



REGIONAL DISTRICT OF CENTRAL OKANAGAN PUBLIC HEARING AGENDA

Monday, April 26, 2021

7:00 p.m.

Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

Chair Given acknowledged that this meeting is being held on the traditional territory of the syilx/Okanagan peoples.

In accordance with Provincial Health Officer Orders regarding gatherings and events, the public is currently not permitted to attend Public Hearings in-person. **Participation by the applicant and any members of the public will be by electronic means only and confirmed no later than 4:00 p.m. on April 26.**

As an open meeting, a live audio-video feed is being broadcast and recorded on rdco.com.

Roll call was taken as some board members were in attendance electronically due to physically distancing for COVID-19 pandemic.

This Special Meeting is being held for the purpose of considering an amendment to the RDCO Zoning Bylaw No. 871 and the Joe Rich Rural Land Use Bylaw No. 1195.

The **Public Hearing was advertised** (pursuant to the Local Government Act) in the Kelowna Capital News on:

- Thursday, April 15, 2021; and
- Thursday, April 22, 2021

In accordance with Development Applications Procedure Bylaw No. 944, **"Notice of Application"** signs were posted on the subject properties.

The role of the Regional Board is to hear representation from those persons who wish to provide comments regarding the proposed bylaws. Everyone who wishes to speak shall be given the opportunity to be heard. No one will be, or should feel, discouraged or prevented from making his or her views known. However, it is important that all who speak at this meeting restrict their remarks to matters contained in the bylaws and it is

my responsibility as Chairperson of this meeting to ensure that all remarks are so restricted.

Members of the Regional Board may, if they so wish ask questions of you following your presentation. However, the main function of the Regional Board members this evening is to listen to the views of the public. It is not the function of the Regional Board at this public hearing to debate the merits of the proposed bylaw with individual citizens.

No decision will be made at the Hearing, but the entire proceedings will be considered by the Regional Board at a subsequent meeting.

Submissions regarding the proposed bylaws may be received prior to or at this Hearing.

No further information or representations can be considered by the Regional Board after the Public Hearing is terminated.

2. **Zoning Amendment Bylaw No. 871-264 (RDCO File:Z20/06)** 1 - 14
Owner/applicant: M. Basra, Received First Reading: January 25, 2021

To amend the zoning from A1 Agricultural to A1s Agricultural (Secondary Suite), Lot 1, District Lot 121, ODYD, Plan 15442, located adjacent to Black Road (Central Okanagan East Electoral Area)

3. **Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 (File: RLUB-20-02)** 15 - 26
Owner/applicant: K. & P. Bartha, Received First Reading: January 25, 2021

To amend the land use designation from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite) on Lot A, District Lot 4051, ODYD, Plan 34622, located adjacent to Highway 33. E. (Central Okanagan East Electoral Area)

4. **TERMINATE & ADJOURN**



Regional Board Report

For the Public Hearing April 26, 2021

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Zoning Amendment Bylaw No. 871-264 (Z20/06)
M. Basra, 4379 Black Road
Central Okanagan East Electoral Area

Purpose: To permit a secondary suite by rezoning the subject property from A1 Agricultural to A1s Agricultural (Secondary Suite).

Executive Summary:

The owner of Lot 1, District Lot 121, ODYD, Plan 15442 would like to add a secondary suite within the single detached house currently under construction. The parcel is currently zoned A1 Agricultural, which does not permit a secondary suite. The property is within the Agricultural Land Reserve however, restrictions on the use of agricultural land contained within the *Agricultural Land Commission Act* and the Agricultural Land Reserve Use Regulation do not apply to the parcel. All technical requirements will be addressed in conjunction with the zoning amendment and building permit process.

To date, no opposition has been received from affected agencies. Further to RDCO's issuance of a building permit to construct a house on the property, staff received an objection from an adjacent landowner regarding the siting of the dwelling.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin
Director of Community Services

Prepared by: Danika Dudzik, Senior Planner

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

Background:

Until recently, the subject property has been vacant. The new owner has recently received a building permit from RDCO Inspections Services staff to develop a single detached house which is currently under construction.

Proposal:

The owner is proposing to add a secondary suite approximately 651 ft² (60.5 m²) within a portion of the house.

Zoning Amendment Bylaw No. 871-264 received first reading on January 25, 2021. Further, the application was to be scheduled for a Public Hearing upon receipt of draft covenant recognizing the location of the subject property within an area that is actively farmed and subject to various disturbances resulting from normal farm operations. Since first reading, Planning staff received the appropriate draft documentation.

The provision of a secondary suite is subject to the regulations identified in Section 3.26 of Zoning Bylaw No. 871. The zoning amendment and all requirements of a Building Permit must be met prior to final approval for occupancy being granted by the Regional District. Based on the proposal and supporting technical documentation, adequate on-site parking is achievable for the residence and secondary suite and servicing requirements for water and wastewater have been addressed as required in Zoning Bylaw No. 871.

Ellison Official Community Plan Bylaw No. 1124:

Section 16, Policy No. 2.8 is applicable to the proposal, which supports “a range of residential types and densities in order to accommodate different socio-economic groups, age groups and lifestyles.”

Section 14, Policy No. 2.6 identifies the reduction of negative effects at the agricultural/urban interface and the use of buffering. Further, Policy No. 2.9 supports the Agricultural Land Commission Landscape Buffer Specifications for urban and residential uses next to the ALR.

Site Context:

The property is located in the Ellison Area and within the Ellison Fire Protection Area. The parcel is serviced by a water purveyor and on-site sewerage disposal system. In accordance with the Ellison Official Community Plan Bylaw No. 1124, the property is not affected by any Development Permit Areas.

The subject property is surrounded by farmland and active agricultural uses. While it is not a requirement for parcels zoned A1, a Level 1 Buffer to reduce potential conflict between residential uses and normal farm practices (e.g. overspray from cherries, noise, and dust) would be beneficial to the property owner.

Additional Information:

Owner/Applicant:	M. Basra
Address:	4379 Black Road
Legal Description:	Lot 1, District Lot 121, ODYD, Plan 15442
Lot Size:	+/- 0.40 ha (1 acre)
Zoning:	A1 Agricultural
OCP Designation:	Agriculture

Sewage Disposal:	Septic system
Water Supply:	Glenmore-Ellison Improvement District
Existing Use:	Vacant
Surrounding Uses:	North: Black Road / Agriculture / Rural Residential South: Agriculture East: Agriculture / Rural Residential West: Old Vernon Road / Utility Services / Ellison Dog Park
A.L.R.:	Within the A.L.R.
Fire Protection:	Ellison Fire Protection Area

RDCO TECHNICAL COMMENTS (Presented at First Reading):

Inspections Services staff advises there is currently an active building permit associated with the subject property (Building Permit #8198/20) to construct a 2 storey single detached house approximately 5,465 ft² (508 m²). Further to issuance of the building permit, staff received an objection from an adjacent landowner regarding the siting of the proposed residence as it relates to the close proximity of adjacent agricultural lands and active farming operations.

