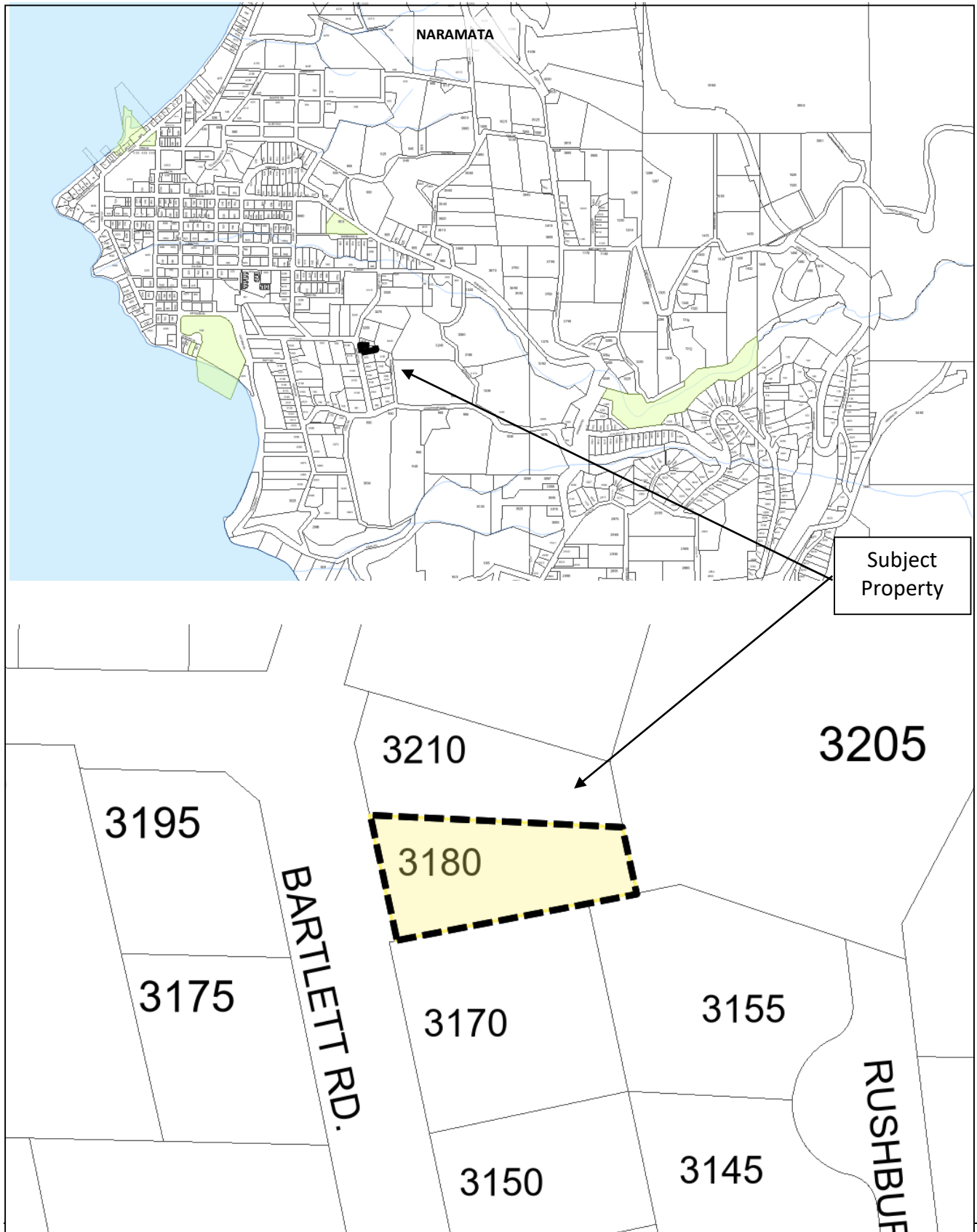
No. 3 – Applicant's Floor Plan

No. 4 – Applicant's Floor Plan

No. 5 – Applicant's Floor Plan

