

Bed and Breakfast

Zoning Bylaw No. 765, 2002 (the current zoning)

BED AND BREAKFAST means an auxiliary use of a *single family dwelling* as a transient accommodation business for overnight accommodation of travellers, providing at least breakfast to those being accommodated.

Zoning Bylaw No. 765, 2002

- A person must apply for a bed and breakfast by completing a building permit application or change of use permit application for the dwelling.
- the agricultural bed and breakfast use shall be located within, and be accessory to a single family dwelling use.
- the maximum number of let bedrooms shall be 3, serving a maximum of 6 persons in total.
- the *bed and breakfast* establishment shall be operated by a resident of the parcel.

Zoning Amendment Bylaw No. 1549-2017 (proposed)

BED AND BREAKFAST, AGRICULTURAL means an *accessory use* of a *single family dwelling* in an agricultural zone as a transient accommodation business for overnight accommodation of travellers, providing at least breakfast to those being accommodated. See the AGR1 zone for details.”

Zoning Amendment Bylaw No. 1549-2017

- A person must apply for an agricultural bed and breakfast by completing a building permit application or change of use permit application for the dwelling.
- the agricultural bed and breakfast use shall be located within, and be accessory to a single family dwelling use.
- the maximum number of let bedrooms shall be 4, serving a maximum of 8 persons in total.
- the *agricultural bed and breakfast* establishment shall be operated by a person or persons whose ordinary and principal residence is within such single family dwelling .



Home Based Business

Zoning Bylaw No. 765, 2002 (the current zoning)

HOME BASED BUSINESS means an *auxiliary use* of a parcel in conjunction with a dwelling for business purposes such as home offices; studios; woodworking; upholstering and other home workshops; personal services except dry cleaners and laundromats.

Zoning Amendment Bylaw No. 1549-2017 (proposed)

HOME BASED BUSINESS, AGRICULTURAL means a use that is *accessory* to the residential *use* of a property where a resident carries on a profession or occupation that is clearly incidental to the residential or agricultural *use* of the land. The *agricultural home based business use* is a limited and small scale *craft* carried on for remuneration, and may include a home office.

Agricultural home based business may include limited sales in an associated retail and/or gallery space of up to 10 m², only of *agricultural home based business* products produced from the parcel where the *agricultural home based business use* is located.

Agricultural home based business does not include *industrial uses*, commercial production and/or retail of marijuana or cannabinoids, any kind of food or drink service establishment, or vehicle or equipment repair.

CRAFT (in the context of Agricultural Home Based Business) means an occupation or trade requiring manual dexterity or artistic skill.

Home Based Business

Zoning Bylaw No. 765, 2002 (the current zoning)

- The home based business use shall be accessory to the residential or agricultural use on the same lot.
- The home based business use shall not exceed a maximum gross floor area of 100 m² on a parcel.
- All activities associated with the home based business use shall be entirely conducted within a completely enclosed building.
- There shall be no outdoor storage of materials, equipment, containers or finished products.
- An home based business use must be located within a building that has a valid building permit from the SLRD for the agricultural home based business use.
- Employees of a home based business shall be members of a family residing on the parcel plus one other person.

Zoning Amendment Bylaw No. 1549-2017 (proposed)

- The agricultural home based business use shall be accessory to the residential or agricultural use on the same lot.
- The agricultural home based business use shall not exceed a maximum gross floor area of 100 m² on a parcel. The 100 m² includes the up to 10 m² of associated agricultural home based business retail and/or gallery space.
- All activities associated with the agricultural home based business use shall be entirely conducted within a completely enclosed building.
- There shall be no outdoor storage of materials, equipment, containers or finished products.
- An agricultural home based business use must be located within a building that has a valid building permit from the SLRD for the agricultural home based business use.
- Employees of an agricultural home based business use shall be restricted to members of a family residing on the parcel and may include two other people.
- An agricultural home based business use is not a farm retail sales use and may be conducted in association with a farm retail sales use

Temporary Farm Worker Housing

Zoning Bylaw No. 765, 2002 (the current zoning)

- Temporary Farm Worker Housing is not currently permitted in the AGR zone or AGR_{PF} subzone

Zoning Amendment Bylaw No. 1549-2017 (proposed)

- Temporary Farm Worker Housing will be permitted on parcels that have farm class under the Assessment Act through an application process.
- On parcels less than 4 ha there is a maximum gross floor area of 100 m².
- On parcels 4 ha or larger there is a maximum gross floor area of 280 m².
- The application has a fee of \$100.
- As per the recommendations and requirements from the Ministry of Agriculture:
- It requires an assessment report from a professional agrologist regarding the agricultural need for farm worker housing.
- A statutory declaration must be filed with the SLRD annually, stating that the temporary farm worker housing will be used only for temporary farm worker housing for a specified period of time.
- The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the temporary farm worker housing details.
- The farm worker housing will be removed by the owner and the land restored to agricultural use if the farm worker housing is vacant for two consecutive years.

Maximum Dwelling Size

Zoning Bylaw No. 765, 2002 (the current zoning)

- The AGR zone of Zoning Bylaw No. 765 already has a existing maximum dwelling size of 350 m².
- The AGR_{PF} subzone did not have a maximum dwelling size.

