

COLUMBIA SHUSWAP REGIONAL DISTRICT

SCOTCH CREEK/LEE CREEK ZONING AMENDMENT BYLAW NO. 825-49

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 825 cited as " Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, is hereby amended as follows:

- a. All instances of "single family dwelling" used throughout the bylaw shall be replaced with "single detached dwelling".

2. Part 1 Definitions shall be amended by:

- a. Deleting the following definitions: family, and single-family dwelling.
- b. Adding the following definitions in alphabetical order:
 - HOUSEHOLD means people living together in one (1) *dwelling unit* using a common *kitchen*;
 - KITCHEN means facilities used or designed to be used for the cooking or preparation of food;
 - MULTIPLE DWELLING is a *building* containing three or more *dwelling units* each of which is occupied or intended to be occupied as a permanent home or residence of not more than one *household*, but does not include *row house dwelling*;
 - SECONDARY DWELLING UNIT is an additional, self-contained, *dwelling unit* that is accessory to the *single detached dwelling* on a parcel. For clarity, *duplexes*, *multiple dwellings*, boarding rooms and rooming houses are excluded from the definition of *secondary dwelling unit*;
 - SECONDARY DWELLING UNIT, ATTACHED is a *secondary dwelling unit* that shares at least one common wall with the *single detached dwelling*;
 - SINGLE DETACHED DWELLING means a detached *building* containing only one (1) principal *dwelling unit* and, where permitted by this *Bylaw*, one (1)

secondary dwelling unit. For the purposes of this Bylaw, a *manufactured home* is considered a *single detached dwelling*;

c. Amending the following definitions:

- DWELLING UNIT is a use of one (1) or more rooms in a *building* with self-contained eating, living, sleeping and sanitary facilities and not more than one *kitchen*, used or intended to be used as a residence for no more than one (1) household. This use does not include a *tourist cabin*, a *tourist suite*, or a *sleeping unit* in a hotel or *motel*;
- GUEST ACCOMMODATION is the use of a *guest cottage* or *guest suite* on the same *parcel* as a *single detached dwelling*, for temporary rent-free accommodation on a non-commercial basis by guests of the residents of the *single detached dwelling*;
- VACATION RENTAL is the use of a residential *dwelling unit* for *temporary* accommodation on a commercial basis. Vacation rental does not include meeting rooms, eating and drinking establishment, concierge, or retail sales.

3. Part 3 General Regulations shall be amended by:

a. Adding the following text as Section 3.19:

"3.19 Secondary Dwelling Unit

- .1 Where permitted in a zone, the number and type of *secondary dwelling unit* (SDU) is determined by the *parcel* size and level of service:

Parcel Size	Level of Service	SDU Regulation	Total Dwelling Units Permitted***	Number of Residential Buildings Permitted
Any	Community Sewer System**	1 attached* <u>and</u> 1 detached SDU	3	2
< 1 ha	On-site Sewage Disposal	1 attached* <u>or</u> 1 detached SDU	2	1-2

1 ha – 8 ha	On-site Sewage Disposal	1 attached SDU* <u>and</u> 1 detached SDU	2-4	2-3
>8 ha	On-site Sewage Disposal	1 attached* <u>or</u> 1 detached SDU per single detached dwelling	2-4 depending on whether a property is in the ALR	2-4

*Attached SDU is a *secondary dwelling unit* that shares at least one common wall with the single detached dwelling.

**For an SDU, despite the definition in Part 1 of this bylaw, the number of connections for a community sewer system may be less than 50 provided written confirmation from the sewer system operator that the system has the capacity to service the proposed SDU is received.

***The total number of dwelling units permitted is based on the number of single detached dwellings permitted in a zone plus the number of SDUs permitted in this section.

.2 A *secondary dwelling unit* must:

- (a) have a *floor area, net* no greater than 140 m²;
- (b) have a door direct to the outdoors without passing through any part of the *single detached dwelling unit*;
- (c) remain under the same legal title as the principal *single detached dwelling unit*, and not be stratified;
- (d) be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required. For lots less than 1 ha the back up field area is required to be protected by a Section 219 covenant.
- (e) be serviced with potable water from either a *domestic water system* or a *community water system*;
- (f) not be used as a *vacation rental* unless expressly permitted by this *Bylaw*;
- (g) not be used as a *bed and breakfast*; and,
- (h) Off-street parking shall be provided in accordance with Part 4 of this bylaw.

.3 Notwithstanding 3.9.1 and 3.9.2, *secondary dwelling units* on property within the Agricultural Land Reserve (ALR) must be in accordance with Agricultural Land Commission regulations for residential dwelling units in the ALR.

- .4 Notwithstanding the provisions of Section 3.9, where a special regulation within a zone permits more than one *dwelling unit* on a parcel, a *secondary dwelling unit* is not permitted."