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

Attachment No. 1 – Context Maps

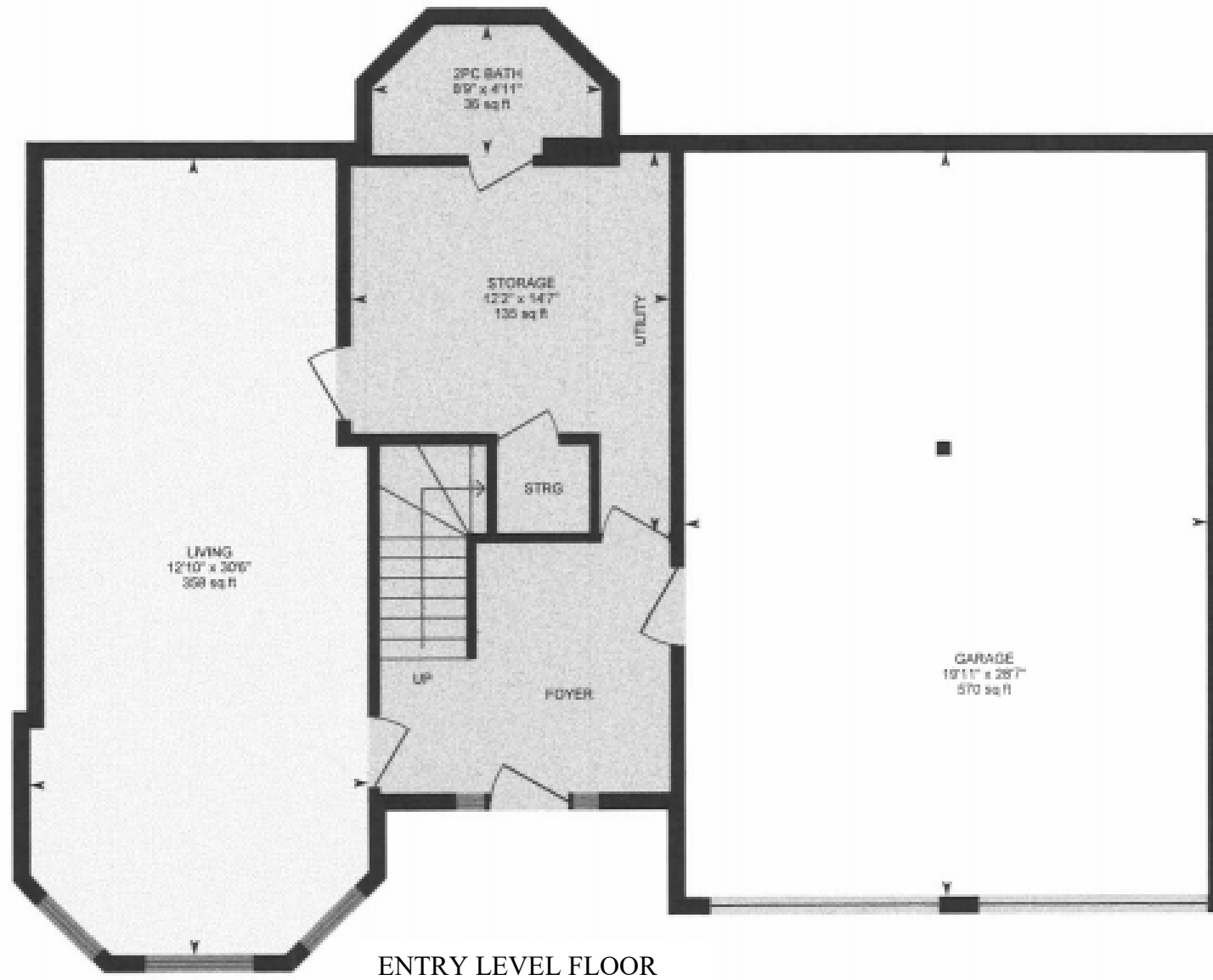


