



BOARD REPORT

TO:

Chair and Directors

File No:	BL 825-34
	BL 800-26
	BL 650-11
	BL 2064
	BL 701-83

SUBJECT:

Electoral Areas C, E, and F: Housekeeping Amendments – Floodplain Management, Intersection Sightlines, and Panhandle Lots (CSR District Zoning Bylaws)

DESCRIPTION:

Report from Dan Passmore, Senior Planner, dated August 16, 2017.

RECOMMENDATION

#1:

THAT: "Scotch Creek Zoning Amendment (CSR District) Bylaw No. 825-34" be read a third time, as amended, this 21st day of September, 2017;

RECOMMENDATION

#2:

THAT: "Scotch Creek Zoning Amendment (CSR District) Bylaw No. 825-34" be adopted this 21st day of September, 2017;

RECOMMENDATION

#3:

THAT: "Magna Bay Zoning Amendment (CSR District) Bylaw No. 800-26" be read a third time, as amended, this 21st day of September, 2017;

RECOMMENDATION

#4:

THAT: "Magna Bay Zoning Amendment (CSR District) Bylaw No. 800-26" be adopted this 21st day of September, 2017;

RECOMMENDATION

#5:

THAT: "Anglemont Zoning Amendment (CSR District) Bylaw No. 650-11" be read a third time, as amended, this 21st day of September, 2017;

RECOMMENDATION

#6:

THAT: "Anglemont Zoning Amendment (CSR District) Bylaw No. 650-11" be adopted this 21st day of September, 2017;

RECOMMENDATION

#7:

THAT: "Rural Sicamous Land Use Amendment (CSR District) Bylaw No. 2064" be read a third time, as amended, this 21st day of September, 2017;

RECOMMENDATION

#8:

THAT: "Rural Sicamous Land Use Amendment (CSR District) Bylaw No. 2064" be adopted this 21st day of September, 2017;

RECOMMENDATION

#9:

THAT: "South Shuswap Zoning Amendment (CSR District) Bylaw No. 701-83" be read a third time, as amended, this 21st day of September, 2017;

RECOMMENDATION

#10:

THAT: "South Shuswap Zoning Amendment (CSR District) Bylaw No. 701-83" be adopted this 21st day of September, 2017;

SHORT SUMMARY:

Amendments are proposed to the floodplain management provisions of Anglemont Zoning Bylaw No. 650, Magna Bay Zoning Bylaw No. 800, Scotch Creek/Lee Creek Zoning Bylaw No. 825, Rural Sicamous Land Use Bylaw No. 2000, and South Shuswap Zoning Bylaw No. 701. The proposed amendments would change the location of measurement for floodplain setbacks in Bylaw Nos. 650, 800, 825 and 2000 from the natural boundary of Shuswap Lake to the 348.3 m GSC datum and edit the list of exemptions for structures that are not required to meet the floodplain setback and flood construction level in all of the bylaws so that the regulations are consistent for all areas. General housekeeping amendments are also proposed for the floodplain management sections of these bylaws.

Staff had amended the bylaws to include additional exemptions from the floodplain setbacks, such as, detached accessory buildings that are not used for human habitation, electrical or mechanical equipment, stairways not connected to other structures, and storage of goods not damageable by floodwater. Also included was the addition of regulations for subdivision of panhandle lots to the bylaw amendments.

The Board gave Bylaws No. BL 825-34, BL 800-26, BL 650-11, BL 2064, and BL 701-83 first readings at the March 17, 2016 regular meeting, and directed staff to utilize the simple consultation process. No development notice was required to be posted in accordance with Development Services Procedures Bylaw No. 4001. Staff had referred the bylaws to affected Ministries, agencies and First Nations and comments received have been summarised in previous reports. The Board gave the bylaws second reading, as amended, at the June 15, 2017 regular meeting and delegated Public Hearings.

A Public Hearing for Bylaws No. BL 2064 and BL 701-83 was held August 10, 2017 and a Public Hearing for Bylaws No. BL 825-34, BL 800-26, and BL 650-11 was held August 15, 2017. It is now appropriate for the Board to consider the results of the Public Hearings and consider the bylaws for third readings and adoption.