Provisions for the on-site sewerage system were approved and registered with Interior Health. Further, the system was designed to accommodate a future secondary suite.

Secondary suite requirements will be dealt with through the building permit process to ensure compliance with the BC Building Code. Inspections Services staff will ensure that on-site sewage servicing requirements are addressed in conjunction with the building permit process.

Unaffected RDCO Departments include Parks Services, Fire Services, and Environmental Services.

AGENCY REFERRAL COMMENTS (Presented at First Reading):

Ministry of Agriculture, Food, and Fisheries staff advises that the parcel appears to have been a parcel less than 2 acres on a separate certificate of title prior to December 21, 1972. As such, the Agricultural Land Commission (ALC) has determined that the restrictions on the use of agricultural land contained within the *Agricultural Land Commission Act* and the Agricultural Land Reserve Use Regulation do not apply. Further, the suite will be located within the principal residence and will not cover additional land area beyond the single detached house. Therefore, Ministry staff advises there are no objections to the construction of a secondary suite.

As the size of the property is small with a larger house it is likely to be used as a rural residence in an area that is seeing intensive orchard production. A suite that may be occupied by those unfamiliar with farming may increase the likelihood of farm practice complaints. Ministry staff recommend:

- a covenant be required to be registered on title noting that the parcel is located within a farming area and may be subject to disturbances such as noise, odour and dust; and,
- landscaping within 15m of the property boundaries be consistent with the guidelines in the Ministry's Guide to Edge Planning in order to help mitigate some disturbances.

Agricultural Land Commission staff advises that the parcel is within the ALR. However, in 2020, the ALC reviewed the Certificate of Title and Survey Plan of the subject property which existed on December 21, 1972, and determined that the restrictions on the use of agricultural

land contained within the ALC Act and ALR Use Regulation do not apply under s. 23(1) of the ALC Act. As such, ALC staff have no objection to the proposal.

Interior Health Authority staff advises no objections to the proposal. A Record of Sewerage System must be submitted to Interior Health by an Authorized Person prior to the construction of the septic system.

FortisBC advises that there are primary distribution facilities along Black Road and Old Vernon Road. The applicant is responsible for costs and land right requirements associated with changes to the existing servicing. For any changes to the existing service, the applicant must contact an FBC(E) designer regarding design, servicing solutions, and land right requirements.

Unaffected Agencies include Ministry of Transportation and Infrastructure.

External Implications:

In accordance with Development Application Procedures Bylaw No. 944, a Notice of Application Sign has been posted. Furthermore, *Local Government Act* requirements including newspaper notices and neighbourhood notification were completed.

To date, no opposition has been received from affected agencies. Further to RDCO's issuance of a building permit to construct a house on the property, staff received an objection from an adjacent landowner regarding the siting of the dwelling. No other correspondence has been received from other neighbouring properties.

Conclusion:

Should the Regional Board close the Public Hearing, the application will come forward with a separate report for Board consideration of further readings to the bylaw amendment.

Attachment(s):

- Bylaw No. 871-264
- Orthophoto Map
- Site Plan
- Secondary Suite Floorplan – Proposed
- Elevation Plans
- ALC Letter – August 28, 2020

REGIONAL DISTRICT OF CENTRAL OKANAGAN
BYLAW NO. 871-264
A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000

WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-264.**
2. **That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on Lot 1, District Lot 121, ODYD, Plan 15442 as shown on Schedule 'A' attached to and forming part of this bylaw from A1 Agricultural to A1s Agricultural (Secondary Suite).**
3. **That the Regional District of Central Okanagan Zoning Bylaw map being Schedule 'B' of the bylaw be AMENDED to depict the change.**

READ A FIRST TIME this 25th day of January 2021

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this _____ day of _____

READ A SECOND TIME this _____ day of _____

READ A THIRD TIME this _____ day of _____

ADOPTED this _____ day of _____

Chairperson

Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-264 as read a third time by the Regional District of Central Okanagan the _____ day of _____

Dated at Kelowna, this _____ day of _____

Director of Corporate Services

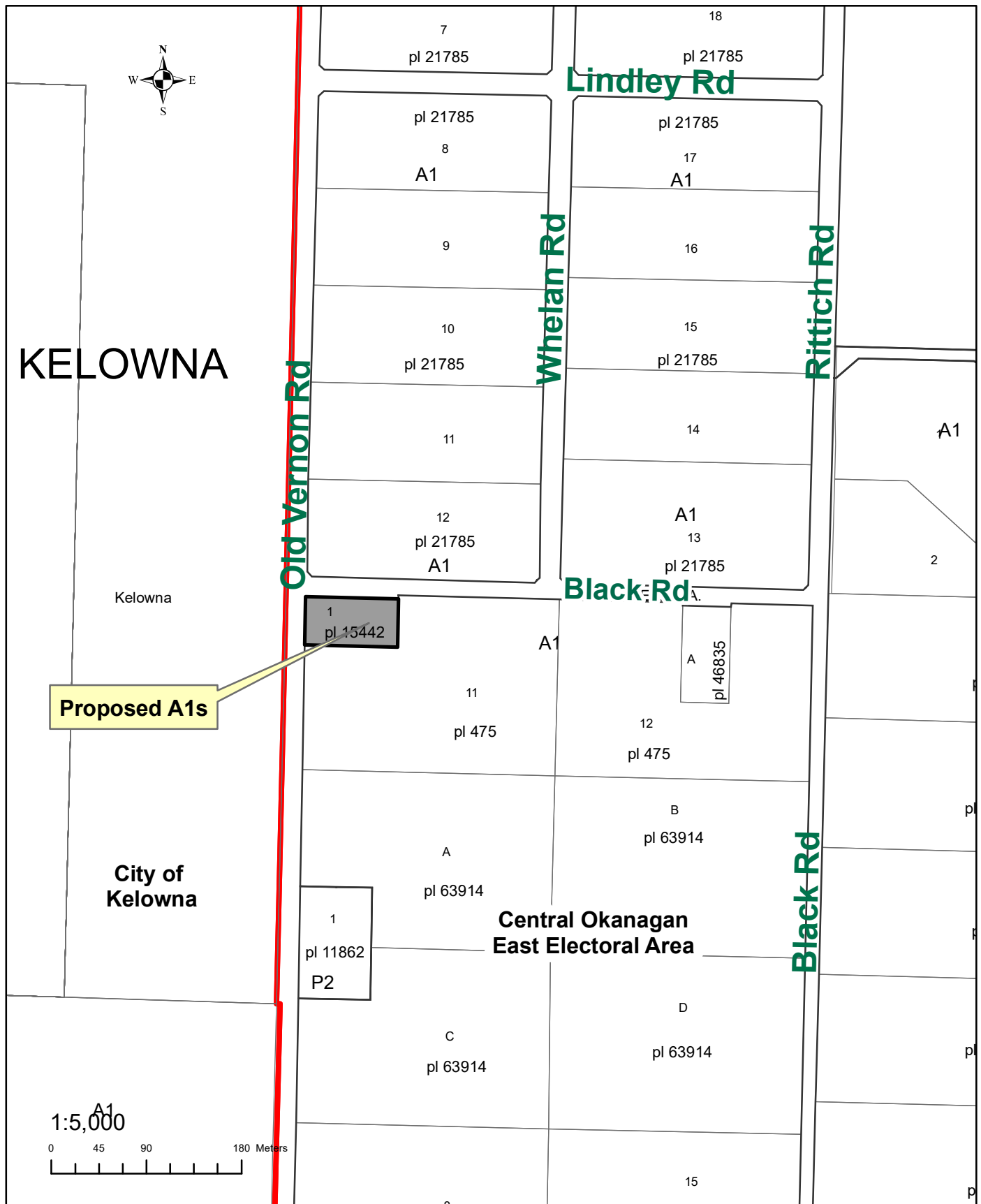
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-264 which was Adopted by the Regional District of Central Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

