

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: August 4, 2016

RE: Zoning Amendment Bylaw – Electoral Area “A”, “C”, “D”, “E”, “F” & “H”
Modular and Mobile Homes



Administrative Recommendation:

THAT Bylaw No. 2743, 2016, Regional District of Okanagan-Similkameen Modular and Mobile Home 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 September 1, 2016;

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

Purpose:

This proposal relates to a number of textual changes proposed for the Electoral Area Zoning Bylaws that will allow for modular homes (A277) and mobile homes (Z240) in a broader range of zones.

Zoning Issue:

The Regional District has historically attempted to exclude mobile homes from being placed in certain zones by either:

- not listing “manufactured home” as a permitted use in the zone;
- requiring minimum building widths of 5.0 metres for “single detached dwellings”; or
- requiring a minimum width-to-length ratio (i.e. 1:4 or 1:5) for “single detached dwellings”.

Of concern, these regulations have not been applied consistently across Electoral Areas or zones (see Attachment No. 3), they may not be enforceable (i.e. ratio requirement might not achieve the desired outcome), and the definition of “manufactured home” is not consistent across Electoral Areas.

Background:

At its meeting of June 2, 2016, the Planning and Development (P&D) Committee considered a report outlining the current zoning issues governing the placement of mobile and modular homes within the Regional District and resolved to direct staff to prepare an amendment to the Electoral Area Zoning Bylaws.

Staff subsequently referred a draft amendment bylaw to external agencies for comment and scheduled the proposed changes for consideration by the Electoral Area Advisory Planning Commissions (APCs).

At its meeting of July 21, 2016, the P&D Committee considered a report outlining the results of the consultation process and directed staff to initiate Amendment Bylaw 2743.

Referrals:

The proposed textual amendments were considered by the Electoral Area Advisory Planning Commissions (APCs) at their various meetings throughout June and July of 2016. The minutes of these meetings are included as a separate item on the Board Agenda.

Referral comments on this proposal have been received from the Penticton Indian Band (PIB), Ministry of Forests, Lands and Natural Resource Operations (Archaeology Branch & Ecosystems Section), Interior Health Authority (IHA), and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the proposed textual amendment will apply to land is situated within 800 metres of a controlled area (i.e. Highways 3 and 97).

Analysis:

Administration is concerned that the Regional District's zoning bylaws have not kept pace with changes occurring in the manufactured home industry or with the zoning regulations implemented by member municipalities as they pertain to modular homes, and supports an update of the regulations to allow for modular and mobiles in a greater number of zones.

To this end, it is proposed that "modular homes" be permitted in all zones which allow for "single detached dwellings" by amending the definition of "single detached dwelling" to include a reference to "modular homes". This change would similarly allow for "modular homes" to become a permitted form "accessory dwelling" unit in all zones in which this use is currently permitted.

Administration is also proposing that "mobile homes" become a permitted form of principal and accessory dwelling unit in larger Rural Zones (i.e. those which generally require a minimum parcel size for subdivision of 4.0 hectares). To achieve this, it is proposed to list "mobile home" as a permitted principal and accessory dwelling type in the Resource Area (RA), Large Holdings (LH) and Agriculture (AG) zones.

It is recognised that the proposal to allow mobile homes in the RA, LH and AG Zones was not fully supported by all of the Electoral Area APCs (i.e. Electoral Area "F"). Nevertheless, Administration considers this to be an issue of equality and one that should be applied consistently across the Regional District.

Finally, it is proposed to introduce a consistent building width requirement of "5.0 metres, as originally designed and constructed" in the Small Holdings and Low Density Residential Zones.

Alternative:

THAT Bylaw No. 2743, 2016, Regional District of Okanagan-Similkameen Modular and Mobile Home Amendment Bylaw, be denied.

Respectfully submitted:

C. Garrish, Planning Supervisor

Endorsed by:

D. Butler, Development Services Manager