

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, November 23, 2020

Directors: J. Baker (District of Lake Country)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
C. Fortin (District of Peachland) (*via electronic attendance*)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna) (*via electronic attendance*)
S. Johnston (City of West Kelowna) (*via electronic attendance*)
G. Milsom (City of West Kelowna) (*via electronic attendance*)
B. Sieben (City of Kelowna)
L. Stack (City of Kelowna) (*via electronic attendance*)
L. Wooldridge (City of Kelowna) (*attended electronically*)
J. Coble (Westbank First Nation) (*via electronic attendance*)

Absent: M. Bartyik (Central Okanagan East)

Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
D. Komaike, Director of Engineering Services
D. Dudzik, Senior Planner
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.

Roll call was taken as some board members were in attendance electronically due to physically distancing for COVID-19 pandemic. Director Bartyik excused himself due to a conflict of interest as his property borders his property.

This Special Meeting is being held for the purpose of considering amendments to 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, November 12 and November 19, 2020.

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: N. Dray

Joe Rich Rural Land Use Bylaw No. 1195-23
(RDCO File: RLUB-20-01)
Received First Reading: October 26, 2020
(Central Okanagan East Electoral Area)

To amend the Joe Rich Rural Land Use Bylaw No. 1195 land use designation from Sh-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite) on Lot A, Sec. 14, Twp 27, ODYD, Plan EPP35478

Staff:

Staff report dated November 23, 2020 outlined the application. Staff presented the amendment to the bylaw.

The property is currently developed with one single family dwelling (with an existing secondary suite) and accessory buildings (barn and out buildings).

In 2019, Inspections Services issued a building permit to the current owner for an addition to connect an existing accessory building that contains a suite to the original house, which was constructed prior to the purchase by the current owner in 2017. A building permit was issued in 2014 to the previous owner of the property for the construction of an accessory building (detached garage with loft). The current owner was under the impression that the accessory building with the associated suite was legal, however was required to be attached to the primary residence. As such, the owner submitted a building permit application for an addition to include three bedrooms, a bathroom, additional living area, and a new onsite wastewater system which was approved and subsequently constructed. Upon final inspection, the addition was noted as complete and acceptable for occupancy, however a bylaw amendment application would be required to permit the secondary suite within the single detached house.

The owner is proposing to legalize an existing secondary suite. Should the bylaw amendment be approved, a building permit would be required.

The Rural Land Use 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.

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. Inspections Services staff will ensure that on-site sewage servicing requirements are addressed in conjunction with the Building Permit process.

Director Basran arrived at 7:10 p.m.

Agency comments were highlighted. Adequate servicing with water and wastewater have been met.

Two letters of opposition have been received:

- J. Turner – concerned about the limited amount of water availability
- C. & C. Schafer – opposed to a secondary suite at this location

Two letters of support have been received:

- M. Nichols
- J. Trevor

Board:

There were no questions by 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 7:12 p.m. and the Public Hearing closed.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Director of Corporate Services)