REGIONAL DISTRICT OF NORTH OKANAGAN

ADVISORY PLANNING COMMISSION
ELECTORAL AREA "E" MEETING
Monday, February 26, 2018
Cherryville Hall, Cherryville, BC
7:30 p.m.

REGULAR AGENDA

A. CALL MEETING TO ORDER

B. ELECTION OF CHAIR AND VICE CHAIR

C. CHAIR ASSUMES SEAT

D. APPROVAL OF AGENDA
   1. Advisory Planning Commission Electoral Area “E” – February 26, 2018

   RECOMMENDATION 1
   That the Agenda of the February 26, 2018 Advisory Planning Commission Electoral Area “E” meeting be approved as presented.

E. ADOPTION OF MINUTES

   RECOMMENDATION 2
   That the minutes of the May 29, 2017 Advisory Planning Commission Electoral Area “E” meeting be adopted as circulated.

F. DELEGATIONS

G. UNFINISHED BUSINESS
H. NEW BUSINESS

1. Bylaw No. 2747 - Zoning Amendment [Additional Dwelling Units]
   File No. 17-0071-B-TA
   - Staff Report dated December 19, 2017
   - Email from Deputy Planning Manager dated January 18, 2018
   - Notes from February 5, 2018 meeting
   - Correspondence received from Area "E" residents
   - Correspondence received February 26, 2018
   - Correspondence received after agenda publication

FOR DISCUSSION

I. BUSINESS ARISING FROM DELEGATIONS

J. REPORTS

K. ADJOURNMENT
CALL MEETING TO ORDER

The meeting was called to order at 8:32 p.m.

ELECTION OF OFFICERS (As per Minutes dated January 23, 2017)

Nominations for Chair: Clint Whitecotton (accepted)
Nominations for Vice-Chair: Ian Eggen (accepted)

Chair: Clint Whitecotton by acclamation
Vice-Chair: Ian Eggen by acclamation

APPROVAL OF AGENDA

Advisory Planning Commission Electoral Area “E” – May 29, 2017

Moved and seconded by C. Templeton and R. Werner
That the Agenda of the May 29, 2017 Advisory Planning Commission Electoral Area “E” meeting be approved as presented.

CARRIED

ADOPTION OF MINUTES


Moved and seconded by R. Werner and I. Eggen
That the minutes of the January 23, 2017 Advisory Planning Commission Electoral Area “E” meeting be adopted as circulated.

CARRIED

DELEGATIONS

UNFINISHED BUSINESS
NEW BUSINESS

1. Bylaw No 2747 - Zoning Amendment [Additional Dwelling Units]
   File NO. 17-0071-B-TA

   Moved and seconded by I. Eggen and C. Templeton

   The Advisory Planning Commission of Electoral Area E recommends to The Board that the following recommendations be adopted in Area E:

   1. For properties outside the Agricultural Land Reserve:
      - Remove Clause (a) "detached suites must be located on one floor and be above an existing accessory residential or agricultural use." (●)
      - Remove Clause (b) "The main floor of the building which contains a detached suite must be used for accessory residential or agricultural purposes."
      - 800sq.ft for an ancillary building seems to be an arbitrary number and should be changed to be the same size as that of a suite.
      - Remove the gross square footage of decks, porches, and carpets (e); a single carport and 50% deck would be reasonable.
      - Ancillary buildings and or a shop should be allowed to be built with a permit prior to building a main dwelling - to allow property owners to live in an ancillary building while building a main dwelling.

   CARRIED

2. Referral Response
   Tolko Industries Ltd. [File No. 17-0057-B-REF]

   The Advisory Planning Commission of Electoral Area E supports the suggested practices as outlined in Renee Clark's April 24th, 2017 letter addressed to Mr. Harold Waters.

ADJOURNMENT

There being no further business the meeting was adjourned at 10:10 p.m.

CERTIFIED CORRECT

_________________________  _________________________
Chair                        Recording Secretary
Regional District of North Okanagan

REPORT

File No.: 17-0071-B-TA / 3060.03.03

TO: Electoral Area Advisory Committee
FROM: Planning Department
DATE: December 19, 2017
SUBJECT: Zoning Amendment Bylaw No. 2747 [Additional Dwelling Units]

RECOMMENDATION:

That Zoning Text Amendment Bylaw No. 2747, 2017, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 to permit detached suites within the Country Residential (C.R), Non-Urban (N.U), and Large Holding (L.H) zones, and which provides clarification regarding the regulations for ancillary single family dwellings in the same zones, be amended as outlined in the Planning Department report dated December 19, 2017; and further,

That Zoning Text Amendment Bylaw No. 2747, 2017, be given Second Reading, as amended, and be referred to a Public Hearing.

BACKGROUND:

At the Regular Meeting held on January 4, 2017, the Board of Directors directed staff to prepare an amendment to Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 as a result of the changes to the Provincial Agricultural Land Reserve (ALR) Use, Subdivision and Procedure Regulation – BC Reg. 171/2002. Part 2, Section 3 of BC Reg. 171/2002 was amended to permit an accommodation that is constructed above an existing building on the farm and that has only a single level. This change to the ALC’s Regulation provides an alternative to a 9 m wide manufactured home for use by a family member which was already permitted under the Regulation.

Staff have been informed by Agricultural Land Commission (ALC) staff that, within the ALR, an ancillary single family dwelling’s use must be linked to a level of farming activity taking place on the property, otherwise the RDNO’s current provisions would not be in compliance with the ALC Regulations. Provisions for Ancillary Single Family Dwellings were first adopted in 1990 as an amendment to Zoning Bylaw No. 725. Provisions for Ancillary Single Family Dwellings were subsequently included in Zoning Bylaw No. 1888 which was adopted in 2004.

In response to the Board and the ALC’s direction, staff prepared Zoning Text Amendment Bylaw No. 2747, 2017 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 to permit detached suites as a form of accommodation above an accessory residential or agricultural building and to provide clarification regarding the regulations for an ancillary single family dwelling on parcels within the Country Residential (C.R), Non-Urban (N.U), and Large Holding (L.H) zones.

At the Regular Meeting held on April 19, 2017, the Board of Directors gave First Reading to Zoning Text Amendment Bylaw No. 2747, 2017 and resolved to refer it to various agencies for review and comment.
REFERRAL COMMENTS:

In response to direction provided by the Board of Directors, Zoning Text Amendment Bylaw No. 2747, 2017 was referred for comments to the Advisory Planning Commissions for all of the Electoral Areas, Regional Agricultural Advisory Committee, Ministry of Agriculture, Ministry of Transportation and Infrastructure, Interior Health Authority, Agricultural Land Commission, Regional District Building Inspection and Engineering Departments, Okanagan Basin Water Board; and the Silver Star, Lumby & District, and BX/Swan Lake Fire Departments. Following are the comments received in response to the referral:

