



BOARD REPORT

TO: Chair and Directors

File No: BL 660-02

SUBJECT: Amendments to CSR Building Bylaw No. 660 and a Farm Building Exemption Policy.

DESCRIPTION: Report from Marty Herbert, Team Leader Building and Bylaw Services, dated April 9, 2019.

Housekeeping Amendments - Farm Building exemption to Building Bylaw No. 660 and Adoption of Policy P-23.

RECOMMENDATION #1: THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be read a first, second and third time this 16th day of May, 2019.

RECOMMENDATION #2: THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be adopted this 16th day of May, 2019.

RECOMMENDATION #3: THAT: CSR Policy P-23 - Farm Building Exemption be adopted this 16th day of May, 2019.

SHORT SUMMARY:

CSR Building Bylaw No. 660 has applied to Electoral Areas B, E and F since March 5, 2018. Electoral Area C was recently included in the Bylaw as a Building Inspection service area on March 4, 2019. Staff have now had a full year to utilize the bylaw, and consider minor housekeeping changes. One major change recommended is to have the bylaw exempt *farm buildings* from requiring a building permit, other than for farm buildings used for cannabis production.

Further, and for clarity, a Farm Building Exemption Policy is proposed in conjunction with the adoption of the bylaw amendments.

VOTING: Unweighted Corporate LGA Part 14 (Unweighted) Weighted Corporate Stakeholder (Weighted)

BACKGROUND:

Since March 5, 2018, Building Bylaw No. 660 replaced Building Regulation Bylaw No. 630 to start a building regulation service for Electoral Areas B and E in addition to the existing service in Electoral Area F. The following year on March 4, 2019 building inspection service began in Electoral Area C. During the one year period that the Bylaw has been in-force, staff have noted several minor text inconsistencies within the Bylaw prompting these housekeeping amendments.

At this time, staff feel it is no longer warranted to require building permits for *farm buildings* given that their primary purpose is for low occupancy uses such as housing animals and storing farm equipment and supplies, and not for human habitation, office space, commercial or industrial operations. However, now that cannabis use and production has been legalized by the federal government, staff are receiving many enquiries and building permit applications for Cannabis Production Facilities. Given the use and occupancy of these buildings, e.g. offices, laboratories, storage of hazardous materials, extensive

heating and ventilation systems, fire suppression controls, shipping and receiving facilities, etc., staff are of the opinion that such facilities must obtain a building permit for health, safety and environmental reasons regardless if they are to be located on ALR, agricultural or other lands. For these reasons, this bylaw amendment includes separate definitions distinguishing *farm buildings* from cannabis uses and will exempt most *farm buildings* from requiring a building permit, but *farm buildings* used for cannabis production will still need a building permit.

POLICY:

In addition to the proposed bylaw amendments, staff also recommend that Farm Building Exemption Policy P-23 be approved, to provide clarity and to define the role of staff in confirming that a proposed *farm building* meets the Bylaw definition and BC Assessment published criteria; *Farm Classification* and *Qualifying Agriculture Use*. The policy will be used by staff and landowners in helping to determine whether or not a proposed *farm building* qualifies for an exemption to the Building Bylaw.

FINANCIAL:

There are no financial implications associated with these proposed amendments contained in the Building Amendment Bylaw No. 660-02. Given that the proposed amendments are mostly housekeeping in nature, and that farm buildings used for cannabis production will still be required to obtain a building permit, it is anticipated that building permit revenue will not be impacted in a significant way due to the proposed exemption of *farm buildings* from the bylaw.

KEY ISSUES/CONCEPTS:

1. A Building Permit will not be required for a *farm building* conforming to the Bylaw definition and both the land and the use of the building meet BC Assessment definitions for Farm Classification and Qualifying Agriculture Use.
2. A Farm Building Exemption Policy P-23 has been created to provide clarity with regard to how to determine *farm building* exemptions.
3. Definitions added to the Bylaw to clearly distinguish between a *farm building* and *cannabis* uses.
4. Defining streamlined Building Permit application requirements for a *shared interest owner* that simplifies the required approval for development.

All of the proposed bylaw amendments and the policy have been reviewed by CSRD legal counsel.

SUMMARY:

Staff have now had a full year to utilize, review and consider changes to Building Bylaw No. 660. Aside from minor housekeeping changes, the most significant change is to exempt a defined *farm building* from requiring a building permit. However, facilities used for the production and distribution of cannabis will still be required to obtain a building permit prior to construction.

IMPLEMENTATION:

If the Board adopts the bylaw and policy, staff will update the building inspection public information bulletins, CSRD website and social media posts.

COMMUNICATIONS:

Upon Bylaw adoption, staff will communicate news to constituents and general public via CSRD press release, website and social media posts such as Instagram, Twitter and Facebook.

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

DOCUMENTS AVAILABLE FROM STAFF:

1. BC Assessment Farm Classification Guide

Report Approval Details

Document Title:	2019-05-16_Board_DS_BL660-01_CSRD_Amendment .docx
Attachments:	- CSRD Building Bylaw Amendment No.660-02.docx - CSRD Policy F-23 Farm Building Exemption.DOCX - BC_Assessment_Classifying_Farm_Land_2019_04_09.pdf
Final Approval Date:	May 8, 2019

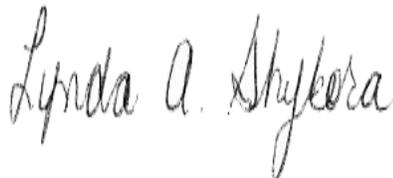
This report and all of its attachments were approved and signed as outlined below:



Gerald Christie - May 3, 2019 - 4:15 PM



Jodi Pierce - May 6, 2019 - 3:22 PM



Lynda Shykora - May 7, 2019 - 4:27 PM



Charles Hamilton - May 8, 2019 - 9:13 AM