

# ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** June 12, 2017  
**RE:** Zoning Bylaw Amendment – Electoral Area “E”

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Purpose: To allow for the development of one accessory up to 210 m<sup>2</sup> in area

Owners: Malcolm & Hazel Clark

Agent: Dave Sutton

Folio: E-02500.000

Legal: that part of DL 286 shown on Plan B1364, SDYD, Except Plans 29967 and A11020

Civic: 4865 N Naramata Rd, Naramata

Zone: Agriculture One (AG1)

Proposed Zoning: Agriculture One Site Specific (AG1s)

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## **Proposed Development:**

This application is seeking to combine two allowable accessory dwellings of 140 m<sup>2</sup> and 70 m<sup>2</sup> into one accessory dwelling of up to 210 m<sup>2</sup>.

Specifically, it is being proposed to introduce a site specific zoning that will allow only one accessory dwelling on the property to not exceed 210 m<sup>2</sup>.

In support of the application, the applicant has stated that the 210 m<sup>2</sup> house will be for “his son and family who will be living there to put their family orchard back into production”; further the applicant states that “the property is well suited to adding a dwelling of this size, there is plenty of area for it’s septic and it is not encroaching into the watercourse area ... There will be no negative impact on the adjacent properties or public lands and ...the project can only be of benefit as it will transform this idle agricultural property back into a working orchard and provide employment for local and seasonal farm workers.”

## **Site Context:**

The subject property is approximately 6.43 ha in area and is situated on the west side of North Naramata Rd approximately 2 km from the Naramata town area. There is currently one dwelling on the property located near North Naramata Road.

The property is bounded by two watercourses and steep slopes to the west. The area where the proposed accessory dwelling is to be located appears to be rated under the G.G. Runka Soil Stability Ratings as “hazard of materials sliding or slumping”.

The surrounding pattern of development is seen to be characterised by a mix of residential, rural-residential and agricultural uses. The property is partially within the Agricultural Land Reserve (ALR) with many nearby properties also in the ALR.

## **Background:**

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The subject property appears to have been as created by subdivision in 1921 and available Regional District records indicate issuance of Building Permits in 1979 and 1980 for an addition and renovation to a single detached dwelling.

Under the Electoral Area 'E' Zoning Bylaw No. 2459, 2008, the subject property is zoned Agriculture One (AG1), which permits up to a maximum of two accessory dwellings for parcels between 4.0 and 7.99 ha in area. Accessory dwellings are limited in floor area to be no greater than 140 m<sup>2</sup> for the first and 70 m<sup>2</sup> for any others.

**Analysis:**

As the Advisory Planning Commission (APC) is aware, Administration does not generally support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives.

In this instance the proposed site specific zone will not substantially vary the intent of zone or strategic land use objectives. Objectives of the OCP for agriculture lands are to "preserve agricultural land with continuing value for agriculture for current and future production, to protect this land from uses which are incompatible with existing agricultural uses".

The proposal, by combining the floor area of two permitted accessory dwellings as one building, will effectively result in a reduction of the overall footprint.

Conversely, the location of the proposed accessory dwelling could be constructed nearer the existing dwelling and North Naramata Road, thereby, 'clustering' development on the property and maintaining an un-fragmented farm parcel.

The Advisory Planning Commission (APC) is advised that the proposed updating of the AG Zone regulations (considered at its March 14, 2016 meeting) is scheduled to proceed through the formal approval process starting June 15, 2017. The new AG1 regulations will place a greater restriction on accessory dwellings for properties less than 8.0 ha in area by limiting a maximum floor area of 90 m<sup>2</sup>. It is anticipated that the subject application will proceed ahead of the final approval of the AG Zone regulations.

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**Administrative Recommendation:**

**THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.**

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**Options:**

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
  - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