1. **Electoral Area Advisory Planning Commissions**
   - **Electoral Area “B” APC discussed the following:**
     - Why can the detached suite be larger than the ancillary dwelling?
     - Why is the ancillary dwelling restricted in size when the size of an accessory / agricultural building is not regulated and a suite is permitted above it?
     - How was the size of the detached suite of 968 square feet determined?
     - Can the detached suite be located on the main floor?
     - Concerned about those who are on ALR lands and have not yet had the chance to put a second dwelling on the property and are unable too, yet there are many properties that have the second dwelling already.
   - **Electoral Area “C” APC discussed the following:**
     - The reasons for the change to the regulations.
     - The potential differences for properties in and out of the ALR.
     - The committee had a consensus that the proposed regulations should be the same for both ALR and non-ALR properties in Electoral Area “C”, with the exception of the requirement for farm status.
     - Building Code requirements for detached suites.
     - The committee had a consensus that the proposed regulations should ensure that BC Building Code is met for detached suite and that safety is considered in regards to the uses which take place on the lower floor.
   - **Electoral Area “D” APC discussed the following:**
     - 807 square feet is too small for an ancillary dwelling
     - would rather larger farms stay intact with a larger secondary residence as opposed to subdividing off a piece in order to accommodate the larger residence
     - would like more time to comment
     - follow-up report to be brought back to APCs for additional comments
   - **Electoral Area “E” APC passed the following resolution:**
     - The Advisory Planning Commission of Electoral Area E recommends to the Board that the following recommendations be adopted in Area E:
     - For properties outside the Agricultural Land Reserve:
       - Remove Clause (a) "detached suites must be located on one floor and be above an existing accessory residential or agricultural use."
       - Remove Clause (b) "The main floor of the building which contains a detached suite must be used for accessory residential or agricultural purposes."
       - 807 sq. ft. for an ancillary building seems to be an arbitrary number and should be changed to be the same size as that of a suite.
       - Remove the gross square footage of decks, porches, and carports (e); a single carport and 50% deck would be reasonable.
       - Ancillary buildings and or a shop should be allowed to be built with a permit prior to building a main dwelling - to allow property owners to live in an ancillary building while building a main dwelling.
Electoral Area “F” APC discussed the following:
- Zoning bylaw is from the APC and for properties outside the Agricultural Land Reserve and for properties within the Agricultural Land Reserve they must comply with same regulations. Except those properties within the ALR the detached suite may only be located on a lot with farm status. So if you are in the ALR and do not have farm status you may not have a detached suite. If you are in the ALR and do not have farm status but you had a detached suite from before you are grandfathered.

2. Regional Agricultural Advisory Committee passed the following resolutions:
That it be recommended to the Board of Directors, within Zoning Text Amendment Bylaw No. 2747, 2017 proposed Sections 411.1.a and b be removed for properties outside of the ALR; and further, that the essence of proposed Sections 411.1.a and b be added to proposed Section 411.2.

3. Ministry of Agriculture
Ministry of Agriculture staff is supportive of amending the bylaw to be consistent with Agricultural Land Commission regulations. In addition, Ministry of Agriculture staff recommend considering a farm residential footprint by referring to the Ministry of Agriculture’s Guide for Bylaw Development in Farming Areas (2015), specifically Section 2.4.6.5.2 Farm Residential Footprint Size:

The maximum size of the farm residential footprint is:
- the lesser of a footprint commensurate with urban areas; or
- 2,000 m²; plus
  - 1000 m² for each additional farm residence where permitted; plus
  - 35 m² for each temporary farm worker housing space where permitted.

The definition of a farm residential footprint being: the portion of a lot that includes a principal farm residence, additional farm residence and its accessory farm residential facilities.

4. Ministry of Transportation and Infrastructure
Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act. Please forward the bylaw to the Ministry of Transportation and Infrastructure, after third reading, for endorsement.

5. Interior Health Authority
It is expected water supply and wastewater would be addressed at the building permit stage prior to a permit being issued but it should be noted that if a property is not serviced by a community water system it should be confirmed before development of an additional dwelling unit on a property that an adequate supply of potable water is available to service the new unit. Also if no community sanitary sewer system is available to connect the new dwelling unit to it should be confirmed before development commences that a suitable site exists for installation of the required onsite sewerage dispersal system to service the new dwelling.

6. Agricultural Land Commission
The ALC is pleased that the RDNO is considering enacting amendments to Zoning Bylaw 1888 to ensure that it is consistent with the Agricultural Land Commission Act (the “Act”) and the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation (“the Regulation”). Upon review of the draft Bylaw 2747, the ALC finds it to be consistent with the ALC Act and regulation.

Further to discussions in March 2017 between the ALC and RDNO regarding Ancillary Single Family Dwellings the ALC would support the issuance of permits for a second dwelling, consistent with the bylaw, provided that landowner can prove any of the following:
- that they invested in architectural plans, or deposited money for construction materials in advance of March 15, 2017;
• they were in the building permit process prior to March 15, 2017 but were inadvertently delayed due to requests for more information;
• the affected property has B.C. Assessment “farm” status.
The ALC will leave it to the discretion of the RDNO to determine the threshold of financial commitment that qualifies (per bullets 1 and 2 above) however, purchasing a property in anticipation that a second dwelling could be constructed does not qualify as an appropriate financial commitment.

7. **Regional District Building Inspection Department**
Detached suites will require an exit so that it is not necessary to pass through the accessory residential or agricultural use below it. This could be an exterior stair or a fire rated enclosure passing through the accessory use. If the occupancy below the suite is not for the sole use of the occupants then a fire and sound separation, in accordance with the building code, will be required at the floor level. This typically would be floor joist with insulation, resilient channels, and two layers of fire resistant drywall. Other assemblies that comply with the building code would also be acceptable. Interconnected forced air heating systems would not be acceptable.

8. **Regional District Engineering Department**
The Regional District Engineering Department commented they have no concerns.

9. **Okanagan Basin Water Board**
(Proposed Bylaw No. 2747) appears to be consistent with the OBWB’s sewage facilities grants policy. Our main concern is small lot (less than one hectare) subdivision on septic – which increases the chance of failure and subsequent water pollution. Having additional dwellings can be in effect much like subdivision, so it is against our policy. We appreciate that RDNO is helping to maintain water quality in the Okanagan Basin.

No additional comments have been received as a result of the referral process.

The following is intended provide a response to some of the questions and comments raised by the Advisory Planning Commissions:

1. **Why can the detached suite be larger than the ancillary dwelling? 807 square feet is too small for an ancillary single family dwelling.**

   • The maximum floor area of a detached suite on lands in the ALR is proposed to be consistent with the maximum size, that is 90 m² (968 sq ft), permitted by the Agricultural Land Commission.

   The maximum floor area of an ancillary single family dwelling (75 m²) was established by RDNO in 1990 when the Zoning Bylaw in effect at the time was amended to permit such dwellings. In 2017, the ALC advised RDNO that Zoning Bylaw provisions that permit ancillary single family dwellings in the ALR were inconsistent with the ALC Act. Proposed Zoning Text Amendment Bylaw No. 2747 is intended, in part, to address this inconsistency by requiring that a property in the ALR must be classified as ‘farm’ under the Assessment Act in order to have either an ancillary single family dwelling or a detached suite. Upon review of this proposed amendment, the ALC has found it to be consistent with the ALC Act and regulation. It is anticipated that proposing to increase the floor area of ancillary single family dwellings on lands in the ALR would not be supported by the Agricultural Land Commission. Maintaining the maximum size of ancillary single family dwellings at 75 m² (807.3 sq ft) is intended to satisfy the requirements of the ALC and to provide a consistent standard for RDNO properties both within and outside of the ALR.

