

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: May 8, 2017
RE: Zoning Bylaw Amendment – Electoral Area “E”

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, YDYP

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). As a condition of approval, the ALC required the registration of a covenant on the remainder property (being the adjacent parcel at 2862 Gammon Road) to “not build or allow anyone else to build a residential dwelling or place a mobile home on the charged lands.”

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 the construction of a porch on the existing dwelling in 2011 (this development was never pursued and the DVP has since lapsed) and DVP for a garage and studio into the rear and interior side setbacks was approved in 2014. A Building Permit for a garage and studio was subsequently issued in 2015.

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 and add housing choice;
- allow for greater privacy and independence for both the owner and the tenant;
- create a more liveable alternative to basement suites;
- create potential accommodation for extended family or caregivers;
- allow people to age in place and stay on their properties as their lifestyles change over time; and
- expand rental housing options for young people, seniors and families while generating rental income for homeowners.

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 a “carriage house” is to be constructed above the garage.

With regard to the requested increase to the maximum allowable height, the Advisory Planning Commission (APC) is asked to be aware that the proposed updating of the AG Zone regulations (considered at its meeting of March 14, 2016) is now proposing to remove this limitation on “accessory dwellings” in the AG1 Zone as contained at Section 7.11 of the Zoning Bylaw.

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.

It is also proposed, however, to amend the general regulations for accessory dwellings so that parcels less than 1.0 ha in area do not qualify unless they are connected to a community sewer system. This is being pursued in response to direction provided by the Okanagan Basin Water Board (OBWB) and, if supported by the Board, would limit the ability to develop a “carriage house” on the subject property.

The APC is asked to be aware that these same provisions will form the basis of a separate project for 2017, currently under preparation by Administration, to introduce “carriage houses” more broadly within the Okanagan Electoral Areas.

Administrative Recommendation:

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

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.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



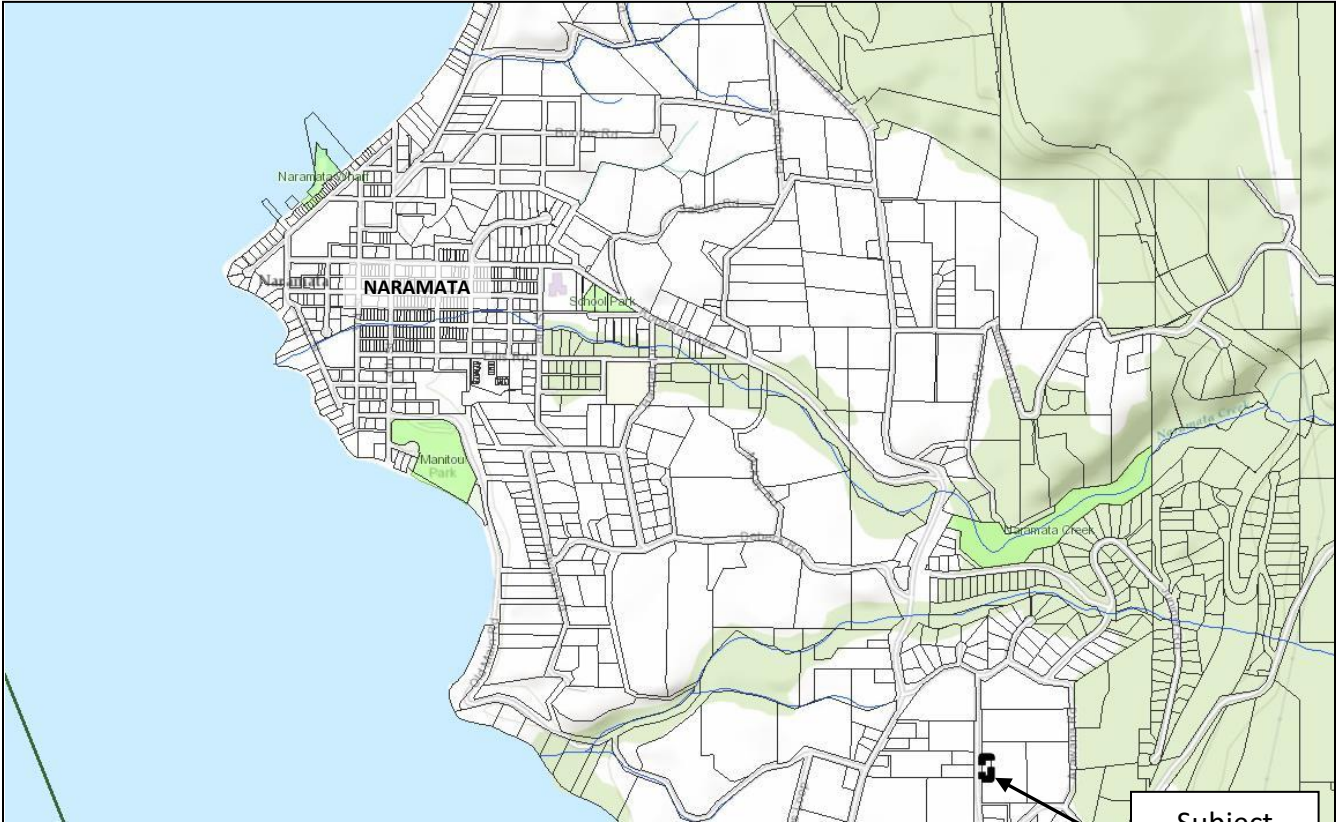
D. Butler, Development Services Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

