

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission

FROM: B. Newell, Chief Administrative Officer

DATE: November 8, 2021

RE: Temporary Use Permit – Electoral Area “E”

Purpose: To allow for a vacation rental use Folio: E-02193.020

Civic: 3135 Bartlett Road Legal: Lot B, Plan KAP29459, District Lot 210, SDYD

OCP: Small Holdings (SH) Zone: Small Holdings Four Zone (SH4)

Proposed Development:

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 subject property is approximately 2615 m² in area and is situated on the west side of Bartlett Road. It is understood that 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 current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops 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.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Small Holdings (SH), and is not the subject of any development permit areas.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently 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).

BC Assessment has classified the property as “Residential” (Class 01).

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.

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.

Conversely, Administration recognises that limitations on commercial operations like “bed and breakfast” operations are intended to ensure intrusive or intensive tourist accommodation is not introduced into residential neighbourhoods.

However, 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.

For the reasons listed above, Administration supports approval of the temporary use permit under the following conditions:

- Period of use (May 1 to October 31);
- Post information within vacation rental;
- Maximum number of bedrooms (2);
- Maximum occupancy (4);
- Minimum number of on-site parking stalls (2);
- Prohibition of camping or use of RVs or accessory buildings for vacation rental occupancy;
- Provide TUP and contact information to neighbours; and
- Vacation rental operator and guests adhere to provincial health order during the Provincial State of Emergency for COVID-19.


Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved with the following conditions:
 - i) *TBD*
2. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be denied.

Respectfully submitted:



Danielle DeVries, Planner 1

Endorsed By:



C. Garrish, Planning Manager

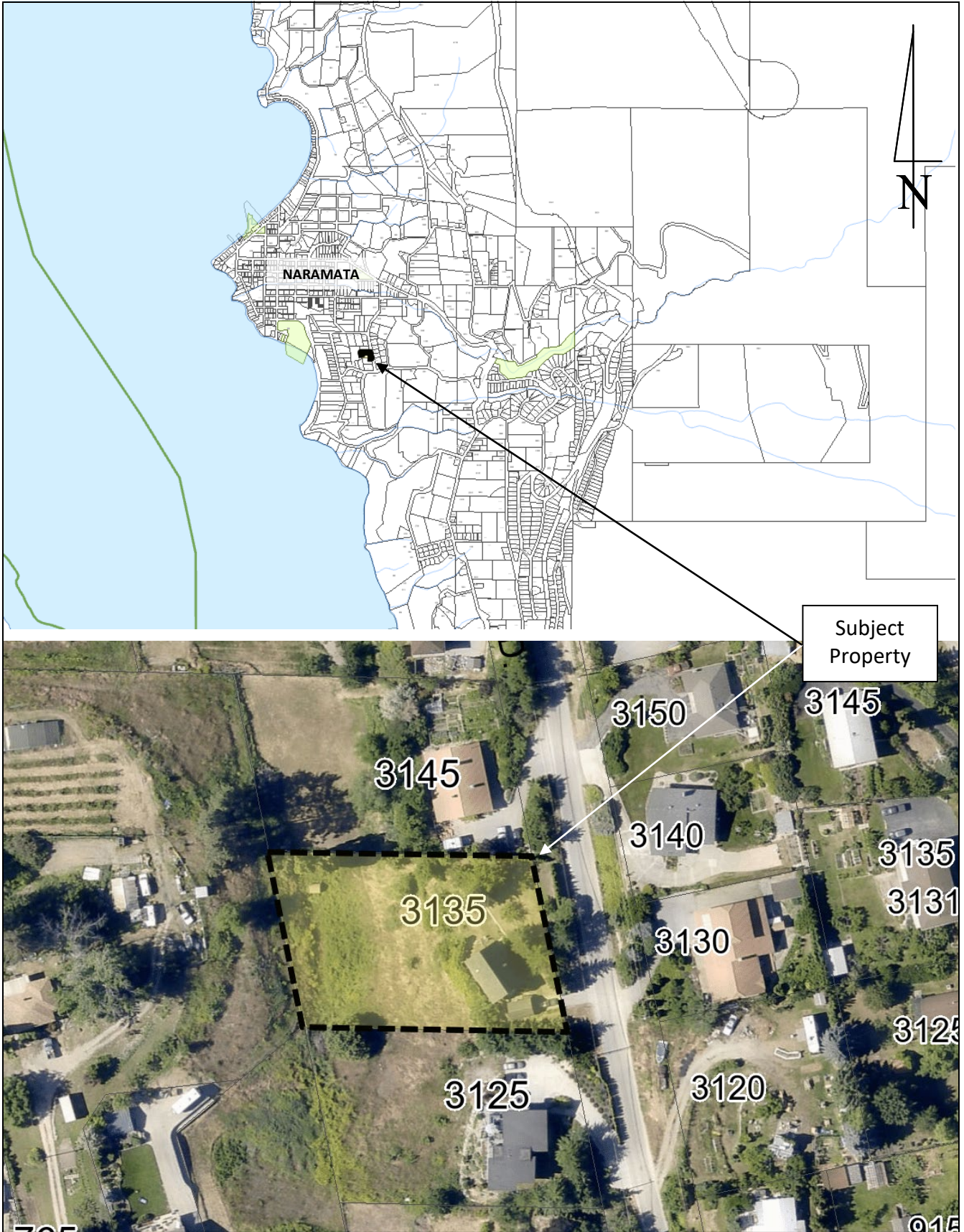
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