Director of Corporate Services

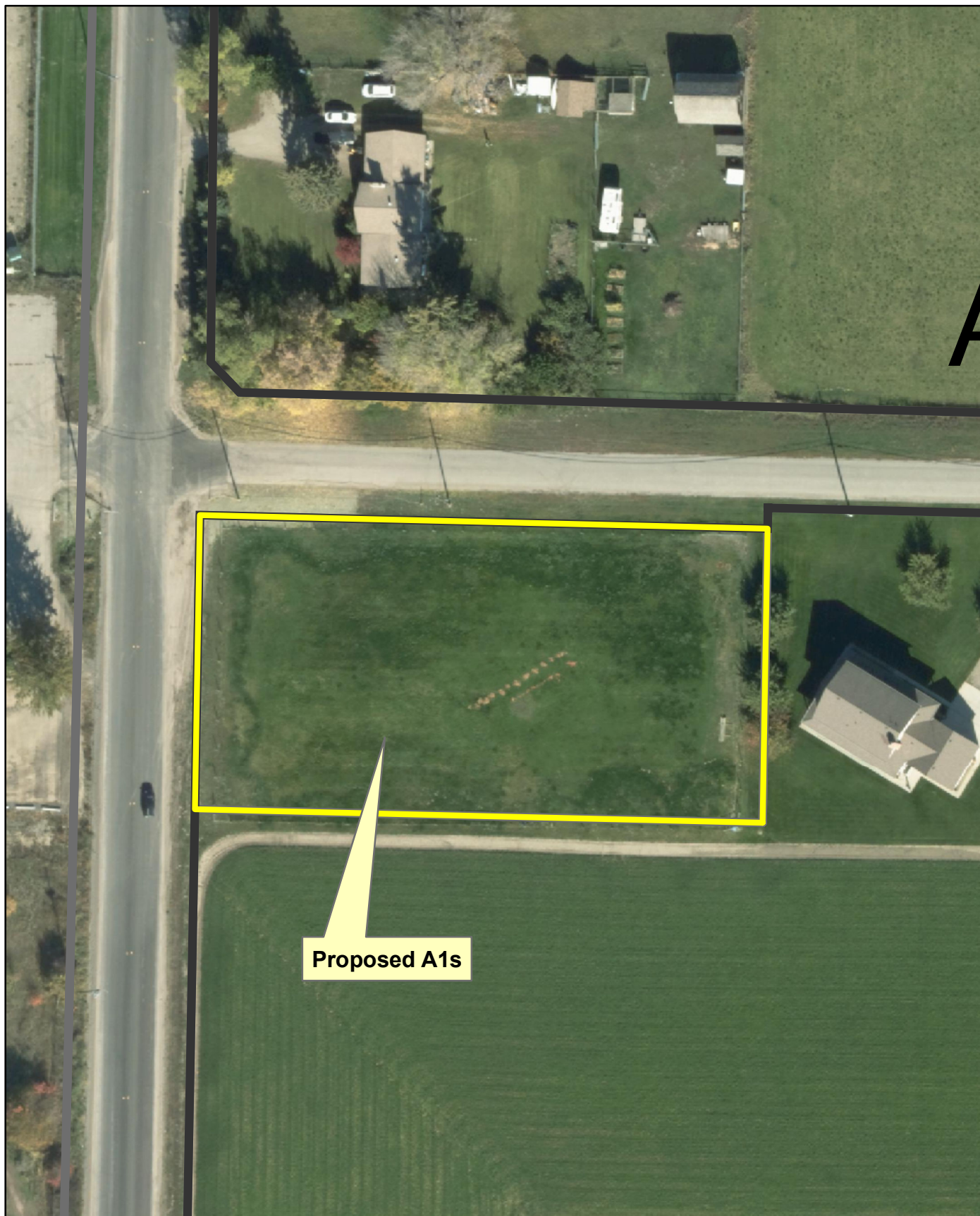
H:\Planning\3360-Zoning\20-Applications\2020\Z20-06 - Basra\Bylaw\Bylaw 871-264.doc

SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in
Bylaw No. 871-264 and read a third time by the Regional District of Central Okanagan
on the day of

ORTHOPHOTO



BUILDING HEIGHT: m

PERMITTED = 12.0m
ACHIEVED = 8.44m

BUILDING SETBACKS: m

	PERMITTED	PROPOSED
FRONT	6.0	31.62
LEFT SIDE	4.5	18.6
RIGHT SIDE	3.0	4.0
REAR	3.0	26.14

TOFFLOOR = 2165.42 SF

O.T.B = 497.06 SF
REAR COV'D DECK = 334.85 SF
FRONT COV'D DECKS = 287.04 SF

MAINFLOOR GROSS = 4018.97 SF

NET MAINFLOOR = 2645.53 SF
SUITE = 651.11 SF
GARAGE = 722.33 SF
FRONT COV'D PORCH = 159.0 SF
REAR COV'D DECK = 432.46 SF

MR. BASRA

BLACK ROAD,
KELOWNA, BC

ZONE: A1

LOT1, PLAN KAP15442,
DISTRICT
LOT 121, OSOYOOS
DIV OF YALE LAND
DISTRICT

PID: 008-809-879

FOLIO: 72310221.000

LOT SIZE = 4042.77m²

PARCEL COVERAGE: m²
PERMITTED @35%=
1414.70 m²
PROPOSED @11.75%=
475.21m²
(HOUSE = 428.32 m²)
(POOL = 46.89 m²)

PARCEL COVERAGE W/
DRIVEWAY/SIDEWALK @
26.6%=
1075.0 m²

ELEVATIONS IN METERS:

ROOF RIDGE = 444.70
MID ROOF = 443.62
ROOF LINE = 442.54
TOP FLOOR = 439.47
MAINFLOOR = 436.05
GARAGE FRONT = 435.69
AVE. GRADE = 435.21

SINGH DRAFTING AND HOME PLANS LTD.

