

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-83

A bylaw to amend the "South Shuswap Zoning Bylaw No. 701"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 701;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 701;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

i. Section 1, Definitions is amended by:

Adding the following new definitions:

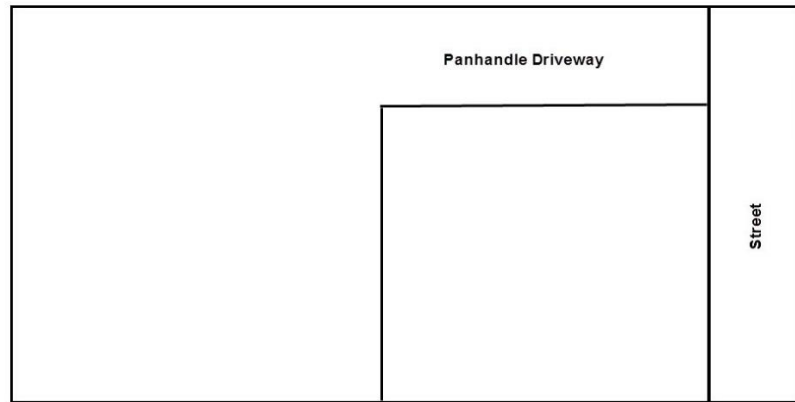
"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary*, that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition";

after the definition of "FINISHED GROUND ELEVATION";

"HABITATION means the support of life processes within a *building*, including, but not limited to, sleeping, eating, food preparation, waste elimination, personal cleaning, and rest and relaxation areas."

After the definition of "FLOOR AREA";

"LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the *highway* from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway*, as illustrated in the following drawing:



After the definition of “LANE”;

“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “PAD”; and,

“SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all *buildings structures* and improvements on a parcel.”

After the definition of “STRUCTURE”.

ii. Section 1, Definitions is further amended by:

a) replacing the existing definition of “WATERCOURSE” with the following:

“WATERCOURSE is a natural depression with banks and a bed of 0.6 m (1.97 ft.) or more below the surrounding land and 1 of the following, a) serving to give direction to a current of water for at least 6 months of the year, b) having a drainage area of 2 km² (494 ac.) or more, c) an area designated as a *watercourse* by the Province, and includes lake, pond, river, stream, creek, spring, ravine, swamp, and wetland;”.

b) replacing the existing definition of “PARCEL LINE, FRONT”, with the following:

“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.”

- iii. Section 3.18, Application of Floodplain Specifications is amended by:
- a) deleting Section 3.18, and replacing it with the following:
- “.1 A *building*, including a manufactured home or structure must not be constructed, reconstructed, moved or extended within a floodplain setback.
 - .2 The underside of any floor system or top of concrete slab supporting any space or room that is used for *habitation*, business, or the storage of goods that are susceptible to damage by floodwater, must be above the flood construction level.
 - .3 Where landfill or structural support or both are used to comply with subsection (2), they must be protected against scour and erosion from flood flows, wave action, ice and other debris and shall not extend within the flood plain setback.
 - .4 Furnaces and other fixed equipment susceptible to damage by floodwater must be above the flood construction level.
 - .5 The Manager of Development Services or their delegate requires that a *Surveyor Certificate* be submitted to them by the land and property owners to verify compliance with the flood construction level and flood plain setback specified in subsections 3.18.1, .2, .3, and .4.
 - .6 The following are exempted from the regulations of subsection .2 as they apply to the flood construction level:
 - .1 a renovation of an existing *building*, including a manufactured home or *structure* that does not involve an addition to the exterior of the *building*, manufactured home or *structure*;
 - .2 an addition to a *building*, manufactured home or *structure* of less than 25 percent of the *floor area* existing the date of adoption of this bylaw, provided that the degree of non-conformity is not increased;
 - .3 carport or domestic garage;
 - .4 a *building* used for *agriculture* excluding a closed-sided livestock housing and a *dwelling unit*, and
 - .5 a farm *dwelling unit* that is located both on a *parcel* 8.1 ha (20.01 ac.) or larger and within the Agricultural Land Reserve and provided:
 - (i) the underside of a wooden floor system;
 - (ii) the top of a concrete slab;
 - (iii) in the case of a manufactured home, the top of the pad; or;
 - (iv) the ground surface under an area used for *habitation*, is no lower than 1 m(3.28 ft.) above the natural ground elevation measured from the highest point on the

perimeter of the farm *dwelling unit* or no lower than the flood construction level, whichever is the lesser.

