



# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** February 24, 2020

**SUBJECT:** Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 – Adoption  
(Text Amendments to Joe Rich Rural Land Use Bylaw No. 1195, 2007)

**Voting Entitlement:** Custom Vote - Electoral Areas and Kelowna Fringe - 1 Director, 1 Vote

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**Purpose:** To amend secondary suite regulations in Joe Rich Rural Land Use Bylaw No. 1195.

## Executive Summary:

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, Planning Services staff is recommending the current process of requiring a land use designation amendment remain in place which will have the Regional Board making informed decisions on a site-specific, case by case basis. Furthermore, several recommended changes to Joe Rich Rural Land Use Bylaw No. 1195 will reflect recent updates to the B.C. Building Code with respect to design and construction requirements for secondary suites. The proposal is in keeping with goals and policies of the Regional Growth Strategy and the Rural Land Use Bylaw.

Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening. Subsequently, the Ministry of Transportation and Infrastructure approved Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 on February 5, 2020. Accordingly, Bylaw No. 1195-22 is now being brought back to the Regional Board for final consideration and adoption.

## RECOMMENDATION:

**THAT** Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 be adopted.

Respectfully Submitted:



Todd Cashin  
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

*Prepared by: Brittany Lange, Environmental Planner*

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### Implications of Recommendation:

Strategic Plan: Approval of the amendment bylaw meets several of the priorities outlined in the Regional Board Strategic Priorities 2019-2022.

Policy: Approval of the amendment bylaw is in compliance with several of the goals and policies of the Regional Growth Strategy Bylaw No. 1336 and the Joe Rich Rural Land Use Bylaw No. 1195.

Legal/Statutory Authority: Approval of the amendment bylaw is in compliance with the *Local Government Act*, Section 457 and 479 and the *Transportation Act*, Section 52.

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### Background:

Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 received first reading on November 25, 2019. A public hearing was held on January 27, 2020, and second and third readings were granted the same evening.

Pursuant to Section 52(3)a of the *Transportation Act*, the amendment bylaw must be approved by the Ministry of Transportation and Infrastructure (MOTI) prior to final consideration and adoption. As such, the Regional Board directed that final consideration be withheld pending MOTI approval of the amendment bylaw.

MOTI approved Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 on February 5, 2020.

### Conclusion:

All of the requirements identified by the Regional Board for final consideration of the bylaw amendment have been satisfied; therefore, Planning staff recommends that Joe Rich Rural Land Use Amendment Bylaw No. 1195-22 be adopted.

### Considerations not applicable to this report:

- *Financial Considerations*
- *Organizational Issues*
- *External Implications*
- *Alternative Recommendation*

### Attachment(s):

- Joe Rich Rural Land Use Amendment Bylaw No. 1195-22