DWG. NO.:

A1

SHEET TITLE:

SITEPLAN

PROJECT:

MANJIT
S. BASRA

BLACK
ROAD,
KELOWNA

SCALE:

3/32" = 1'-0"

DATE:

SEPT 11/
2020

DRAWN BY:

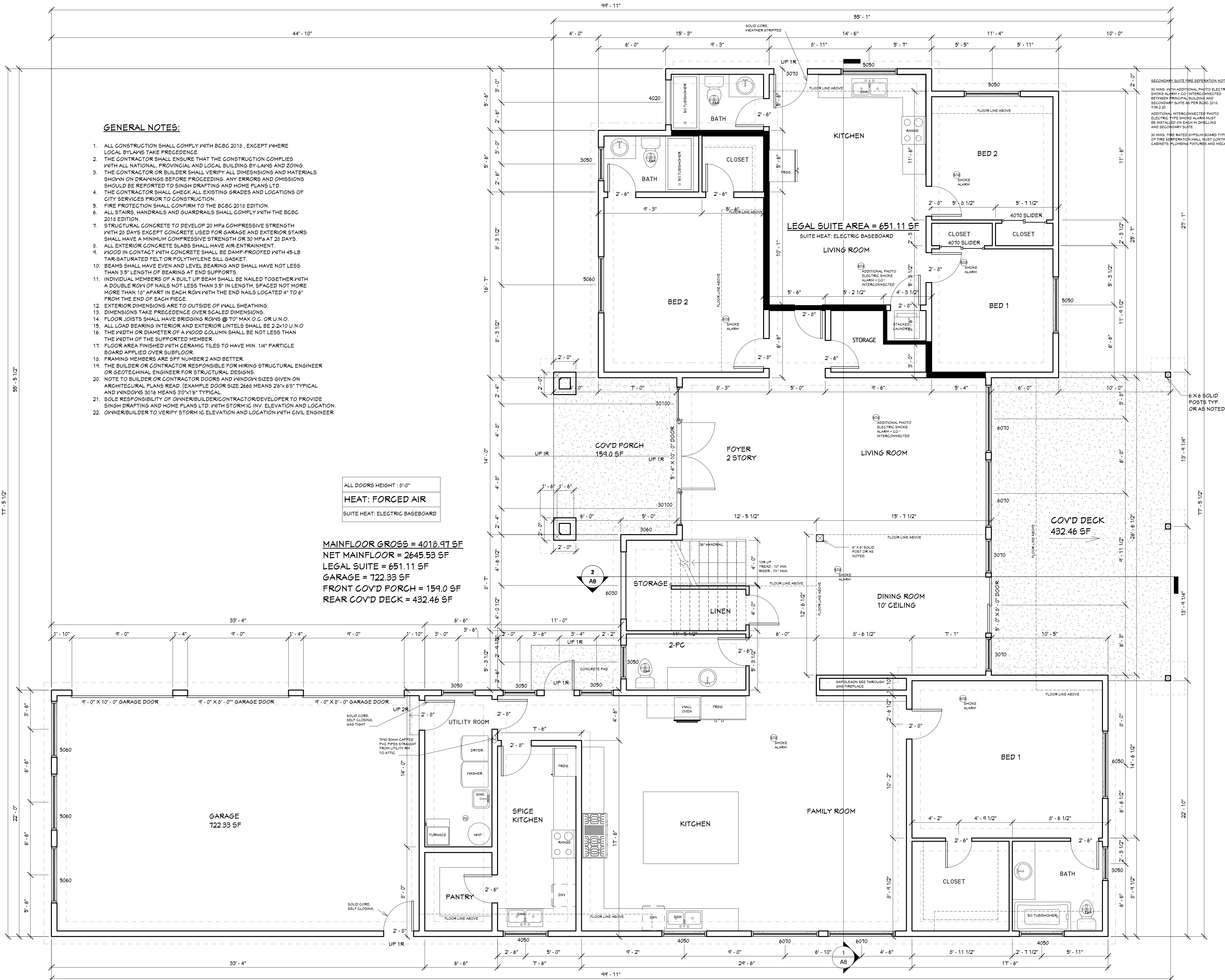
G.S.

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THESE PLANS ARE IN COMPLIANCE WITH THE 2018 BCBC

1 SITE PLAN
3/32" = 1'-0"

SITE PLAN MEASUREMENT IN METERS.



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL COMPLY WITH BCBC 2018, EXCEPT WHERE LOCAL BYLAWS TAKE PRECEDENCE.
2. THE CONTRACTOR SHALL ENSURE THAT THE CONSTRUCTION COMPLIES WITH ALL NATIONAL, PROVINCIAL AND LOCAL BUILDING BY-LAWS AND ZONING.
3. THE CONTRACTOR OR BUILDER SHALL VERIFY ALL DIMENSIONS AND MATERIALS SHOWN ON DRAWINGS BEFORE PROCEEDING. ANY ERRORS AND OMISSIONS SHOULD BE REPORTED TO SINGH DRAFTING AND HOME PLANS LTD.
4. THE CONTRACTOR SHALL CHECK ALL EXISTING GRADES AND LOCATIONS OF CITY SERVICES PRIOR TO CONSTRUCTION.
5. FIRE PROTECTION SHALL CONFORM TO THE BCBC 2018 EDITION.
6. ALL STAIRS, HANDRAILS AND GUARDRAILS SHALL COMPLY WITH THE BCBC 2018 EDITION.
7. STRUCTURAL CONCRETE TO DEVELOP 20 MPa COMPRESSIVE STRENGTH WITH 28 DAYS EXCEPT CONCRETE USED FOR GARAGE AND EXTERIOR STAIRS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 30 MPa AT 28 DAYS.
8. ALL EXTERIOR CONCRETE SLABS SHALL HAVE AIR ENTRAINMENT.
9. WOOD IN CONTACT WITH CONCRETE SHALL BE DAMP-PROOFED WITH 45-LB TAR-SATURATED FELT OR POLYETHYLENE SILL GASKET.
10. BEAMS SHALL HAVE EVEN AND LEVEL BEARING AND SHALL HAVE NOT LESS THAN 3" LENGTH OF BEARING AT END SUPPORTS.
11. INDIVIDUAL MEMBERS OF A BUILT UP BEAM SHALL BE NAILED TOGETHER WITH A DOUBLE ROW OF NAILS NOT LESS THAN 3" IN LENGTH, SPACED NOT MORE THAN 18" APART IN EACH ROW WITH THE END NAILS LOCATED 4" TO 6" FROM THE END OF EACH PIECE.
12. EXTERIOR DIMENSIONS ARE TO OUTSIDE OF WALL SHEATHING.
13. DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
14. FLOOR JOISTS SHALL HAVE BRIDGING ROYS @ 70" MAX O.C. OR U.N.O.
15. ALL LOAD BEARING INTERIOR AND EXTERIOR LINTELS SHALL BE 2x10 U.N.O.
16. THE WIDTH OR DIAMETER OF A WOOD COLUMN SHALL BE NOT LESS THAN THE WIDTH OF THE SUPPORTED MEMBER.
17. FLOOR AREA FINISHED WITH CERAMIC TILES TO HAVE MIN. 1/4" PARTICLE BOARD APPLIED OVER SUBFLOOR.
18. FRAMING MEMBERS ARE SPF NUMBER 2 AND BETTER.
19. THE BUILDER OR CONTRACTOR RESPONSIBLE FOR HIRING STRUCTURAL ENGINEER OR GEOTECHNICAL ENGINEER FOR STRUCTURAL DESIGN.
20. NOTE TO BUILDER OR CONTRACTOR DOORS AND WINDOW SIZES GIVEN ON ARCHITECTURAL PLANS READ. (EXAMPLE DOOR SIZE 2660 MEANS 26"x60" TYPICAL AND WINDOWS 3016 MEANS 30"x16" TYPICAL).
21. SOLE RESPONSIBILITY OF OWNER/BUILDER/CONTRACTOR/DEVELOPER TO PROVIDE SINGH DRAFTING AND HOME PLANS LTD. WITH STORM IC INV. ELEVATION AND LOCATION.
22. OWNER/BUILDER TO VERIFY STORM IC ELEVATION AND LOCATION WITH CIVIL ENGINEER.