   Alternatively, for properties outside of the ALR, the Board may consider increasing the size of an ancillary single family dwelling.
2. Can the detached suite be located on the main floor? Remove the requirement that detached suites must be on one floor and be above an existing accessory residential or agricultural use. Remove the requirement that the main floor of the building which contains a detached suite must be used for accessory residential or agricultural use.

- The ALC regulation stipulates that a detached suite must be above an existing building on the farm and that it only has one level. In addition, in order to have a detached suite in the ALR, the parcel on which the structure is located must be classified as a “farm” under the Assessment Act. Bylaw No. 2747 proposes to allow detached suites in a manner consistent with the ALC regulation. Farm classification would not be required in order to have a detached suite on property outside of the ALR.

For properties outside of the ALR, the Board may consider allowing a detached suite at grade level within a building also used for accessory or agricultural purposes. Under this option, there may be a propensity, over time, for a property owner to eliminate the accessory/agricultural use and expand the dwelling unit. If the detached suite use is not linked to an accessory/agricultural use, it would for all intents and purposes, be equivalent to an ancillary single family dwelling, only larger.

3. Remove the gross square footage of decks, porches, and carports (e); a single carport and 50% deck would be reasonable.

- Bylaw No. 2747 proposes that, for ancillary single family dwellings, attached open decks, open porches, covered patios, and carports shall not exceed 50% of the gross floor area of the ancillary single family dwelling and may not be screened to create a room. The intent of this regulation is to help maintain a relatively compact building “footprint” and to discourage conversion of such spaces into living areas.

For properties outside of the ALR, the Board may consider allowing a greater percentage of the gross floor area to be used for attached open decks, open porches, covered patios, and carports or may choose to omit this proposed regulation altogether.

Given recent concerns raised by the ALC regarding ancillary single family dwellings, the Planning Department does not recommend expanding or omitting this restriction for ancillary single family dwellings located on properties within the ALR.

The attached Appendix “A” outlines the type of dwelling units that would be permitted in the Rural Zones of the Zoning Bylaw if Zoning Text Amendment Bylaw No. 2747 were to be adopted as proposed.

**PLANNING ANALYSIS:**

Overall, the feedback obtained through the referral process has been supportive of the proposed Zoning Bylaw amendments.

One of the refinements to Zoning Text Amendment Bylaw No. 2747 that is recommended at this stage, is to stipulate that the maximum height of detached suites not exceed 12 m. This amendment is proposed as it would allow for a single level detached suite to be constructed above a grade level area used as a domestic garage, barn, farm equipment storage, etc. Often such grade level uses have a ceiling height of 4 m or more and an overall building height of 12 m would allow for the inclusion of a suite on the second level together with a sloping roof.
It is also recommended that a maximum height of 8 m be specified for ancillary single family dwellings. Currently, the Zoning Bylaw does not specify a maximum height for ancillary single family dwellings. As currently regulated in the C.R, N.U, and L.H zones, the height of buildings and structures shall not exceed:

1. 8 m for accessory residential use; or
2. 12 m for residential use; or
3. 20 m for agricultural use including wineries and cideries.

An ancillary single family dwelling does not fit within the meaning of an accessory residential use, residential use, or agricultural use. An accessory residential use is defined in part as a building accessory to an existing residence and includes such things as domestic garages, covered swimming pools, residential storage buildings, gazebos, etc. and, it is not to be used for residential dwelling purposes. A residential use is defined, in part, as the principal accommodation of a person or family. Definitions of agricultural use (intensive, limited, and restricted) do not reference residential use of any kind. In this regard, to help determine a maximum height for ancillary single family dwellings, the building permit plans for five recent examples of ancillary single family dwellings were reviewed. Amongst the plans reviewed, ancillary single family building heights ranged from 4.27 m to 6.91 m. The Planning Department therefore suggests that 8 m would be a reasonable maximum height for ancillary single family dwellings.

It is recommended that the height regulations for ancillary single family dwellings and detached suites be included in proposed Zoning Bylaw Sections 410 and 411 respectively.

It is also recommended that Bylaw No. 2747 be amended to remove the word “existing” from references to accessory residential and agricultural use buildings over which detached suites would be permitted. This change will help to avoid potential confusion in determining at what stage of construction a building is deemed to be “existing”.

It is also recommended that Bylaw No. 2747 be amended by rewording Sections 301.1 and 301.2. Section 301.1 lists the uses permitted under Section 3(1) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg 171/2002). The uses listed under Section 3(1) of BC Reg 171/2002 change from time to time. Section 301.2 acknowledges that lands within the ALR are subject to the provisions of the ALC Act and Regulations. These sections are proposed to be reworded by removing the list of uses permitted under Section 3(1) of BC Reg 171/2002 and stating that the uses listed under this section of BC Reg 171/2002 shall not be permitted to be carried out on lands within the ALR unless otherwise specifically regulated by provisions of the Zoning Bylaw. Removing the list will ensure that the Zoning Bylaw doesn’t list something that is outdated. Amending the Bylaw as recommended would not eliminate the ability to use a property as currently allowed by the Zoning Bylaw and BC Reg 171/2002.

It is also recommended that Bylaw No. 2747 be amended by clarifying that temporary dwellings and two family dwellings are not permitted on lots containing a secondary suite, a detached suite, or an ancillary dwelling and that such dwellings are only permitted on properties within the ALR if they are authorized by BC Reg 171/2002 or through the approval of an application under Section 20(3) of the ALC Act. Amending the Bylaw as recommended would continue to allow temporary dwellings and two family dwellings subject to the use of such dwellings complying with the provisions of BC Reg 171/2002.

Aside from the above suggested changes, the Planning Department does not recommend any other amendments at this time; however based on the feedback provided in the referral comments, the Board may consider additional amendments to:

1) permit detached suites on the main floor level of accessory residential or agricultural buildings on properties outside of the ALR; and/or,
2) increase the maximum gross floor area of an ancillary single family dwelling from 75 m² (807.3 square feet) to 90 m² (968.75 square feet), on properties outside of the ALR, to be consistent with the proposed maximum size of a detached suite; and/or
3) consider farm residential footprint regulations as suggested by the Ministry of Agriculture in their referral response.

In the event that the Board of Directors should wish to give further consideration to any of the above noted (or other) changes to Bylaw No. 2747, the Planning Department requests that direction be provided to staff to amend proposed Bylaw No. 2747 with the desired changes and to report back to the Board of Directors along with the amended Bylaw.

**SUMMARY:**

At the Regular Meeting held on April 19, 2017, the Board of Directors gave First Reading to Zoning Text Amendment Bylaw No. 2747, 2017 and resolved to refer it to various agencies for review and comment. The Bylaw was subsequently referred to all of the Electoral Area Advisory Planning Commissions, the Regional Agricultural Advisory Committee, various agencies and staff for review and comment. In consideration of the feedback received as an outcome of the referral process, staff recommend that Bylaw No. 2747, 2017 be given Second Reading, as amended, and be forwarded to a Public Hearing. The proposed amendments to Bylaw No. 2747 are outlined in the Planning Analysis section of this report and are intended to provide clarification regarding the height of ancillary dwellings and detached suites and to the number and type of dwellings units which are proposed to be permitted in the Rural Zones of Zoning Bylaw No. 1888.

