



Regional Board Report

For the Public Hearing (May 31, 2021)

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: May 31, 2021

SUBJECT: Zoning Amendment Bylaw No. 871-267 (Z21/02)
J. & S. White (owners/applicants)
7155 Dunwaters Road, Central Okanagan West Electoral Area

Purpose: To permit a secondary suite by rezoning the subject property from R1 Single Detached Housing to R1s Single Detached Housing (Secondary Suite).

Executive Summary:

The owner of Lot 63, District Lot 3842, ODYD, Plan 16594, would like to add a secondary suite within a single detached house. The parcel is currently zoned R1 Single Detached Housing, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the zoning amendment and building permit process.

Interior Health Authority has expressed concerns relating to the size of the parcel and long-term viability of the property for sewage disposal. The Advisory Planning Commission (APC) also expressed concerns regarding small lot size and setting precedent for zoning amendments for secondary suites in the Fintry neighbourhood. Based on the proposal and supporting documentation, servicing requirements for water and wastewater are addressed as required in the Zoning Bylaw, and therefore Planning Services staff are supportive of the application.

Respectfully Submitted:

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

Todd Cashin
Director of Community Services

Approved for Board Consideration

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

Brian Reardon, CAO

Prepared by: Michael Czarny, Planner

Background:

The subject property is currently vacant. The owners intend to develop the site by constructing a single detached house with a secondary suite.

Proposal:

Prior to applying for a building permit application to construct a single detached house, the owners have applied to amend the zoning on the subject property from R1 Single Detached Housing to R1s Single Detached Housing (Secondary Suite). In accordance with the bylaw amendment, they intend to develop a 1-bedroom secondary suite within the proposed 2-bedroom single detached house.

The provision of a secondary suite is subject to the regulations identified in Section 3.26 of Zoning Bylaw No. 871. 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 house and secondary suite and servicing requirements for water and wastewater can be addressed as required in Zoning Bylaw No. 871. Confirmation has been received from a Registered Onsite Wastewater Practitioner, who is an Authorized Person, under the BC Sewerage System Regulation, that the proposed septic system design allows for processing a daily design flow for the proposed uses and that the reserve area for type 1 trench disposal system is available on the lot.

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 and has been met by this proposal:

- 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.

Regional Growth Strategy Bylaw No. 1336:

The Central Okanagan regional partners have been actively addressing local housing need. Housing location, type, affordability, and choice are important factors that affect long term economic health and community sustainability. Ensuring a diversity of housing options irrespective of demographics, lifestyle, interest or financial situation allows people and families to live and stay in the Okanagan Valley. Policy 3.2.6.1 is applicable and supports this proposal:

- Preserve and enhance existing neighbourhoods through encouragement of a variety of housing types, densities, choices and affordability.

Rural Westside Official Community Plan Bylaw No. 1274:

Chapter 6, Policy 1 is applicable and supports the proposal, which encourages new housing on existing vacant lots prior to considering more of the same housing type on large holding or rural residential lots.

Chapter 6, Policy 7 is applicable and supports the proposal, which had identified the need to provide more affordable housing such as secondary suites, while maintaining sensitivity to the existing rural character of the North Westside area, and resolving additional load on any infrastructure.

Site Context:

The property is located in the community of Fintry and within the North Westside Road Fire Protection Area. This parcel will be serviced by the RDCO's Upper Fintry - Shalal Road - Valley of the Sun community water distribution system and an on-site sewerage disposal system is proposed. In accordance with the Rural Westside Official Community Plan Bylaw No. 1274, the property is affected by the Wildfire Interface Construction Development Permit Area.

Additional Information:

Owner/Applicant:	John and Sharlene White
Address:	7155 Dunwaters Road
Legal Description:	Lot 63, District Lot 3842, ODYD, Plan 16594
Lot Size:	+/- 0.14 ha (0.34 acres)
Zoning:	R1 Single Detached Housing
OCP Designation:	Residential Low Density
Sewage Disposal:	Septic system
Water Supply:	Upper Fintry – Shalal Road – Valley of the Sun
Existing Use:	Vacant
Surrounding Uses:	North: Residential South: Residential East: Dunwaters Road / Residential West: Residential
A.L.R.:	Outside the A.L.R.
Fire Protection:	North Westside Road Fire Protection Area

RDCO TECHNICAL COMMENTS (Presented at First Reading):

Planning Services staff advises at time of building permit application, the applicants will be required to submit plans for construction that show compliance with the “Wildfire Interface Development Permit Design Guidelines” and prior to final inspection, a restrictive covenant must be registered on the title of the property in order to ensure that future property owners are aware of and obligated to the wildfire hazard reduction measures.

Inspections Services staff advises that 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 servicing requirements are addressed in conjunction with the building permit process.

Engineering Services staff advises that the proposal can be serviced by the Upper Fintry - Shalal Road - Valley of the Sun community water distribution system.

Central Okanagan West Advisory Planning Commission (APC) recommends that the application not be supported due to concerns regarding small lot size in relation to on-site sewerage. The APC also expressed apprehension setting precedent for zoning amendments permitting secondary suites in the R1 zone within the Fintry neighbourhood.

Unaffected RDCO Departments include Parks Services and Fire Services.

AGENCY REFERRAL COMMENTS (Presented at First Reading):

Interior Health Authority (IHA) staff advises that the proposed secondary suite will increase the estimated sewage flow and IHA staff have concerns relating to the size of the parcel and long term sustainability of the property for sewage disposal.

Should the application be considered further, it is advised that a backup area of land for future replacement sewerage system be identified by an Authorized Person, under the BC Sewerage System Regulation [B.C. Reg. 326/2004], and protected with a covenant. All onsite sewerage systems have a limited lifespan and this will better ensure the long term sustainability of the property for sewage disposal.

Ministry of Transportation and Infrastructure staff advises that the property is located within 800 metres of a Controlled Access Highway. As such, the bylaw must be forwarded to the Ministry for signature prior to adoption of the amending bylaw.

External Implications:

In accordance with Development Application Procedures Bylaw No. 944, a Notice of Application Sign has been posted. Furthermore, *Local Government Act* requirements including newspaper notices and neighbourhood notification were completed.

To date, no opposition has been received from affected agencies. No other correspondence has been received from other neighbouring properties.

Conclusion:

Should the Regional Board close the Public Hearing, the application will come forward with a separate report for Board consideration of further readings to the bylaw amendment.

Attachment(s):

- Bylaw No. 871-267
- Orthophoto Map
- Site Plan
- Secondary Suite Floorplan – Proposed