No. 3 – Site Photos

Attachment No. 1 – Context Maps

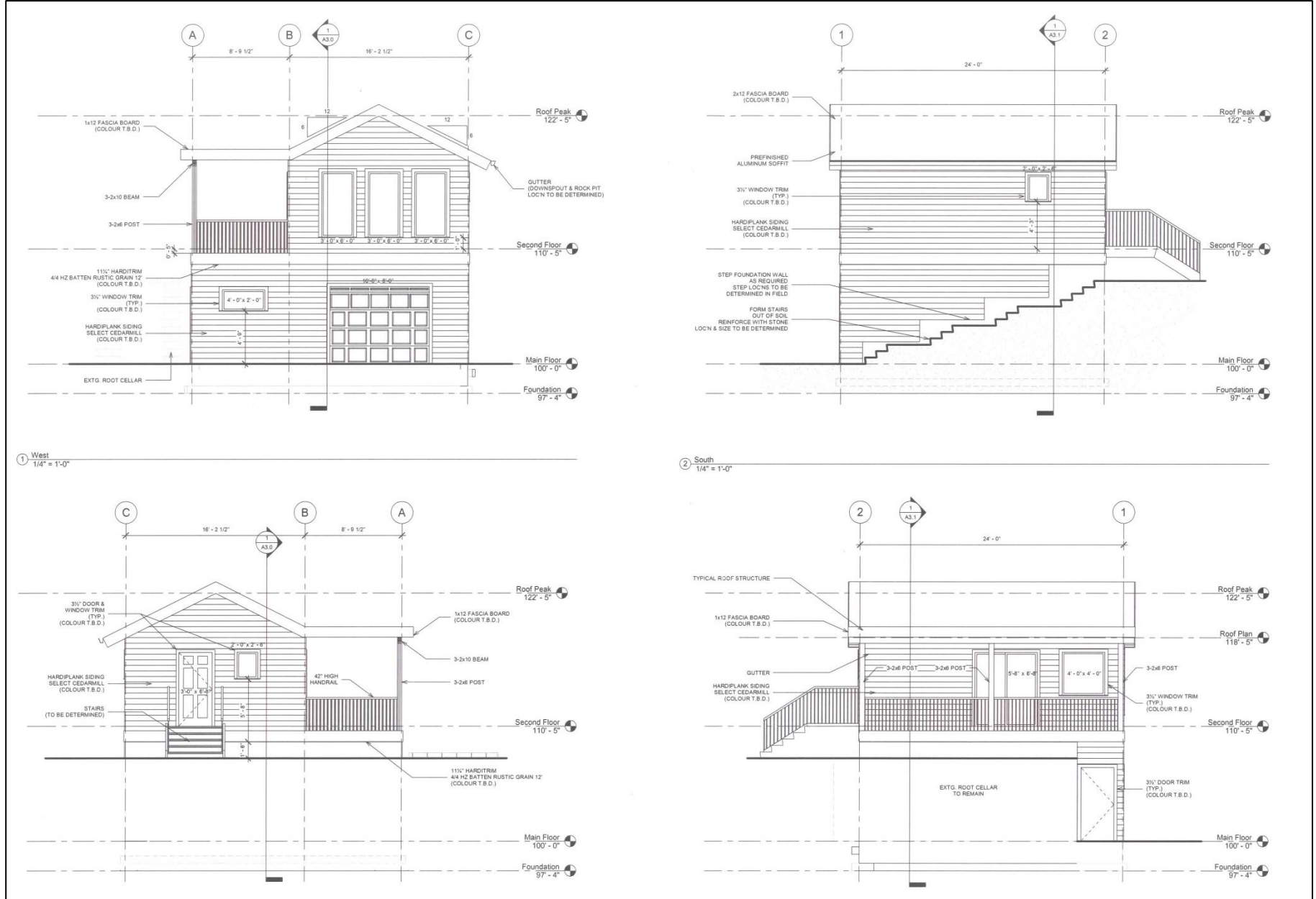


Subject Property



Amend Zoning Bylaw No. 2459, 2008:
from: Agriculture One (AG1)
to: Agriculture One Site Specific (AG1s)
(YELLOW SHADED AREA)

Attachment No. 2 – Applicant’s Elevations (2014 DVP Application)



Attachment No. 3 – Site Photos