The Bylaws have been amended to clarify the definition of "Habitation" so that it only has application to structures contemplated within an area subject to floodplain specifications.

VOTING:	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
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BACKGROUND:

See attached Report dated April 12, 2017.

POLICY:

Staff presented applicable floodplain regulations from each Zoning Bylaw proposed to be amended in the report previously viewed by the Board, at the March 17, 2016 regular meeting. There are no current regulations included in any of the Bylaws proposed to be amended that regulate panhandle lots. Visual clearance regulations at intersections are only currently within South Shuswap Zoning Bylaw No. 701.

FINANCIAL:

These bylaw amendments are not the result of bylaw enforcement action. There are no financial implications associated with this bylaw amendment.

KEY ISSUES/CONCEPTS:

See attached Report dated April 12, 2017.

An amendment is being proposed to the Bylaws to narrow the definition of habitation so that it only has application for development that is occurring within areas subject to the floodplain specifications.

This clarification is necessary to ensure that property owners seeking to build accessory buildings elsewhere, have some flexibility in the amenities they are allowed to construct within the accessory building. The proposed amendments provide clarification only, and do not impact on use or density, and fall within the scope of amendments allowed in Section 470 of the *Local Government Act* which states that after a public hearing, the regional board may, without further notice or hearing, adopt or defeat the bylaw, or alter and then adopt the bylaw provided the alteration does not alter the use, increase the density, or without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

SUMMARY:

Staff is recommending that the Board consider the public input, that the bylaws be given third reading as amended, and that the bylaws be considered for adoption.

IMPLEMENTATION:**Consultation Process**

Considering the minor and technical nature of these amendments, as per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board. Property owners first became aware of these bylaw amendments when a notice was placed in the newspapers regarding the public hearings.

Public Hearing – August 10, 2017

The delegated Public Hearing for Bylaws No. BL 2064 and BL 701-83 was held Thursday August 10, 2017, at the CSRD Boardroom in Salmon Arm. One member of the public attended. Please see the attached Public Hearing notes for details about public input. No correspondence was received.

Public Hearing – August 15, 2017

The delegated Public Hearing for Bylaws No. BL 825-34, BL 800-26, and BL 650-11 was held August 15, 2017 at the Scotch Creek Firehall/Community Hall in Scotch Creek. 8 members of the public attended. Please see the attached Public Hearing notes for details about public input. No correspondence was received.

COMMUNICATIONS:

Staff advertised and held the delegated Public Hearings in accordance with the Local Government Act. If the Bylaws are given third reading and adopted, CSRD staff will amend Bylaws No. 650, 800, 825, 701, and 2000, which will be posted on the CSRD website and copies will be provided to the Directors and Electoral Area C APC.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:


1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*

3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

Report Approval Details

Document Title:	2017-09-21_Board_DS_Floodplain_CSRD.docx
Attachments:	<ul style="list-style-type: none">- 2017-06-15_Board_DS_FloodplainAmendments_CSRD.pdf- PH_Notes Aug10-2017.pdf- PH_Notes Aug15-2017.pdf- Bylaw 650-11 Thirdasamended.pdf- Bylaw 800-26 - Thirdasamended.pdf- Bylaw 825-34 - Thirdasamended.pdf- Bylaw 2064 Thirdasamended.pdf- Bylaw 701-83 Thirdasamended.pdf
Final Approval Date:	Sep 11, 2017

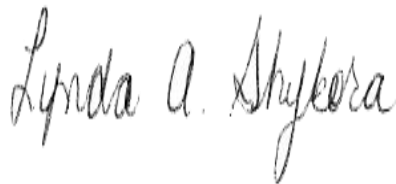
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Sep 8, 2017 - 2:49 PM



Gerald Christie - Sep 10, 2017 - 3:23 PM



Lynda Shykora - Sep 11, 2017 - 4:00 PM



Charles Hamilton - Sep 11, 2017 - 4:20 PM