



REGIONAL DISTRICT OF NORTH OKANAGAN

BOARD of DIRECTORS MEETING

Wednesday, June 4, 2014

4:00 pm

PUBLIC HEARING AGENDA

A. CALL PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAW

1. **Zoning Text Amendment Bylaw No. 2592, 2013 [Secondary Suites]**
 - Staff report dated May 8, 2014

Bylaw 2592, 2013 – Zoning Text Amendment

Purpose: A bylaw to amend Zoning Bylaw No. 1888 to allow secondary suites in single family dwellings on Rural zoned properties which are at least 1.0 ha in size.

C. PUBLIC PRESENTATIONS

D. CLOSE PUBLIC HEARING



**REGIONAL DISTRICT
of
NORTH OKANAGAN**

REPORT

File No.: 12-0507-B-TA / 3060.03.03

TO: Board of Directors
FROM: Planning Department
DATE: May 8, 2014
SUBJECT: Zoning Text Amendment Bylaw No. 2592, 2013 [Secondary Suites]

RECOMMENDATION:

That following consideration of comments received at the Public Hearing, Zoning Text Amendment Bylaw No. 2592, 2013 be considered for Third Reading.

DISCUSSION:

This report relates to Zoning Text Amendment Bylaw No. 2592, 2013 which proposes to amend Zoning Bylaw No. 1888 to allow secondary suites in single family dwellings on Rural zoned properties which are at least 1.0 ha in size. At the Regular Meeting held on December 11, 2013, the Board of Directors gave First Reading to Bylaw No. 2592, 2013 and resolved to refer it to various agencies for review and comment. On May 7, 2014, Zoning Text Amendment Bylaw No. 2592, 2013 was considered by the Board of Directors and was given Second Reading and the Board also resolved to forward the Bylaw to a Public Hearing.

The Public Hearing for the amendment and associated Bylaw has been advertised in the local newspapers, all in accordance with the Regional District Development Application Procedures and Administrative Fees Bylaw and the provisions of the *Local Government Act*.

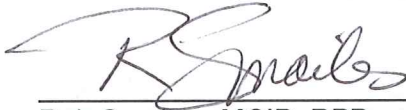
The Planning Department recommends that upon consideration of comments received at the Public Hearing, Zoning Text Amendment Bylaw No. 2592, 2013 be considered for Third Reading. Following Third Reading, certain amendments are possible without the need for a second Public Hearing provided the use or density provisions of the Bylaw are not changed. Bylaw No. 2592, 2013 must be forwarded to the Ministry of Transportation and Infrastructure for approval. Once endorsed by the Ministry, Bylaw No. 2592, 2013 can be considered for Adoption.

SUMMARY:

The Planning Department recommends that upon consideration of comments received at the Public Hearing, Zoning Text Amendment Bylaw No. 2592, 2013 be considered for Third Reading. Following Third Reading, the Bylaw must be forwarded to the Ministry of Transportation and Infrastructure for approval. Once endorsed by the Ministry, Bylaw No. 2592 can be considered for Adoption.

Submitted and Endorsed by:

Approved For Inclusion:



Rob Smalles, MCIP, RPP
General Manager, Planning and Building



David Sewell,
Chief Financial Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2592

A bylaw to amend the text of Zoning Bylaw No. 1888
to allow secondary suites in single family dwellings.

WHEREAS pursuant to Section 903 [Zoning bylaws] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, divide the whole or part of the Regional District into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS the Board has created zones, named each zone, established boundaries for these zones and regulated uses within those zones by Bylaw No. 1888 being the *“Regional District of North Okanagan Zoning Bylaw No. 1888, 2003”* and amendments thereto;

AND WHEREAS, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to a Zoning Bylaw and must consider every application for an amendment to the bylaw;

AND WHEREAS the Board has enacted the *“Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008 and amendments thereto”* to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board is desirous to amend the Zoning Bylaw to permit secondary suites within single family dwellings in zones that otherwise permit two family dwellings;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

A. CITATION

This Bylaw may be cited as the **“Zoning Text Amendment Bylaw No. 2592, 2013”**.

B. AMENDMENTS

1. Division Two of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 is hereby amended by adding the following definition:

“secondary suite” means a self-contained, accessory dwelling unit located within a single family dwelling. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal single family dwelling unit.

2. Division Four of Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 409:

Secondary Suites

Secondary suites in the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones must comply with the following:

- a) Secondary suites must be located in a single family dwelling;
 - b) No more than one (1) secondary suite shall be permitted within a single family dwelling;
 - c) No more than one (1) secondary suite shall be permitted per lot;
 - d) Secondary suites shall not be permitted on lots containing an ancillary single family dwelling or a two family dwelling;
 - e) Secondary suites on lots within the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones shall not be permitted on lots smaller than 1 ha;
 - f) The maximum floor area of a secondary suite shall not exceed the lesser of 90 m² (968 square feet) or 40% of the habitable floor area of the single family dwelling;
 - g) One (1) off-street parking space must be provided for each secondary suite. The parking space may not be provided in tandem with any other parking space required by this Bylaw;
 - h) Secondary suites must comply with all relevant Regional District bylaws and the British Columbia Building Code; and
 - i) Secondary suites must be located in a building and on property which is a single real estate entity. No strata titling will be permitted.
3. Division Eight of Zoning Bylaw No. 1888 is hereby amended by listing secondary suites as a permitted use in the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones subject to the provisions of Section 409 of this bylaw.

Read a First Time	this	11	day of	December, 2013
Read a Second Time	this	7	day of	May, 2014
Advertised on	this		day of	, 2014
	this		day of	, 2014
Public Hearing held pursuant to the provisions of Section 890 of the <i>Local Government Act</i>	this		day of	, 2014
Read a Third Time	this		day of	, 2014
Approved by Minister of Transportation and Infrastructure (<i>Transportation Act s. 52(3)</i>)	this		day of	, 2014

ADOPTED this day of , 2014

Chair

Corporate Officer