Submitted by:

Marnie Skobalski, MCIP, RPP
Planner II

Reviewed by:

Greg Routley
Deputy Planning Manager

Endorsed by:

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

Approved for Inclusion:

David Sewell
Chief Administrative Officer
APPENDIX “A”

The following table outlines the type of dwelling units that would be permitted in the Small Holding (S.H) zone if Zoning Text Amendment Bylaw No. 2747 were to be adopted as proposed:

<table>
<thead>
<tr>
<th></th>
<th>S.H (non ALR)</th>
<th>S.H (ALR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwelling</td>
<td>* Permitted</td>
<td>* Permitted</td>
</tr>
<tr>
<td>Manufactured Home</td>
<td>** Permitted **</td>
<td>** Permitted **</td>
</tr>
<tr>
<td>Two Family Dwelling</td>
<td>*** Permitted</td>
<td>**** Permitted</td>
</tr>
<tr>
<td>Secondary Suite</td>
<td>+ Permitted</td>
<td>+ Permitted</td>
</tr>
<tr>
<td>Detached Suite</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
</tr>
<tr>
<td>Ancillary Dwelling</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
</tr>
<tr>
<td>Additional Single Family Dwelling</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
</tr>
</tbody>
</table>

* permitted provided the property doesn’t contain a manufactured home or a two family dwelling;
** permitted provided the property doesn’t contain a single family dwelling or a two family dwelling and is located within Electoral Areas “D”, “E” and “F”;
*** permitted provided the property is 2 ha or larger and doesn’t contain a single family dwelling or manufactured home;
**** permitted subject to the approval of an ALR non-farm use application;
+ permitted provided the property is 1 ha or larger and the suite is located within a single family dwelling and the property doesn’t contain a temporary residence;

The following outlines the number of dwelling units that would be permitted in the Small Holding (S.H) zone if Zoning Text Amendment Bylaw No. 2747 were to be adopted as proposed:

a) one (1) single family dwelling which may contain a secondary suite; OR

b) one (1) two family dwelling (subject to the approval of an ALR non-farm use application if property is within the ALR); OR

c) one (1) manufactured home.

In total, properties in the S.H zone may have a maximum of two dwelling units.
The following table outlines the type of dwelling units that would be permitted in the Country Residential (C.R), Non Urban (N.U) and Large Holding (L.H) zones if Zoning Text Amendment Bylaw No. 2747 were to be adopted as proposed:

<table>
<thead>
<tr>
<th></th>
<th>C.R / N.U / L.H (non ALR)</th>
<th>C.R / N.U / L.H (ALR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwelling</td>
<td>* Permitted</td>
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<td>Manufactured Home</td>
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<td>+ Permitted</td>
</tr>
<tr>
<td>Detached Suite</td>
<td>++ Permitted</td>
<td>++ Permitted</td>
</tr>
<tr>
<td>Ancillary Dwelling</td>
<td>+++ Permitted</td>
<td>+++ Permitted</td>
</tr>
<tr>
<td>Additional Single Family Dwelling</td>
<td>~ Permitted</td>
<td>~~ Permitted</td>
</tr>
</tbody>
</table>

* permitted provided the property doesn’t contain a manufactured home or a two family dwelling;  
** permitted provided the property doesn’t contain a single family dwelling or a two family dwelling and provided the property is located within Electoral Areas “D”, “E” and “F” or is located on a property that is 1 ha or larger within Electoral Areas “B” and “C”;  
*** permitted provided the property doesn’t contain a single family dwelling or manufactured home;  
**** permitted subject to the approval of an ALR non-farm use application;  
+ permitted provided the property is 1 ha or larger and the property doesn’t contain a detached suite, an ancillary dwelling, a two family dwelling or a temporary residence;  
++ permitted provided the property is 2 ha or larger and the property doesn’t contain a secondary suite, an ancillary dwelling, a two family dwelling or a temporary residence and provided the property has “farm” status if it is located in the ALR;  
+++ permitted provided the property is 2 ha or larger and the property doesn’t contain a secondary suite, a detached suite, a two family dwelling or a temporary residence and provided the property has “farm” status if it is located in the ALR;  
~ permitted provided the property meets specified minimum lot size standards;  
~~ permitted subject to the approval of an ALR non-farm use application.

Maximum number of dwelling units permitted in the Rural zones

The following outlines the number of dwelling units that would be permitted in the C.R, N.U and L.H zones if Zoning Text Amendment Bylaw No. 2747 were to be adopted as proposed:

a) one (1) single family dwelling; and  
b) one (1) secondary suite or one (1) detached suite or one (1) ancillary dwelling or one (1) temporary residence.
Or

a) one (1) manufactured home; and
b) one (1) detached suite or one (1) ancillary dwelling or one (1) temporary residence.

Or

a) one (1) two family dwelling on lots outside the ALR.

In total, properties which are in the C.R, N.U and L.H zones, outside the ALR and less than 4 ha in size may have a maximum of two (2) dwelling units.

Properties in the C.R zone may have one (1) additional single family dwelling on lots 4 ha or larger and outside the ALR.

Properties in the N.U zone may have one (1) additional single family dwelling on lots 14.4 ha or larger and outside the ALR plus one (1) additional single family dwelling on lots 21.6 ha or larger and outside the ALR.

Properties in the L.H zone may have one (1) additional single family dwelling on lots 30.5 ha or larger and outside the ALR plus one (1) additional single family dwelling on lots 45 ha or larger and outside the ALR.

Properties in the C.R, N.U and L.H zones and inside the ALR may have a maximum of two (2) dwelling units. Additional dwelling units are permitted subject to the approval of an ALR non-farm use application.
REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2747

A bylaw to amend the text of Zoning Bylaw No. 1888, 2003

WHEREAS pursuant to Section 479 [Zoning bylaws] of the Local Government Act, 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” as amended;

AND WHEREAS, pursuant to Section 460 [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” as amended 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 detached suites and ancillary single family dwellings on lots with an area of 2 ha or greater within some rural zones;

NOW THEREFORE, the Board of Directors 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. 2747, 2017”.

B. AMENDMENTS

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

   “Dwelling, Ancillary Single Family” means a single family dwelling or manufactured home ancillary to an existing principal single family dwelling located on the same lot or a single family dwelling ancillary to an existing principal manufactured home located on the same lot.

   “Dwelling, Detached suite” means a self-contained accessory dwelling unit above an accessory residential or agricultural building. A detached suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the accessory residential or agricultural building.

2. Division Two – Interpretation of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 is hereby amended by placing the definition for “Secondary Suite” with the definitions for “Dwellings” and adding the word “Dwelling” in front of the words “Secondary Suite”.
3. Division Three – Agricultural Land Reserve of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by deleting Sections 301.1 and 301.2 and replacing with the following:

Uses listed under Section 3(1) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg 171/2002) shall not be permitted to be carried out on lands within the Agricultural Land Reserve unless otherwise specifically regulated by provisions of this Bylaw.

4. Division Three – Agricultural Land Reserve of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by renumbering Section 301.3 as Section 413.

5. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 407.5 and by renumbering the followings subsections accordingly:

A Temporary Residence shall not be permitted on lots containing a secondary suite, a detached suite, an ancillary dwelling or a two family dwelling.

6. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 407.6 and by renumbering the followings subsections accordingly:

For properties within the Agricultural Land Reserve, a temporary residence in the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones shall not be permitted unless authorized under BC Reg 171/2002 or through the approval of an application under Section 20(3) of the Agricultural Land Commission Act.

7. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by replacing Section 409.4 with the following:

Secondary suites shall not be permitted on lots containing a detached suite, an ancillary dwelling, a two family dwelling or a temporary residence.

8. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 410:

Ancillary Dwellings

1. For properties outside the Agricultural Land Reserve, ancillary single family dwellings in the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones must comply with the following:
   a. No more than one (1) ancillary single family dwelling shall be permitted per lot;
   b. Ancillary single family dwellings shall not be permitted on lots containing a secondary suite, a detached suite, a two family dwelling or a temporary residence;
   c. Ancillary single family dwellings on lots within the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones shall not be permitted on lots that are smaller than 2 ha;
   d. The maximum gross floor area of an ancillary single family dwelling shall not exceed 75 m² (807 square feet);
   e. Attached open decks, open porches, covered patios and carports shall not exceed 50% of the gross floor area of the ancillary single family dwelling and may not be screened to create a room;
f. Ancillary single family dwellings may not include a basement; but may include a cellar which does not include habitable space;
g. One (1) off-street parking space must be provided for each ancillary single family dwelling. The parking space may not be provided in tandem with any other parking space required by this Bylaw;
h. Ancillary single family dwellings must comply with all relevant Regional District bylaws and the British Columbia Building Code;
i. Ancillary single family dwellings must be located on property which is a single real estate entity. No strata titling will be permitted; and
j. Maximum height of ancillary single family dwellings shall not exceed 8 m (26.25 feet).

2. For properties within the Agricultural Land Reserve, ancillary single family dwellings in the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones must comply with Section 410.1 above and the following:
a. The ancillary single family dwelling may only be located on a lot that is classified as “farm” under the BC Assessment Act, as amended from time to time.

9. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by deleting Sections 802.1.c, 803.1.c and 804.1.c and replacing with the following:
   • Section 802.1.c: Ancillary single family dwellings subject to the provisions of Section 410 of this bylaw
   • Section 803.1.c: Ancillary single family dwellings subject to the provisions of Section 410 of this bylaw
   • Section 804.1.c: Ancillary single family dwellings subject to the provisions of Section 410 of this bylaw

10. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by deleting Sections 802.2.d, 803.2.e and 804.2.e and replacing with the following:
    • One (1) ancillary single family dwelling subject to the provisions of Section 410 of this bylaw.

11. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by deleting Sections 802.10.b, 803.10.b and 804.10.b in their entirety.

12. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 411:

**Detached Suites**

1. For properties outside the Agricultural Land Reserve, detached suites in the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones must comply with the following:
   a. Detached suites must be located on one floor and be above an existing accessory residential or agricultural use;
   b. The main floor of the building which contains a detached suite must be used for accessory residential or agricultural purposes;
   c. No more than one (1) detached suite shall be permitted within an accessory residential or agricultural building;
   d. No more than one (1) detached suite shall be permitted per lot;
e. Detached suites shall not be permitted on lots containing a secondary suite, an ancillary single family dwelling, a two family dwelling or a temporary residence;
f. Detached suites on lots within the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones shall not be permitted on lots that are smaller than 2 ha;
g. The maximum floor area of a detached suite shall not exceed 90 m² (968 square feet);
h. One (1) off-street parking space must be provided for each detached suite. The parking space may not be provided in tandem with any other parking space required by this Bylaw;
i. Detached suites must comply with all relevant Regional District bylaws and the British Columbia Building Code;
j. Detached suites must be located in an accessory residential or agricultural building and on property which is a single real estate entity. No strata titling will be permitted; and
k. Maximum height of buildings containing a detached suite shall not exceed 12 m (39.37 feet).

2. For properties within the Agricultural Land Reserve, detached suites in the Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones must comply with Section 411.1 above and the following:
   a. The detached suite may only be located on a lot that is classified as “farm” under the BC Assessment Act, as amended from time to time; and

13. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding Sections 802.1.v, 803.1.w and 804.1.w as follows:
   - Detached suites subject to the provisions of Section 411 of this bylaw.

14. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding Sections 802.2.g, 803.2.h and 804.2.h as follows:
   - One (1) detached suite subject to the provisions of Section 411 of this bylaw.

15. Division Four – General Regulations of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by adding the following as Section 412:

Two Family Dwellings

1. For properties outside the Agricultural Land Reserve, two family dwellings 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. No more than one (1) two family dwelling shall be permitted per lot;
   b. Two family dwellings shall not be permitted on lots containing a single family dwelling, a secondary suite, an ancillary single family dwelling, a detached suite or a temporary residence;
   c. Two family dwellings on lots within the Small Holding (S.H) zone shall not be permitted on lots that are smaller than 2 ha;
   d. Two family dwellings must comply with all relevant Regional District bylaws and the British Columbia Building Code;

2. For properties within the Agricultural Land Reserve, two family dwellings in the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones shall not be permitted unless authorized through the approval of an application under Section 20(3) of the Agricultural Land Commission Act.
16. Division Eight – Rural Zones of Regional District of North Okanagan Zoning Bylaw No. 1888 is hereby amended by deleting Sections 801.1.j, 802.1.p, 803.1.q and 804.1.q and replacing with the following:

- Section 801.1.j: Two family dwellings subject to the provisions of Section 412 of this bylaw
- Section 802.1.p: Two family dwellings subject to the provisions of Section 412 of this bylaw
- Section 803.1.q: Two family dwellings subject to the provisions of Section 412 of this bylaw
- Section 804.1.q: Two family dwellings subject to the provisions of Section 412 of this bylaw

Read a First Time this 19th day of April, 2017

Read a Second Time, as amended this day of , 2017

Advertised on this day of , 2017

Public Hearing held this day of , 2017

Read a Third Time this day of , 2017

Approved by Minister of Transportation and Infrastructure (Transportation Act s. 52(3)) this day of , 2017

ADOPTED this day of , 2017

__________________________   __________________________
Chair                         Deputy Corporate Officer
In follow-up to our meeting yesterday, I have summarized your proposal to amend the detached suites bylaw:

- For properties greater than 2 ha and outside of the ALR, allow properties to have one (1) single family dwelling and one (1) additional single family dwelling (no size restriction) or one (1) manufacture (mobile) home and one (1) secondary suite or one (1) detached suite. The total number of dwelling units allowed per lot would be 3, one of which would have to be a suite or detached suite. This provision would be applicable to EAs D/E only;
- For properties greater than 2 ha and outside of the ALR, allow detached suites to be located on more than one floor and to be located either above or beside (attached) to an accessory building (ie shop or barn); This would be applicable to EAs D/E only;
- For properties greater than 2 ha and outside of the ALR, detached suites should be allowed to be used without there being a single family dwelling on the property. This would be restricted to EAs D/E only. We will look into whether or not this use needs to be listed as a primary use to ensure this can happen;
- For properties greater than 2 ha and within the ALR, allow properties to have one (1) single family dwelling and one (1) secondary suite and one (1) manufactured (mobile) home or one (1) detached suite (same as what would be allowed through BC Reg 171/2002). This will be applicable to EAs D/E unless Directors for other EAs wish to do the same.
- There shall be no more that one mobile home per parcel in EAs D/E.

In addition to the above and in keeping with the request from Director Macnabb, we will revise the Bylaw to increase the size of ancillary SFDs to 90m2. This would be applicable to EA C only unless Directors for EAs B and F wish to do the same.

