

Minutes of the PUBLIC HEARING of the Regional District of Central Okanagan held in the Regional District's Woodhaven Boardroom, 1450 KLO Road on Monday, January 27, 2020

Directors: J. Baker (District of Lake Country)
M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
C. Fortin (District of Peachland)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna)
S. Johnston (City of West Kelowna)
G. Milsom (City of West Kelowna)
B. Sieben (City of Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)

Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
J. Foster, Director of Communication Services
B. Lange, Planner
M. Rilkoﬀ, Director of Financial Services
M. Drouin, Manager Corporate Services (recording secretary)

Chair Given brought the Public Hearing to order at 7:00 p.m. and acknowledged that this Public Hearing is being held on the traditional territory of the Syilx/Okanagan Peoples.

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

The **Public Hearing was advertised** (pursuant to the *Local Government Act*) in the Kelowna Capital News on Friday, January 17th and Wednesday, January 22, 2020 and in the Peachland View and Vernon Morning Star on Friday, January 17th.

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 bylaws 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.

The Chair introduced the following bylaw:

1. APPLICANT: Regional District of Central Okanagan

Joe Rich Rural Land Use Amendment Bylaw No. 1195-22
(RDCO File: RLUB-17-02)
Received First Reading: November 25, 2019
(Central Okanagan East Electoral Area)

To amend Joe Rich Rural Land Use Bylaw 1195 to incorporate changes to secondary suite regulations.

Director Basran arrived at 7:05 p.m.

Staff:

Staff report dated January 27, 2020 outlined the application. Staff presented the amendments to the bylaw.

In 2017, staff began a policy review of secondary suite regulations in the Central Okanagan Electoral Areas. During the review process, it was identified that increasing density by permitting secondary suites in all residential land use designations may cause drainage and slope stability challenges, particularly in areas without access to community sewer and without proper drainage plans.

Following extensive analysis and review, staff is recommending the current process of requiring a land use designation amendment to remain in place which will have the Regional Board continuing to make decisions on a site-specific, case-by-case basis.

Staff reviewed the technical stakeholder feedback received, in addition to changes to the BC Building Code in regards to secondary suites, effective December 2019.

Staff is recommending the following key changes to secondary suite regulations:

Item 1: To continue to require an amendment under the Joe Rich Rural Land Use Bylaw No. 1195 for LH, RA, SH-1, SH-2, and CR land use designations to permit a secondary suite and add the 's' designation.

Item 2: Removing any limit to total floor area or percentage distribution of the secondary suite to the principal building.

Item 3: Define ‘breezeway’, ‘carport’, ‘private water source’, and ‘on-site sewerage system’.

Item 4: To allow only one secondary suite or one additional dwelling unit per parcel, where land use permits.

Item 5: To require that new and existing on-site sewerage systems demonstrate compliance with today’s standards and include a primary reserve area for a back-up Type I trench system.

Furthermore, several of the existing secondary suite regulations will remain in force, such as continuing to prohibit the use of secondary suites as short-term rentals and continue to recognize parcels with the ‘s’ designation.

Agency referral comments were highlighted.

To date, no submissions have been received from the public.

Board:

There were no questions from the Board.

Public:

There were no comments from the public.

There were no further comments and the Public Hearing for this application was terminated at 7:15 p.m.

The Chair introduced the following bylaw:

2. APPLICANT: Regional District of Central Okanagan

Zoning Amendment Bylaw No. 871-257
(RDCO File: Z17/05)
Received First Reading: November 25, 2019
(Central Okanagan West Electoral Area)

To amend Zoning Bylaw No. 871 to incorporate changes to secondary suite regulations

Staff:

Staff report dated January 27, 2020 outlined the application.

In 2017, staff began a policy review of secondary suite regulations in the Central Okanagan Electoral Areas. During the review process, it was identified that increasing density by permitting secondary suites in all residential land use designations may cause drainage and slope stability challenges, particularly in areas without access to community sewer and without proper drainage plans.

Following extensive analysis and review, staff is recommending the current process of requiring a rezoning application remain in place which will have the Regional Board make decisions on a site-specific, case-by-case basis.

Staff reviewed the technical stakeholder feedback received, in addition to changes to the BC Building Code in regards to secondary suites, effective December 2019.

Staff is recommending the following key changes to secondary suite regulations:

Item 1: To continue to require a rezoning application under Zoning Bylaw No. 871 for A1, RU1, RU2, RU3, RU4, RU5, RU6, and R1 zones to permit a secondary suite and add the 's' designation.

Item 2: Removing any limit to total floor area or percentage distribution of the secondary suite to the principal building.

Item 3: Define 'breezeway', 'carport', 'private water source', and 'on-site sewerage system'.

Item 4: To allow only one secondary suite or one accessory home per parcel, where zoning permits.

Item 5: To require that new and existing on-site sewerage systems demonstrate compliance with today's standards and include a primary reserve area for a back-up Type I trench system.

Furthermore, several of the existing secondary suite regulations will remain in force, such as continuing to prohibit the use of secondary suites as short-term rentals and continue to recognize parcels with the 's' designation.

Agency referral comments were highlighted.

No comments from the public have been received to date.

Board:

- Stakeholder review process noted 1 ha sites may not be enough for septic fields, recommend 2 ha. Type 1 septic systems continue to be used. The Interior Health Authority (IHA) is aware of failing septic systems. Complaints for failing systems go through IHA not the regional district.

Public:

John White - owns property on the Westside. He expressed disagreement with the requirement for septic--secondary emergency backup field. Doesn't agree to the site size requirements which will limit secondary suites and which is unfortunate for those home owners or tenants wanting affordable housing options.

There were no further comments and the Public Hearing for this application was terminated at 7:24 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Director of Corporate Services)