



CARIBOO REGIONAL DISTRICT

BYLAW NO. 4993

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3505, being the "North Cariboo Area Rural Land Use Bylaw No. 3505, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Rural Land Use bylaw after a public hearing and upon the affirmative vote of the Directors.

NOW, THEREFORE the Board of Directors of the Cariboo Regional District, duly assembled, enacts as follows:

1. CITATION:

This bylaw may be cited for all purposes as the "Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 4993, 2015".

2. AMENDMENT

Schedule "A" of North Cariboo Area Rural Land Use Bylaw No. 3505 of the Cariboo Regional District is amended by:

- A) Inserting the following text into Section 6.3 "INTERPRETATION AND DEFINITIONS" alphabetically and renumbering the subsequent sections sequentially:

"BREEZEWAY" means a connection between an accessory building and a principal building that is not heated or insulated and is not restricted by intervening doors.

“CARRIAGE HOUSE” means an additional dwelling unit within a detached or semi-detached ancillary building.

“COOKING FACILITIES” means an area principally used for the preparation or cooking of food, and may include fixtures, appliances, plumbing or wiring intended or used for the preparation or cooking of food.

“DECK” means a roofless outdoor space built as an aboveground platform more than 0.6 m above grade projecting from the wall of a building, and is connected by structural supports at grade or by the building structure.

“FIRST STOREY” means the uppermost storey having its floor level not more than 2.0 m above grade.

“MANUFACTURED HOME” means a factory-built, single detached dwelling unit conforming to CSA Z-240 or CSA A277 standards. They are built on a non-removable steel chassis and are designed to be complete when they leave the factory, except for incidental assembly on site. Manufactured homes does not include recreational vehicles or park models.

“MEZZANINE” means an intermediate floor assembly between the floor and ceiling of any room or storey and includes an interior balcony.

“MODULAR HOME” means a dwelling unit built in sections at a factory. The sections are transported to the building site to be joined together. They have a CSA A277 label to show they were built in a certified factory.

“PORCH” means a one-storey covered entrance to a building that is not used for living space, and is attached to the outside of a building.

“PRINCIPAL DWELLING” means a principal residential dwelling unit that:

- a) consists of a self-contained set of rooms located in a building;
- b) is intended for use as a residential premise;
- c) contains cooking facility and should also contain sleeping and sanitary facilities that are intended to be exclusive to the unit; and
- d) is not a secondary suite or an accessory dwelling.

“RESIDENTIAL OCCUPANCY” means the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but not harboured for the purpose of vacation rental, receiving care or treatment, and are not voluntary detained.

“SECONDARY DWELLING” means a self-contained, detached single-family dwelling usually containing cooking, eating, living, sleeping and sanitary facilities, located on the same parcel and smaller than the principal dwelling.

“SECONDARY SUITE” means a dwelling unit

- a) having a total floor space of not more than 90 m² in area;
- b) having a floor space less than 40% of the habitable floor space of the building;
- c) located within a building of residential occupancy containing only one other dwelling unit; and
- d) located in and part of a building which is a single real estate entity.

“STOREY” means that portion of a building that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

“VACATION RENTAL” is generally defined as the use of a residential dwelling unit for the commercial accommodation of paying guests for a period of less than one month (NOTE: this does not include Bed and Breakfast Operations).

“WET BAR” means a small facility that is used exclusively to prepare beverages or other items that do not require cooking. The provision of wet bars in no way permits an accessory dwelling unit to be established.

B) Amending Section 6.3 of “INTERPRETATION AND DEFINITIONS” by deleting the following:

5. “ANCILLARY BUILDING” means a building or structure subordinate and supplementary to the principal building or use permitted on the same lot and, without limiting the generality of the foregoing, includes tool sheds, storage sheds, attached and detached garages and carports, but excludes agricultural buildings and structures or temporary dwelling units, which are otherwise regarded as principal uses.