Zoning Amendment Bylaw No. 1549-2017 (proposed)

- The proposed AGR1 zone would maintain the maximum dwelling size of 350 m².
- This would apply to all land in the ALR including those lands in the former AGR_{PF} subzone.
- The proposed zoning amendments include gross floor area exclusions of up to 90 m² for a basement and up to 60 m² for a garage.
- This adds the potential for an additional bonus space of 150 m² for a total house size of 500 m² (5,382 ft²) which is the absolute maximum recommended by the Ministry of Agriculture.



Farm Residential Footprint

- Regulating the siting of residential uses on agricultural land is the simplest and most effective method of limiting the negative effects of residential uses on farming in the ALR.
- Requiring residential development to be located adjacent to road frontage, in most cases, provides the greatest protection for agricultural areas.
- It reduces the potential conflicts between farm and residential uses, which improves farm efficiency.
- Unregulated siting of residential uses can result in the land becoming alienated from agricultural production for the foreseeable future and likely in perpetuity.
- The change in land use patterns and uncontrolled residential uses leads to speculation.
- This can lead to unaffordable farmland for those wishing to expand or start a farm business.



Farm Residential Footprint

- The Farm Residential Footprint has a maximum area of 2,000 m² or 0.5 acres.
- This figure is the recommended standard from the Ministry of Agriculture, and is approximately six times larger than the typical city lot.
- There is a maximum setback from the front parcel line to the rear of the house of 75 m.
- There is maximum setback or depth of the farm residential footprint of 85 m from a dedicated road.
- The Farm Residential Footprint does not apply to farm buildings.
- Existing built properties are not negatively affected by the Farm Residential Footprint.
- The Farm Residential Footprint only applies to new construction.

Farm Residential Footprint

- A Development Variance Permit can be applied for in cases where the farm residential footprint requires adjustment.
- The application fee for bona fide farmers is \$100.
- The Development Variance Permit (DVP) process is meant to be a reasonable, fair, inexpensive and easy process.
- The DVP application would take 3 months at most, and could be applied for concurrently with the building permit application.
- It is a public process that will have agricultural decision criteria written into the Area C Official Community Plan to outline to the SLRD Board, staff, and public the criteria that will be used to evaluate such applications



Minimum Parcel Size for New Subdivisions

Zoning Bylaw No. 765, 2002 (the current zoning)

- The minimum parcel size for new subdivisions is 2 ha (5 acres).
- The Ministry of Agriculture has conducted studies around the province that determines that:
 - While smaller parcels can accommodate some types of very intensive agriculture operations, there are fewer farming options on small parcels than there are for large parcels.
 - On average, fewer small parcels are farmed and many of them may only have a minor amount of farming activity.
 - More smaller parcels are used strictly for residential use or are under pressure for non-farm use. These types of uses can cause issues for farmers such as speculative pricing on farmland, complaints, noise and traffic, etc.
 - Smaller parcels cost more per hectare than larger parcels. It is costly and often impractical for a farmer to try to assemble many small parcels to develop or grow their farm business.
- The ALC and the Ministry of Agriculture recommend as large a parcel size as possible in order to ensure a wide range of agricultural activities is possible on a parcel.

Zoning Amendment Bylaw No. 1549-2017 (proposed)

- The minimum parcel size for new subdivisions is increased to 20 ha (50 acres).
- It was originally proposed to be 40 ha, but the Area C AAC recommended that it be set at 20 ha.



AGRICULTURE PEMBERTON FRINGE SUBZONE

Zoning Bylaw No. 765, 2002 (the current zoning)

Permitted Uses

- garden nursery
- horse riding academy, boarding stable and indoor riding arena
- the potential for a second single family dwelling on parcels 2 ha or larger
 - only if proven necessary for farm help with an application to the SLRD or with a non-farm use application to the ALC/SLRD
- bed and breakfast inn (5 bedrooms & 10 guests)

Zoning Amendment Bylaw No. 1549-2017

Permitted Uses

- garden nursery
- horse riding academy, boarding stable and indoor riding arena
 - These uses remain allowed in the AGR1 zone
- the potential for a second single family dwelling on parcels 4 ha or larger
 - only if proven necessary for farm help with an application to the SLRD
 - The Ministry of Agriculture and the ALC recommend 4 ha or larger parcel size as the minimum since there is no justification for a second dwelling for farm help on a parcel smaller than 4 ha.
 - Temporary Farm Worker Housing is dealt with separately
- The BC Building Code does not allow for a bed and breakfast “inn” so this use is being removed from the bylaw.
 - The SLRD is proposing a new “agricultural bed and breakfast” use for the AGR1 zone.



Breweries, Cideries, Meaderies, Distilleries, Wineries

Zoning Bylaw No. 765, 2002 (the current zoning)

- Breweries, cideries, meaderies, distilleries, and wineries were not currently explicitly permitted in the AGR zone or AGR_{PF} subzone.
- The Provincial ALR regulations have changed in the last several years regarding these uses.

Zoning Amendment Bylaw No. 1549-2017

- Breweries, cideries, meaderies, distilleries, and wineries are incorporated as distinct permitted uses separate from the agriculture use.
- For these uses there is a maximum gross floor area of 600 m² (6,458 ft²), subject to the requirements of ALR regulations.
- There is a maximum gross floor area of 60 m² (646 ft²) for each of the indoor lounge space, outdoor lounge space, and tasting room associated with such uses.
- Establishing basic gross floor area requirements ensures that prime farmland is not taken out of production by large commercial/industrial non-soil based facilities.