No. 3 – Applicant's Floor Plan

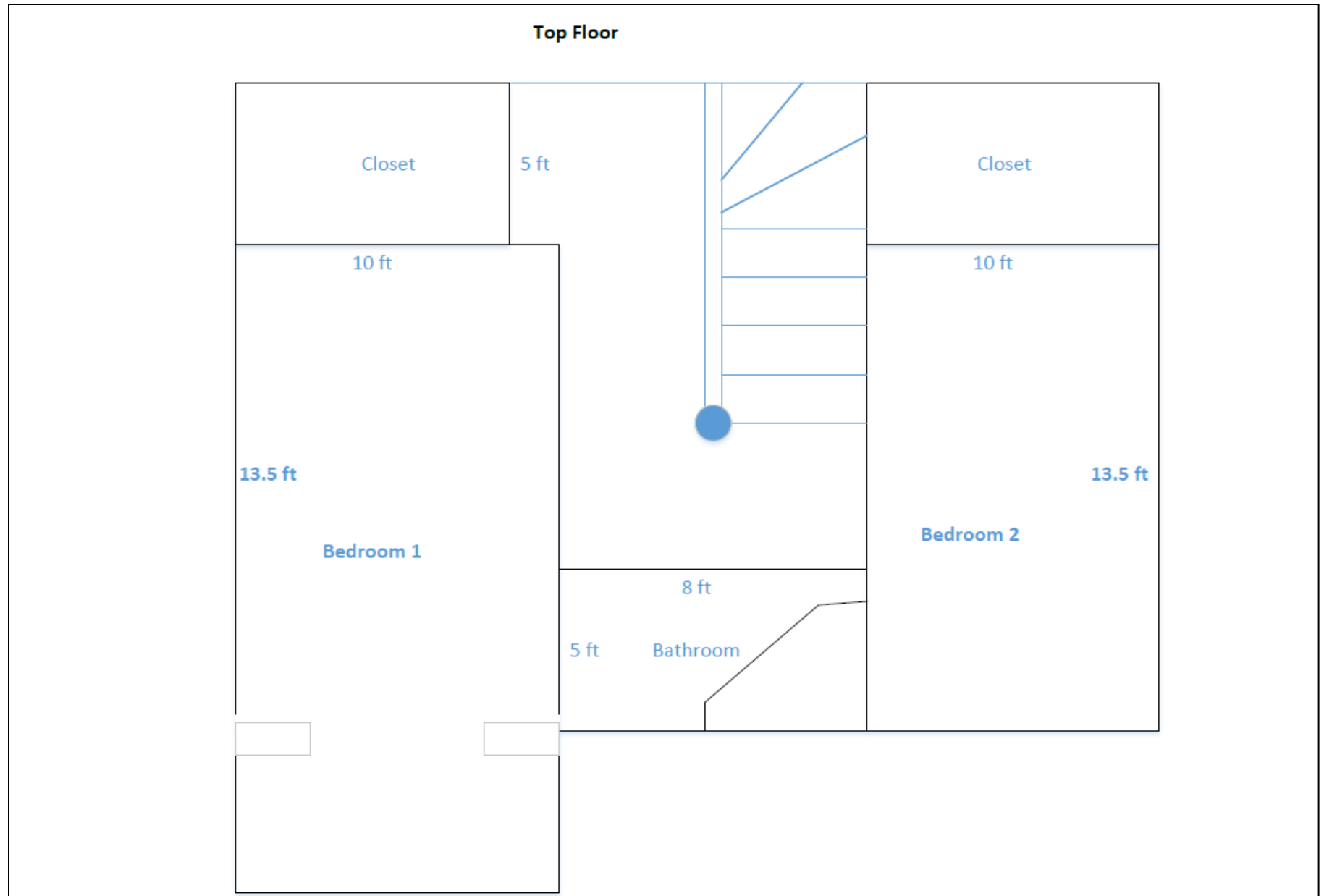
No. 4 – Site Photo

Attachment No. 1 – Context Maps



The site plan for Lot B (0.646 Acres) shows a rectangular lot with a dashed line indicating the boundary with Lot A to the north. The lot is divided into several areas: a large rectangular 'Septic Field' on the left, a 'House' (shaded gray) in the center, a 'Garage' (shaded gray) to the right of the house, a 'Driveway' leading to the garage, and a 'Parking' area to the right of the driveway. A 'Cedar tree Screen' is located along the northern boundary. The plan includes various dimensions: 140.0' for the northern boundary, 280.00' for the western boundary, 206.14' for the eastern boundary, and 12' for the southern boundary. Angles of 91° and 168° are marked at the corners. A scale bar indicates 1cm=18ft. A north arrow is located in the top left corner.

Attachment No. 3 – Applicant's Floor Plan



Attachment No. 4 – Site Photo (Google Street View 2012)