32. "CARPORT" means a roofed enclosure used for the storage or parking of vehicles with less than 60% of its total perimeter enclosed by walls, doors or windows.

57. “DWELLING UNIT” means one or more rooms with self-contained sleeping, living, and sanitary facility containing not more than one set of cooking facilities, used or intended for use as a residence for one or more persons. Other related and supplementary definitions include:

57. (f) “TWO-FAMILY RESIDENTIAL DWELLING” means a building on a single lot containing two dwelling units, either one above the other and separated by a ceiling and floor extending from exterior wall to exterior wall, or side by side and separated by a common party wall extending from ground to roof, including detached dwelling units which are linked by a carport or garage but share a continuous permanent foundation and common roof areas.

153. “RECREATIONAL VEHICLES (RV)” means any vehicular, portable structure designed to travel or be transported on the highways and constructed or equipped to provide transient living or sleeping accommodation for travel, recreation or vacation and which does not require continuous connection to sanitary, water and electrical hook-ups.

and replace with the following:

5. “ANCILLARY BUILDING” means a building or structure subordinate and supplementary to the principal building or use permitted on the same lot and, without limiting the generality of the foregoing, include tools sheds, storage sheds, pole sheds, boat shelters, workshops, attached and detached garages and carports and farm buildings, but excludes temporary dwelling which is considered a principal residential use.

32. “CARPORT” means a roofed structure to be used to shelter parked vehicles or equipment, which is not enclosed on at least two sides, one being the side fronting the driveway.

57. “DWELLING UNIT” means a suite operated as a housekeeping unit, used or intended to be used primarily by one household, and usually containing cooking, eating, living, sleeping and sanitary facilities for domestic purposes.

57. (f) “TWO-FAMILY RESIDENTIAL DWELLING UNIT / DUPLEX” means a building designed as a single structure, containing two separate living units with their own direct access to the outside, each of which is designed to be occupied as a separate permanent residence for one family.

153. “RECREATIONAL VEHICLES (RV)” means a vehicle, either designed to be towed behind a motor vehicle, transported, or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, campers, park model recreational units, motor homes, or other similar vehicles designed to provide temporary living quarters for recreational, camping, or travel use.

C) Inserting the following text into Section 7.0 “GENERAL PROVISIONS AND REGULATIONS” after Section 7.22 and before Section 8.0:

7.23 SECONDARY SUITES AND DETACHED ACCESSORY DWELLING UNITS

As listed in Section 7.0 of the Bylaw, Uses Permitted and Zone Provisions, under Residential Uses, for clarity, a secondary suite, a carriage house or a secondary dwelling are permitted in the following zones, and in conformance with the following provisions:

- a) Permitted Zones:
 - i) for properties zoned Settlement Area 1 (RS 1), Settlement Area 2 (RS 2), Lakeshore Residential (RL), Lakeshore Residential 2 (RL 2), Rural 3 (RR 3) and Rural 2 (RR 2) zones, either one (1) secondary suite or one (1) carriage house may be permitted as a residential use, and must be subordinate to a single-family residential dwelling.
 - ii) for properties zoned Rural 1 (RR 1) and Resource/Agricultural (R/A) zones, either one (1) secondary suite or one (1) carriage house, or one (1) secondary dwelling may be permitted as a residential use, and must be subordinate to a single-family residential dwelling.

- b) General Provisions:
 - i) occupation of the secondary suite, carriage house or secondary dwelling be limited to residential occupancy;
 - ii) limited to one (1) set of cooking facilities;
 - iii) subject to development permit(s) where applicable;
 - iv) a building permit has been approved where applicable;
 - v) the applicant must comply with the servicing standards of the sewage system regulations;
 - vi) One additional off-street parking space must be provided for the secondary suite or carriage house, for a total of three spaces per lot. The additional parking space may be provided outside or enclosed in a garage or carport;
 - vii) Two additional off-street parking spaces must be provided for the secondary dwelling, for a total of four spaces per lot. The additional parking spaces may be provided outside or enclosed in a garage or carport.

