

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 5, 2023
RE: Zoning Bylaw Amendment – Electoral Area “C” (C2022.016-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2800.21, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw to allow a mobile home as an accessory dwelling on a parcel less than 4.0 ha at 7762 Island Road, be read a first and second time and proceed to public hearing; and,

THAT the holding of a public hearing be scheduled for the Regional District Board of Directors meeting of January 19, 2023; and,

THAT notice of the public hearing be in accordance with the requirements of the *Local Government Act*.

Folio: C-05310.010

Legal: Lot 1, District Lot 2450S, SDYD, Plan 12996

OCP: Agriculture (AG)

Zone: Agriculture One (AG1)

Proposed Development:

The application is to amend the zoning of the property from Agriculture One (AG1) to Agriculture One Site Specific (AG1s), with the site specific regulation to allow for an accessory dwelling in the form of a mobile home on the property.

The applicant has stated that “since housing prices have skyrocketed in the last several years, first-time buyers are struggling to find a place in the market. We have two young adult sons at home and would like to be able to offer them an inexpensive alternative that would allow them to save some money without living under our roof. It is quite likely that upon their moving off the property in the future, our parents will have the same need for inexpensive solutions and move into the mobile home.”

Site Context:

The subject property is 1.04 ha in area and is situated on the west side of Island Road. The parcel is comprised of a single detached dwelling, a shop, and the subject mobile home. The surrounding pattern of development is generally characterised by a mix of similarly sized parcels consisting of residential and agricultural development.

Background:

The current boundaries of the property were created on February 28, 1963, while available Regional District records indicate that building permits had been issued for a mobile home (1975), a detached garage (1988), and an attached double carport (1994).

The property is designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) Area) designations. The property is zoned Agriculture One (AG1) which permits a “single detached dwelling” as a principal use, and “accessory dwelling or mobile home. The property has been issued a Stop Work Notice for the placement of the mobile home without the issuance of a valid building permit.

The property is within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

Modular and Mobile Home Review (2016):

In 2016, the Regional District undertook a review of the zoning regulations that applied to “manufactured homes”, being Canadian Standards Association (CSA) Z240 (mobile) and CSA A277 (modular) types of dwelling units. At the time of this review, the Regional District only permitted the placement of “manufactured homes” in the manufactured home park (RSM) zones.

As a result of this review, the range of zones within which a “modular” home could be placed was expanded to all those which allowed for a “single detached dwelling”, while the placement of a “mobile” home was allowed on parcels with a minimum parcel size of 4.0 ha (being the Resource Area, Agriculture and Large Holdings zones).

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97). On November 3, 2022, MoTI granted preliminary approval for the rezoning for one year.

Public Process:

On December 7, 2022, a Public Information Meeting (PIM) was held electronically via WebEx and was attended by two (2) members of the public. All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The 2021 Housing Needs Assessment, completed in March 2021, identified a shortage of suitable and affordable housing options for families and of rental availability for all types and sizes of homes in the region, and that the need for more affordable housing, although remaining stable, outweighs the availability of housing options. These findings highlight the importance of identifying and encouraging affordable and suitable housing options.

In addition to the Housing Needs Assessment, the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017 speaks to supporting “a range of accessible and affordable housing” (Policy 4B-3).

At the time of the Modular and Mobile Home Review in 2016, aesthetic concerns were noted as a matter of concern associated with allowing mobile homes in Low Density Residential (RS) zones,

though these concerns and adverse impacts on neighbouring uses were noted as less pressing in rural zones, including the Agriculture (AG) zones which are generally 4.0 ha or greater in area.

In light of the identified need for additional affordable and suitable housing options in the Regional District, the 4.0 ha minimum parcel size to place a mobile home is seen to be overly restrictive and this may be reconsidered during the alternative housing study scheduled for 2023.

In this case, the proposal is seen to provide a modestly sized additional housing option and the use of a mobile home as opposed to a permanent accessory dwelling that is unlikely to result in privacy issues or otherwise impact neighbouring uses.

Conversely, the cumulative impacts of residential uses on agricultural lands, particularly the expansion of residential uses which do not support agricultural use may be a concern. In this case, the mobile home is placed on a non-permanent foundation (i.e., concrete blocks) which would be preferable to the alternative options of constructing a secondary suite or a permanent accessory dwelling, which would permanently remove land from future agricultural use.

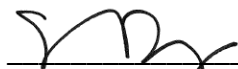
Summary:

The size and siting of the subject mobile home is not seen to negatively impact the privacy or use of neighbouring parcels and its placement on a non-permanent foundation makes it a preferable alternative to the construction of a permanent accessory dwelling or secondary suite on agriculturally viable lands.

Alternatives:

1. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.21, 2022, be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Knodel;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Knodel;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.21, 2022, be denied.