ALL DOORS HEIGHT: 8'-0"
HEAT: FORCED AIR
SUITE HEAT: ELECTRIC BASEBOARD

MAINFLOOR GROSS = 4018.97 SF
NET MAINFLOOR = 2645.53 SF
LEGAL SUITE = 651.11 SF
GARAGE = 722.33 SF
FRONT COV'D PORCH = 159.0 SF
REAR COV'D DECK = 432.46 SF

SECONDARY SUITE FIRE SEPARATION NOTE:
30 MINS. INT. ADDITIONAL PHOTO ELECTRIC SMOKE ALARM + CO INTERCONNECTED BETWEEN PRINCIPAL BUILDING AND SECONDARY SUITE AS PER BCBC 2018 4.36.2.20
ADDITIONAL INTERCONNECTED PHOTO ELECTRIC SMOKE ALARM MUST BE INSTALLED ON EACH IN DWELLING AND SECONDARY SUITE.
30 MINS. FIRE RATED GYPSUM BOARD TYPE X ON BOTH SIDES OF FIRE SEPARATION WALL MUST CONTINUE BEHIND CABINETS, PLUMBING FIXTURES AND MECH. EQUIPMENT.

1 MAIN FLOOR
1/4" = 1'-0"

THESE PLANS ARE IN COMPLIANCE WITH THE 2018 BCBC

SINGH DRAFTING AND HOME PLANS LTD.
14172 77A AVE, SURREY, BC V3W2X3 (604)379.6000 SINGHDRAFTING@HOTMAIL.COM

DWG. NO.:
A2

SHEET TITLE:
MAINFLOOR

PROJECT:
MANJIT S. BASRA

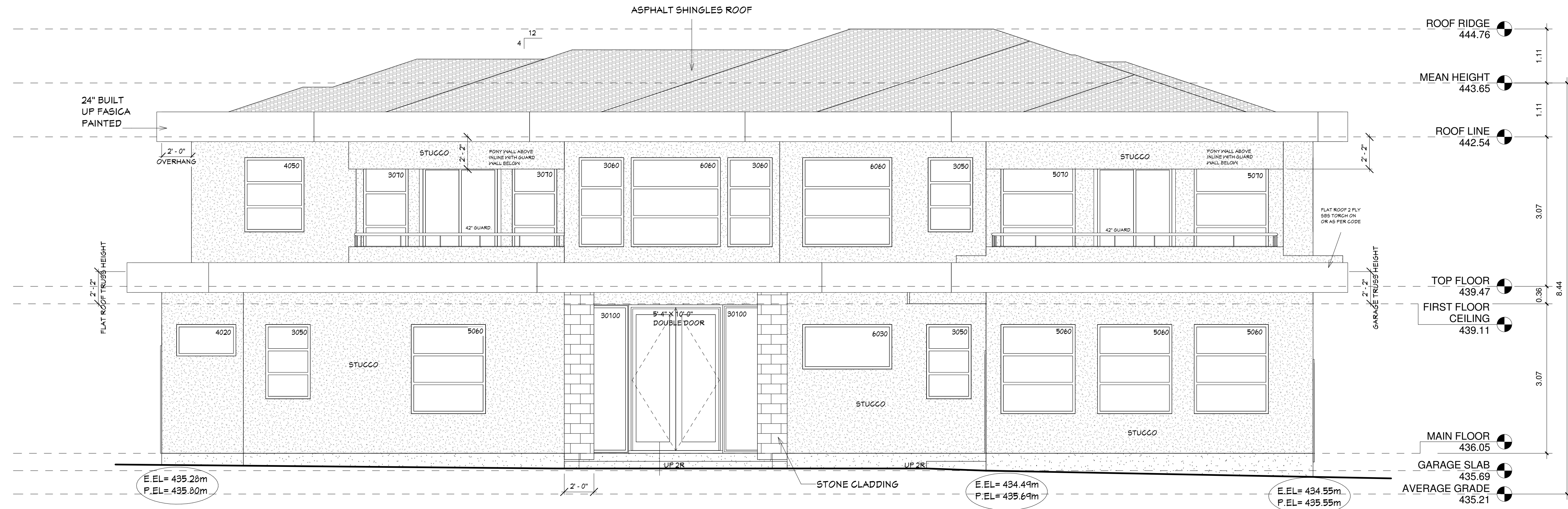
BLACK ROAD, KELOWNA

SCALE:
1/4" = 1'-0"

DATE:
SEPT 11/
2020

DWY BY:
S.S.

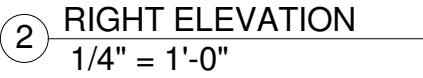
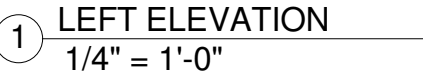
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① FRONT ELEVATION
1/4" = 1'-0"



② REAR ELEVATION
1/4" = 1'-0"



THESE PLANS ARE IN COMPLIANCE WITH THE 2018 BCBC

DWS NO.:

A6

SHEET TITLE:

LEFT
ELEVATION
RIGHT
ELEVATION

PROJECT:

MANJIT
S. BASRA

BLACK
ROAD,
KELOWNA

SCALE:

$$1/4'' = 1'-0''$$

SEPT 11/

OWN BY:

6.5

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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

August 28, 2020

Manjit Basra
DELIVERED ELECTRONICALLY

ALC Inquiry: 51900



Dear Manjit:

RE: PID 008-809-879

This letter is further to correspondence, received by electronic mail on August 27, 2020, from Manjit Basra. The purpose of the correspondence was to confirm whether the property is subject to either the *Agricultural Land Commission Act* or BC Regulation 30/2019 (*Agricultural Land Reserve Use Regulation*) as per s.23(1) of the *Agricultural Land Commission Act* which reads:

Exceptions

23(1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

Based on the information provided, the Agricultural Land Commission (the "ALC") has ascertained the following facts:

1. The property is legally described as:
PID: 008-809-879
Lot 1 District Lot 121 Osoyoos Division Yale District Plan 15442;
2. The subdivision plan (Plan 15442) which created the property was deposited at the Kamloops Land Registry Office on September 9, 1965;
3. Certificate of Title No. C2239F existed from February 6, 1968 until cancelled in 1977. During this period of time the property was the only property identified on said Certificate of Title No. C2239F; and
4. On July 7, 1965, the property was surveyed at 1.0 acres in size.

