

REGIONAL DISTRICT OF CENTRAL OKANAGAN

**BYLAW NO. 1587
Amendment No. 28 to Bylaw No. 1195, 2007**

A bylaw to amend Joe Rich Rural Land Use Bylaw No. 1195, 2007

WHEREAS the Regional Board of the Regional District of Central Okanagan adopted Regional District of Central Okanagan Joe Rich Rural Land Use Bylaw No. 1195, 2007;

AND WHEREAS the Regional Board deems it advisable to amend the said Bylaw;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. Regional District of Central Okanagan Joe Rich Rural Land Use Bylaw No. 1195, 2007 is hereby amended by:

- a. **Deleting** under **SECTION 1 INTRODUCTION, Part 2 – What is the Joe Rich Rural Land Use Bylaw (RLUB)**, Section 2.1, paragraph 2.1.1 the words “bed and breakfast” and **replacing** it with the words “Short Term Rental Accommodation”.
- b. **Deleting** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the definition of Agri Tourist Accommodation and **replacing** it with the following:

Agri Tourist Accommodation means accommodation for tourists on a working farm or ranch which is located within the single family dwelling and is accessory to the Principal Use, but also related to the Principal Use. Agri Tourist Accommodation has a maximum of ten (10) Bedrooms. Agri Tourist Accommodation units are rented for rental periods of less than one (1) month. Where land is within the Agricultural land Reserve, additional approvals and requirements may be necessary.

- c. **Deleting** the following under **SECTION 2 REGULATIONS, Part 1 – Definitions**:

Bed and Breakfast means a business operated by the proprietor of a single family dwelling which provides bedroom space and meals to transients.

Guest Room means a sleeping room that does not include a kitchen, used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for rental periods of less than one month.

- d. **Deleting** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the definition of Bedroom and **replacing** it with the following:

Bedroom means a room used for sleeping and does not include a kitchen.

- e. **Deleting** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the definition of Director of Planning and **replacing** it with the following:

Director of Planning means the Director of Development and Engineering Services, or designate, of the Regional District.

- f. **Adding** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the following:

Fire Protection Boundary means a specified area created under a service establishment bylaw of the Regional District to provide fire protection.

- g. **Deleting** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the definition of Secondary Suite and **replacing** it with the following:

Secondary Suite means a self-contained, accessory dwelling unit that provides living accommodation. The Secondary Suite is located within a single detached house that has its own separate kitchen, sleeping and bathing facilities. A Secondary Suite does not include two-family dwelling.

- h. **Adding** under **SECTION 2 REGULATIONS, Part 1 – Definitions**, the following:

Short Term Rental Accommodation means a use within a single detached dwelling, whether a Bedroom, Secondary Suite or the main dwelling unit, that provides temporary lodging for tourists and visitors for rental periods of less than ninety (90) days.

- i. **Adding** under **SECTION 2 REGULATIONS, Part 3 – General Requirements**, paragraph 3.4 Off-Street Parking, the words “A minimum of one off-street Parking Space shall be provided where a Short Term Rental Accommodation unit is licensed on the property.” after the words “...per unit shall be provided.”

- j. **Deleting** under **SECTION 2 REGULATIONS, Part 3 – General Requirements**, paragraphs 3.9, 3.9.1, 3.9.2, 3.9.3, 3.9.4, 3.9.5 and 3.9.6 and **replacing** them with the following:

3.9 Short Term Rental Accommodation

Short Term Rental Accommodation uses shall conform with the following:

- 3.9.1 A maximum of 1 (one) Short Term Rental Accommodation use is permitted per property.

- 3.9.2 A Short Term Rental Accommodation may be operated in whole or part of the single family dwelling, or within a Secondary Suite (if zoned appropriately). In the case of a property containing a single family dwelling and a Secondary Suite, only one (1) dwelling unit may be used for the purpose of a Short Term Rental Accommodation.
- 3.9.3 A Short Term Rental Accommodation is not permitted in an additional dwelling unit, other than the Secondary Suite or single family dwelling.
- 3.9.4 A Short Term Rental Accommodation use shall only be permitted on a property located within an established Fire Protection Area.
- 3.9.5 A Short Term Rental Accommodation shall be an Accessory Use.
- 3.9.6 A maximum of four (4) Bedrooms, and a maximum of eight (8) people in overnight stay, are permitted in a Short Term Rental Accommodation use.
- 3.9.7 No exterior evidence of the Short Term Rental Accommodation shall be visible from outside the parcel on which the Short Term Rental Accommodation is located, except for a permitted signage as authorized in this Bylaw or the Regional District's Business Licensing and Regulation Bylaw, and the required parking for the Short Term Rental Accommodation use.
- 3.9.8 A Short Term Rental Accommodation is permitted to have no more than one (1) sign to a maximum size of 3000 cm² (465 sq. in.), located on the single detached house or at least 1.5 m (4.9 ft.) from any parcel line.
- 3.9.9 One (1) Parking Space from the existing residential use is required to be allocated to the Short Term Rental Accommodation use.

