

Relevant Excerpts from
Electoral Area C Official Community Plan Bylaw No. 725
South Shuswap Zoning Bylaw No. 701

(See [Bylaw No. 725](#) and [Bylaw No. 701](#) for all policies and land use regulations)

Bylaw No. 725

12.1 Hazardous Lands Development Permit Areas (Steep Slope)

12.1.1 *Purpose*

The Hazardous Lands Development Permit Area is designated under the Local Government Act for the purpose of protecting development from steep slope hazardous conditions.

12.1.2 *Justification*

Whereas steep slopes pose a potential landslide risk, a Hazardous Lands Development Permit Area is justified so that DP guidelines and recommendations from qualified engineering professionals are utilised prior to development in steep slope areas in order to provide a high level of protection from ground instability and/or slope failure.

12.1.3 *Area*

All properties, any portion of which, contain slopes 30% or greater are designated as Hazardous Lands Development Permit Area (Steep Slope). These are referred to as 'steep slope' areas below. The CSRD requires a slope assessment of slope conditions as a condition of development permit issuance. Provincial 1:20,000 TRIM mapping, using 20m (66ft) contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.

12.1.4 *Exemptions*

A Hazardous Lands Development Permit is not required for the following:

- .1 A single storey accessory building with a gross floor area less than 10 m² (107.4 ft²) which are placed on slopes of less than 30%;
- .2 Non-structural **external** repairs or alterations exempted by the BC Building Code; or
- .3 Non-structural **internal** repairs or alterations exempted by the BC Building Code which do not create sleeping accommodations or bedrooms.

12.1.5 *Guidelines*

- .1 Whenever possible placement of buildings and structures should be considered first in non-steeply sloped areas, i.e. less than 30% slope;

- .2 In order to protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, development in steep slope areas is discouraged;
- .3 Occupant and public safety shall be the prime consideration of the qualified geotechnical professional and the CSRD prior to approval of development in steeply sloped areas; and,
- .4 Geotechnical reports from qualified geotechnical professionals must address best engineering practices in the field of geotechnical engineering and provide detailed recommendations. At the discretion of CSRD staff an independent third party review of the submitted report(s) may be undertaken.

Where steep slope areas are required for development, development permits addressing Steep Slopes shall be in accordance with the following:

For subdivision, either 12.1.5.5 or 12.1.5.6 applies:

- .5 Submission of a geotechnical report by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering.
 - a. The geotechnical report, which the Regional District will use to determine the conditions and requirements of the development permit, must certify that the land may be used safely for the use intended.
 - b. The geotechnical report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
 - c. The report should include the following types of analysis and information:
 - i. site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
 - ii. strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
 - iii. surface & subsurface water flows & drainage;
 - iv. vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
 - v. recommended setbacks from the toe and top of the slope;
 - vi. recommended mitigation measures; and
 - vii. recommended 'no-build' areas.
 - d. Development in steep slopes should avoid:
 - i. cutting into a slope without providing adequate mechanical support;
 - ii. adding water to a slope that would cause decreased stability;
 - iii. adding weight to the top of a slope, including fill or waste;
 - iv. removing vegetation from a slope;

- v. creating steeper slopes; and
 - vi. siting Type 1, 2 and 3 septic systems and fields within steep slopes.
- e. A Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.
- .6 Registration of a Covenant on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% and greater.

For construction of, addition to or alteration of a building or other structure:

Compliance with and submission of the relevant geotechnical sections of Schedule B-1, B-2 and C-B of the BC Building Code by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. A Covenant may be registered on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% or greater.

Bylaw No. 701

Section 1: Definitions

RETAINING STRUCTURE means a specific type of structure that is subject to lateral earth pressure, is laterally unsupported at the top and retains more than 1.2 meters of soil material at any point along its length, measured as the difference between the finished ground elevation at the top and bottom of the structure, and specifically excludes Landscape Retaining Structures and Retaining Structures which are part of and connected structurally to a Building.

