



VILLAGE OF HARRISON HOT SPRINGS

**BOARD OF VARIANCE
BYLAW NO. 1247, 2026**

WHY DO YOU NEED A BOARD OF VARIANCE BYLAW?

- Local governments in British Columbia that have adopted a zoning bylaw, as per Section 536 of the Local Government Act, are required to establish one or more Boards of Variance to provide a process for applicants seeking relief from certain provisions where compliance would cause undue hardship.
- A Board of Variance provides an alternative process to a Development Variance Permit for limited, hardship-based matters, particularly where the issue relates to the siting, size, or dimensions of Buildings or Structures.

ROLE OF THE BOARD OF VARIANCE

- Considers narrow, hardship-based requests
- Does not change permitted land uses or densities
- Does not defeat the intent of the Zoning Bylaw
- Keeps minor variance decisions separate from Council's broader land-use policy role

WHY IT MATTERS

A clear Board of Variance process supports:

- Procedural Fairness
- Consistency
- Transparency
- Legal Compliance
- Efficient Service Delivery
- Risk Management

BOARD OF VARIANCE BYLAW NO. 1247, 2026

SUMMARY

Bylaw No. 1247, 2026 includes the following:

- It establishes the membership of the Board of Variance (BoV)
- It lays out the application requirements
- It lays out the hearing procedures, and notice requirements
- It identifies the decision-making process, and record-keeping obligations for a local BoV



DEFINITIONS



Applicant

An individual or organization that formally applies to seek relief, due to hardship, including:

- Relief from the siting, size or dimensions of a Building or Structure
- Relief from tree regulation bylaws
- Relief from a Building Inspector's determination relating to a non-conforming use
- Relief from the Village's Subdivision servicing requirements

Board

means the Village of Harrison Hot Springs Board of Variance;

Board Clerk

means the individual appointed to perform the required tasks, pursuant to this Bylaw;

Hearing

means the Board of Variance meeting;

Village

means the Village of Harrison Hot Springs.

BOARD MEMBERSHIP

3 persons appointed by Council
3-year term

Not permitted to be on the Board:

- A member of Council
- A staff member of the Village
- A member of the Village's Advisory Planning Commission

Members elect a member to act as chair.

BOARD CLERK

- Appointed by the Chief Administrative Officer or their designate
- Contact point for the Board
- Provides administrative support
- Organizes Hearings, notices, agendas, minutes and records
- Board members receive the Hearing agenda, notice and application at least five working (5) days before the Hearing

APPLICATION AND NOTICE OF HEARING

Each Board application must include:

- Completed application form
- Site drawings or site plan
- Land Title Certificate, not more than 30 days old
- Explanation of the hardship and reasons for the Hearing
- Other information as required
- Required application fee
- Applicant's name and contact information

Notice

10 DAYS

At least ten (10) days before the scheduled Hearing

50 METRES

Notice to adjacent landowners or occupiers within 50 metres of the Lot

HEARINGS

LOCATION
Village office or Memorial Hall

PUBLIC
Hearings must be open to the public

PRESENTATIONS
Persons with an ownership, tenancy or other interest in the Lot may make a presentation

DECISION NOTICE
Decision provided to the Applicant within ten (10) days

QUORUM
Two (2) Board Members

DECISION
Majority vote

FINAL
Decision is final and binding

TECHNICAL SUPPORT
Village staff may act as a technical advisor; an external expert or professional may be required

REPEAL

Board of Variance Establishment Bylaw No. 810, 2004 and any amendments thereto are repealed upon adoption of Bylaw No. 1247, 2026.



VILLAGE OF HARRISON HOT SPRINGS

ZONING AMENDMENT BYLAW NO. 1246, 2026

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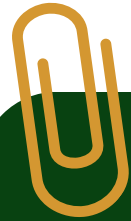
SUMMARY

The amendments include:

- Updating and adding definitions
- Updating terminology
- Clarifying current sections of the bylaw
- Minor adjustments to regulations
- Moving an enforcement requirement from a hardline requirement to a performance-based requirement



WHAT IS MEANT BY “HOUSEKEEPING”?



A housekeeping zoning amendment bylaw is a bylaw that makes minor technical, administrative, or clarifying amendments to an existing zoning bylaw to improve accuracy, consistency, interpretation, and usability, without generally changing the overall land-use policy direction.

