

Relevant Excerpts from Electoral Area 'B' Official Community Plan Bylaw No. 850 and Electoral Area 'B' Zoning Bylaw No. 851

(See Bylaw No. 850 and Bylaw No. 851 for all policies and land use regulations)

Residential

4.1 Community Context

Minimum parcel size for SH Small Holdings is 4 ha.

The majority of the residential development in the plan area is low density, single family development set in a rural context on large lots.

4.3 Land Use & Density Policies

4.3.5 Support a range of residential dwelling types.

4.3.9 Support a process to initiate implementation of a Building Inspection Process.

4.3.10 One primary dwelling unit and one secondary dwelling unit shall be permitted in the primary dwelling in all residential zones subject to the relevant parking requirements, the requirements of the Agricultural Land Commission Act, and the BC Building Code. Once building permits are mandatory and the requirements of the BC Building Code can be addressed, sewage disposal systems must be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system.

Small Holdings

4.3.20 The principal use shall be residential or agricultural.

4.3.22 One primary dwelling and one secondary dwelling unit shall be permitted per parcel.

4.3.23 The minimum parcel size for subdivision of Small Holdings shall be 4 ha.

Secondary Dwelling Units

4.3.28 Owing to the remote and recreational nature of this area, residents may have need for additional accommodation on site. The CSRD supports secondary dwelling units including carriage houses, and secondary suites as strategies to provide one additional dwelling unit per parcel. Secondary dwelling units are required to address the following:

- accessory to a single family dwelling where accessory is less than 60% of the floor area of the principle dwelling;
- register a covenant against the title of the subject property to specify that there shall be no intent to subdivide to create separate parcels for each dwelling;
- where the second dwelling is an independent structure, sites shall be a minimum of 2 ha to allow sufficient area for independent sewer systems as required by the Interior Health Authority. Sewage disposal systems shall be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system;
- connected to the approved on-site utilities, including water, sewer and hydro;
- the addition of an accessory dwelling unit will trigger additional regulatory approvals and all of these must be met; and
- provide one additional parking space.

Vacation Rental

4.3.34 Vacation Rentals allow the use of temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the zoning bylaw. Vacations Rentals shall:

- a. first be considered on a three year trial basis by the use of a temporary use permit (refer to Section 14);
- b. not create an unacceptable level of negative impact on surrounding residential uses;
- c. comply with all applicable regulations of the Provincial Agricultural Land Commission when located within the Agricultural Land Reserve; and
- d. be subject to local health authority requirements.
- e. be subject to all Ministry of Transportation and Infrastructure Access Permit requirements.

4.4 Community Specific Policies

Begbie Bench

4.4.17 Recognize the strong community interest in maintaining the rural character of the area and continue to support the existing minimum parcel size of 4 ha with lands designated as Small Holdings.

4.4.18 Minimum parcel sizes may be reduced in the Begbie Bench area to 2 ha subject to applications meeting the guidelines outlined in Section 4.3.24.

Section 14: Temporary Use Permits

Temporary use permits may be considered by the Regional Board to allow specific land uses to occur for a short period of time. The permit can contain very detailed requirements such as indicating the buildings that can be used, the time frame of the permit, and other conditions.

14.1 Objectives

There are important objectives that form a framework for the policies.

14.1.1 Allow opportunity for the consideration of the issuance of a temporary use permit in order to permit a temporary use to continue while a more suitable location for the use is determined or a rezoning application is completed.

14.1.2 Allow opportunity for the consideration of interim activities such as gravel extraction prior to development.

14.1.3 Ensure that temporary permits are not considered a substitute for a rezoning application.

14.2 Policies

The specific policies are:

14.2.1 Consider the issuance of temporary use permits based upon the following general conditions:

- a. The use must be clearly temporary or seasonal in nature;

b. The temporary use should not create an unacceptable level of impact on surrounding permanent uses;

c. In the case of the discovery of a use already underway that does not conform with zoning regulations, there is either an undertaking to initiate a rezoning application, or, an outline provided of when and how the temporary use in that location will be ended.

14.2.2 Consider applying conditions in the temporary permit such as, but not limited to; the buildings to be used, the area of use, the hours of use, appearance, site rehabilitation, noise control, and means of ensuring compliance.

14.2.3 The issuance of temporary use permits can be considered in all Official Community Plan designations.

Staff note that Section 4.3.34 states that a vacation rental first be considered on a three year trial basis; however, the Board may issue a TUP for a period of less than three years. Further, if the terms or conditions of the TUP are not adhered to, the TUP may be revoked prior to the expiration date of the permit.

Development Services staff is currently working on a policy for issuing TUPs in areas with no building inspection for Board consideration at a future Board meeting.

Electoral Area 'B' Zoning Bylaw No. 851

Section 5.5

SH - Small Holdings

Principal Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as principal uses, except as stated in Part 3: General Regulations:

- agriculture
- day care
- horticulture
- single family dwelling
- standalone residential campsite
- timber harvesting

Secondary Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as secondary uses, except as stated in Part 3: General Regulations:

- accessory use
- bed and breakfast
- home occupation
- small-scale sawmill
- residential campsite
- secondary dwelling unit

Minimum parcel size created by subdivision: 4 ha

Maximum parcel coverage: 25%

Maximum number of single family dwellings per parcel (subject to Section 3.15 of this bylaw):
1

Maximum number of secondary dwelling units per parcel (subject to Section 3.15 of this bylaw): 1

Maximum gross floor area of secondary dwelling unit: less than 60% of the floor area of the principal dwelling unit

Definitions:

Dwelling unit is the use of one or more habitable rooms in a building that constitute a single self-contained unit with a separate entrance, and used together for living and sleeping purposes for not more than one family, and containing a bathroom with a toilet, wash basin, and a bath or shower and only one room which due to its design, plumbing, equipment and furnishings may be used primarily as a kitchen. Dwelling unit does not include camping unit, park model, tourist cabin, or sleeping unit in a hotel, lodge or motel;

Guest accommodation is the use of a secondary dwelling unit on the same parcel as a single family dwelling or two-family dwelling, for temporary free accommodation on a non-commercial basis by guests of the permanent residents living on that same parcel.

Secondary dwelling unit means one or more rooms located within a single family dwelling or in an accessory building (where permitted by this bylaw) for either guest accommodation or long-term/seasonal rental accommodation. A secondary dwelling unit has direct access to outside without passing through any part of the principal dwelling unit and may have its own separate cooking, sleeping and bathing facilities.

Single family dwelling is the use of land, structures and one detached building used exclusively for one dwelling unit, except where additional uses are specifically permitted in this Bylaw as a part of a single family dwelling.

Vacation Rental is the use of a residential dwelling unit or secondary dwelling unit for temporary accommodation on a commercial basis.

Required parking spaces and loading spaces:

Dwelling unit – two per dwelling unit

Vacation rental – one per sleeping unit