Respectfully submitted:



Shannon Duong, Planner II

Endorsed By:



C. Garrish, Planning Manager

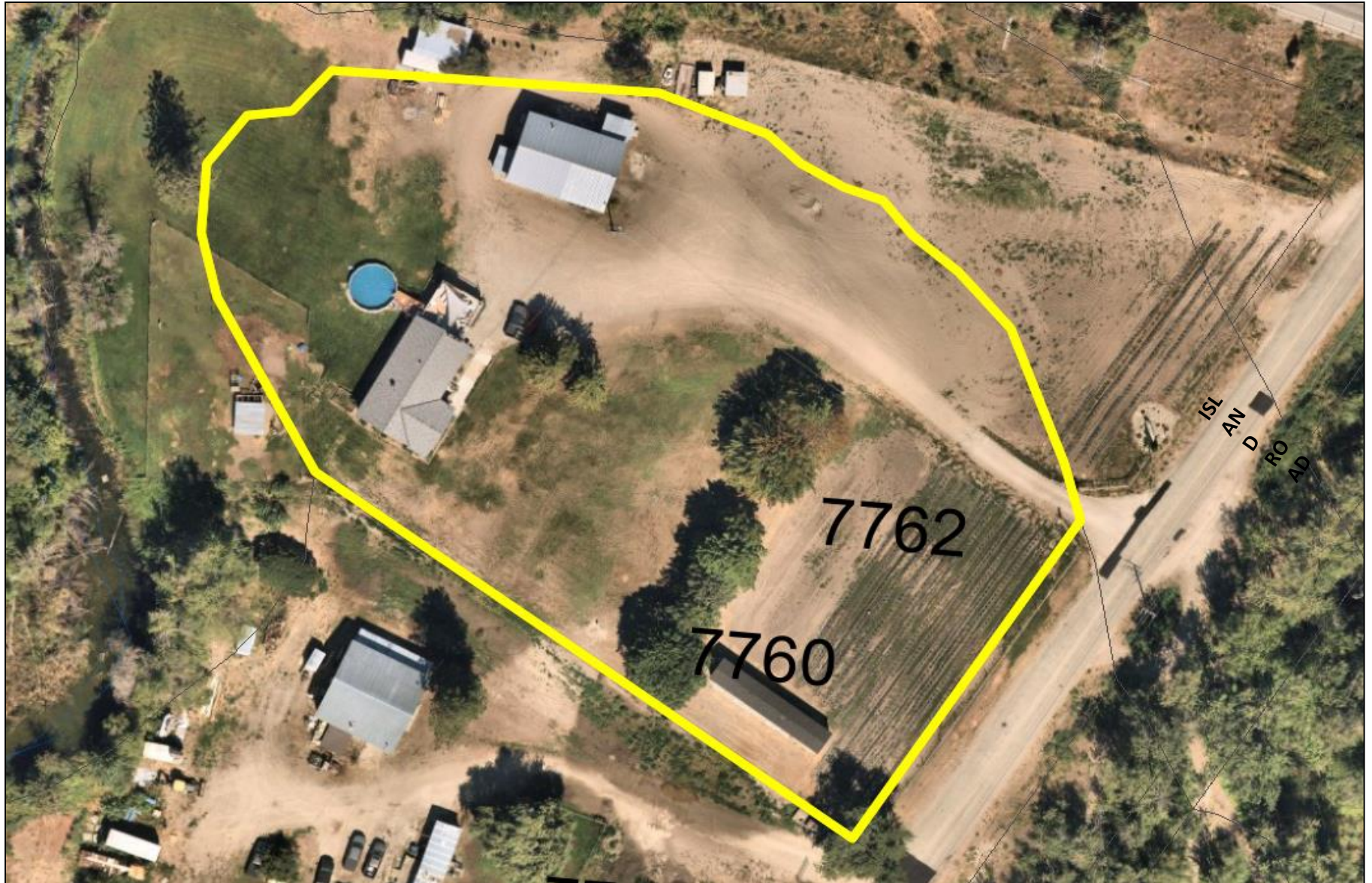
Attachments: No. 1 – Aerial Photo

No. 2 – Applicant’s Site Plan

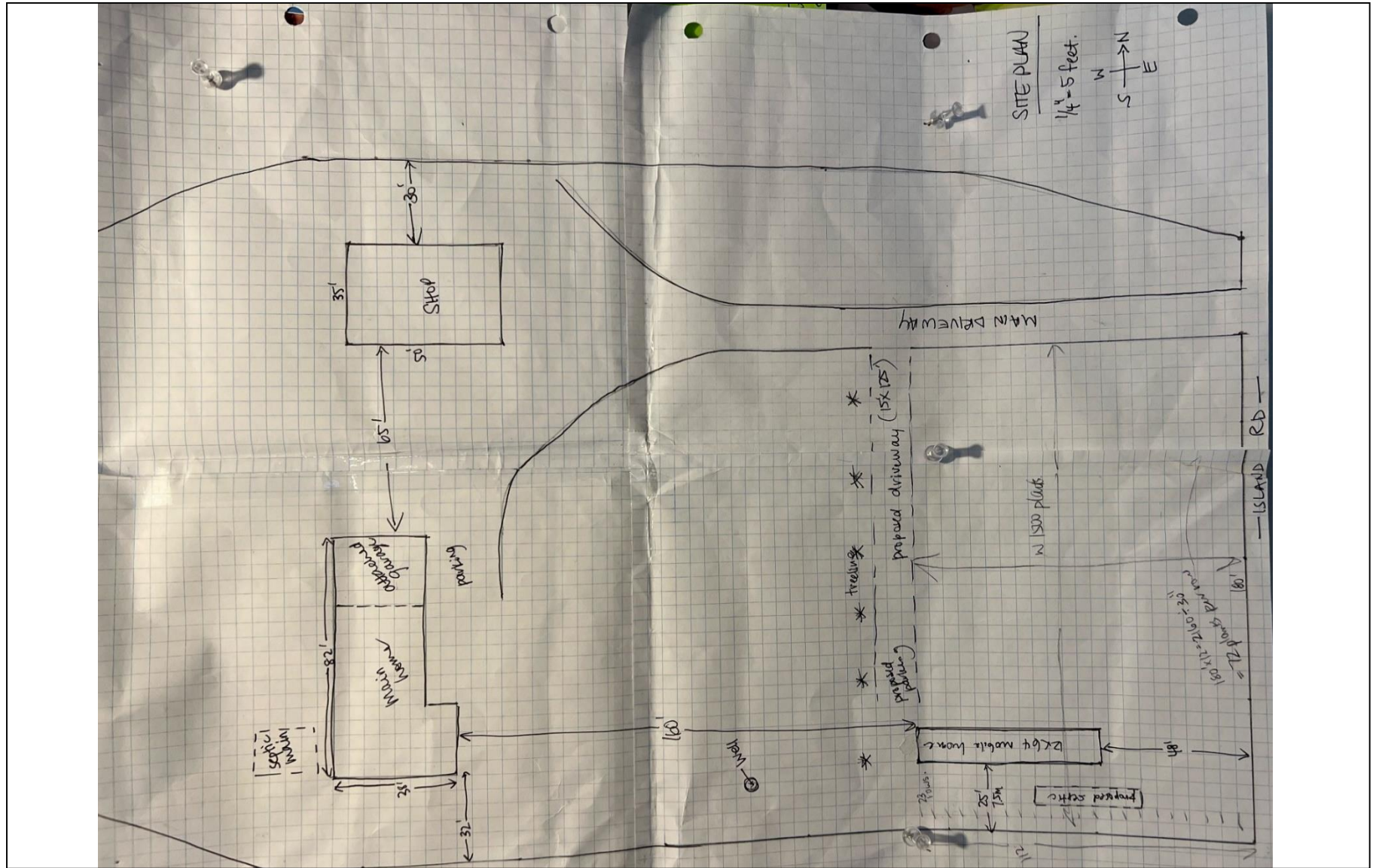
No. 3 – Applicant’s Floor Plan

No. 4 – Site Photo (Looking West from Island Rd – March 2022)

Attachment No. 1 – Aerial Photo



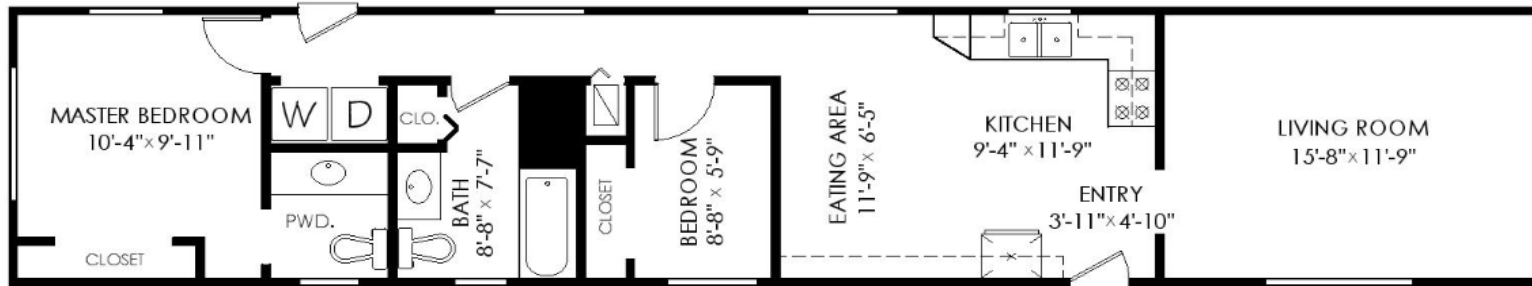
Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Applicant’s Floor Plan

Unit 68

Floor Area: 803 sq.ft.
Ceiling Height: 7'-6"



cotala

E&O Insured. Total square foot calculated to gross unit area, SQFT based on interior measurements to exterior walls, not taken from original blueprints, may include unfinished area. This is for marketing purposes only and is not intended for architectural/construction use. All details, sizes & placements should be considered approximate within +/- 2% tolerance. WWW.PixIWorks.com

MEASURED ON: (2021-08-01)
 Measuring, Scanning, & Design | 604-329-5788



Attachment No. 4 – Site Photo (Looking West from Island Rd – March 2022)

