



# BOARD REPORT

**TO:**

**Chair and Directors**

**File No:**

BL 830-18  
BL 800-30  
PL20170079

**SUBJECT:**

Electoral Area F Official Community Plan Amendment (Isley) Bylaw No. 830-18, Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner dated May 12, 2017.  
6929 Squilax-Anglemont Road and 2556 McClaskey Road, Magna Bay.

**RECOMMENDATION  
#1:**

THAT: "Electoral Area F Official Community Plan Amendment (Isley) Bylaw No. 830-18" be read a first time this 15<sup>th</sup> day of June, 2017;

AND THAT:

the Board utilize the simple consultation process for Bylaw No. 830-18 and it be referred to the following agencies and First Nations:

- Interior Health;
- Ministry of Forests, Lands and Natural Resource Operations - Archaeology Branch;
- CSR D Operations Management; and,
- Relevant First Nations Bands and Councils.

**RECOMMENDATION  
#2:**

THAT: "Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30" be read a first time this 15<sup>th</sup> day of June 2017;

AND THAT:

the Board utilize the simple consultation process for Bylaw No. 800-30 and it be referred to the following agencies and First Nations:

- Interior Health;
- Ministry of Forests, Lands and Natural Resource Operations - Archaeology Branch;
- CSR D Operations Management; and,
- Relevant First Nations Bands and Councils.

**SHORT SUMMARY:**

The applicant has submitted an application to re-designate and rezone the subject properties, to allow a subdivision of the land, and to permit the use of proposed Lot 1 to be changed to construct a "Toy Storage" facility as well as to allow outdoor storage of recreational vehicles and boats and trailers. Proposed Lot 2 would be rezoned to IG Industrial Gravel Processing to allow an expansion of the existing gravel extraction operation. Magna Bay Zoning Bylaw No. 800 currently has no zone where this use is permitted and no adequate definition for the permitted use. To accomplish this, staff are proposing a new CDF 2 Comprehensive Development 2 zone.

---

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

---

**BACKGROUND:**

PROPERTY OWNERS: Robert and Evelyn Isley/Jemco Excavating Ltd.

APPLICANT: Greg Darroch

ELECTORAL AREA: F

CIVIC ADDRESS: 6929 Squilax-Anglemont Road, and 2556 McClaskey Road, Magna Bay

LEGAL DESCRIPTION: Part W1/2 of the NW 1/4, Section 17, Township 23, Range 9, W6M, KDYD, Except Plan B7633 (PID: 014-009-552)  
Lot 1, Section 18, Township 23, Range 9, W6M, KDYD, Plan KAP56704 (PID: 023-385-243)

SIZE OF PROPERTY: 30.53 ha (79.3 ac)  
4.24 ha (10.48 ac)

DESIGNATION: Electoral Area F Official Community Plan Bylaw No. 830  
RSC Rural and Resource  
RR Rural Residential

ZONE: Magna Bay Zoning Bylaw No. 800  
A – Agriculture  
IG – Industrial Gravel Processing

CURRENT USE: Ross Creek General Store and Campground/Gravel Pit/Vacant

PROPOSED USE: Toy Storage, Gravel Pit

SURROUNDING LAND USE PATTERN:  
North: Gravel Pit  
South: Rural Residential  
East: Agricultural/Rural Resource/Rural Residential  
West: Residential/Resort Campground

**POLICY:**

See attached Policy and Zoning information.

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:****Proposed Subdivision:**

The applicant has applied to subdivide the subject properties. The current zoning would not support the subdivision proposal as the proposed lots do not meet the minimum parcel size requirements. The subdivision would separate existing Part W1/2 of the NW 1/4, Section 17 south of Ross Creek which currently is where the Ross Creek General Store and Campground is located, from the remainder of the property north of Ross Creek. North of Ross Creek proposed Lot 1 would gain highway access from McClaskey Road via a long panhandle driveway through current Lot 1, Plan KAP56704. A small portion of Lot 1, Plan KAP56704 in its southeast corner, would be used for a caretaker residence and serve as security control in and out of the main portion of the proposed Lot 1 for the proposed Toy Storage facility. Proposed Lot 2 would be a consolidation of the remainder of the portion of Part W1/2 of the NW 1/4, Section 17 north of Ross Creek, with the remainder of Lot 1, Plan KAP 56704.

