



# Regional Board Report

**TO:** Regional Board

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

**DATE:** June 28, 2021

**SUBJECT:** Zoning Amendment Bylaw No. 871-266 (Z21/01)  
L. & D. Ketler (owners/applicants)  
5060 Whelan 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 consider a site-specific amendment to Zoning Bylaw No. 871 to permit an accessory home on Lot 7, District Lot 121, ODYD, Plan 21785.

## **Executive Summary:**

The applicants are requesting a site-specific amendment to Zoning Bylaw No. 871 to permit an accessory home on the subject property. Under the current zoning bylaw, an accessory home would not be permitted as the parcel size is too small to accommodate this use. The property is within the Agricultural Land Reserve (ALR) however, in accordance with s. 32 of the ALR Use Regulation, a property in the ALR may have a manufactured home as an additional residence.

Zoning Amendment Bylaw No. 871-266 received first reading on March 29, 2021. A Public Hearing was held on May 31, 2021, and second and third readings were granted the same evening. The requirements identified by the Regional Board for final consideration of the amendment bylaw have been satisfied.

## **RECOMMENDATION:**

**THAT** Zoning Amendment Bylaw No. 871-266 be adopted.

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: Danika Dudzik, Senior Planner*

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Strategic Plan:	Approval of the amendment bylaw achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.
Policy:	Approval of the amendment bylaw 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:	Approval of the amendment bylaw is in compliance with <i>Local Government Act</i> , Section 479.

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**Background:**

Zoning Amendment Bylaw No. 871-266 received first reading on March 29, 2021. A Public Hearing was held on May 31, 2021, and second and third readings were granted the same evening.

The property is within the Agricultural Land Reserve (ALR) however, in accordance with s. 32 of the ALR Use Regulation, a property in the ALR may have a manufactured home as an additional residence.

The Regional Board directed that final consideration be withheld pending receipt of a registered covenant on title acknowledging the potential for aircraft noise impact and recognizing Zoning Bylaw No. 871, Section 3.18.10 accessory home provisions. A covenant has been prepared and filed with the Land Title and Survey Authority of British Columbia.

**Conclusion:**

All requirements identified by the Regional Board for final consideration of the bylaw amendment have been satisfied; therefore, Planning staff recommends that Zoning Amendment Bylaw No. 871-266 be adopted.

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

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

**Attachment:**

- Zoning Amendment Bylaw No. 871-266