



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 27, 2020

SUBJECT: Zoning Amendment Bylaw No. 871-261
Application Z20/03 (S. Tulloch (owner) c/o D. Tulloch (agent))
6880 Sierra Drive
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote – Electoral Areas, Kelowna Fringe Area – 1 Director, 1 Vote*

Purpose: To permit a secondary suite by rezoning the subject property from RU2 Rural 2 to RU2s Rural 2 (Secondary Suite).

Executive Summary:

The owner of Lot 8, Plan KAP31650, Section 30, Township 24, ODYD with a civic address of 6880 Sierra Drive would like to add a secondary suite to the existing single detached house. The parcel is currently zoned RU2 Rural 2, which does not permit a secondary suite. 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 or neighbouring property owners regarding the application.

RECOMMENDATION:

THAT Zoning Amendment Bylaw No. 871-261 be given first reading;

AND FURTHER THAT application Z20/03 be scheduled for a Public Hearing.

Respectfully Submitted:

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

Todd Cashin
Director of Community Services

Approved for Board's Consideration

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

Brian Reardon, CAO

Prepared by: Danika Dudzik, Senior Planner

Implications of Recommendation:

Strategic Plan: Approval of the zoning amendment achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.

Policy: Approval of the zoning amendment complies with:

- Regional Growth Strategy Bylaw No. 1336
- Ellison Official Community Plan Bylaw No. 1124

Background:**Current:**

The property is developed with one single detached house and two accessory buildings. The current land use is Rural Residential.

Proposal:

The owner would like to construct a secondary suite in the basement of the existing single detached house. In preparation of the rezoning, through the design of the existing residence, the owner roughed in various components in anticipation of a future suite.

The provision of a secondary suite is subject to the regulations identified in Section 3.26 of Zoning Bylaw No. 871 (see attached). These regulations were recently amended by the Regional Board to strengthen servicing requirements and reflect new design and construction requirements for secondary suites in the BC Building Code. 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.

Regional Board Strategic Priorities 2019-2022

RDCO’s strategic priorities, developed by the Regional Board, speak to important goals, services and needs on which the Board wishes to focus the organization’s attention and resources. Sustainable Communities has been identified as a priority:

- We will initiate and support efforts to create a healthy built environment in which all people throughout the region enjoy a high quality of life with access to safe neighbourhoods including a diverse range of housing options.

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.”

Site Context:

The property is located in the Ellison Area however, it is outside of a designated Fire Protection Area. The parcel is serviced by a private water source and on-site sewerage disposal system. In accordance with the Ellison Official Community Plan Bylaw No. 1124, the property is affected by a number of Development Permit Areas (including Aquatic Ecosystems, Rural Hillside and Sensitive Terrestrial Ecosystems).

Additional Information:

Owner:	S. Tulloch
Agent:	D. Tulloch
Address:	6880 Sierra Drive
Legal Description:	Lot 8, Plan KAP31650, Section 30, Township 24, ODYD
Lot Size:	+/- 8.12 ha (20.07 acres)
Zoning:	RU2 Rural 2
OCP Designation:	Rural 4 Ha
Sewage Disposal:	Septic system
Water Supply:	Onsite water service (private well)
Existing Use:	Rural Residential
Surrounding Uses:	North: Rural Residential South: Rural Residential Vacant East: Sierra Drive / Rural Residential West: Rural Residential
A.L.R.:	Not within the A.L.R.
Fire Protection:	Outside of a Fire Protection Area

RDCO TECHNICAL COMMENTS:

Planning Services staff advises that Section 3.26 Secondary Suites of Zoning Bylaw No. 871 were recently amended by the Regional Board to strengthen servicing requirements and reflect new design and construction requirements for secondary suites in the BC Building Code. The Board adopted Bylaw No. 871-257 on February 24, 2020. Application Z20/03 is the first bylaw amendment application to be processed under the revised secondary suite regulations.

Portions of the subject property are affected by Development Permit Areas for the protection of the natural environment, its ecosystems and biological diversity, and protection of development from hazardous conditions.

A wetland exists along the southern boundary of the subject parcel. Wetlands are vital to the health of our ecosystems. They give us clean water, recharge groundwater resources, and protect us from flooding and drought, helping to buffer effects of climate change. In the Okanagan, wetlands are endangered, sensitive ecosystems that support many rare and endangered species and provide critical habitat to resident wildlife and fish species.

As the proposed secondary suite is to be constructed in the existing single detached house and is located outside of any Development Permit Areas, a development permit application is not required. However, the applicant is encouraged to engage with RDCO Environmental Planning staff prior to any future land disturbance or further development.

Inspections Services staff advises there have been various building permits recently issued for the subject property including:

- Building Permit #7712/18 for a single detached house 2946 ft² (273.69 m²) with full unfinished basement, four bedrooms, 3-3PC, 1-2PC, and two car garage.
- Building Permit #7837/19 for an accessory building (pre-fabricated shop) 6000 ft² (557.42 m²)

- Building Permit #7956/19 for a renovation an accessory building (pre-fabricated shop) to create a second floor
- Building Permit #8000/19 for an accessory building (existing barn) +/- 2500 ft² (232.26 m²)

With recent changes to the secondary suite regulations, there is no longer a limit to total floor area or percentage distribution of the secondary suite to the principal building. Secondary suite requirements will be dealt with through the building permit process to ensure compliance with the BC Building Code.

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

AGENCY REFERRAL COMMENTS:

FortisBC advises that there are primary distribution facilities along Sierra Drive. 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 Interior Health Authority, Westbank First Nation, Ministry of Transportation and Infrastructure, and City of Kelowna.

External Implications:

In accordance with Development Application Procedures Bylaw No. 944, a Notice of Application Sign has been posted on the subject property. Any correspondence received from the public will be provided to the Board as part of a future public hearing report.

Alternative Recommendation:

THAT Zoning Bylaw No. 871-261 is not given first reading.

Considerations not applicable to this report:

- *Legal/Statutory Authority*
- Financial Considerations
- Organizational Issues

Attachment(s):

- Bylaw No. 871-261
- Orthophoto Map
- Site Plan
- Secondary Suite Floor Plan
- Zoning Bylaw No. 871, Section 3.26 Secondary Suites