Given the above, the ALC confirms that the restrictions on the use of agricultural land contained in the *Agricultural Land Commission Act* and BC Regulation 30/2019 (*Agricultural Land Reserve Use Regulation*) do not apply to the property; however, the property remains in the Agricultural Land Reserve.

Please be advised that this 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.

Please direct further correspondence with respect to this letter to ALC.LUPRT@gov.bc.ca

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'C. Heer'.

Carmen Heer, Land Use Planning Technician

cc: Regional District of Central Okanagan

51900m1



Regional Board Report

For the Public Hearing April 26, 2021

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 26, 2021

SUBJECT: Joe Rich Rural Land Use Amendment Bylaw No. 1195-24 (RLUB-20-02)
K. & P. Bartha, 8991 Highway 33 E
Central Okanagan East Electoral Area

Purpose: To permit a secondary suite by re-designating the subject property from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite).

Executive Summary:

The owners of 8991 Highway 33 E would like to add a secondary suite within their single detached house. The parcel is currently designated SH-2 Small Holdings 2, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the bylaw amendment and building permit process. To date, no opposition has been received from affected agencies or neighbouring properties

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin
Director of Community Services

Prepared by: Danika Dudzik, Senior Planner

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

Background:

The property is currently developed with one single detached house and accessory structures (barns and out buildings).

The owners have recently received a building permit from Inspections Services staff to construct a 1,563 ft² 2 storey addition to the existing single detached house.

Proposal:

The owners are proposing to add a secondary suite within part of the addition.

Joe Rich Rural Land Use Bylaw (RLUB) Amendment No. 1195-24 received first reading on January 25, 2021. Further, the application was to be scheduled for a Public Hearing upon receipt of approval of the Controlled Access Permit from the Ministry of Transportation and Infrastructure. Since first reading, the applicants have applied for and received approval of a Controlled Access Permit.

The bylaw amendment and all requirements of a Building Permit must be met prior to final occupancy approval being granted by the Regional District. Based on the proposal and supporting technical documentation, adequate on-site parking is achievable for the residence and secondary suite and servicing requirements for water and wastewater have been addressed.

Joe Rich Rural Land Use Bylaw No. 1195:

The provision of a secondary suite is subject to the regulations identified in Section 3.16 of Joe Rich Rural Land Use Bylaw No. 1195. In addition, the following policies within Section 4 are applicable to the proposal:

- 2.1.3 Ensure that all development has an adequate water supply that does not adversely affect water supplies of existing lands, and that suitable means of sewage disposal are available that does not adversely affect adjoining lands;
- 2.1.4 Set aside land for rural residential use, provided that the natural character is maintained, and provided that overall water supplies and sewage disposal are adequate, and site conditions are respected;
- 3.2.5 Require, for rural lands for residential use, the development of water supplies and sewage disposal adequate for the long term, which will not adversely affect neighbouring lands or community water supplies; and,
- 9.2.10 Protect the drinking water quality and quantity in the community when considering additional uses or development.

Site Context:

The property is located within the Joe Rich Area. The parcel is serviced by a private water source and on-site sewerage disposal system. In accordance with the Joe Rich Rural Land Use Bylaw No. 1195, the property is affected by a number of Development Permit Areas.

Additional Information:

Owners/Agent:	K. & P. Bartha
Address:	8991 Highway 33 E
Legal Description:	Lot A, District Lot 4051, ODYD, Plan 34622
Lot Size:	+/- 2.72 ha (6.73 acres)
Joe Rich Rural Land Use Designation:	SH-2 Small Holdings 2
Sewage Disposal:	Septic system

Water Supply:	Onsite water service (private well)
Existing Use:	Rural residential
Surrounding Uses:	North: Highway 33 / Rural residential South: Crown land / Mission Creek East: Crown land West: Rural residential
A.L.R.:	Not within the A.L.R.
Fire Protection:	Joe Rich Fire Protection Area

RDCO TECHNICAL COMMENTS (Presented at First Reading):

Planning Services staff advises that the addition to accommodate the secondary suite is proposed outside of the Slope Stability and Rural Hillside, Sensitive Terrestrial Ecosystem, and Aquatic Ecosystem Development Permit Areas and therefore a Development Permit application is not required. However, as the subject property is located within a Wildfire Interface Development Permit Area, plans for construction submitted for a building permit must show compliance with the “Wildfire Interface Development Permit Design Guidelines” of the Joe Rich Rural Land Use Bylaw; and, a restrictive covenant must be registered on the title of the property in order to ensure that future property owners are aware of and obligated to the wildfire hazard reduction measures.

Inspections Services staff advises there is currently an active building permit associated with subject property (Building Permit #8210/20) for an addition to a single family dwelling.

Provisions for upgrading the on-site sewerage system were approved and registered with Interior Health. Further, the upgrade will accommodate the proposed secondary suite.

Secondary suite requirements will be dealt with through the building permit process to ensure compliance with the BC Building Code. Inspections Services staff will ensure that on-site sewerage system requirements are addressed in conjunction with the Building Permit process.

Unaffected RDCO Departments include Parks Services, Fire Services, and Environmental Services.

AGENCY REFERRAL COMMENTS (Presented at First Reading):

Ministry of Transportation and Infrastructure staff advises there are no concerns with the proposal subject to the property owners submitting a Provincial Public Highway Permit Application for a Controlled Access Permit prior to Ministry signature on the bylaw.

The property is located within 800 metres of a Controlled Access Highway. As such, the bylaw must be forwarded to the Ministry for signature after it has achieved 3rd reading.

FortisBC advises that there are primary distribution facilities along Highway 33. The applicant is responsible for costs and land right requirements associated with changes to the existing servicing. For any changes to the existing service, the applicant must contact an FBC(E) designer regarding design, servicing solutions, and land right requirements.

Unaffected Agencies include City of Kelowna, Telus, and Interior Health Authority.

External Implications:

In accordance with Development Application Procedures Bylaw No. 944, a Notice of Application Sign has been posted. Furthermore, *Local Government Act* requirements including newspaper notices and neighbourhood notification were completed. To date, no letters of support or opposition have been received regarding this application.

Conclusion:

Should the Regional Board close the Public Hearing, the application will come forward with a separate report for Board consideration of further readings to the bylaw amendment.