If you see something that isn’t consistent with your notes or something that is missing, please let me know. Otherwise, you could share this information when you provide an update to your APCs.

In the meantime, I will prepare a report to the Electoral Area Advisory Committee to outline the above noted proposal. EAAC can then provide a recommendation to amend the Detached Suite Bylaw to include the above proposal as well as the proposed changes outlined in the attached Planning Department report dated December 19, 2017.
NOTES of a REGULAR meeting of the ELECTORAL AREA “E” ADVISORY PLANNING COMMISSION of the REGIONAL DISTRICT OF NORTH OKANAGAN held in the Cherryville Hall on Monday, February 5.

Members:  
I. Eggen  
L. Larson  
L. Myers

Also:  
Director H. Cameron  
Electoral Area “E”

Present:  
Alt. Director E. Foisy  
Electoral Area “E”

* Notes only; informal discussion as no quorum present.

Approximately 30 members of the community were present.

Notes from an informal discussion regarding Bylaw No. 2747 - Zoning Amendment [Additional Dwelling Units] File No. 17-0071-B-TA:

- concern regarding mini trailer parks on properties
- thoughts that the current 807 sq. ft. is not large enough for many families who may desire a dwelling more suitable for a family
- the current 807 sq ft is difficult to find in a trailer or mobile home
- concerns were brought up regarding multiple dwellings and septic field contamination and potable water issues
- concerns were expressed regarding urbanizing rural areas
- Director Cameron pointed out that as Areas E and D share an OCP, the decision made regarding this bylaw will apply to both areas. Area E and Area D will plan to have a joint APC meeting (sharing our February meeting was suggested).
- the wording in the summary from RDNO reads "for properties greater than 2ha..." should this say "for properties 2ha and greater..."? clarification is needed
- the question was asked: "why have one size for a suite and another for a secondary dwelling?"
- while we are looking at the size limit on the upper end, we should also be looking at the size limit on the lower end; people should be able to build smaller than the current 645 Sq ft.
- discussion was held around the idea of there being a 1200 sq ft limit for the footprint of the secondary dwelling - with the option for a basement or second floor (2400 sq ft total living space on a maximum 1200 sq ft footprint)
- concerns were raised about prices for properties and housing being driven up if a second dwelling of the aforementioned size was a possibility
- not all properties are suited to having two larger buildings - ground, slope, water etc.
- as this was an informal meeting, no motions or formal recommendations were made. Further discussion will be had with Area D.
Hi All,

Just to keep those of you who weren't able to attend our meeting on Monday in the loop, we did not have a quorum, so proceeded with an informal discussion with the approximately 30 community members present. In accordance with it being a discussion and not a formal meeting, I have attached notes only. Our agenda/elections will be carried over to our regular February meeting. I am glad that we had an opportunity to get the conversation started, and am also happy for the extra time we have to think about the potential implications of any recommendation we put forward to staff.

On a personal note, I have been giving this bylaw matter much thought, and I feel that even the discussed 1200 sq ft up and down is excessive for a secondary dwelling. I have been speaking with a few people who were at the meeting and some others who were unable to attend, and I am hearing some very legitimate concerns and questions. I am glad that we will be discussing this further with our neighbours in Area D before any suggestions are formally made to staff. Again, it was good to get the conversation and thought process started.

Hank - am I right to understand that this bylaw change will go to public hearing as a part of the process?

Loving the sunshine! Have a great weekend,
Hank Cameron  
RDNO Cherryville  

Begin forwarded message:

From: Hank Cameron  
Date: January 23, 2018 at 10:46:20 AM PST  
To: Hank Cameron  
Subject: Bylaw 2747  

Hi  
There has been considerable interest and approval of the opportunity to build an additional single family dwelling and a suite on rural residential properties outside the ALR. Some questions have arisen out of discussions in the community.

Could more than dwelling be serviced by the same well?  
Could one driveway serve more than one dwelling?

Would any safe cottage industry, artisan or home based business use be allowed for the residential auxiliary building to which the detached suite is attached?

Are there any excluded auxiliary or business uses?

Would a separate septic system be required for the detached suites as for each of the single family dwellings?  
Presumably a suite within a house would share a drainage system with the house.

If a separate drainage system was required for the detached suite, would that require a hectare each as per IHA rules?  
Thus you would actually have two units per 2 ha parcel or three units on a 3 ha parcel.

Also would the regulation change include 2 ha and larger parcels.
so that a 2 ha parcel would qualify?

We will discuss at the APC meeting on Monday.

Thanks for your help

Hank Cameron
To Director Cameron and the Cherryville APC,

As I am sure we all agree, process and planning are key to coming to important decisions that will shape our community for years to come, and as such, thank you for the invitation to discuss various concerns and ideas regarding the size of a second dwelling on non ALR lands.

From the discussion on February 5th, I am understanding that Areas D and E will meet and collaborate further before any recommendations are made to staff.

Some takeaway, thoughts, and questions I have following the discussion are:

1. The second dwelling size (on 2ha plus) of 1200 sq.ft. up and down (2400 sq.ft total living) was talked about, but there seems to be mixed views on this size.
2. Should the minimum size of a dwelling also be reviewed?
3. Should subdivisions be looked at if two larger dwellings are needed?
4. Some 2ha properties will not meet requirements for water, septic, riparian, slope etc.
5. Should bylaw amendments be consistent in all Rural Electoral Areas?
6. Do the planners have valid concerns that should be shared with the community and stakeholders?
7. Would a change to this bylaw be prospective or retroactive?

Thank you,

Jim Johnson
February 12, 2018

Dear Members of the Cherryville APC:

I attended the meeting/discussion on building bylaws. During this meeting many things were discussed and thoughts put forward. I think this is a great place to start and I hope that there will be more discussion on this topic before anything is presented to RDNO and the bylaws are changed.

After coming home and mulling things over I am concerned with the idea of allowing a secondary dwelling to be a 1200 square foot print and 2 levels. That is actually a very large home.

I am concerned that if these secondary dwellings are built say for an adult child and their family and then there is a divorce how will this affect the property that the house sits on? Are we opening it up so that there could be subdivisions on these properties? Which are not zoned to be smaller parcels in the OCP.

Also are we going to end up out pricing ourselves? With the cost of building on the rise, who is going to be able to afford to build such a large secondary dwelling? Will they then rent it out as an Air B&B or rent it by the weekend for skiers and snowmobilers, vacationers? This is not farfetched, as we as a family are renting a very beautiful home in the Kootneys for a weekend this spring and have done so in the past. This would be a great way to make up some of the cost of building a second home.

Might it be possible to keep all secondary dwellings, detached suite and suites to the 90 square meters, so that all pieces of property whether in the ALR or not have the same rules?

I think there is a lot to consider before moving forward with these decisions and I hope that the APC is having further discussions and meetings before anything has been finalized.

Regards
Amber Dyck
From: Hank Cameron
To: Leah Mellott; Ashley Bevan
Subject: Fwd: Second dwelling size
Date: Tuesday, February 20, 2018 8:45:01 AM

Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Connie Vosper
Date: February 19, 2018 at 9:51:27 PM PST
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>
Subject: Second dwelling size

Hello Hank,

I'm writing you to let you know That I am in support of a 1200 sq.foot footprint to a maximum of 2400 sq. feet on 2 floors for a second dwelling size; to be on parcels 2 hectares or larger. Or a 1200 sq. foot apartment above or attached to a garage or shop.

