

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2017
RE: Zoning Bylaw Amendment – Electoral Area “E”

Administrative Recommendation:

THAT Bylaw No. 2459.25, 2017, Electoral Area “E” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 1, 2017;

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

Purpose: To allow for the development of an accessory dwelling on the second storey of an existing garage.

Owners: Nicolas & Bernadette Gammer Agent: Nicolas Gammer Folio: E-02086.010

Civic: 2870 Gammon Road, Naramata Legal: Lot A, Plan KAP36242, District Lot 207, YDYG

Zone: Agriculture One (AG1) Proposed Zoning: Agriculture One Site Specific (AG1s)

Proposed Development:

This application is seeking to allow for the conversion of the second story of an existing garage for residential purposes.

Specifically, it is being proposed to introduce a site specific zoning that will allow an accessory dwelling to not exceed two stories and a maximum height of 6.2 metres on the subject property (NOTE: the AG1 Zone currently limits accessory dwellings to a maximum height of one storey and 5.0 metres in height).

In support of the application, the applicant has stated that “this ‘carriage house’, with its striking view, has been designed to blend nicely into the rest of our large, well-treed and landscaped property ...”, a new septic system has been designed to accommodate the proposed use and that developing this dwelling unit will allow the applicant to “accommodate visiting family and friends”.

Site Context:

The subject property is approximately 1,524 m² in area and is situated on the east side of Gammon Road and comprises a single detached dwelling and garage (which will be replaced as part of the current proposal) and is within the Naramata Community Water Service area and on a private septic system.

The surrounding pattern of development is seen to be characterised by a mix of residential, rural-residential and agricultural uses.

Background:

The subject property was created by subdivision in 1984 as part of a homesite severance approved by the Agricultural Land Commission (ALC).

Under the Electoral Area 'E' Zoning Bylaw No. 2459, 2008, the subject property is zoned Agriculture One (AG1), which permits, amongst other things, a single detached dwelling and the development of up to one (1) accessory dwelling on parcels less than 4.0 ha in area.

Section 7.11 of the Zoning Bylaw limits the maximum height of an accessory dwelling to one storey and 5.0 metres, while the definition of "accessory dwelling" requires that these dwelling types be detached from any other structure.

Available Regional District records indicate the issuance of a Development Variance Permit (DVP) for an accessory structure (i.e. garage and studio) to be constructed within the rear and interior side setbacks was approved in 2014. A Building Permit for a garage and studio was subsequently issued in 2015.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required as the proposal is situated beyond 800 metres of a controlled area.

Referral comments on this proposal have been received from the Interior Health Authority (IHA), Penticton Indian Band (PIB) and Agricultural Land Commission (ALC) and these are included as a separate item on the Board Agenda.

Public Process:

At its meeting of May 8, 2017, the Electoral Area "E" Advisory Planning Commission (APC) resolved to recommend to the Regional District Board that this development proposal be approved.

A Public Information Meeting was held ahead of the APC meeting on May 8, 2017, and was attended by no members of the public.

Analysis:

In considering this proposal, Administration notes its previous support for the introduction of "carriage houses" as a permitted form of residential development in other Electoral Areas on the basis that "carriage houses" present an opportunity to diversify housing stock, create a more liveable alternative to basement suites, create potential accommodation for extended family, and allow people to age in place.

Administration further considers the merits of allowing "carriage houses" to be akin to that of "secondary suites" — which are permitted in the AG1 Zone — and as furthering the objectives of the OCP to provide affordable and rental housing opportunities within Naramata.

That said, Administration is concerned about the density of development that may occur on smaller parcel sizes and believes that the number of units should be limited to either a secondary suite or carriage house, but not both.

Accordingly, it is being proposed to structure the site specific provision to exclude the ability to undertake a secondary suite on the subject property if an accessory dwelling is to be constructed above the garage.

With regard to the requested increase to the maximum allowable height, draft Amendment Bylaw No. 2728 (which was considered by the Planning and Development Committee at its meeting of May 4, 2017) is proposing to remove the 5.0 metre / one storey limitation on “accessory dwellings” in the AG1 Zone. In place of these general regulations, it is proposed to rely on the maximum height permitted of the zoning, which is generally 10.0 metres in the AG zones.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:

