

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** November 18, 2021

**RE:** Temporary Use Permit Application – Electoral Area “E” (E2021.023-TUP)

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### Administrative Recommendation:

**THAT Temporary Use Permit No. E2021.023-TUP to allow for a vacation rental at 3135 Bartlett Road in Naramata be approved.**

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Folio: E-02193.020

Legal: Lot B, Plan KAP29459, District Lot 210, SDYD

OCP: Small Holdings (SH)

Zone: Small Holdings Four Zone (SH4)

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### Purpose:

This application is seeking to use a single-detached dwelling for a seasonal vacation rental use on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “[the reason for the proposed temporary use is] to cover some of the costs, allow enjoyment by others, [and the use will be limited to the] whole house apart from one bedroom.”

### Site Context:

The property is 2615 m<sup>2</sup> in area and is situated on the west side of Bartlett Road. The parcel is comprised of a single detached dwelling and an accessory structure (garage).

The surrounding pattern of development is generally characterised by residential on all sides and with agriculture surrounding the neighbourhood.

### Background:

The boundaries of the subject property were created on December 6, 1978, while available Regional District records indicate that a building permit for the single family dwelling (1990 & 1991) has previously been issued for this property.

The property is designated Small Holdings (SH), and is not the subject of any development permit areas. The property is zoned Small Holdings Four Zone (SH4) which does allow the related secondary uses of bed and breakfasts and home industries.

The Regional District has received written complaints regarding the operation of the vacation rental without a permit. The property owners previously advertised the home for up to six (6) people, which will not be permitted through this TUP (maximum four (4) people).

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**Public Process:**

On November 8, 2021, a Public Information Meeting (PIM) was held via WebEx and was attended by two (2) members of the public with questions and in favour of the proposal.

At its meeting of November 8, 2021, the Area "E" Advisory Planning Commission (APC) recommended 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 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, 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 health and safety inspection and septic compliance have successfully been completed.

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" 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.

There is also a need for long-term rental homes in Naramata, as identified in the 2020 Housing Needs Assessment Report. But the owners use the property part-time for their own vacation use, making it non-viable for a year-round rental.

The owners have been operating the rental in contravention of RDOS vacation rental policies without a TUP. The owners will need to reduce the occupancy and time of year they rent the property to comply with the policies outlined in the OCP.

**Alternatives:**

1. THAT the Board of Directors deny Temporary Use Permit No. E2021.023-TUP;

**Respectfully submitted:**  
Danielle DeVries, Planner 1**Endorsed By:**  
C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Site Photo (Google Street View 2012)

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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. E2021.023-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 checked="" 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"/>	X Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Naramata Volunteer Fire Department		



Attachment No. 2 – Site Photo (Google Street View 2012)