Attachment(s):

- Joe Rich RLUB Amendment No. 1195-24
- Orthophoto Map
- Addition to Single Detached House
- Secondary Suite Floorplan – Proposed

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1195-24

A Bylaw to Amend Joe Rich Rural Land Use Bylaw 1195, 2007

WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Joe Rich Rural Land Use Bylaw No. 1195 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw may be cited as Joe Rich Rural Land Use Amendment Bylaw No. 1195-24.**
2. **That the Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby AMENDED by designating Lot A, District Lot 4051, ODYD, Plan 34622 as shown on Schedule 'A' attached to and forming part of this bylaw from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite).**
3. **That Schedule 'B' (Land Use Designation Map) of the Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby AMENDED to depict the changes.**

READ A FIRST TIME this 25th day of January 2021

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this _____ day of _____

READ A SECOND TIME this _____ day of _____

READ A THIRD TIME this _____ day of _____

Approved under the Transportation Act this _____ day of _____

Ministry of Transportation & Infrastructure

ADOPTED this _____ day of _____

Chairperson

Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use
Amendment Bylaw No. 1195-24 as read a third time by the Regional District of Central
Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

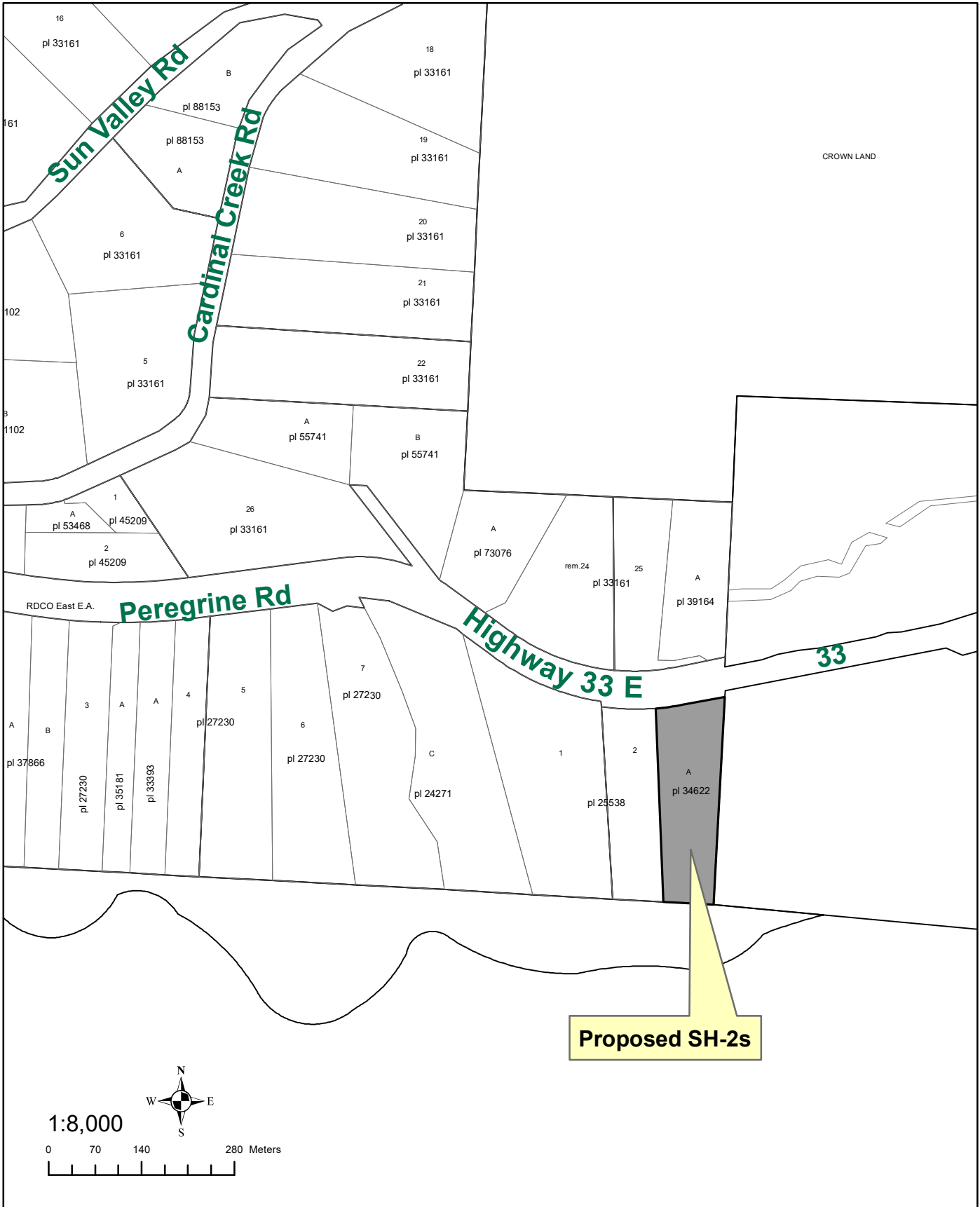
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Joe Rich Rural Land Use
Amendment Bylaw No. 1195-24 which was Adopted by the Regional District of Central
Okanagan on the _____ day of _____

