

ADMINISTRATIVE REPORT



TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 15, 2020

RE: Secondary Suites & Accessory Dwellings – Maximum Floor Area Allowances

Administrative Recommendation:

THAT the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m² in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800.

Purpose:

The purpose of this report is to seek direction from the Board regarding proposed zoning bylaw amendments related to the maximum floor area allowance provided for secondary suites and accessory dwelling units.

Background:

Under the Electoral Area Zoning Bylaws, the maximum floor area currently permitted for a secondary suite and an accessory dwelling is generally limited to 90.0 m² (NOTE: an exception is provided in some zones for accessory dwellings to have a larger floor area if the overall number of accessory dwelling units is reduced).

This floor area allowance is based on a regulation that was previously contained within the BC Building Code that limited the maximum size of a secondary suite to 90.0 m² or 40% of the floor area of the dwelling unit, but was removed from the Building Code following provincial amendments in December of 2019.

The province further amended the Building Code to allow secondary suites in more building types, such as side-by-side duplexes, and side-by-side (row house) townhouse style buildings.

In announcing these changes, the province stated that “allowing the construction of more secondary suites in more building types helps create more housing units while providing an acceptable level of health and fire safety to occupants. Secondary suites also help provide more affordable housing options, and by making more efficient use of land and infrastructure, they support community vitality and sustainability.”

At its meeting of September 3, 2020, the Regional District Board accepted the *Okanagan Falls 2020 Economic Development and Recovery Plan* as a guiding document. This plan included, amongst other things, the following “Action Item” (1.3):

Complete a review of zoning regulations in Okanagan Falls to ensure that single family residential lots have the flexibility to construct a carriage home or a secondary suite suitable for young families (i.e. review of maximum floor area and number of bedrooms).

Analysis:

In response to the provincial changes to the Building Code as well as the direction contained within the *Okanagan Falls 2020 Economic Development and Recovery Plan*, Administration is proposing that the zoning regulations governing the maximum floor area of a secondary suite be revised.

Specifically, that the current restriction of 90.0 m² be increased to 125.0 m² in order to allow for the development of secondary suites that are more accommodating of families. The basis of this increase is to allow for a third bedroom to comfortably be added to a suite (e.g. a master bedroom and bath requires approximately 20.0 m²) and to provide additional space to be used on increasing the size of other living areas in a suite.

While the option to remove all floor area restrictions related to secondary suites is available, Administration is concerned that this could impact the character of existing low density residential neighbourhoods by effectively permitting de facto duplexes in the RS1, RS2, RS3 and RS4 zones.

If floor area restrictions on secondary suites were removed, the only differences that would remain between a suite and a duplex would be design standards prescribed by the Building Code (e.g. suites can be built to a lower standard), while duplexes can be strata subdivided and suites cannot.

It is also unclear what the implications of removing all floor area restrictions would be in relation to the exemption provided by the Okanagan Basin Water Board for suites as a permitted form of accessory dwelling unit on parcels less than 1.0 ha. It is Administration's understanding that this exemption for suites is based, in part, on their limited floor area.

If the floor area of secondary suites is increased, Administration further supports applying this to accessory dwellings as the floor area of these dwelling unit types is currently linked to suites in the zoning bylaw (i.e. both have a floor area allowance of 90.0 m²).

If a larger floor area is supported, a review of appropriate on-site vehicle parking requirements will also be undertaken.

Alternately, the option of retaining the existing 90.0 m² floor area restriction for suites is available to the Board, as is the introduction of some other floor area allowance.

Should the Board support the proposed increase in floor area, Administration is proposing that this be included as a regulation in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800 as opposed to being addressed through a separate amendment bylaw to the current zoning bylaws.

Alternatives:

- .1 THAT the maximum floor area of a secondary suite and accessory dwelling not be amended; or
- .2 THAT the maximum floor area of a secondary suite and accessory dwelling be amended as follows:
 - i) *TBD*

Respectfully submitted:



C. Garrish, Planning Manager