

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 20, 2017
RE: Zoning Bylaw Amendment – Electoral Area “E”

Administrative Recommendation:

THAT Bylaw No. 2459.23, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 4, 2017;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose: To permit the conversion of an accessory structure into an accessory dwelling.

Owners: Grady & Gail Peat Agent: N/A Folio: E-02329.310

Civic: 6900 Indian Rock Road, Naramata Legal: Lot 1, DL 391, SDYD, Plan 35614

Zone: Small Holdings Two (SH2) Proposed Zoning: Small Holdings Two Site Specific (SH2s)

Proposal:

This application is seeking to convert an existing farm building located at the north end of the subject property into an accessory dwelling unit.

Specifically, it is being proposed to amend the Small Holdings Two zoning by introducing a site specific provision that will permit one accessory dwelling while excluding secondary suites as a permitted use. This will effectively allow for the secondary suite to be constructed in the accessory building instead of having it contained within the principal dwelling.

In support of the application, the applicant has stated that “this change allows family members and vine workers a place of residence when required. This dwelling has an approved registered septic system in place separate from residential primary residence”.

Site Context:

The subject property is approximately 1.3 ha in area and is located on the east side of Indian Rock Rd, approximately 2 km south of Okanagan Mountain Park and approximately 6.8 km north of Naramata’s downtown area.

The property contains a single detached dwelling and an accessory building, while the surrounding pattern of development is generally characterised by a rural residential subdivision to the west and larger rural properties zoned SH to the east and south. There is a Tourist Commercial zone (Sunset Acres) to the to the north west.

Background:

The current boundaries of the subject property were established by a subdivision in 1985, and available Regional District records indicate that a Building Permit for a single detached dwelling was issued in 1991 and a farm building exemption was given in 2016.

Under the Electoral Area "E" OCP Bylaw No. 2458, 2208 the subject property is designated as Small Holdings (SH) and under the Zoning Bylaw No. 2459, 2008, the property is zoned Small Holdings Two (SH2). There are no development permits designated on the property nor is the property within the Agricultural Land Reserve.

Referrals:

At its meeting of April 10, 2017, the Electoral Area "E" Advisory Planning Commission (APC) no quorum was achieved; however, conversation among those members in attendance was supportive.

A Public Information Meeting was held ahead of the APC meeting on April 10, 2017, and two members of the public were in attendance.

Referral comments on this proposal have been received from the Interior Health Authority (IHA), and this is included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposed amendment affects land beyond 800 metres of a controlled area.

Alternatives:

- .1 THAT Bylaw No. 2459.28, 2017, Electoral Area "E" Zoning Amendment Bylaw be denied; OR
- .2 THAT Bylaw No. 2459.28, 2017, Electoral Area "E" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Kozakevich or delegate;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Kozakevich;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Analysis:

In considering this proposal, Administration notes that the applicant is seeking to transfer the additional dwelling unit (i.e. secondary suite) from being within the principal dwelling to an accessory building elsewhere on the property. In exchange, they are proposing to remove 'secondary suite' as a permitted use on the subject property so that the overall density remains unchanged.

The neighbourhood characteristics would not appear to be negatively impacted by the proposed conversion as the existing building is located on the northern portion of the site and is immediately across from Sunset Acres Resort, while the land across from Indian Rock Rd is vacant.

Administration further notes that the current Electoral Area "E" Zoning Bylaw permits secondary suites and accessory dwellings on properties zoned Large Holdings (LH), Agriculture One (AG1). The ability to develop either an accessory detached dwelling (i.e. "carriage house") or secondary suite on

a parcel is a separate project that Administration is currently working on and is tentatively planning to bring forward for consideration by the Board in the near future.

It is envisioned — much like what this application is proposing — that property owners will be given flexibility in the location of their accessory dwelling. For this reason, Administration supports the proposed rezoning application.

Administration is recommending that the public hearing occur at the Board meeting of May 4, 2017; however, an alternate option of scheduling the hearing in the community is also available.

Respectfully submitted

Endorsed by:

Endorsed by:

E Riechert

Donna Butler

E.Riechert, Planner

C. Garrish, Planning Supervisor

D. Butler, Dev. Services Manager

Attachments: No. 1 – Applicant’s Site Plan

Attachment No. 1 – Applicant’s Site Plan