Dated at Kelowna, this _____ day of _____

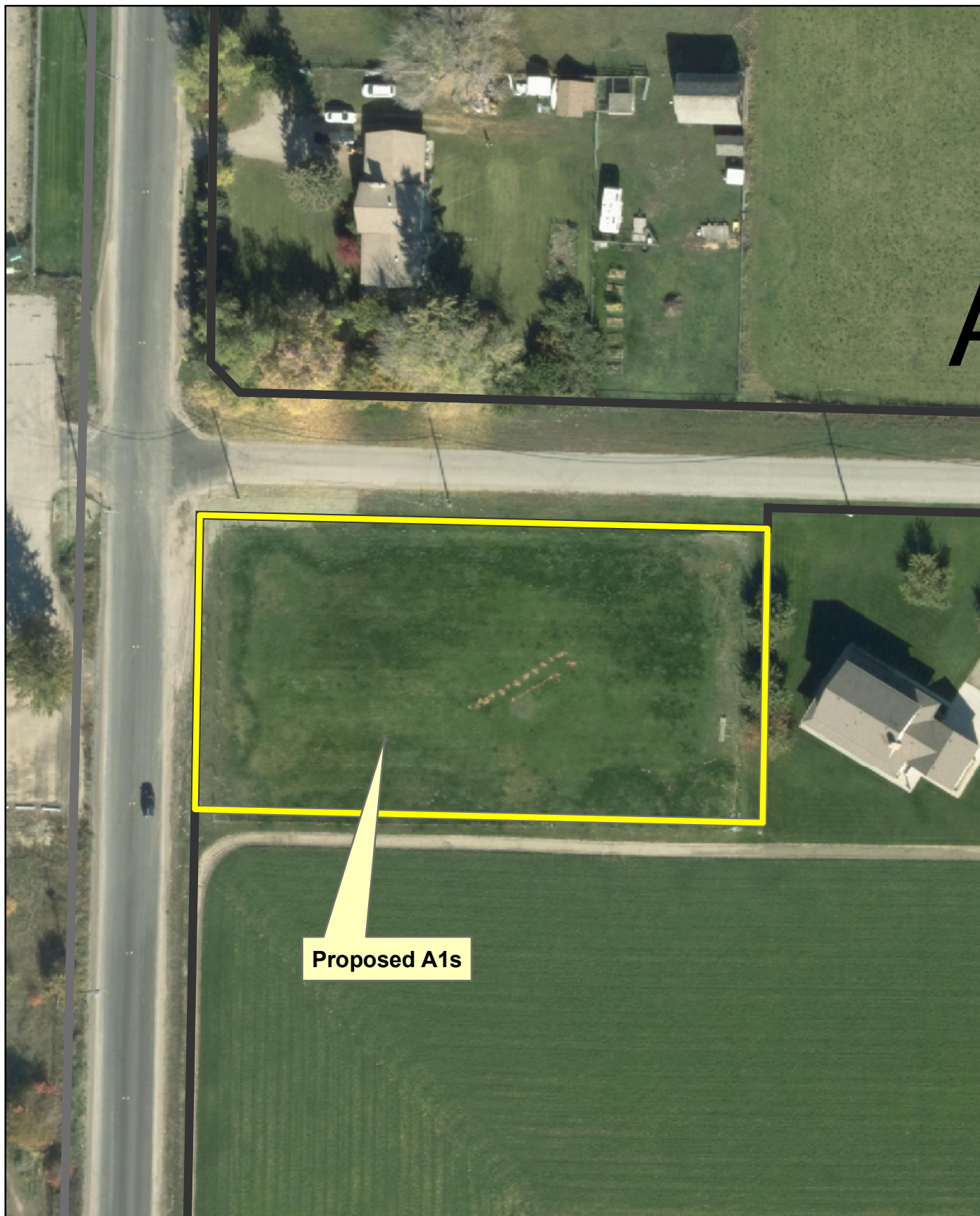
Director of Corporate Services

SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 1195-24 and read a third time by the Regional District of Central Okanagan on the day of

ORTHOPHOTO





MATERIALS:
-ALL NEW TO MATCH EXISTING COLORS AND FINISHES.
-ALL SELECTIONS BY OWNER.
-1X4 & 1X6 TRIM, FASCIA BOARDS THROUGHOUT
-6X6 TIMBER POSTS
-KAY GRANITE RANDOM FIELD STONE VENEER
-WINDOW & DOOR FRAMES TO MATCH EXISTING
-NEW GUARDRAILS PER OWNER

9-10, 15.3 - 3 MINUTE RESPONSE TIME
TABLE 9.10.15.4 - WEST ELEVATION, OVER 100m2, L.D. OF 75M,
100% OPENINGS PERMITTED
NORTH ELEVATION, 22m2, L.D. OF 10M, 100% OPENINGS
PERMITTED
EAST ELEVATION, OVER 100m2 (206m2), L.D. OF 8M, 19%
OPENINGS PERMITTED, 10% PROPOSED
SOUTH ELEVATION, 24m2, L.D. OF 25M+, 100% OPENINGS
PERMITTED



THIS DRAWING MUST NOT BE SCALED.
VERIFY ALL DIMENSIONS AND DATUMS
PRIOR TO COMMENCEMENT OF WORK.
REPORT ALL ERRORS AND OMISSIONS
TO THE DESIGNER.

VARiations and MODIFICATIONS ARE NOT
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ANY REPRODUCTION MUST BEAR THEIR NAME AS DESIGNER.

ISSUED FOR
BUILDING PERMIT

5. SEP 30, 2020	ISSUED FOR BUILDING PERMIT
4. SEP 25, 2020	ISSUED FOR PERMITS & CONNECTION
	CLIENT SIGN-OFF REVIEW
3. SEP 18, 2020	CLIENT REVIEW / PRELIM ELEVATIONS
2. SEP 16, 2020	CLIENT REVIEW / PRELIM PLAN VIEWS
1. SEP 10, 2020	CLIENT REVIEW / PRELIM PLAN VIEWS

999

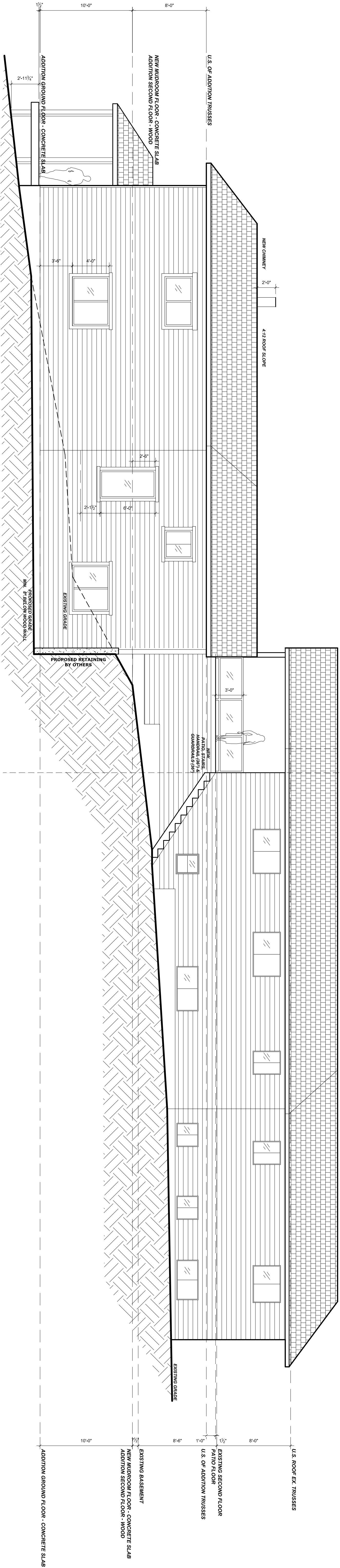
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250-864-7971
dnt@partninedesigns.ca
partninedesigns.ca

BARTHA RESIDENCE
RENOVATION & ADDITION
8991 HIGHWAY 33 EAST
KELOWNA, BC

ELEVATIONS & MATERIALS

Start Date:
Sept. 3, 2020
Project: P20-10

A3.0



1 REAR / EAST ELEVATION
Scale: 3/16" = 1'-0"

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ISSUED FOR
BUILDING PERMIT

1	SEP 21 2020	ISSUED FOR BUILDING PERMIT
1	SEP 21 2020	ISSUED FOR BUILDING PERMIT
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1	SEP 21 2020	ISSUED FOR BUILDING PERMIT

P 9 d

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250-864-1971
info@partninedesigns.ca
partninedesigns.ca

BARTHA RESIDENCE
RENOVATION & ADDITION
8991 HIGHWAY 33 EAST
KELOWNA, BC

ELEVATION

Sept. 3, 2020
Project P2010

A3.1

