



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: March 29, 2021

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

Voting Entitlement: *Custom Vote - Electoral Areas – 1 Director, 1 Vote*

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 owners 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. Based on the proposal and supporting technical 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.

RECOMMENDATION:

THAT Zoning Amendment Bylaw No. 871-267 for J. & S. White located at 7155 Dunwaters Road, Lot 63, District Lot 3842, ODYD, Plan 16594, be given first reading;

AND FURTHER THAT application Z21/02 be scheduled for a Public Hearing.

Respectfully Submitted:

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

Todd Cashin
Director of Community Services

Approved for Board's Consideration

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

Brian Reardon

Prepared by: Michael Czarny, Planner

Implications of Recommendation:

Strategic Plan:	Granting first reading of the zoning bylaw amendment achieves the Regional Board Strategic Priorities 2019-2022 with respect to “Sustainable Communities”.
Policy:	Granting first reading of the zoning bylaw amendment complies with: <ul style="list-style-type: none">• Regional Growth Strategy Bylaw No. 1336• Rural Westside Official Community Plan No. 1274
Legal/Statutory Authority:	Granting first reading of the zoning bylaw amendment is in compliance with the <i>Local Government Act</i> , Section 479.

Background:

The subject property is 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, choses 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 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 ALR
Fire Protection:	North Westside Road Fire Protection Area

RDCO TECHNICAL COMMENTS:

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:

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.

Unaffected Agencies include BC Hydro, Shaw Cable, FortisBC, and Telus.

External Implications:

In accordance with the Development Applications Procedures Bylaw No. 944, a Notice of Application Sign has been posted. Any correspondence received from the public will be provided to the Board as part of a future public hearing report.

Alternative Recommendation:

THAT Zoning Bylaw No. 871-267 is not given first reading.

Considerations not applicable to this report:

- *Financial Considerations*
- *Organizational Issues*

Attachment(s):

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