k. **Deleting** under **SECTION 2 REGULATIONS, Part 3 – General Requirements**, paragraphs 3.15.2, 3.15.3, 3.15.4 and 3.15.5 and **replacing** them with the following:

- 3.15.2 An Agri Tourist Accommodation use is only permitted on a parcel with an approved Agri-Tourism activity.
- 3.15.3 No more than ten (10) Bedrooms for Agri Tourist Accommodation uses are permitted on parcels 3.8 ha (9.4 acres) or larger.
- 3.15.4 No more than four (4) Bedrooms for an Agri-Tourist Accommodation use are permitted on parcels smaller than 3.8 ha (9.4 acres).

3.15.5 One (1) Parking Space per Bedroom used for Agri Tourist Accommodation is required in addition to those required for the single family dwelling.

- I. **Deleting** under **SECTION 2 REGULATIONS, Part 3 – General Requirements.** paragraph 3.16 **Secondary Suites** in its entirety and **replacing** it with the following:

3.16 **Secondary Suites**

3.16.1 A Secondary Suite is added to the list of permitted uses in the LH, RA, SH-1, SH-2, and CR land use designations if the designation has an “s” notation shown on Schedule ‘B’ (Land Use Designation Maps) of this Bylaw, as part of the land use identification. The “s” notation shall be shown on Schedule B the Land Use Designation Map as follows: LHs, RAs, SH1s, SH-2s, and CRs. An “s” classification on a parcel shall be established by redesignating the subject parcel to the “s” version of the land use designation. The regulations set out for the “s” version of the land use designation will be the same as the regulations for the version without the “s”, except for the addition of Secondary Suite as a permitted use.

3.16.2 The Secondary Suite shall have direct access to outside without passing through any part of the single family dwelling.

3.16.3 The Secondary Suite shall be located within a single family dwelling.

.1 The Secondary Suite shall not be connected to a single family dwelling by a breezeway or carport.

3.16.4 No more than one (1) Secondary Suite is permitted per parcel.

3.16.5 A Secondary Suite is not permitted if an additional Dwelling unit exists.

3.16.6 A home occupation is permitted within a Secondary Suite.

3.16.7 One (1) Parking Space for the Secondary Suite is required in addition to those required for the single-family dwelling.

3.16.8 A Secondary Suite shall meet all requirements of the British Columbia Building Code and amendments thereto.

3.16.9 The Secondary Suite must be serviced by a community water system or a private water source, subject to the following:

- .1 For a community water system, written authorization permitting the Secondary Suite from the service provider is required.
- .2 For a private water source, a copy of the Water License, if applicable under the Water Sustainability Act, is required.

3.16.10 The Secondary Suite must be connected to a community sewer system or serviced by an on-site sewage disposal system, subject to the following:

- .1 For community water sewer system, written authorization permitting the Secondary Suite from the service provider is required.
- .2 For on-site sewage disposal, written confirmation is required from an Authorized Person under the Public Health Act: Sewerage System Regulation which includes:
 - .2.1 For Lots with an existing on-site sewage disposal system, a Compliance Inspection report must indicate that the existing system is capable of processing the daily domestic sewerage flow for both Dwelling units and demonstrates the existing system meets today's standards and can be expanded for the new Daily Design Flow and room on the property for a back-up type 1 trench system.
 - .2.2 For Lots without an existing on-site sewage disposal system, a primary and reserve area for type 1 trench disposal for intended Daily Design Flow.

- m. **Deleting** under **SECTION 2 REGULATIONS, Part 5 – Land Use Designations, 5.5 LARGE HOLDINGS (LH), PERMITTED USES TABLE FOR LARGE HOLDINGS (LH) DESIGNATION**, the words “.7 Bed and Breakfast” and **replacing** it with the words “.7 Short Term Rental Accommodation”.
- n. **Deleting** under **SECTION 2 REGULATIONS, Part 5 – Land Use Designations, 5.6 RURAL ACREAGE (RA), PERMITTED USES TABLE FOR LARGE RA DESIGNATION**, the words “.7 Bed and Breakfast” and **replacing** it with the words “.7 Short Term Rental Accommodation”.
- o. **Deleting** under **SECTION 2 REGULATIONS, Part 5 – Land Use Designations, 5.7 SMALL HOLDINGS 2 (SH-2), PERMITTED USES TABLE FOR SH-2 DESIGNATION**, the words “.9 Bed and Breakfast” and **replacing** it with the words “.9 Short Term Rental Accommodation”.
- p. **Deleting** under **SECTION 2 REGULATIONS, Part 5 – Land Use Designations, 5.8 SMALL HOLDINGS 1 (SH-1), PERMITTED USES TABLE FOR SH-1**

