

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** February 4, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “H”

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### **Administrative Recommendation:**

**THAT Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be read a third time.**

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### **Purpose:**

Administration is proposing that an amendment to the Electoral Area “H” Zoning Bylaw No. 2498, 2012, be initiated by the Regional District Board in order to:

- correct a number of typographical errors and mapping inconsistencies;
- revise the maximum floor area permitted for secondary suites and accessory dwellings;
- revise the allotment of secondary suites and accessory dwellings permitted per parcel in the Rural Zones; and
- introduce scientific research facilities as a permitted use in the Resource Area (RA) Zone.

### **Background:**

On December 9, 2020, a Public Information Meeting (PIM) was held electronically on the RDOS WebEx meeting platform, and was attended by no members of the public.

At its meeting of December 15, 2020, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of January 7, 2021, the Regional District Board resolved to approve first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of February 4, 2021.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

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 3 & 5A).

### **Analysis:**

The draft Amendment Bylaw proposes to increase the maximum floor area for an accessory dwelling or secondary suite from 90m<sup>2</sup> to 125m<sup>2</sup> to reflect changes made to the BC Building Code in 2019. The maximum gross area for accessory dwellings per parcel becomes progressively larger in relation to

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size of the subject parcel. As such, the proposed bylaw would help ensure that larger suites could be constructed to meet growing demand for suitable housing in the region.

Furthermore, “Scientific Research Facility” is introduced into the Zoning Bylaw and defined as “buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products.”

By defining and allowing for scientific research facilities within the Resource Area (RA) zone, the Amendment Bylaw provides opportunities for compatible institutional development associated with science and research to be a permitted use on lands in rural Resource Area lands. This change means that the “radio astrophysical observatory” would become a permitted use on the property described as District Lot 1838, SDYD, without requiring a Temporary Use Permit in the future.

Finally, correcting previous typographical errors ensures that the zoning bylaw accurately reflects the previous decisions and intentions of the RDOS Board, and helps ensure that the zoning bylaw can be implemented correctly while making planning decisions in Electoral Area “H”.

In summary, RDOS Planning staff recommends that the APC recommend to the RDOS Board that Zoning Amendment Bylaw No. 2498, 2012 be approved.

The proposed amendments that Administration is recommending to occur at 3<sup>rd</sup> reading are in relation to the properties located in the East Gate area. In particular, four properties are currently “split zoned”, with each property having two zones that do not align with the properties’ boundaries, which is most likely an unintended consequence of a 2016 subdivision.

This mapping inconsistency was brought to staff’s attention after 1<sup>st</sup> and 2<sup>nd</sup> reading of the subject bylaw, when an application for a Campground Permit was submitted for 5058 Highway 3. To correct this, Administration is recommending the following mapping changes be added to Zoning Amendment Bylaw No. 2498.16, 2021:

- 5058 Highway 3: Amend the zoning to be entirely Tourist Commercial One (CT1).
- 110 Thistle Road: Amend the zoning to be entirely Residential Single Family One (RS1).
- 112 Thistle Road: Amend the zoning to be entirely Residential Single Family One (RS1).
- 5070 Highway 3: Amend the zoning to be entirely Small Holdings Four (SH4).

**Alternatives:**

1. THAT third reading of Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2498.16, 2021, Electoral Area “H” Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

**Respectfully submitted:**

  
C. Labrecque, Planner II

**Endorsed By:**

  
C. Garrish, Planning Manager