



# Regional Board Report

**TO:** Regional Board

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

**DATE:** April 26, 2021

**SUBJECT:** Zoning Amendment Bylaw No. 871-264 (Z20/06)  
M. Basra, 4379 Black Road  
Central Okanagan East Electoral Area

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

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**Purpose:** To permit a secondary suite by rezoning the subject property from A1 Agricultural to A1s Agricultural (Secondary Suite).

## **Executive Summary:**

The owner of Lot 1, District Lot 121, ODYD, Plan 15442 with a civic address of 4379 Black Road would like to add a secondary suite within the single detached house currently under construction. The parcel is currently zoned A1 Agricultural, which does not permit a secondary suite. Further, the property is within the Agricultural Land Reserve. Since first reading of Zoning Amendment Bylaw No. 871-264, a draft covenant has been prepared recognizing the location of the subject property within an area that is actively farmed and subject to various disturbances resulting from normal farm operations.

## **RECOMMENDATION:**

**THAT** Zoning Amendment Bylaw No. 871-264 be given second and third readings;

**AND FURTHER THAT** final adoption be withheld pending:

- receipt of a registered covenant on title recognizing the location of the subject property within an area that is actively farmed.

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*

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**Implications of Recommendation:**

Strategic Plan:	Granting further readings of the zoning bylaw amendment achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.
Policy:	Granting further readings of the zoning bylaw amendment complies with: <ul style="list-style-type: none"><li>• Regional Growth Strategy Bylaw No. 1336</li><li>• Ellison Official Community Plan Bylaw No. 1124</li></ul>
Legal/Statutory Authority:	Granting further readings of the zoning bylaw amendment is in compliance with <i>Local Government Act</i> , Section 479.

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**Background:**

Zoning Amendment Bylaw No. 871-264 received first reading on January 25, 2021, and a Public Hearing was held on April 26, 2021, prior to the regular Board Meeting.

The property is within the Agricultural Land Reserve however, restrictions on the use of agricultural land contained within the *Agricultural Land Commission Act* and the Agricultural Land Reserve Use Regulation do not apply under s. 23(1) of the ALC Act. Further, Planning staff received the appropriate draft documentation for the required covenant to be registered on title.

Planning staff recommends that Zoning Amendment Bylaw No. 871-264 be given second and third readings.

**Alternative Recommendation:**

Based on staff’s analysis of the application and feedback received to date, staff does not propose an alternative recommendation.

***Considerations not applicable to this report:***

- *Financial Considerations*
- *Organizational Issues*
- *External*

## Attachment:

- Zoning Amendment Bylaw No. 871-264