4. Part 4 Parking and Loading Regulations shall be amended as follows:

- a. Section 4.2 – shall be amended to read: "The maximum slope of 8 percent does not apply to a *single detached dwelling*, *duplex dwelling*, *guest accommodation*, or *secondary dwelling unit* ";
- b. Section 4.5(2) – shall be amended to read: "Excepting the parking space for a *single detached dwelling*, *secondary dwelling unit*, and *guest accommodation*, a parking space and a loading space must be constructed so as to permit unobstructed access to and egress from each space at all times without the need to move other vehicles."
- c. Table 1 – delete "*secondary suite*", and associated regulations, and add the following after "*Retail Store, Rental Shop*":

<i>Secondary dwelling unit (SDU)</i>	One (1) for a studio or one (1) bedroom SDU; or Two (2) for a two (2) or more bedroom SDU	
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5. Part 5 Zones shall be amended as follows:

AGRICULTURE ZONE (A)

- Section 5.3.2(c) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and
- Section 5.3.3 by adding the following row to the Regulations table:

(h)	Maximum number of <i>secondary dwelling units per parcel</i>	Shall be in accordance with Section 3.19
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- Section 5.3(3)(e) by amending Column 2 as follows:
 - On parcels less than 8 ha (19.76 ac); 1
 - On parcels equal to or greater than 8 ha (19.76 ac); 2

RURAL – 1 ZONE (RU1)

- Section 5.4.2(c) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and

- Section 5.4.3 by adding the following row to the Regulations table:

(g)	Maximum number of <i>secondary dwelling units per parcel</i>	Shall be in accordance with Section 3.19
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- Section 5.4(3)(d) by amending Column 2 as follows:
 - On parcels less than 8 ha (19.76 ac); 1
 - On parcels equal to or greater than 8 ha (19.76 ac); 2

RURAL – 2 ZONE (RU2)

- Section 5.5.2(c) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and
- Section 5.5.3 by adding the following row to the Regulations table:

(g)	Maximum number of <i>secondary dwelling units per parcel</i>	Shall be in accordance with Section 3.19
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COUNTRY RESIDENTIAL ZONE (CR)

- Section 5.6.2(c) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and
- Section 5.6.3 by adding the following row to the Regulations table:

(h)	Maximum number of <i>secondary dwelling units per parcel</i>	Shall be in accordance with Section 3.19
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RESIDENTIAL – 1 ZONE (R1)

- Section 5.7.2(c) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and
- Section 5.7.3 by adding the following row to the Regulations table:

(h)	Maximum number of <i>secondary dwelling units per parcel</i>	Shall be in accordance with Section 3.19
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- Section 5.7(4)(x) by deleting in its entirety and replace with the word "Deleted";
- Section 5.7(4)(y) by replacing "*guest cottage*" and "*guest accommodation*" with "*secondary dwelling unit*";
- Section 5.7(4)(ff) by deleting in its entirety and replacing with the word "Deleted".

RESIDENTIAL – 2 ZONE (R2)

- Section 5.8(1) by renumbering the section starting from (a);
- Section 5.8(2) by renumbering the section starting from (a);

MULTI-RESIDENTIAL ZONE (MR)

- Section 5.10(2)(b) by replacing "*Guest accommodation*" with "*Secondary dwelling unit*"; and
- Section 5.10(3) by adding the following row to the Regulations table:

(h)	Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	1 per <i>single detached dwelling</i>
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MIXED USE ONE (MU)

- Section 5.12(2)(c) by replacing "*Guest suite*" with "*Secondary dwelling unit, attached*"; and
- Section 5.12(2)(2) by adding the following row to the Regulations table:

(i)	Maximum number of <i>secondary dwelling units, attached</i> per <i>parcel</i>	1 per <i>single detached dwelling</i>
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COMMERCIAL – 3 (C3)

- Section 5.15(2)(b) by replacing "*Guest suite*" with "*Secondary dwelling unit, attached*"; and
- Section 5.15(3) by adding the following row to the Regulations table:

(h)	Maximum number of <i>secondary dwelling units, attached</i> per <i>parcel</i>	Shall be in accordance with Section 3.19
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BL825-49

2. This bylaw may be cited as "Scotch Creek/Lee Creek Zoning Amendment Bylaw No. 825-49".

READ a first time this 16th day of March, 2023.

READ a second time as amended this 15th day of February, 2024.

READ a third time this day of, 2024.

Approved pursuant to Section 52(3)(a) of the Transportation Act this day of, 2024.

for: Ministry of Transportation and Infrastructure

ADOPTED this day of, 2024.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 825-49 as read a third time.

CERTIFIED a true copy of Bylaw No. 825-49 as adopted.

CORPORATE OFFICER

CORPORATE OFFICER