

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 2, 2021

RE: Temporary Use Permit Application – Electoral Area “E” (E2021.011-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. E2021.011-TUP to allow for a vacation rental 1160 Upper Debeck Road, Naramata be approved.

Folio: E-01933.030

Legal: Lot 7, Plan KAP24878, District Lot 266, 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 a three-bedroom dwelling at 1160 Upper Debeck Road for one “full” season term to expire on December 31, 2022, through the issuance of a Temporary Use Permit (TUP).

The applicant has stated that “we would like to rent seasonally for approx. 5 years until we can retire in it...This home would be used as a vacation rental from May to October. Long Term Rental from October to May...There is a mandate in place with respect to our neighbours: no parties, no pets, no Bar B ques with guests who are unregistered.”

Site Context:

The subject property is approximately 1,411 m² in area and is situated on the south side of Upper Debeck Road. It is understood that the parcel is comprised of a single family dwelling and an accessory structure (workshop).

The surrounding pattern of development is generally characterised by a mixture of other residential properties, parks, recreation and trails area, administrative, culture and institutional properties and agricultural land.

Background:

The current boundaries of the subject property were created on March 11, 1974, and building permits have not previously been issued for this property.

Under the Electoral Area “E” Official Community the property is 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.

The property is 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.

The Regional District received written complaints regarding the operation of a vacation rental without a temporary use permit at the subject property in March 2021, which led to this application.

A letter prepared by a Registered On-Site Wastewater Practitioner (ROWP) has been provided stating that the septic system is compliant with the proposed vacation rental use. A Health and Safety Inspection was completed on October 26, 2021 and the Building Inspector identified no deficiencies. The property has a geotechnical hazard rating for slumps and slides at its rear, while BC Assessment has classified the property as “Residential” (Class 01).

Public Process:

On July 21, 2021, a virtual Public Information Meeting (PIM) was held via webex and was attended by zero members of the public.

At its meeting of July 12, 2021, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

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 Electoral Area “E” OCP 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.

The applicant has also submitted a site plan which shows provision of adequate parking on-site. In addition, a Registered Onsite Wastewater Practitioner (ROWP) has provided a letter stated that the on site septic system is capable of accommodating the vacation rental use of the property.

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.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2021.011-TUP; or

Respectfully submitted:



Fiona Titley, Planner I

Endorsed By:



C. Garrish, Planning Manager

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☒, regarding Temporary use permit E2021.011-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 Environment & Climate Change Strategy	<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 Fire Department		

Attachment No. 2 – Site Photo (Google Streetview)