A plan showing the proposed plan of subdivision has been included in the Maps attachment to this report for reference.

**Proposed Use**

The use contemplated for proposed Lot 1 is unique to Magna Bay Zoning Bylaw No. 800, and therefore staff are proposing to include a new definition describing the use as follows:

TOY STORAGE is the *commercial* use of land, *buildings* and structures to provide separate, individual self-storage units inside a *building*, each with a separate entrance designed to be rented or leased to the general public for private storage of personal goods, materials or equipment but which does not include commercial use of the individual storage units.

The applicant runs 2 businesses in the area with similar uses, Boys with Toys Storage in Sicamous, and Scotch Creek Mini Storage in Scotch Creek.

Staff are also proposing to include a definition to describe commercial use, as follows:

COMMERCIAL is an occupation, service, employment or enterprise that is carried on for gain or monetary profit by any individual, business or organization.

Proposed Lot 2 is proposed to be rezoned from A – Agriculture to IG – Industrial Gravel Processing to reflect that it is partially currently being used as a gravel pit. Rezoning to IG is supported by the OCP as it has been designated as Rural and Resource. It is anticipated that the owner will expand his gravel extraction operation further onto this property in the future. The IG zone allows the following permitted uses:

- Sand and gravel processing

- Concrete batching
- *Accessory use*, except asphalt batching

**Proposed CDF -2 Zone**

The CDF – 2 zone will be unique to proposed Lot 1 and is proposed to contain 2 separate Development Areas. Development Area 1 is for the storage facility buildings and will also allow for outdoor storage of recreational vehicles and boats and trailers. The individual storage facility buildings, would be restricted from use by commercial business operations. Development Area 2 will be where a caretaker residence will be located together with the main security gate with card-lock access to the storage facility.

**Access:**

Access to the proposed storage facility will be from McClaskey Road through the proposed panhandle driveway portion of proposed Lot 1. Proposed Lot 2 fronts on McClaskey Road, where there is an existing access as well as an access from the north from Charleson Road.

**Sewer Servicing and Drinking Water**

The Toy Storage buildings will feature a central washroom facility, while the caretaker residence will be a full time residential use. The applicant has provided no details to this point of proposed servicing.

No options exist in the area for either Community Water or Sewer servicing to the property, so all servicing will need to be on-site. Site servicing options will impose constraints on the physical features available within the storage buildings.

**Storm Drainage**

The applicant has provided no information with respect to on-site storm drainage.

**Riparian Area Regulation Issues/History**

As a condition of the rezoning of the part of the property south of Ross Creek for the Ross Creek General Store and Campground, the property owner applied for a Development Permit (DP 830-45). DP 830-45 was issued for RAR and for flood hazard issues concerning Ross Creek. The applicant had a Riparian Area Assessment Report (RAAR) completed by a Qualified Environmental Professional (QEP), dated March 29, 2011, by Bill Rublee, R.P.Bio. of Triton Environmental Consultants Ltd. Use of the area for boat and trailer storage will be outside of the established Streamside Protection and Enhancement Area (SPEA) of 30.0 m for Ross Creek. Staff have included buffer requirements within the new CDF 2 zone which will protect the SPEA.

**Temporary Use Permit 830-2**

The Board just considered and approved issuance of a Temporary Use Permit (No. 830-2) for a small portion of proposed Lot 1 for a parking area for boats and trailers, for use by guests of the adjacent Magna Bay Resort. The proposed rezoning would also include outdoor storage of recreational vehicles and boats and trailers as a principal use.

**Buffers**

Staff has included in the proposed new zone the requirement for a buffer to screen the proposed storage facility from adjacent residential properties.