.7 The following are exempted from the requirements of sub-sections (1) and (2) as they apply to the flood construction level and floodplain setback:

- (a) a floating *building* or *structure*;
- (b) a dock or wharf;
- (c) a boat fueling use;
- (d) a fence constructed of wood or wire through which water can flow freely;
- (e) *flood proofing protection* works constructed to stabilize the shoreline of a *water body* or the banks of a *watercourse*;
- (f) a roof overhang or cantilevered deck with no footings within the setback area;
- (g) on-loading and off-loading facilities associated with water-oriented industry and portable sawmills;
- (h) ground level patios;
- (i) detached *accessory building* that do not include *habitation*;
- (j) exterior stairway not forming part of a building or attached in any way to another structure, provided it does not extend below the parcel boundary, or the natural boundary;
- (j) electrical or mechanical equipment not susceptible to damage by floodwater; and,
- (k) storage of goods not damageable by flood waters.”

.8 Buildings or structures constructed within District Lot 6483, K.D.Y.D. and as permitted in Modification Agreement No. 0251702 to Lease 344987 are exempted from the requirements of 3.17 as it pertains to the Flood Construction Levels and Floodplain Setbacks

.9 Buildings or structures constructed within District Lot 6021, K.D.Y.D., as permitted by Provincial Lease 333195 are exempted from the requirements of 3.17 as it pertains to the Flood Construction Levels and Floodplain Setbacks.”

iv. Section 3.5, Setback Exceptions is amended by:

a) Replacing Section 3.5.9 with the following:

“.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.”

v. Section 3 General Regulations is amended by:

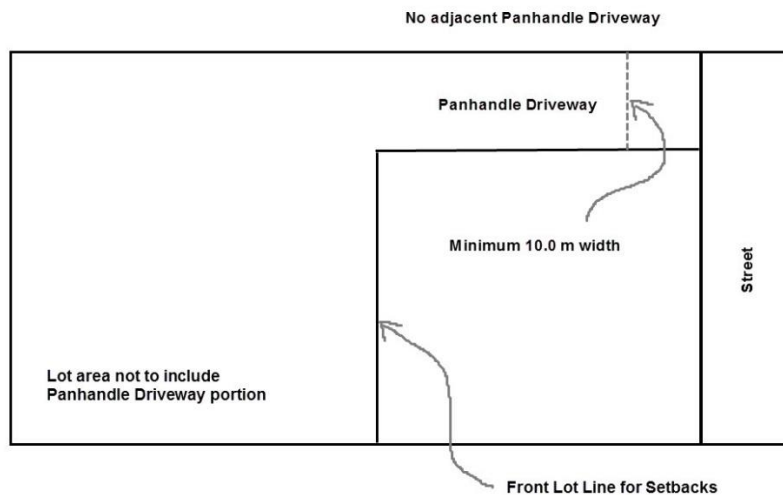
a) Adding a new section 3.20 titled Subdivision Regulations for Panhandle Lots, as follows:

“SUBDIVISION REGULATIONS FOR PANHANDLE LOTS

3.120 Where a subdivision application proposes to create a *panhandle lot* the *panhandle lot* must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum parcel size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.

As illustrated in the following drawing:



2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-83."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this ____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Corporate Officer

Chair

Certified true copy of Bylaw No. 701-83
as read a third time.

Certified true copy of Bylaw No. 701-83
as adopted.

Corporate Officer

Corporate Officer

