

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: July 16, 2026

RE: Development Variance Permit Application – Electoral Area “H” (H2026.011-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. H2026.011-DVP, to increase the maximum number of bathrooms and permitted floor area of an accessory building at 2481 Coalmont Road, be approved.

Alternative:

1. THAT Development Variance Permit No. H2026.011-DVP, to increase the maximum number of bathrooms and permitted floor area of an accessory building at 2481 Coalmont Road, be denied.
-

Legal: Block C, District Lot 748, YDYD Folio: H-00773.000

OCP: Large Holdings (LH) Zone: Large Holdings Two (LH2)

Variance to increase the number of bathrooms permitted in an accessory building from one (1) to two (2);

Requests: to increase the maximum allowable floor area for a bathroom within an accessory building or structure from 6.0 m² to 18.5 m².

Purpose:

This application is seeking a variance to the maximum number of bathrooms and permitted floor area for a bathroom permitted in an accessory structure.

Specifically, it is being proposed to increase the number of bathrooms from one (1) to two (2), and to increase the maximum allowable floor area for a bathroom from 6.0 m² to 18.5 m².

In support of this request, the applicant has stated that this will “allow for [an] existing structure to be brought into compliance. The building not being in compliance has been a problem with selling the property. The building does not unduly impact the surrounding neighbourhood.”

Strategic Priorities: Operational

Background & Analysis:

It is unknown when the subject property was created by a plan of subdivision, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that a building permits for a cabin (1984), a garage (1993), and an addition of bedroom, ensuite, garage to the existing log home (1998).

Official Community Plan Bylaw:

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Large Holdings (LH) and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Zoning Bylaw:

Under the Electoral Area “H” Zoning Bylaw No. 3065, 2024, the property is currently split zoned part Resource Area (RA) and part Large Holdings Two (LH2), both of which permit accessory buildings or structures, subject to specified limitations.

These limitations include a maximum floor area allowance for bathrooms in an accessory structure of 6.0 m² and a maximum of one (1) shower and one (1) bathroom.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with the Tulameen River and no buildings and structures shall be located within 30.0 metres of the natural boundary of the Tulameen River.

Enforcement:

On July 2, 2019, a Stop Work Notice (SWN) was issued in relation to a “build without permit” pertaining to the construction of a “washroom building” on the subject property.

While the property owner was advised to apply for a building permit, they were subsequently advised on July 19, 2019, that a development variance permit (DVP) application would be required in order to allow for the “washroom building” (e.g. accessory structure) as it did not comply with the zoning regulations for washroom size.

In November 2024, enforcement action was initiated in relation to existing campsites and related facilities on the property. During an inspection, the Building Inspector observed conditions that appeared to indicate a campground was operating on the property. The Inspector noted that there were “16 individually number[ed] sites with electrical plug outlet boxes and water spigots.”

On March 10, 2026, a building permit application was submitted in order to formalize the accessory structure.

On May 1, 2026, this development variance permit (DVP) application was submitted in order to formalize the size of the washroom facilities.

Analysis:

In considering this proposal, Administration notes that the zoning regulations limiting the size and number of facilities (e.g. bathrooms, showers and bathtubs, bedrooms, sleeping facilities, balconies, decks or wet bars) in an “accessory structure or building” was a response by the Board to on-going attempts by property owners to evade zoning and building code requirements in relation to “accessory dwellings”.

Significant staff time and resources were being spent by planning, building and bylaw enforcement in assessing plans or seeking compliance where structures had been converted to residential use after the fact.

To address this, the Board clarified - for the benefit of staff, the public and developers – that “accessory buildings and structures” were not to be used for habitable purposes. This was done by introducing a number of amendments to the electoral area zoning bylaws, including the

aforementioned restrictions on the size of bathrooms and number of showers permitted in order to discourage the conversion of accessory structures to dwelling units.

In this instance, it is understood that the structure was built as a dedicated “washroom block” for a proposed campground use that did not eventuate on the property. As a result of this intended use, the accessory structure is very limited in size (i.e. 18.5 m²), materially different in scope to the structures that prompted the introduction of the current zoning restrictions in 2016 and unlikely to be converted to a residential dwelling (due to limited space for habitable use).

Moreover, Administration notes that, due to the size of the subject property (greater than 1.0 ha in area), it is entitled to an accessory dwelling. Accordingly, concerns around the potential conversion of the structure in future are lessened as doing so – provided no other dwelling unit is constructed in the interim – would be compliant with the Zoning Bylaw (compliance with Building Code requirements for habitable use is unknown).

Administration notes that the structure is situated within an Environmentally Sensitive Development Permit (ESDP) Area, and modifications necessary to achieve compliance may result in additional site disturbance that could otherwise be avoided.

Alternative:

Conversely, Administration notes that the requested variances would increase both the permitted floor area and number of bathroom facilities beyond the limits established by the Zoning Bylaw for accessory structures.

Administration also notes that options remain available to bring the structure into compliance, including reducing the size and number of bathroom facilities to conform with the bylaw requirements.

In the absence of a campground use on the property (which is not permitted by the current zoning), it is unclear why additional shower and bathroom space is required in an accessory structure.

Summary:

For these reasons outlined above, Administration supports the requested variances and is recommending approval.

Financial Implications:

Financial implications have been considered, and none were found.

Communication Strategy:

The proposed variances have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 4.44 ha in area and is bisected by Coalmont Road. The property is situated approximately 1.5 km southeast of Otter Lake and immediately north of the Tulameen River. The property is understood to contain one (1) cabin (1984), one (1) garage (1993), and an addition of a bedroom, ensuite, garage to an existing log home (1998).

The surrounding pattern of development is generally characterised by Small Holdings One (SH1) zoning to the northeast of the property and Large Holdings One (LH1) and Large Holdings Two (LH2) zoning to the north. Lands across the Tulameen River to the south comprise large undeveloped parcels zoned Agriculture Three (AG3).

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule '4' of the Regional District's Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on July 2, 2026. All comments received are included as a separate item on the Board's Agenda.

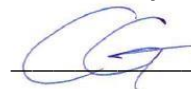
Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Mariane Frizzi

Mariane Frizzi
Planning Technician

Endorsed by:



C. Garrish
Senior Manager Planning

Endorsed by:

Liisa Bloomfield

L. Bloomfield
Acting MD, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo

No. 3 – Site Photo (2024)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo



Attachment No. 3 – Site Photo (2024)

