

**Minutes of the PUBLIC HEARING of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices of Kelowna on Monday, May 30, 2011**

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Directors:

J. Baker (District of Lake Country)  
J. Edgson (Central Okanagan West Electoral Area)  
K. Fielding (District of Peachland)  
D. Findlater (District of West Kelowna)  
C. Hodge (City of Kelowna)  
R. Hobson (City of Kelowna)  
G. James (City of Kelowna)  
D. Ophus (District of West Kelowna)  
A. Reid (City of Kelowna)  
M. Rule (City of Kelowna)  
K. Craig, alternate for S. Shepherd (City of Kelowna)

Regrets:

K. Hayes (Central Okanagan East Electoral Area)  
M. Werstuik (Westbank First Nation)

Staff:

H. Reay, Chief Administrative Officer  
R. Fralick, Senior Planner  
R. Paterson, Chief Building Inspector  
M. Drouin (recording secretary)

A quorum was not in attendance at 7:00 p.m. therefore as per the Regional District's Procedure Bylaw the start time was delayed. Chair Hobson brought the Public Hearings to order at 7:14 p.m.

Chair Hobson advised that this Special Meeting is being held for the purpose of considering amendments to Zoning Bylaw No. 871.

The Public Hearing for Z11/01 was advertised on Friday, May 20 and Sunday, May 22, 2011 in the Vernon Morning Star and an information notice was also placed in the Capital News on Sunday, May 22, 2011.

The Public Hearing for Z11/02 was advertised on Wednesday, May 15 and Thursday, May 26, 2011 in the Kelowna Daily Courier and an information notice was placed in the Capital News on Sunday, May 22, 2011.

Chair Hobson stated that the role of the Regional Board is to hear representation from those persons who wish to provide comments regarding the proposed bylaw. Everyone who wishes to speak shall be given the opportunity to be heard. No one will be, or should feel, discouraged or prevented from making his or her views known. He added that it is important that all who speak at this meeting restrict their remarks to matters contained in the bylaw and it is his responsibility as Chair of this meeting to ensure that all remarks are so restricted.

He further noted that members of the Regional Board may if they so wish, ask questions following the presentation, however noted that the main function of the Regional Board members this evening is to listen to the views of the public. It is not the function of the Regional Board at this Public Hearing to debate the merits of the proposed bylaws with individual citizens.

No decision will be made at the Hearing, but the entire proceedings will be considered by the Regional Board at a subsequent meeting.

Submissions regarding the proposed bylaw may be received prior to or at this Hearing.

No further information or representations can be considered by the Regional Board after the Public Hearing is terminated.

The Chair introduced the following bylaw:

**OWNER:** William and Jennifer Spring

**APPLICATION:** Zoning Amendment Bylaw No. 871-209 (Our File: Z11/01)  
Received First Reading April 18, 2011

**PURPOSE:** To amend the RDCO Zoning Bylaw No. 871 from R1 Single Detached Housing to R1s Single Detached Housing (Secondary Suite)

Lot 8, District Lot 3688, ODYD, Plan 26101 located at 10331 Columbia Way

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Staff reviewed the application, noting:

The applicant is proposing a secondary suite on the lower level of the existing single detached residence. The residence is of newer construction encompassing 2604 sq. ft. of gross floor area. Zoning Bylaw No. 871 stipulates that a secondary suite shall not exceed the lesser of 90 m<sup>2</sup> (968.8 sq. ft.) or 40% of the gross floor area of the principal building. Final dimensions and Building Code requirements will be confirmed prior to Building Permit issuance. Staff noted that an overall site plan (derived from a survey plan of July 11, 2006), and floor plan of the secondary suite was provided with the application.

Under RDCO Zoning Bylaw No. 871, 2000, one off-street parking space is required for a secondary suite in addition to those spaces required for the principal dwelling. Based on the plans submitted and photographs of the property, the applicant will have no difficulty in meeting the parking requirement of Zoning Bylaw No. 871. In addition to the requirements of the R1 zone, secondary suites are also subject to the 'General Regulations' (s.3.26) in Bylaw No. 871.

