



June 4, 2021

File: 0280-30

Local Government File: E2021.008-TUP

JoAnn Peachy

Regional District of Okanagan-Similkameen

Via Email: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

Dear JoAnn Peachey:

**Re: E2021.008-TUP – Temporary Use Permit at 2205 Naramata Road (PID: 008-920-311)  
– The Subject Property**

Thank you for providing the opportunity for the Ministry of Agriculture, Food and Fisheries (Ministry) to comment on File E2021.008-TUP that proposes to issue a Temporary Use Permit to allow for the operation of a short-term vacation rental use at the Subject Property. From an agricultural perspective, the Ministry offers the following comments:

- The Subject Property is 0.12 ha, is not under agricultural production and is adjacent to both active agricultural operations and residential properties.
- The applicant proposes to use the existing four-bedroom principal residence on the Subject Property as a short-term vacation.
- The Ministry recognizes that the subdivision plan (Plan KAP14888) that created the Subject Property was registered on February 22, 1965 and that on this date the Subject Property was approximately 0.13 ha. As such, it is likely that the Subject Property is exempt from *Agricultural Land Commission (ALC) Act* and its associated regulations under s. 23(1) of the *ALC Act*.
- Guests renting the principal residence on the Subject Property may not be aware that they will be staying within an active agriculture area that is associated with farmers using “normal farm practices”. As such, RDOS may wish to add a condition under section 7(b) of the TUP stating that guests should expect to experience “normal farm practices” during their stay on the Subject Property. Suggested wording is:

*“Please be advised that you are staying within an active agricultural area that is commonly associated with noise from farm operations at various times of the day, farm odours, chemical spray and dust”*

- Ultimately, if the conditions of the TUP are adhered to, the Ministry does not believe that this application will have a negative impact on nearby agricultural operations.

Please contact Ministry staff if you have any questions regarding the above comments.

Thank you for the opportunity to provide comments from an agricultural perspective with respect to this file.

Sincerely,



Reed Bailey  
Land Use Planner  
778-698-3455  
Reed.Bailey@gov.bc.ca



Philip Gyug, P.Ag.  
Regional Agrologist  
250-378-0573  
Philip.Gyug@gov.bc.ca

Email copy: Sara Huber, Regional Planner, Agricultural Land Commission –  
[Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)

## JoAnn Peachey

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**From:** D. Ray Halladay  
**Sent:** June 11, 2021 6:07 PM  
**To:** Planning  
**Cc:** Karla Kozakevich  
**Subject:** Temporary Use Permit - 2205 Naramata Road

I do not object to the proposed rezoning to permit the temporary use permit for accommodation at 2205 Naramata Road, Naramata, B.C. (Lot 1, Plan KAP14888, District Lot 206 SDYD.) I do object to the very real impact of such businesses if this and other rental accommodations are operated without there being a permanent resident required in each dwelling. I believe that without requiring a permanent resident in each rented home or dwelling, several negative impacts can and will result.

### NEGATIVE IMPACTS

1. An increasing proportion of the homes in Naramata will become owned by absentee owners. (I believe there is a noticeable trend toward that end in Naramata at the present time);
2. Absentee owners who rent, but do not live in their homes, are very likely to have no or limited involvement in the many aspects of local community life with the result that the community is impoverished economically by their being less demand for local goods and services, and socially by there being a diminished number of residents, particularly those raising families, to share in community education, planning, facility development and community events (e.g. charities; celebrations; school concerts, etc.).
3. Other B.C. Communities and communities elsewhere have identified those, and other impacts, and they have put in place or are planning to put in place suitable regulations. (Check out information reported by a number of BC Municipal bodies online in "Policy Implications for Short-term Vacation Rentals UBCM 2016").

### RECOMMENDATIONS

1. I submit that the RDOS should develop legislation requiring a permanent resident to occupy any home or other dwelling which is rented for accommodation whether for short or extended periods.
2. Where persons wish to rent a home or dwelling without there being a permanent resident present, the RDOS should limit their number in Naramata and require each to obtain a commercial business license, and to pay taxes at a level comparable to businesses providing similar accommodation such as motels and hotels.

### OTHER CONSIDERATIONS

The RDOS should consider relevant legislation enacted or being considered by other communities such as Tofino, Nelson, Victoria, Oak Bay and Banff, Alberta. That information will help the RDOS to gain a perspective on approaches to control and minimize impacts cited above or how to address additional impacts.