- c) Specific Provisions :
 - i) Secondary Suite:
 1. maximum total floor area of 90 sq. m (968.75 sq. ft.);

2. area of the secondary suite cannot exceed 40% of the total living floor space (area) of the building it is located in;
3. located within a building of residential occupancy i.e. a single-family dwelling;
4. cannot be attached to the single-family dwelling via a breezeway;
5. must have its own cooking and sanitary facility (a sanitary facility means a bathroom contained within the dwelling unit); and
6. home occupation or home industry not permitted within the secondary suite.

ii) Carriage House:

1. maximum total floor space of 90 sq. m (968.75 sq. ft.);
2. must be located within a detached or semi-detached ancillary building;
3. the ancillary building must be in conformance with siting and land use;
4. carriage house height limited to one (1) storey;
5. the combined building height of the ancillary building and the carriage house cannot exceed 7.62 m (25 ft.);
6. must have its own cooking and sanitary facilities (a sanitary facility means a bathroom contained within the dwelling unit); and
7. home occupation or home industry not permitted within the carriage house.

iii) Secondary Dwelling:

1. maximum total floor area of 130 sq. m (1,400 sq. ft.);
2. must be detached from principal dwelling and ancillary buildings;
3. secondary dwelling height limited to two (2) storeys;
4. must have its own cooking and sanitary facilities (a sanitary facility means a bathroom contained within the dwelling unit);
5. home industry not permitted within the secondary dwelling; and
6. home occupation cannot exceed 40% of the total living floor space.

D) Inserting into the “RESIDENTIAL USES” within the “SETTLEMENT AREA 1 (RS 1) ZONE”, “SETTLEMENT AREA 2 (RS 2) ZONE”, “RURAL 2 (RR 2) ZONE” AND “RURAL 3 (RR 3) ZONE” as follows:

After Sections 8.7.1 (a) (ii), 8.8.1 (a) (ii), 8.12.1 (a) (ii) and 8.13.1 (a) (ii) inserting the following text and renumbering subsequent sections sequentially:

- iii) one (1) secondary suite and must be subordinate to a single-family residential dwelling; or
- iv) one (1) carriage house and must be subordinate to a single-family residential dwelling.

E) Inserting into the “RESIDENTIAL USES” within the “ “LAKESHORE RESIDENTIAL (RL) ZONE” AND “LAKESHORE RESIDENTIAL 2 (RL 2) ZONE” as follows:

After Sections 8.9.1 (a) (i), 8.10.1 (a) (i) inserting the following text and renumbering subsequent sections sequentially:

- ii) one (1) secondary suite and must be subordinate to a single-family residential dwelling; or
- iii) one (1) carriage house and must be subordinate to a single-family residential dwelling.

F) Inserting into the “RESIDENTIAL USES” within the “RURAL 1 (RR 1) ZONE” AND “RESOURCE/AGRICULTURAL (R/A) ZONE” as follows:

After Sections 8.11.1 (a) (ii) and 8.14.1 (a) (ii) inserting the following text and renumbering subsequent sections sequentially:

- iii) one (1) secondary suite and must be subordinate to a single-family residential dwelling; or
- iv) one (1) carriage house and must be subordinate to a single-family residential dwelling; or
- v) one (1) secondary dwelling and must be subordinate to a single-family residential dwelling.

G) Replacing the following term “TWO-FAMILY RESIDENTIAL DWELLING” with “TWO-FAMILY RESIDENTIAL DWELLING UNIT / DUPLEX” throughout the bylaw.

READ A FIRST TIME THIS 17th DAY OF November, 2017.

READ A SECOND TIME THIS 17th DAY OF November, 2017.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2018.

READ A THIRD TIME this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 4993 cited as the "Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 4993, 2015", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2018.

Corporate Officer