The sewerage system was designed and approved for the three bedroom residence constructed in 2006 (Certification accepted by Interior Health October 24, 2006). It is the understanding that no additions to the sewerage system are required. The Wildfire Development Permit Areas designation of the Rural Westside OCP applies to the subject property.

While this application was precipitated as a result of bylaw enforcement complaint, the applicant provided a form letter prior to first reading signed by eight (8) neighbouring property owners indicating that they support the application. Staff highlighted the properties supporting the application.

**Letters received:**

An email dated April 11, 2011 was received from the owners of 78 Spruce Drive indicating issues and concerns with regard to illegal activities, power outages, water shortages and limited garbage disposal in the area. They also make note of the steep driveway making winter access to the property very difficult and that there are 3 licensed vehicles parking at this location. Based on the comments contained in the letter, there does not appear to be any valid reasons provided as to how approval of the application negatively impacts this landowner.

A form letter signed by two (2) neighbouring property owners/residents of 562 & 651 Mountain Drive has been received indicating non-support (also dated April 11, 2011). There is no specific rationale provided as to how approval of the application will impact their interests.

*Director Reid-Nagy arrived at 7:22 p.m.*

**Applicant:**

The applicant addressed the Board noting they currently live elsewhere and travel back, and forth staying at their home. There is someone else living full-time in the home and they did not understand that by doing this, the arrangements would be considered as an illegal suite. They wish to legalize the arrangement.

**Gallery:**

There was no comment from the gallery.

**Board:**

No comment.

The Public Hearing was adjourned at 7:24 p.m.

The Chair introduced the following bylaw:

**OWNER:** Gale and Gerald Tremblay & Terry Tremblay

**APPLICATION:** Zoning Amendment Bylaw No. 871-210 (Our File: Z11/02)  
Received First Reading April 18, 2011

**PURPOSE:** To amend the RDCO Zoning Bylaw No. 871 from A1 Agricultural to A1s Agricultural (Secondary Suite)

The South ½, Lot 64, District Lots 1 and 144, ODYD, Plan 475

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Staff reviewed the application, noting:

The applicant is proposing an expansion of the existing residence with intent to locate the suite on the main floor covering approximately 963 sq. ft. of gross floor area. Zoning Bylaw No. 871 stipulates that a secondary suite shall not exceed the lesser of 90 m<sup>2</sup> (968.8 sq. ft.) or 40% of the gross floor area of the principal building. Final dimensions and Building Code requirements will be confirmed prior to Building Permit issuance. An overall site plan, floor plans of the proposed addition (including the secondary suite), and building elevations have been submitted.

The subject property was identified on the overhead, as well as an orthophoto of the property. The scale of the site-plan was highlighted.

Under Zoning Bylaw No. 871, 2000, one off-street parking space is required for a secondary suite in addition to those spaces required for the principal dwelling. In addition to the requirements of the A1 zone, secondary suites are also subject to the 'General Regulations' (s.3.26) in Zoning Bylaw No. 871.

There are no Development Permit Area designations of Ellison OCP Bylaw No. 1124 that apply to the subject property.

Given the existing information, the applicant will be able to meet the secondary suite requirements of Zoning Bylaw No. 871 (ie: access, size and parking requirements). The proposed secondary suite will have its own separate cooking, sleeping and bathing facilities.

There are no outside agency approvals required as part of the bylaw.

**Board:**

Is there any concern regarding parking? *Staff:* No there is not. This is a large rural lot.

**Letters received:**

At time of preparing this report no letters or correspondence had been received from neighbouring property owners. The appropriate public notification process occurred in accord with the Local Government Act.

**Applicant:**

No comment.

**Gallery:**

No comment from the gallery.

**Board:**

No comment

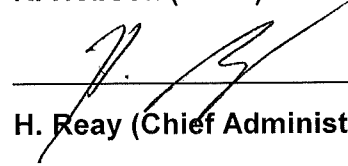
The Public Hearing was adjourned at 7:30 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**



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**R. Hobson (Chair)**



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**H. Reay (Chief Administrative Officer)**