

February 17, 2023

Regional District of Okanagan-Similkameen

101 Martin Street,
Penticton, BC
V2A 5J9
CANADA

Attention: Planning Department

3205 RUSHBURY PL.
NARAMATA, BC

Land Use Bylaw Amendment Application - Supporting Rationale

Dear Christopher Garrish,

Please find attached our detailed application for the development of a garage and guest suite as well as a pool, pool house, and associated hardscaping proposed for 3205 Rushbury Place.

This application is being made after thorough consideration of the neighbourhood context and the owners' needs. We believe that the project adds to the character of the existing residence on property as a rural residential development and fits with the character of the neighbouring buildings. The location of the proposed garage and guest suite further supports the intention to minimize the impact on the neighbourhood as it lies adjacent to the neighboring property's accessory building and would not be blocking any of their views. Also, the project as proposed would have minimal impact on the views of any neighbours for whom the project is visible. In fact, our clients have been discussing this project with the neighboring properties and are supported by them and their letters of support are attached.

The area of the proposed guest suite is 162 m² and the parcel area of 3205 Rushbury Place is 0.69 ha. Which means that according to the zoning bylaw, if the guest suite is classified as an accessory dwelling, then it would not conform to the following 2 clauses in section **7.2 Accessory Dwellings**:

"7.2.2. No accessory dwelling shall have a floor area greater than 125.0 m², unless otherwise specified."

"7.2.4. An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system."

However, in considering this project it is important to note that the existing zoning (SH2) does allow for an accessory dwelling in addition to a single detached dwelling. It is also important to note that the SH2 zone allows a maximum site coverage of 25% (1,720 m²). As the existing principal building and garage currently covers only 5.3% of the parcel, the existing house could be expanded and cover an additional 19.7% of the parcel area which would be an addition of 1,356 m² or almost 14,600 ft². In contrast, the proposal for the garage and guest suite covers only an additional 3.6% (248 m²) of the lot. If the area of the proposed pool, pool house, and exterior patio are also included, the total parcel coverage would still only be 13.6% (503 m² existing and 433 m² new pool deck, pool house, patio and guest suite) which is more than 10% below the maximum parcel coverage allowed.

In considering this project, please also note that our client's elderly father currently resides with them as "part of the family." This is the main reason that they did not want to enlarge their prime residence for their

guests as this would impact his (and their) privacy. He lives on the ground floor where all living areas as well as private rooms such as bathrooms are accessible to him.

Building a separate garage and guest suite is a very logical choice for our client for several reasons. For example, the existing garage is relatively unattractive and not in character with the existing residence. Also, it is only large enough for 2 vehicles whereas our client has 4 vehicles that he would like to store out of the weather. This requires the garage to be expanded. The proposed guest suite would be constructed above the enlarged garage in essentially the same location and the area of the proposed suite is 162m² (or approximately 1750ft²).

While the existing septic field requires an update to handle the capacity of the guest suite, we have confirmed with the designer of the existing septic system that it would be possible to install an updated system which would be able to provide capacity for both the main house and the proposed guest suite. More information on this can be found in the attached letter provided by the above mentioned certified professional.

It needs also be mentioned that the proposed garage and guest house, and pool and pool house have been sited to comply with the zoning requirements regarding setbacks.

As part of our application, we had intended to request a variance for clauses 7.2.2 and 7.2.4 mentioned above. However, the Planning Department requested that we apply for a Rezoning instead. As there are no current zones that allow what our client is requesting, we would therefore request a site specific zoning amendment to the SH2 zone.

Finally, we would like to emphasize that this application is presented for the sole purpose of providing our clients with a guest suite as private guest accommodation – for visiting family and friends only - which is currently unavailable within the principal building. Our clients do not propose, nor do they desire to have a **accessory dwelling** on the property which based on the zoning bylaw would be subject to year-round residential occupancies. Our clients do not wish to rent their guest suite to anyone, neither on a short term nor a long-term basis. The owners are more than happy to support this claim by offering to place a covenant on title that would prohibit renting the guest suite to avoid any misuse of this rezoning in the future. Moreover, such a restriction would prevent increasing density within the parcel and will conform to the rural residential density which the OCP for electoral area 'E' supports.

In closing, we believe that this proposal fits very well with the neighbouring buildings and with your support, could vastly improve the quality of life for the residents of 3205 Rushbury Place.

Sincerely,



Cal Meiklejohn, Architect AIBC, FRAIC, LEED™MAP
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