File No: E2021.018-TUP

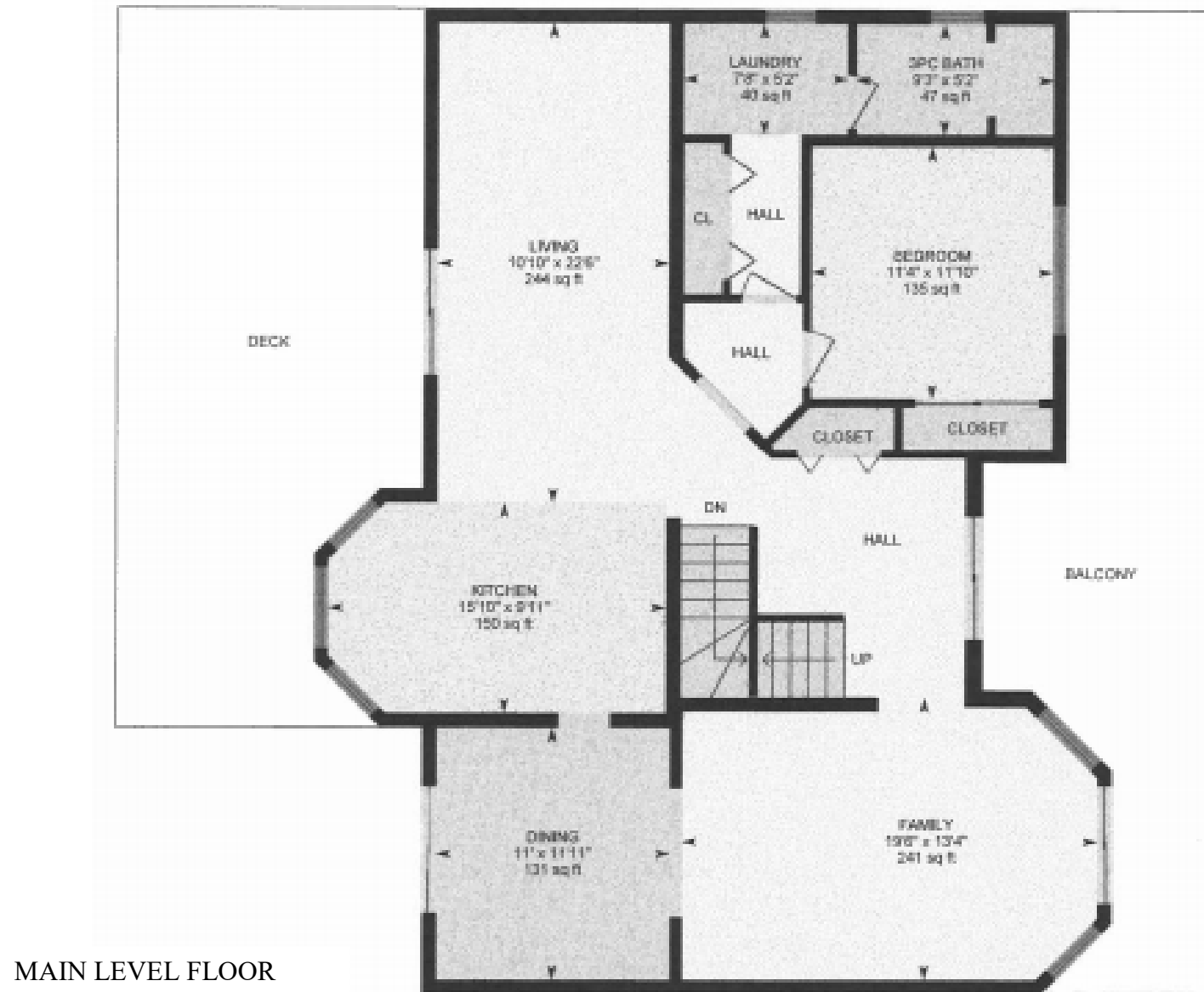
Attachment No. 2 – Applicant's Site Plan



