



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: November 23, 2020

SUBJECT: Joe Rich Rural Land Use Bylaw Amendment Bylaw No. 1195-23
Application RLUB-20-01 (N. Dray)
1876 Huckleberry Road
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote—Electoral Areas & Kelowna Area—1 Director, 1 Vote – Simple Majority*

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 owner of 1876 Huckleberry Road would like to legalize an existing secondary suite within an existing single family dwelling. 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 and Planning Services staff are supportive of the application.

RECOMMENDATION:

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-23 for N. Dray (owner) located at 1876 Huckleberry Road be given second and third readings;

AND FURTHER THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-23 be adopted.

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 bylaw amendment achieves the Regional Board Strategic Priorities 2019-2022: Sustainable Communities – 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.
Policy:	Approval of the bylaw amendment complies with: <ul style="list-style-type: none">• Regional Growth Strategy Bylaw No. 1336, and• Joe Rich Rural Land Use Bylaw No. 1195.
Legal/Statutory Authority:	Approval of the bylaw amendment is in compliance with <i>Local Government Act</i> , Sections 457 and 479: <ul style="list-style-type: none">• The provisions of a rural land use bylaw are deemed to be provisions of a zoning bylaw.• A local government may regulate the use of land, buildings and structures within a zone.

Background:

Joe Rich Rural Land Use Amendment Bylaw No. 1195-23 received first reading on October 26, 2020, and a Public Hearing was held on November 23, 2020, prior to the regular Regional Board Meeting.

The property is not located within 800 metres of a Controlled Access Highway; therefore, Ministry of Transportation and Infrastructure approval of the bylaw after 3rd reading is not required under the *Transportation Act*.

Planning staff recommends that Joe Rich Rural Land Use Amendment Bylaw No. 1195-23 be given second and third readings and that the bylaw be adopted.

Considerations not applicable to this report:

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

Attachment:

- Joe Rich Rural Land Use Bylaw Amendment Bylaw No. 1195-23