

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Interim Chief Administrative Officer
DATE: December 7, 2023
RE: Temporary Use Permit Application – Electoral Area “E” (E2023.022-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2023.022-TUP, to allow tourist accommodation use at 2710 Workman Place, Naramata, be denied.

Legal: Lot 7, Plan KAP89142, District Lot 207, SDYD Folio: E-02096.530
OCP: Low Density Residential (LR) Zone: Low Density Residential Three (RS3)

Proposed Development:

This application is seeking approval for the operation of a “tourist accommodation” use on the subject property through the issuance of a Temporary Use Permit (TUP).

Specifically, the proposed “tourist accommodation” use is to accommodate two (2) distinct groupings of patrons as follows:

- one (1) bedroom with a maximum occupancy of two (2) persons in one (1) sleeping unit; and
- one (1) bedroom with a maximum occupancy of two (2) persons in one (1) sleeping unit.

This will result in overall occupancy for the tourist accommodation use of four (4) persons, and a requirement for two (2) on-site vehicle parking spaces in addition to two (2) vehicle parking spaces for the principal dwelling (which will not be used for the tourist accommodation use).

In support of this proposal, the applicant has stated that:

The intention is to provide tourist accommodations for short term visits...that would typically be 1-3 days per stay. Included are two small units that are approximately 450 square feet each. Each unit would accommodate 1-2 guests. No pets would be allowed on the property. Each unit includes a queen size bed and full bathroom with a small sitting area....[The] reasoning for this Tourist Accommodation Use [is to]:

- *bring affordable, private and unique accommodations to the Naramata Region.*
 - *boost tourism...in the area by providing flexible affordable accommodations that make it easy and comfortable for visitors to visit the area.*
 - *create and support community employment opportunities for local residents specifically by providing jobs in the following areas: cleaning, landscaping and maintenance work that is required to maintain the property.*
 - *supplement the cost of owning a property Naramata.*
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Site Context:

The subject property is approximately 1,516 m² in area and is situated on the east side of Workman Place approximately 1.3 km east of Okanagan Lake. It is understood that the parcel is comprised of a single detached dwelling and a garage.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been developed with single detached dwellings to the north, south and west and crown land to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on June 3, 2009, while available Regional District records indicate that a building permits for a single detached dwelling (2019), garage (2019), garage (2020), and to complete the basement (2022) have previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP), the property is designated Low Density Residential (LR). The OCP contains policies related to the “vacation rental” use of a residential dwelling do not apply to this application as it is proposing the short-term rental of units in a residential zone which are not otherwise used as a residence.

The property is zoned Low Density Residential (RS3) which permits single detached dwellings as a principal use and one (1) secondary suite or accessory dwelling. BC Assessment has classified the property as “Residential” (Class 01) and the property is connected to the Kettle Ridge sewer system.

At the October 5, 2023 Board of Director’s Meeting the application was referred to the Electoral Area “E” Advisory Planning Commission (APC).

Public Process:

At its meeting of November 14, 2023, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be denied.

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:

The current OCP policies that speak to supporting “vacation rentals” as a small-scale type of commercial use within an existing residence is premised on the dwelling being used for residential purposes for the majority of a calendar year.

In this instance, the proposed sleeping units to be used for short-term accommodation rental (i.e. periods of less than 30 days) are wholly separate from the principal dwelling (i.e. “main house”) as well as from each other (i.e. there is no internal access between the sleeping units and principal dwelling).

While the applicants are requesting for short term rental use for five months of the year (between May 1st and September 20th), given that rentals will be taking place within two separate sleeping units

(not within the principal dwelling, the proposed use is not seen to be consistent with the supportive policies established for “vacation rental” uses and cannot benefit from assessment against these policies. Instead, this application is assessed as a “tourist accommodation” use and tourist commercial policies apply.

The extent to which the low density residential designations (i.e. RS1, RS2 & RS3 zones) support commercial uses are confined to small-scale home occupation or bed and breakfast (B&B) operations.

To the extent that new tourist accommodation uses are encouraged, this is generally to lands designated as Tourist Commercial (CT) or where they will “enhance adjacent land uses or the character of the existing area.”

Concerns have previously been raised in Area “E” to the growth in “vacation rental” use and there has been an absence of policy support for tourist accommodation use in residential neighbourhoods.

Alternative:

Conversely, the proposed units are small and not dissimilar to a vacation rental use (i.e. limited to six months of the year) that will be confined to units consisting only of bedrooms (i.e. no cooking facilities are being provided) and could have a resident manager onsite in the principal dwelling.

Similar proposals in other electoral areas, such as in Upper Carmi (Electoral Area “D”) have been previously approved where property owners submitted proposals involving the reuse of accessory structures (i.e. garages and sheds) for short-term rental of sleeping units with no cooking facilities.