What is Changing	Where in Current Bylaw	What the Amendment Does	Reason
Farmers' Market Definition	Definition Section, p. 8	Removes “ mobile Food Trucks and ” from the Farmers' Market definition	Council requested this deletion
Cannabis Terminology	Definition Section, p. 12	Replaces outdated “ Marihuana ” terminology with “ Cannabis ” and adds updated cannabis definitions	Align terminology with current federal terminology
Cannabis Uses	Section 3.3(b)(x), p. 26	Replaces “ Marihuana Dispensaries or Marihuana Operations ” with “ Cannabis Retail Stores or Cannabis Production ”	Update terminology
Backyard Chicken Coops	Section 3.3(b)(xiii), p. 26	Adds Backyard Chicken Coops as a prohibited use	Address neighbourhood health, safety and nuisance concerns
Agricultural Land Reserve	Section 3.5(c), p. 27	Adds a new provision addressing Cannabis Production on land within the ALR	Keep the bylaw current with ALR requirements
Intersection Sight Lines	Section 3.8, p. 28	Replaces the existing fixed sight line requirement with a performance-based visibility requirement	Move from a hardline to a performance-based approach
Cannabis Retail Stores & Production	Section 4.1, p. 33	Updates the section from Marihuana terminology to Cannabis and sets out Cannabis Retail Store and Cannabis Production provisions	Align terminology with current federal terminology
Existing Section 4.4.2(e)	Section 4.4.2(e), p. 35	Removes the existing provision in its entirety and re-letters the remaining subsections	No longer required under the performance-based enforcement approach
Cannabis Production Terminology	Section 4.5(a)(x), p. 36	Replaces “ Medical Marihuana Facilities ” with “ Cannabis Production ”	Align terminology with current federal terminology
Parking Cash-in-Lieu	Section 6.2(a)(ii), p. 43	Increases the amount from \$15,000 to \$42,500 per required parking space	Update the cash-in-lieu amount

Why the Change?

- Existing requirements may duplicate engineering standards.
- Sight triangles can require site-specific technical judgment and may be difficult to administer consistently.
- Fixed requirements may conflict with context-sensitive street design.
- Intersection visibility may be better addressed through site-specific professional review.

Overall approach:

- Move from a hardline enforcement concept to a performance-based concept.

TEXT AMENDMENTS - DEFINITIONS

Definitions Added

- “Backyard Chicken Coop”
- “Cannabis”
- “Cannabis Retail Store”
- “Cannabis Production”
- “Chicken”
- “Medical Cannabis”

Definitions Removed

- “Marihuana”
- “Marihuana Dispensary”
- “Marihuana Operation”
- “Medical Marihuana Production Facility”

Farmers’ Market

Remove:

- “mobile Food Trucks and”

KEY REGULATORY AMENDMENTS

Backyard Chicken Coops

Section 3.3 is amended by inserting:
“xiii) Backyard Chicken Coops.”

Agricultural Land Reserve

Update references to:
“Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019”

Sight Line Requirements

Section 3.8(a) is replaced with:
“Intersections must maintain adequate visibility for pedestrians, cyclists, and vehicles based on road classification, speed, and any engineering review.”

Cannabis Retail Stores and Cannabis Production

- a) Cannabis Retail Stores are a prohibited use in any Zone whether in a retail storefront format or through a non-profit compassion club, society or otherwise;
- b) Cannabis Production is a prohibited use in all Zones except where authorized by the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019 as amended from time to time.”

BACKYARD CHICKEN COOPS

Backyard chicken coops may raise neighbourhood health, safety and nuisance concerns, including:

- Noise
- Odour and sanitation
- Pests
- Animal welfare
- Public health
- Neighbour disputes
- Bylaw enforcement
- Predator and wildlife concerns
- Lot size and setback limitations

OTHER AMENDMENTS

Section 3.3(b)(x)

“any Marihuana Dispensaries or Marihuana Operations”
→ “any Cannabis Retail Stores or Cannabis Production;”

Section 3.5(c)

New provision addressing Cannabis Production on land within the Agricultural Land Reserve.

Section 4.4.2(e)

Removed in its entirety and remaining sections re-lettered accordingly.

Section 4.5(a)(x)

Remove:

“Medical Marihuana Facilities”

Insert:

“Cannabis Production”

Sections 6.2(a)(ii) and 6.2(a)(iii)

“2017” → “2026”

Parking Cash-in-Lieu | Section 6.2(a)(ii)

Current: \$15,000 per parking space

Proposed: \$42,500 per parking space

Basis for \$42,500:

\$16,000 construction cost

- \$26,000 estimated land component = \$42,500 per space