D. Rav Halladay



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## RESPONSE SUMMARY

### TEMPORARY USE PERMIT NO. E2021.008-TUP

☐ Approval Recommended for Reasons  
Outlined Below

☐ Interests Unaffected

☒ Approval Recommended Subject to  
Conditions Below

☐ Approval Not Recommended Due  
to Reasons Outlined Below

Thank you for the opportunity to provide comments on this application. It is our understanding that the applicant is requesting a temporary use permit (TUP) to operate a short-term vacation rental from the primary dwelling on the parcel. This referral has been reviewed from a Healthy Communities Development perspective. The following is for your consideration:

Housing is a key determinant of health. It has a significant influence on our physical and mental health, social well-being, and indirectly influences many other determinants of health such as income, early childhood development, educational opportunities, and access to health services. Healthy housing is affordable, high quality, and in a location and community that meets our needs and supports health and well-being.

Living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes. Access to affordable housing can reduce stress as well as allow residents to have adequate financial and personal resources available to live a healthy life.

Though there is no evidence yet for the long term implication of short term rentals on the health of our communities, the PHSA Healthy Built Environment Linkages Toolkit does identify that:

- Housing instability disproportionately affects low income people and vulnerable groups and can cause financial and psychological stress.
- Lack of affordable housing can lead to overcrowding.
- Higher housing costs can lead a decrease in disposable income making it more difficult to afford medication, healthy food, etc.
- Differences in housing (i.e. quality, accessibility, and affordability) all have impacts on health over in both the short term and long term.

Interior Health recommends that the Board considers the local need for long term rentals in the community while balancing the creation of short term vacation rentals.

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Signature: 

Signed By: Tanya Osborne

Agency: Interior Health

Title: Community Health Facilitator

Date: June 2, 2021

## RESPONSE SUMMARY

### TEMPORARY USE PERMIT NO. E2021.008-TUP

☐ Approval Recommended for Reasons  
Outlined Below

☒ Interests Unaffected

☐ Approval Recommended Subject to  
Conditions Below

☐ Approval Not Recommended Due  
to Reasons Outlined Below

Signature:  \_\_\_\_\_

Signed By: Dennis Smith

Agency: Naramata Fire Department

Title: Fire Chief

Date: May 19, 2021



**Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

June 1, 2021

Reply to the attention of Sara Huber  
ALC Issue: 52247  
Local Government File: E2021-008

JoAnn Peachey  
Planner 1, RDOS  
[JPeachey@rdos.bc.ca](mailto:JPeachey@rdos.bc.ca)

**Re: Regional District of Okanagan Similkameen Temporary Use Permit E2021-008**

Thank you for forwarding a draft copy of Regional District of Okanagan Similkameen (RDOS) Temporary Use Permit E2021-008 (the "TUP") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The TUP proposes to operate a short-term vacation rental use in the principal residence, including four bedrooms to accommodate up to eight people, on the property identified as 2205 Naramata Road; PID: 008-920-311 (the "Property").

**Site Plan:**



The ALC does not regulate the tenure of a principal residence which has received all necessary permits.

In the past, the ALC is aware that the RDOS has required the posting of information within the vacation rental. ALC staff suggest that such information be posted and include a disclaimer that the Property is within the ALR where agriculture is the priority use and include a copy of the RDOS's Electoral Area E Noise Regulation and Prohibition Bylaw.

ALC staff also reiterate some other considerations of the ALC, including:

- The single-family residence must be rented to a single party.
- No additional alterations may be made to the Property in conjunction with the rental.
- No other non-farm related activities (e.g. commercial weddings, specific events, businesses) may be conducted on the Property.

Other than that, ALC staff have no objection to the TUP.

ALC staff also recognize that the subdivision plan (Plan KAP14888) which created the Property was deposited at the Kamloops Land Registry Office on February 22, 1965. On this date, the Property was surveyed as being 0.32 acres, equivalent to 0.13 ha. For this reason, it is possible that the Property may be excepted from the restrictions of the ALC Act and its regulations under s. 23(1) of the ALC Act. To confirm the Property's status, a copy of the Certificate of Title which existed on December 31, 1972 is required. Once received, ALC staff can confirm whether the Property is excepted or not.

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The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail ([Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of RDOS TUP E2021-008

CC: Ministry of Agriculture – Attention: Alison Fox ([Alison.Fox@gov.bc.ca](mailto:Alison.Fox@gov.bc.ca))

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