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**Respectfully submitted**

*ERiechert*

E.Riechert, Planner

**Endorsed by:**

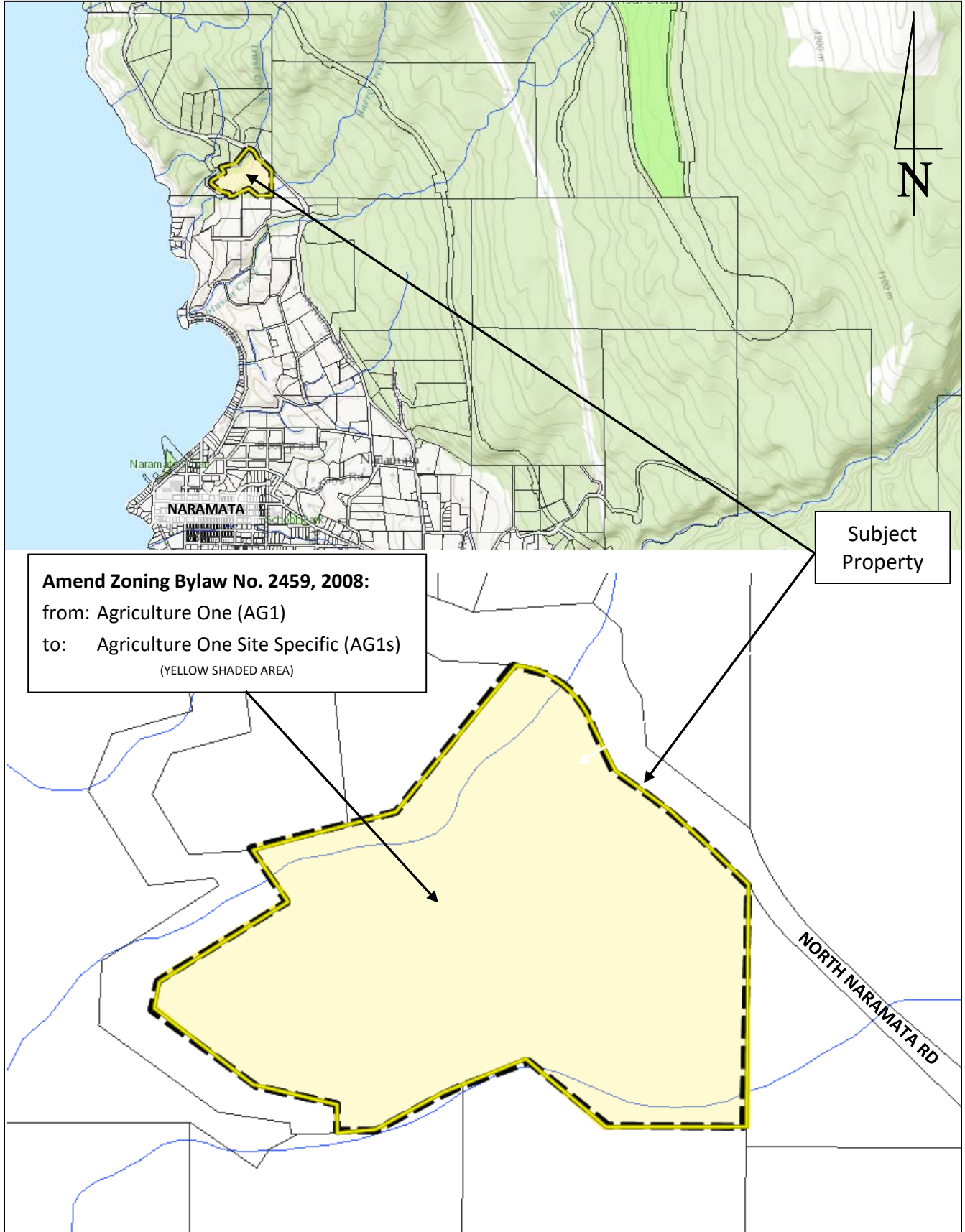
*CG*

C. Garrish, Planning Supervisor

Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s plans



**1 Main Floor Plan**  
 9'-0" Ceilings - Vaulted Areas  
 Scale 1/8" = 1'-0"  
 2258 Sq. Ft. / 209.8 Sq.m Living Area  
 696 Sq. Ft. / 64.7 Sq.m Garage  
 733 Sq. Ft. / 68.1 Sq.m Rear Covered Areas  
 3687 Sq. Ft. 342.6 Sq.m Total Coverage

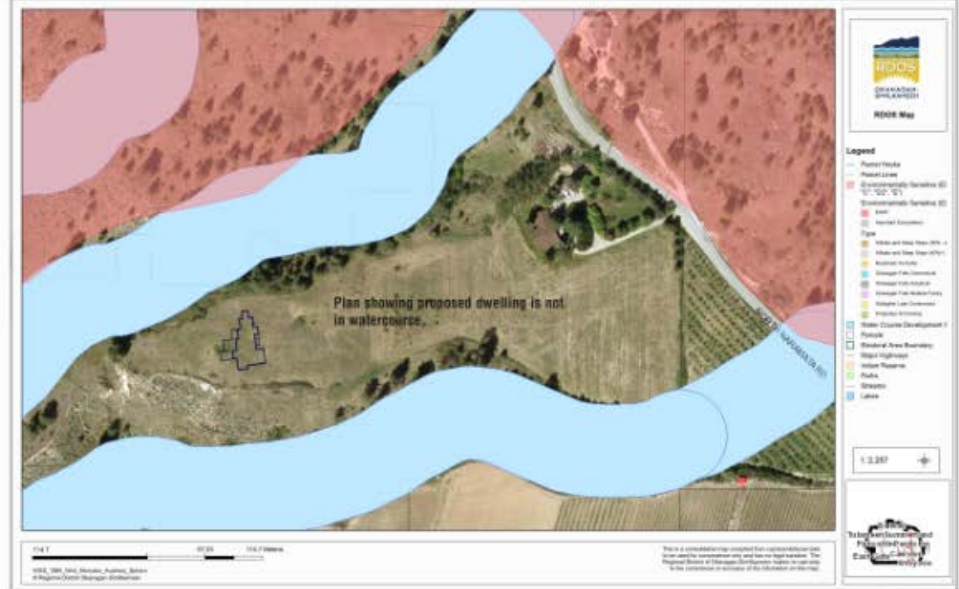


**2 Front Elevation**  
 (Facing East)  
 Scale 1/8" = 1'-0"

Zoned AG1 Site Coverage				
	Sq.m	No.	Sq. Ft.	
Lot Area	62766.7	62.8	675615.0	
Allowed Coverage	9415.0	9.4	101342.1	Total Footprints Allowed 15%
Existing Principal Building & Porch	262.9	0.3	2836.0	
Existing Shop / Garage	89.2	0.1	960.0	
Proposed Accessory Dwelling, Cov'd Patio & Garage	343.5	0.3	3697.0	
	695.6	0.7	7493.0	Proposed 1.12%

Living Areas of Existing vs. Proposed Dwellings			
	Sq.m	Sq. Ft.	
Existing Principal Building Main Floor	213.5	2320	
Existing Principal Building Lower Floor	22.5	242.1	
	236.0	2562.1	Total Principal
Existing Accessory Dwelling Main Floor (one level only)	209.8	2258	Total Accessory



DATE: 05/01/2017  
 TIME: 10:00 AM  
 FILE: E2017.051-ZONE