LANDSCAPE RETAINING STRUCTURE means a specific type of retaining structure, the use or intended use of which is to hold back and resist, stabilize or support less than 1.2 meters of retained material, such as an earthen bank.

FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of retaining structures unless the retaining structure provides a level ground area that is a minimum of 1.2 m wide measured from the face of the building; or earth piled against the building with a slope of greater than 2:1 (horizontal to vertical).

HEIGHT is the vertical distance between the highest point of a building or structure and the lowest point of a building or structure where the finished ground elevation and the building meet, excluding localized depressions such as vehicle and pedestrian entrances to a maximum width of 6 m (19.69 ft.).

PARCEL LINE, FRONT means the parcel line that is the shortest parcel boundary common to the lot and an abutting *highway* or access route in a bare land strata plan, and where and in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot.

PARCEL LINE, REAR means the boundary of a parcel which lies the most opposite to and is not connected to the front parcel line, or, where the rear portion of the parcel is bounded by intersecting side parcel lines, it shall be the point of such intersection.

PARCEL LINE, SIDE means a parcel line other than a front parcel line or a rear parcel line.

SETBACK means the required minimum distance between a structure, building or use and each of the respective property lines.

Section 3: General Regulations

Setback Exceptions

3.5 No building or structure other than the following shall be located in the area of setback required in this Bylaw:

- .1 steps, provided they are not closer than 1m from any side parcel line;
- .2 signs, provided they are not closer than 1m from any parcel lines;
- .3 uncovered patios or terraces, provided they are not closer than 2 m from any parcel line;
- .4 arbors, trellises, fishponds, ornaments, flag poles, or similar landscaping, provided they are not closer than 1m from any side parcel line;
- .5 hot tubs and uncovered swimming pools provided they are not located between the principal building and the front parcel line or closer than 2 m from any other parcel line;
- .6 fences, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.7 Sight Triangles;
- .7 landscape screens;
- .8 eaves and gutters, provided they are not closer than 1 m from any parcel line.
- .9 *landscape retaining structures*, provided that such structures must be separated from each other by a minimum 1.5 m distance measured horizontally from the face (or from the toe of the upper wall to the top face of the lower wall, if the *landscape retaining structures* are not vertical) of each *landscape retaining structure* and specifically excludes *landscape retaining structures* proposed to be constructed adjacent to a Section 42 road, as defined in the Transportation Act, or in the sight triangle. Landscape retaining structures proposed to be located adjacent to a Highway must comply with Ministry of Transportation and Infrastructure regulations and may require the approval of that Ministry.

Section 15: LH –Large Holding Zone

Permitted Uses

15.1 The following uses and no others are permitted in LH zone:

- .1 single family dwelling;
- .2 agriculture;
- .3 bed and breakfast;
- .4 cottage, permitted only if there is less than two (2) single family dwellings on the property;
- .5 home business;
- .6 home industry, permitted only on parcels greater than 2 ha;
- .7 portable sawmill, permitted only on parcels greater than 10 ha and subject to the provisions of Section 3.14;
- .8 public utility;
- .9 building set apart for public worship;
- .10 public recreation facility;
- .11 public camping;
- .12 storage;
- .13 accessory use.

Regulations

COLUMN I MATTER TO BE REGULATED	COLUMN II REGULATIONS
.1 Maximum Number of Single Family Dwellings	2
.2 Maximum Number of Cottages	1
.3 Maximum height for: <ul style="list-style-type: none"> • Principal buildings and structures • Accessory buildings 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
.4 Minimum Parcel Size for New Subdivisions	8 ha
.5 Minimum Setback from: <ul style="list-style-type: none"> • front parcel line • exterior side parcel line • interior side parcel line • rear parcel line 	<ul style="list-style-type: none"> • 5 m • 4.5 m • 2 m • 5 m
Minimum Setback of Home Industry from All Parcel Lines	5 m
.7 Minimum Setback of Portable Sawmill from All Parcel Lines	75 m
.8 Maximum Site Area of Portable Sawmill	1 ha