Although I initially thought the size should 1400 sq. ft., the consensus at the meeting seemed to be at the 1200sq.ft., so I will support that.

I think doing this will give upcoming generations some opportunities, being as housing is getting out of reach for many.

Allowing a second dwelling that is large enough to house a family will help more families afford to stay in our area.

Also I believe there should be no minimum square footage on the size of home you want to build. Tiny homes are another great alternative for some people.

Thank you for listening to my opinion
Connie Foisy
Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: clint whitecotton <cwhitecotton@rdno.ca>
Date: February 19, 2018 at 11:47:27 PM PST
To: Hank Cameron <hank.cameron@rdno.ca>
Subject: Re: Suites

Personally...1200 ft2 is okay...I'm more concerned about the property size. Saw your chats with Jim. Appreciate you sharing those. The dialogue is good. It's time to kick the conversation around. Things need to be updated a bit and it's a good start.

Get Outlook for Android

From: Hank Cameron
Sent: Monday, February 19, 21:03
Subject: Re: Suites
To: clint whitecotton

Eugene wants to stick with 1200 ft2 second place. That enables 3 bedrooms on the level We had a great chat tonight

Ice is fast
Snow is deep

Hank Cameron
RDNO Cherryville

On Feb 19, 2018, at 4:49 PM, Hank Cameron <hank.cameron@rdno.ca> wrote:
Hi
  I had a long chat with Ian
Saturday about second building size reduced (perhaps) down to
100 m²
or 1076 sq ft.
  Also splitting duplexes
away from the primary options so that the maximum number
of dwelling units would be two

The second house size would increase by 269 ft² but you could
have a basement now.

Both for CR

Personally I don't think
1200 sq ft is too big but
I don't want to jeopardize
this initiative over that factor

  I have had some email exchanges with Jim.
Ian will chat with Lisa.

What do you think?
We can chat when you get here.

Hank Cameron
RDNO Cherryville

On Feb 16, 2018, at 2:43 PM, Hank Cameron
<hank.cameron@rdno.ca> wrote:

  This letter from Oliver has
good information about their
farm sector esp vineyards

Hank Cameron
RDNO Cherryville
Dear Director Cameron,

At a recent Cherryville APC meeting there was a discussion about bylaws of having a second dwelling on property 5 acres or more out of the ALR. The main discussion was about size and what could be considered for a second dwelling. Donald and I have thought a lot about this topic. With having said that we have some concerns about what was presented at this meeting.

First of all size of the dwelling. We feel 1200 sq feet is what we think is an adequate size for a second dwelling. Not 1200 sq feet up or down, but 1200 sq feet in total.

Our second concern is about how many trailers, mobiles, modular or pre fab homes that can be on one property. If your primary residence is one of the above mentioned then another one should not be allowed. One trailer per property not two. We don't need Cherryville looking like a trailer court.

We lived in Lumby for five years in a subdivision. We moved back to Cherryville to raise our family, to have space, to have privacy. If we start allowing two dwellings on every property that is five acres or more we are going to start to look like an unplanned subdivision.

In conclusion, we really need to fully think out every decision that we make. It needs to benefit everyone not just a select few. As we all know once it is decided there is no changing it. We really need to look at the bigger picture. What are we really wanting Cherryville to turn into?

Donald and Kathryn Yaremcio
From: Hank Cameron  
To: Ashley Bevan; Paddy Juniper; Leah Mellott  
Subject: Fwd: 2 house size  
Date: Monday, February 26, 2018 6:58:05 AM

Hank Cameron  
RDNO Cherryville

Begin forwarded message:

From: hilda tisdale  
Date: February 24, 2018 at 10:10:02 AM PST  
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>  
Subject: 2 house size

I would like to have it so I could have my family to be able to build a 1200 plus second house on my property
Begin forwarded message:

From: Mike Eglese
Date: February 25, 2018 at 6:02:15 PM PST
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>
Subject: ALR

Hank, As to our conversation about our situation & my brothers which eventually forced him to sell & move. We would like to be able to sub off a small portion of our 80 acres to provide a place for family to build an adequate home (more than 800 sq. ft) and raise a family. It would allow us to remain here & enjoy those golden years. Our land has the lowest rating given by the ALR as to agriculture viability 5/6. Were hoping some day soon the land commission will allow us this opportunity. Mike & Brenda of Sugar Lake Rd.
Hi

I will now forward some input letters for the APC. Please print and copy for the APC. I will come in specially to pick the copies up at noon or so

Thanks

Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Hank Cameron
To: Lyndsay Myers, Eugene Foisy
Subject: Fwd: Cherryville second properties
Date: February 24, 2018 at 7:36:55 AM PST

Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Lance Foisy
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>
Subject: Cherryville second properties
Date: February 23, 2018 at 12:31:05 PM PST

We are both in support of raising the square footage for second properties in Cherryville to approx 1200 yo 1400 sq.

Lance Foisy and Sharlene Tisdale
From: Hank Cameron  
To: Paddy Juniper; Ashley Bevan; Leah Mellott  
Subject: Fwd: House size  
Date: Monday, February 26, 2018 6:57:17 AM

Hank Cameron  
RDNO Cherryville

Begin forwarded message:

From: Hank Cameron <hank.cameron@rdno.ca>  
Date: February 24, 2018 at 9:39:31 AM PST  
To: Lyndsay Myers <eugene.foisy@rdno.ca>  
Subject: Fwd: House size

Hank Cameron  
RDNO Cherryville

Begin forwarded message:

From: Hank Cameron  
Date: February 24, 2018 at 9:37:34 AM PST  
To: Hank Cameron <hank.cameron@rdno.ca>, LEE LAVIOLETTE  
Subject: Re: House size

Received, thank you.  
The point about the tiny homes  
is well worth further consideration.  
Perhaps we should consider  
sleeping cabins located near a bathroom for summer guests.

Composting toilets are another building innovation that has been  
Suggested multiple times.

Personally, I want to express my
gratitude and respect for your contributions to Cherryville

All the best

Hank

Sent from Yahoo Mail for iPhone

After attending the last meeting and discussion regarding a second dwelling I would be pleased to see changes made to the size of dwelling allowed as a second residence. A footprint of 1200 square feet with a second level would be an appropriate size for a family. I feel a larger footprint would start to develop bigger issues that our community doesn’t need to have to deal with. An individual should be able to maximize the footprint or have the choice to build as small as they choose. With the growing trend of tiny homes I think that should be taken into consideration. Thank you for taking the time to consider the needs of the residences of Cherryville and all the work that has already been put in on this issue.

Lee Laviolette
From: Hank Cameron  
To: Ashley Bevan; Paddy Juniper; Leah Mellott  
Subject: Fwd: Housing  
Date: Monday, February 26, 2018 6:58:53 AM  

Hank Cameron  
RDNO Cherryville  

Begin forwarded message:  

From: Megan Langlois [redacted]  
Date: February 24, 2018 at 6:02:25 PM PST  
To: hank.cameron@rdno.ca  
Subject: Housing  

Hello I am sending this letter on behalf of my mother brenda palmer. She is in favor of building a 1200 sq foot second home on her property. Thank you
My name is Sharon Harvey. I am an RN. I have founded and run the Cherryville Community Food Bank and I have lived in Cherryville my entire life. My parents have been residents for most of their lives. My husband has lived in Cherryville most of his life along with his family. He owns and operates his own business. We are both invested in Cherryville.