**Ross Creek**

The lands proposed to be rezoned fall within the Ross Creek Flooding and Debris Flow Hazard Lands Development Permit Area. Prior to subdivision of the property, as proposed and construction of the proposed storage buildings, the applicant will be required to have a Development Permit issued. The applicant has already hired an Engineering firm to provide a report on the potential hazard.

**OCP Bylaw No. 830**

The property intended for the toy storage facility is just outside of the Secondary Settlement Area, and the use is a commercial type of use, staff have required the applicant to submit an application to re-designate proposed Lot 1 to Secondary Settlement Area. The Secondary Settlement Area does not require a form and character Development Permit, for commercial development.

**SUMMARY:**

The applicant has applied to re-designate and rezone the subject properties to support a subdivision proposal and to allow for the use of proposed Lot 1 for a Toy Storage operation.

Staff is recommending that the Board can consider the OCP amendment bylaw for first reading for the following reasons:

- Residential zones in the Magna Bay Zoning Bylaw No. 800 and Anglemont Zoning Bylaw No. 650 limit Accessory Building floor areas to 55 m<sup>2</sup>.
- Topography in the Magna Bay and Anglemont areas severely restrict property owner's ability to construct accessory buildings on a large number of properties.
- Topography in these areas also restrict access to the areas of properties where these kind of structures would typically be located.
- Geotechnical and slope stability considerations severely impact on an owners feasibility of constructing an accessory building. Further, construction of large accessory buildings could lead to additional slope stability issues.
- Seasonal use of properties in Magna Bay and Anglemont create security issues for property owners wanting to use their properties for storage of recreational vehicles and boats.
- Many owners in the area only have recreational properties with no ability to construct this kind of secured storage on site.
- A centralized secure storage facility will reduce the pressure on existing residential areas to support construction of larger and more elaborate accessory buildings.
- The use of the facility is limited to storage and no other more commercial uses will be permitted on the site.

Staff are also recommending that the Board can consider the rezoning amendment bylaw and directing staff to forward both bylaws to referral agencies and First Nations.

**IMPLEMENTATION:****Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the property.

## **COMMUNICATIONS:**

### **Referral Process**

The following list of referral agencies is recommended:

- Interior Health Authority – Community Care Licensing
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management; and,
- All relevant First Nations.
  - Adams Lake Indian Band
  - Little Shuswap Indian Band
  - Neskonlith Indian Band
  - Coldwater Indian Band
  - Cooks Ferry Indian Band
  - Esh-kn-am Cultural Resources Management Services
  - Lower Similkameen Indian Band
  - Nlaka'pamux Nation Tribal Council
  - Okanagan Indian Band
  - Okanagan Nation Alliance
  - Penticton Indian Band
  - Siska Indian Band
  - Splots'in First Nation

## **DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

## **BOARD'S OPTIONS:**

1. *Endorse the Recommendation. Bylaw No. 830-18 and 800-30 will be given first reading and sent out to referral agencies.*
2. *Deny the Recommendation. Bylaw No. 830-18 and 800-30 will be defeated.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

## **LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. List reports

**Report Approval Details**

Document Title:	2017-06-15_Board_DS_BL800-30_Isley.docx
Attachments:	- APPENDIX-A-Policies.docx - BL800-30-Report Attachments.docx - BL830-18 First.docx - BL800-30-First.docx
Final Approval Date:	Jun 7, 2017

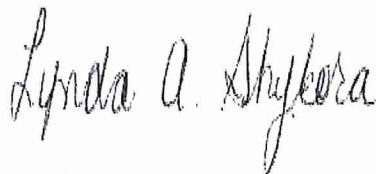
This report and all of its attachments were approved and signed as outlined below:



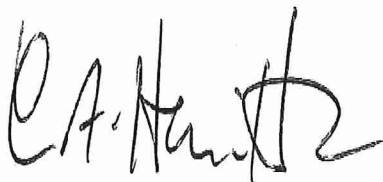
**Corey Paiement - Jun 2, 2017 - 9:54 AM**



**Gerald Christie - Jun 5, 2017 - 7:35 AM**



**Lynda Shykora - Jun 7, 2017 - 9:47 AM**



**Charles Hamilton - Jun 7, 2017 - 10:31 AM**

## APPENDIX 'A'

### Applicable OCP Policies and Zoning Regulation

#### **Electoral Area 'F' Official Community Plan Bylaw No. 830**

##### **2.4 Hazardous Areas**

###### Objective 1

To identify natural and human-made hazardous conditions, and closely regulate any new development in these areas.