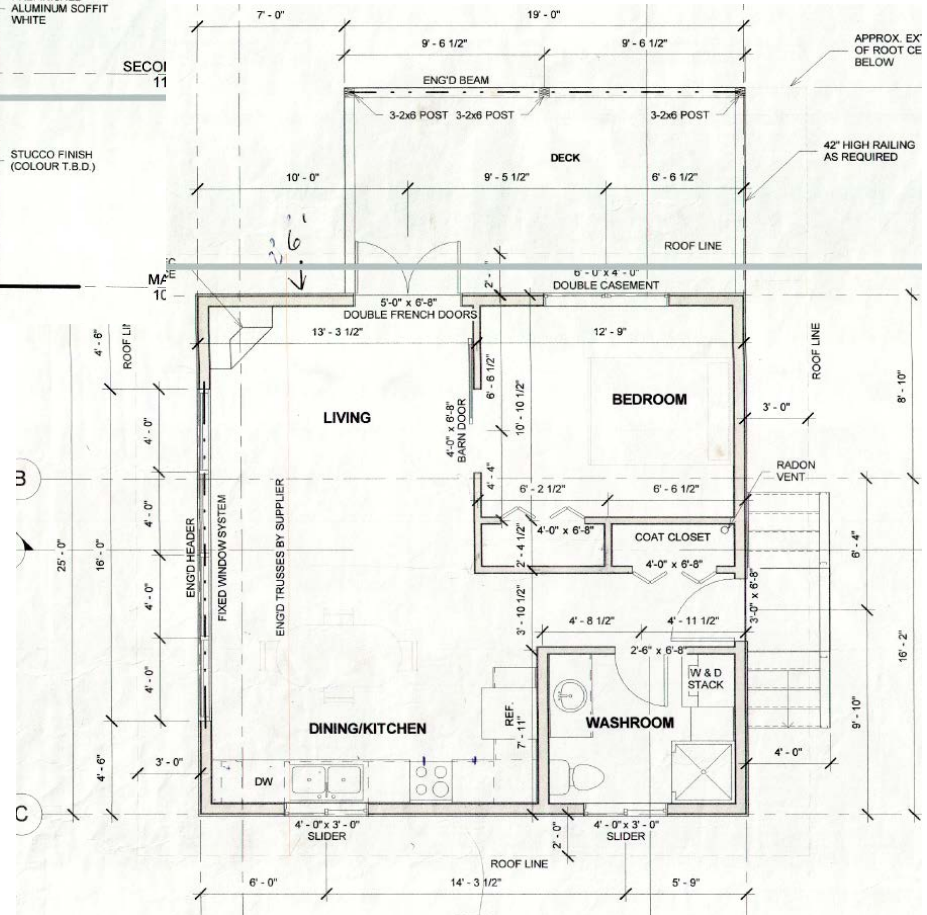
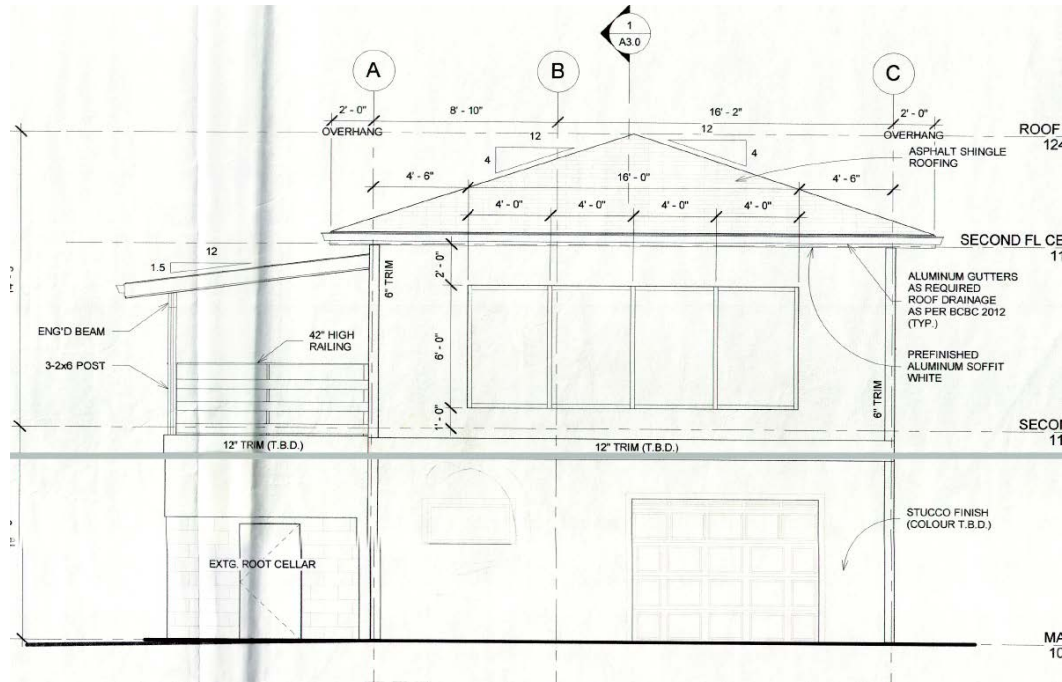
Donna Butler

D. Butler, Development Services Manager

Attachments: No. 1 – Applicant’s Site Plan & Elevation

No. 2 – Site Photos

Attachment No. 1 – Applicant’s Site Plan & Elevation



Attachment No. 3 – Site Photos

