

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: August 19, 2021
RE: Temporary Use Permit Application – Electoral Area “E”

Administrative Recommendation:

THAT the Board of Directors approve Temporary Use Permit No. E2021.018-TUP

<u>Purpose:</u> To allow for a vacation rental use.	<u>Folio:</u> E-02200.011
<u>Civic:</u> 3180 Bartlett Road	<u>Legal:</u> Lot 2, Plan KAP47279, District Lot, SDYD
<u>OCP:</u> Low Density Residential (LR)	<u>Zone:</u> 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.

Public Process:

On July 13, 2021, a Public Information Meeting (PIM) electronically was and was attended by approximately zero members of the public (as well as the applicant and the area director) .

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:

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);
- 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

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. E2021.018-TUP; or
2. THAT the Board of Directors defer consideration of Temporary Use Permit No. E2021.018-TUP for the following reasons:
 - i) *TBD*

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner I

Endorsed By:

CG

C. Garrish, Planning Manager

- Attachments: No. 1 – Agency Referral List
No. 2 – Applicant’s Site Photo

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Amendment Bylaw No. E2021.018-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 – Applicant’s Site Photo (May 2021)



NOTICE OF DEVELOPMENT

SUBJECT: 3180 BARTLETT ROAD
PROPERTY: LOT 2 DIST. LOT 210 PLAN KAP47279
SIMILKAMEEN DIV. YALE DISTRICT NARAMATA

DEVELOPMENT: TEMPORARY USE PERMIT
PROPOSAL: VACATION RENTAL

PROPOSAL: THE CURRIE AND SHAEFER/RENSTAD FAMILIES
HAVE APPLIED FOR A TEMPORARY USE PERMIT
TO RENT THEIR HOUSE. WE ARE FOLLOWING
THE GOOD NEIGHBOUR POLICY. FOR MORE
INFORMATION PLEASE EMAIL JUSTIN CURRIE AT:
justin.currie@live.com

INFORMATION ABOUT THIS APPLICATION CAN BE VIEWED AT: www.rdos.bc.ca
Regional District of Okanagan Similkameen staff can also be
contacted at: 250-490-4107 / 1-877-610-3737 (toll free) / planning@rdos.bc.ca