



Regional Board Report

Request for Decision

Approved for Board Consideration

A handwritten signature in black ink, appearing to read "Corie Griffiths".

Corie Griffiths, Deputy CAO

To: Regional Board

From: Todd Cashin, Director of Community Services

Date: July 25, 2022

Subject: Zoning Amendment Bylaw No. 871-275 (Application Z22/03)
D. & J. Fisher (owners/applicants)
775 Wood Road, Central Okanagan West Electoral Area

Voting Entitlement: Custom Vote - Electoral Area West Unfringed Area - Electoral Areas Only - Simple Majority

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

Executive Summary:

The owners of Lot 26, District Lot 2922, ODYD, Plan KAP20608, with a civic address of 775 Wood Road are seeking to add a secondary suite within the building footprint of a single detached house that has been recently approved for construction. The parcel is currently zoned R1 Single Detached Housing which does not permit a secondary suite unless the Regional Board amends the zone designation. To date, no concerns have been identified by affected agencies, RDCO staff, or the public regarding the application.

As the property is located within 800 metres of a controlled access highway, Ministry of Transportation and Infrastructure approval is required after third reading and prior to bylaw adoption.

Recommendation(s):

THAT the Regional Board receives the report from the Director of Community Services, dated July 25, 2022, with respect to RDCO File: Z22/03 for the property located at 775 Wood Road and legally described as Lot 26, District Lot 2922, ODYD, Plan KAP20608 ("the Subject Property");

AND THAT Zoning Amendment Bylaw No. 871-275 for the Subject Property be given first reading;

AND FURTHER THAT the Regional Board schedule a Public Hearing on August 22, 2022, for Zoning Amendment Bylaw No. 871- 275, RDCO File: Z22/03.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Prepared by: Hayden Keogh, Planning Student

Attachment(s):

- Zoning Amendment Bylaw No. 871-275
- Orthophoto Map
- Site Plan
- Zoning Bylaw No. 871, Section 3.26 Secondary Suites
- Regional Board Presentation Slides

Strategic Plan Alignment:

Priorities: Sustainable Communities

Values: Resiliency, Good Governance

Background:

The property is currently undeveloped with no existing structures. A building permit authorizing the construction of a 2,025 ft² single detached house has been issued for the subject property.

Proposal:

The owner would like to add a 470 ft² one-bedroom secondary suite within the single detached house that has been recently approved for construction on the property. 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 fulfilled prior to final approval for occupancy being granted by the Regional District. Based on the plans and supporting documentation submitted, adequate on-site parking is provided for the residence and secondary suite.

The property is currently serviced by a community water system as required by Zoning Bylaw No. 871. The applicant has also retained a Registered Onsite Wastewater Practitioner to complete the required analysis and design of an onsite wastewater system suitable for the domestic daily flow rates of the proposed 3-bedroom house with a 1-bedroom secondary suite.

Regional Growth Strategy Bylaw No. 1336:

The following policy of the RGS supports the zoning amendment application:

- Policy 3.2.6.1 - 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:

The subject property has a Residential – Low Density future land use designation. The following OCP policy supports the zoning amendment application:

- Chapter 6, Policy 1 – Encourage 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 - Review the need to provide more affordable housing using secondary suites, manufactured homes within existing and new developments, while maintaining sensitivity to the existing rural character of the North Westside area and resolving additional load on any infrastructure.

Zoning Bylaw No. 871:

Zoning Amendment Bylaw No. 871-257 was adopted on February 24, 2020, strengthening servicing requirements for secondary suites and aligning design and construction requirements with the BC Building Code. As a result, Section 3.26 of Zoning Bylaw No. 871 no longer limits the floor space of a secondary suite or the ratio of suite space as a percentage of the gross floor area of the single-family dwelling. Since 2008, the Regional Board has approved nine secondary suite zoning amendment applications in the Rural Westside Official Community Plan area.

Site Context:

The property is within the North Westside Road Fire Protection Area. The proposed development will be serviced by an on-site sewerage system and a community water system.

As per the Rural Westside OCP Bylaw No. 1274, the parcel is entirely within the Wildfire Interface Construction Development Permit Area and partially within the Hillside Development Permit Area. A wildfire covenant has been registered on the title and the applicant will be required to show compliance with the “Wildfire Interface Development Permit Design Guidelines” prior to final inspection.

Portions of the property located within the Hillside Development Permit Area meet the exemption criteria for the Hillside Development Permit Areas outlined in Section 13.4 of the Rural Westside OCP. A Development Permit is not required.

Additional Information:

Owner/Applicant:	D. & J. Fisher
Address:	775 Wood Road
Legal Description:	Lot 26, District Lot 2922, ODYD, Plan KAP20608
Lot Size:	+/- 0.239 ha (0.59 Acres)
Zoning:	R1 Single Detached Housing
OCP Designation:	Residential Low Density
Sewage Disposal:	Septic system
Water Supply:	Upper Fintry
Existing Use:	Undeveloped land
Surrounding Uses:	North: Single Family Dwelling South: Undeveloped land East: Single Family Dwelling West: Undeveloped land
A.L.R.:	Not within the A.L.R.
Fire Protection:	North Westside Road Fire Protection Area

RDCO TECHNICAL COMMENTS:

Inspection Services staff advise that a building permit will be required for the construction of the secondary suite on the property. Further review of the on-site sewage disposal will be addressed in conjunction with the building permit process.

Advisory Planning Committee (APC) supports the application as presented.

Unaffected RDCO Departments include Fire Services, Parks Services, and Engineering Services.

AGENCY REFERRAL COMMENTS:

Interior Health Authority staff advises that an initial review of the proposed rezoning includes aspects or features consistent with healthy communities planning principles. As such, the agency is supportive of the proposal proceeding.

Ministry of Transportation and Infrastructure staff advise that preliminary approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act* and the Ministry has no concerns. As the property is located within 800 metres of a Controlled Access Highway, MOTI approval is required after third reading and prior to bylaw adoption.

Unaffected Agencies include B.C. Hydro, Fortis, Telus, and Shaw Cable.

Considerations:

External: 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.

Legal/Statutory Authority: Section 479 of the *Local Government Act* grants local governments the power to enact bylaws that define zones and regulate the use of land, buildings and other structures within each zone. Under Section 460 of the Act, a local government that has adopted a zoning bylaw must define procedures under which an owner of land may apply for an amendment to a land use bylaw. In accordance with Part 14, Division 3 of the Act, the Regional District of Central Okanagan Development Applications Procedures Bylaw No. 944 defines the processes for public hearings and Board consideration of bylaw amendment applications.

Considerations not applicable:

- Organizational
 - Financial
 - Alternate Recommendation
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