Further, the property is connected to community sewer (Kettle Ridge) and community water (RDOS) systems, which are seen to be adequate for the proposed use. As well, a Health and Safety Inspection of the sleeping units confirmed that they meet the standards for health and safety.

In order to provide sufficient parking for both the principal dwelling and the tourist accommodation use, the property owners intend to construct a driveway off of Workman place with two (2) parking spots for use by tourist accommodation patrons.

At present, this area is a dirt path and any new driveway will need to comply with the Ministry of Transportation and Infrastructure’s residential driveway guidelines. Should this application be approved, parking should be a condition of that approval.

Alternatives:

1. THAT the Board of Directors approve Temporary Use Permit No. E2023.022-TUP.

Respectfully submitted:



Fiona Titley, Planner II

Endorsed By:



C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Agency Referral List

No. 2 – Aerial Photo

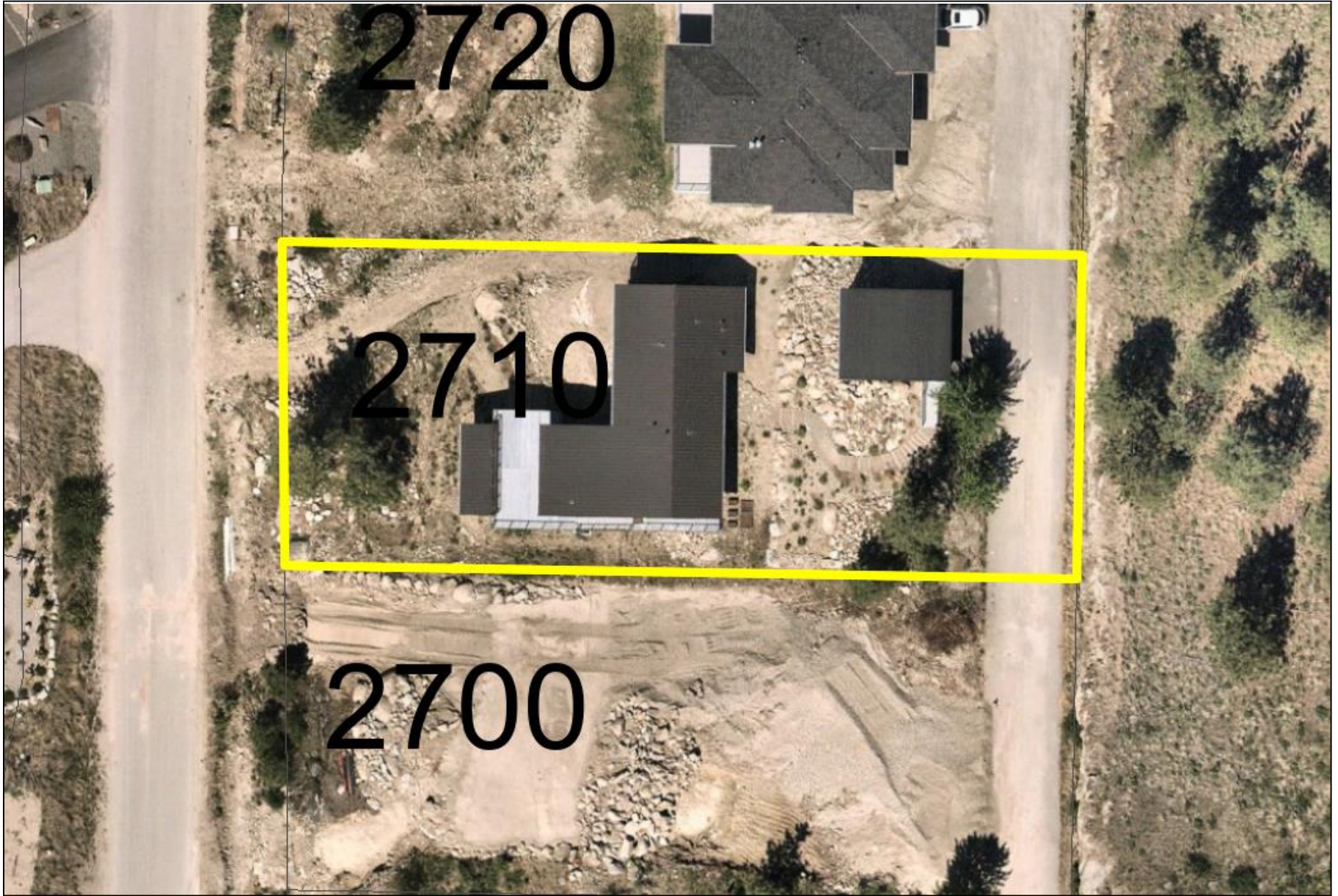
No. 3 – Site Photo (Workman Place)

Attachment No. 1 – Agency Referral List

Referrals to be sent to the following agencies as highlighted with a , prior to the Board considering adoption of Temporary Use Permit No. E2023.022-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 – Aerial Photo



Attachment No. 3 – Site Photo (Workman Place)