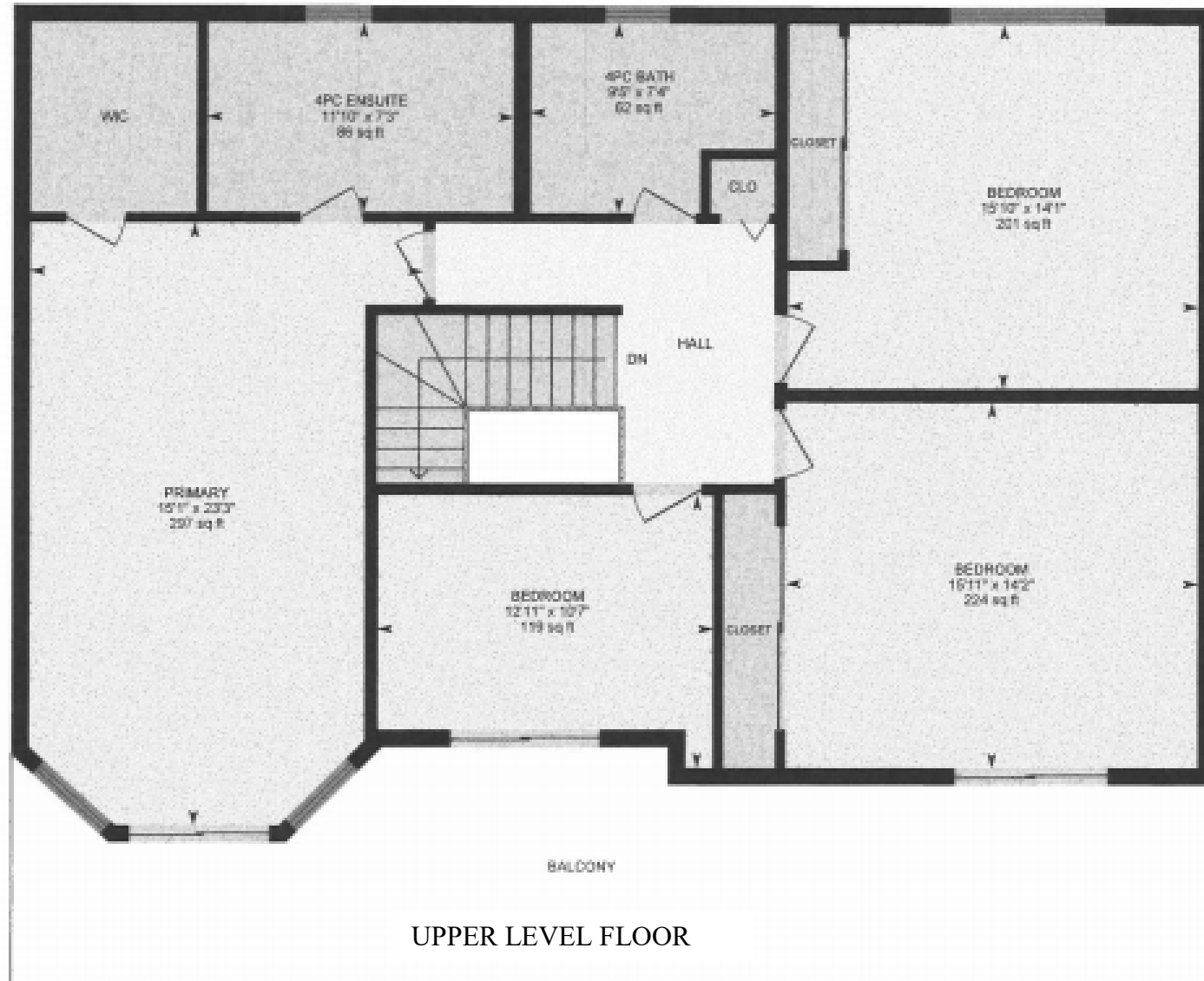
Attachment No. 3 – Applicant's Floor Plan



Attachment No. 4 – Applicant's Floor Plan



Attachment No. 5 – Applicant's Floor Plan



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