I would like to comment on the issue concerning the guidelines on a second dwelling. At present the guidelines allow for a second dwelling of 900 sq ft. I suggest that this size does not encourage families to return to Cherryville.

My daughter lives in a 1200 sq ft home with 3 small bedrooms. She has 2 children and space is very tight. The idea that there can be a second story is something to be considered. However, as a nurse I would like to address this. Many elderly people have mobility issues. To include stairs to allow extra space is not a reasonable request and many young families are not wanting stairs for the safety of their toddlers.

I suggest that the footprint of the building be changed to 1200-1400 sq ft. with a maximum of 2400 sq ft. building. This would allow a second story and if there is not a second story being utilized, then a 1400 sq ft rancher style home could be built. This would allow Seniors to have a one-story building and if a family decides stairs are too dangerous for their young ones, they could have a home that would be adequate in size.

Many of the residents of Cherryville are Seniors. Their children have grown and left and are trying to return to their heritage. At present the small size of a second dwelling discourages the return of these families.

My husband and I both support the idea of a larger building that encourages the return of young families.
Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Hank Cameron <hank.cameron@rdno.ca>
Date: February 24, 2018 at 8:35:08 AM PST
To: Lyndsay Myers, Eugene Foisy, Ashley Bevan <ashley.bevan@rdno.ca>
Subject: Fwd: Second Dwelling

Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Sharon Harvey <hank.cameron@rdno.ca>
Date: February 24, 2018 at 8:33:50 AM PST
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>
Subject: Second Dwelling

Hank
Please find my letter attached in favor of changing second dwelling from 900 to 1200 sq ft.

Sharon
February 25, 2018

Re: Proposed regulation/rezoning changes affecting area E (not including ALR properties)

To: NORD Representatives, APC council, & area E Director Mr. Hank Cameron

I have lived in Cherryville for forty years, am married, have three daughters, and am a property owner in area E. I attended the advertised meeting at the hall and left with a number of questions and concerns on the proposed changes. During the meeting a number of issues were discussed by some who attended, by the council, and by director Cameron. I feel these changes will affect Cherryville as a whole, impact many things, and could have negative and/or positive effects for many years to come. Its for these reasons I think these changes should be approached cautiously with care and not pushed through by a small vocal slice of Cherryvilles population. I do not agree with the proposed 1200sq/ft + 1200sq/ft = 2400 sq/ft total living space proposal for a SECOND RESIDENCE. It was mentioned by a few that this was a suitable Size for a average family to make a home in and smaller wasn’t suitable. This is absolutely ridiculous to me as I’m reminded of all the families in Cherryville over the years that have made their home in 400-900+/ on a single level. From Mobile homes, to cabins to small footprint houses, and this was their PRIMARY residences. This new proposal is a SECONDARY residence proposal. It also doesn’t align with the ALR regulations that would have neighbors across a field having a completely different set of building rules. Where the ALR land owners will be pushing to have their land moved out of the ALR to build large second homes for families. I believe the ALR second residence is 900sq\ft+. Why would we not stay aligned with the ALR rules if it affects a portion of Cherryville. It is clear to me that most of the opinions that were expressed at the APC meeting some of which were adopted for potential changes do not represent my thoughts or that of my families! I find that o.k. as we’re all different, with different plans and ideas. This is why its important that all of Area E has a chance for input, transparency, with a fair public process. Its my opinion going forward that a town hall, census, or other information gathering process happens so the APC can have the proper information to propose changes that the majority of Cherryville resident want.

Thank you for your time in reading this. I have included some thoughts and questions with this letter.

Nigel Hymas
Questions for the APC

*Was there a three residence/2.2 hectare proposal made to NORD, who tabled it and why?

*Was the three residence/2.2 hectare proposal changed to two residences, who tabled it and why?

*Has the APC made these recommendations to NORD or has NORD made these recommendations

*Was there any public consultation made before these recommendations were made?

*Explanation of public process going forward with NORD and the APC

*How will these changes effect or landbase, taxes, assessments, visuals, property values, schools, population and the ENVIRONMENT? We had a realtor at the meeting who said clearly the ability to build two family size houses in 2.2 hectares will clearly raise land prices. When I asked this question, of the APC I was told absolutely NOT! How can they say this with certainty.

*Was talked about at meeting that Spallumcheen had similar building rules to those proposed. Has there been a discussion with them to find out positive or negative impacts/ challenges?

*Is there not a significant amount of family related issues already presenting itself at NORD from small shared family holdings where multiple homes are built. Building two homes on one small properties can lead to subdivision requests where its not possible and people pushing for variances for a number of reasons. It’s a nice idea for family to share properties but this doesn’t always work.

Most important to me is fair public process, transparency, and having faith that government represents the will of its people
House size 5 acres is enough room for 2 normal sized houses. 1200 sq ft - 1600 sq ft or more. What does making a small place have anything to do with anything?

My son and I want to build two homes on my five acres. One of the places will be smaller but putting such a small square footage rule on one place makes no sense. I can’t even have a basement on an 800 sq ft. house, basement would make square footage over 820 sq ft. In town you’d put a dozen full size homes on five acres. We only want two.

Another example is Val Werner’s place. It’s off being 5 acres. It got two places with separate infrastructure, driveway, power and water. She should be able to have those two places. Now some stupid rule might make her have to get rid of one for no good reason.

Sam Legerquist
Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: Wendy Prebushewski
Date: February 26, 2018 at 9:17:41 AM PST
To: "hank.cameron@rdno.ca" <hank.cameron@rdno.ca>
Subject: 2nd house

Hi Hank
We are very interested in putting a second house on the property
There isn't much in cherryville
Thankyou
Randy and Wendy

Sent from my Samsung Galaxy smartphone.
Hank Cameron
RDNO Cherryville

Begin forwarded message:

From: "Mr. R Gordon M Weist"
Date: February 26, 2018 at 11:55:49 AM PST
To: <hank.cameron@rdno.ca>
Subject: Input on Proposed Zoning Amendment Bylaw No. 2747 (additional Dwelling units)

Hank:

Please review the enclosed letter in support of increasing the allowable size of ancillary dwellings up to 1200 sq. ft.
CHELSEA WEIST

Cherryville, BC

2018-02-25

Hank Cameron
RDNO Cherryville EAAPC

Dear Hank:

Regarding the proposed bylaw amendments No. 2747 (additional Dwelling units).

First, I’d like to state that my husband moved to Cherryville in 2011, and our greatest challenge living in Cherryville has been housing.

I was fortunate to be given an opportunity to rent from another community member which had moved out of Cherryville last year. The house we moved into is listed to at 1266 sq. ft. main floor, with a second floor of 574 sq. ft. This property is listed at 8.09 acres.

**Within Electoral Area E specifically, I support increasing the square footage allowable for the ancillary dwelling to 110m² which is 1194.8 sq. ft.**

I feel that this increase would provide more opportunity to existing landowners in and around Cherryville, to build additional secondary housing suitable to encourage family to move back to Cherryville with their families, or to provide additional housing as rental income such that they would be in a position to remain in the community longer into their retirement.

Sincerely,

Chelsea Weist