###### Policy 1

Development within an identified or suspected hazardous area or down slope from a hazardous area is generally discouraged and encouraged to be re-sited.

###### Policy 2

Where re-siting of the development is not feasible, low intensity uses, such as natural areas, park or agriculture, should locate in or adjacent to hazardous areas, and higher intensity uses should locate away from these areas.

###### Policy 3

At the time of subdivision, the Regional District may recommend that the Approving Officer request information regarding flooding, erosion, landslip or rockfall and place a restrictive covenant on affected areas to minimize damage and to warn future property owners of a potential hazard.

###### Policy 4

Where the hazard area falls within a Development Permit Area, development proposals are required to meet those guidelines.

##### **Section 7 A More Diversified Economy**

A vibrant economy with year-round employment is important to residents of the North Shuswap.

###### Objective 1

To support traditional resource employment sectors in the North Shuswap, including forestry, mining, and agriculture.

###### Objective 2

To develop the North Shuswap into a year-round tourist destination, with a focus on eco-tourism.

###### Objective 3

To ensure there are opportunities for residents to work from their homes.

##### **7.1 Economic Diversity**

###### Policy 1

The Regional District will work with the North Shuswap business community to develop a long-term economic development strategy that focuses solely on the needs of the North Shuswap.



Economic diversification should be a major component of any economic development strategy. Local banking should also be encouraged.

## **7.2 Resource Industries**

### **Policy 1**

The Regional District, in consultation with the North Shuswap community, will develop a strategy to facilitate the production of valued-added forest and agricultural projects through such measures as small scale related processing facilities and limited direct resource sales.

### **Policy 2**

The Regional District will be guided principally by the Okanagan–Shuswap Land and Resource Management Plan and relevant CSRD and Provincial BC policies/regulations.

### **Policy 3**

The Board will consider creating a Soil Removal and Deposit Bylaw to regulate and require permitting for new gravel extraction and other similar uses.

## **7.3 Tourism**

### **Policy 1**

The Regional District will support the vision of the Shuswap Tourism Development Plan (March 2010) which includes the following components:

#### **Green and Sustainable**

- eco-friendly
- pristine lakes
- controlled backcountry access
- integrated land use

#### **Four Season Destination**

- world-class service
- authentic experiences
- destination recognition
- agri-tourism
- diverse accommodation options

#### **Regional Cooperation**

- collaborating communities
- tourism awareness
- strong sense of community
- Superhost community

#### **Embracing Culture & Sport**

- expanded events
- sport tourism
- family-oriented
- multi-cultural

#### **Quality Infrastructure**

- gateway visitor centres
- quality highways
- transit options
- scheduled air service
- quality recreation amenities

## **10.4 Stormwater Management**

### **Objective 1**

To encourage responsible storm water drainage for development in the North Shuswap.

### **Policy 1**

Landowners are encouraged to use pervious surfaces on driveways, parking lots and access roads, as well as to take other measures such as xeriscaping, infiltration basins, and green roofs in order to reduce overland runoff.

### **11.1 General Land Use**

The policies of this Plan aim to protect the rural character of the North Shuswap, yet allow modest growth in areas that are, or will be, serviced by community water and sewer systems.

By directing growth to the Settlement Areas, there will be less impact on the rural and natural areas of the community, thereby protecting agricultural land and natural habitat, and preserving the area's highly valued rural character. This settlement pattern will also facilitate shorter vehicle trips, as well as encourage more walking, bicycling and, potentially, the introduction of public transit.

The land use designations of this Plan generally reflect the present pattern of land use in which residential, commercial and public uses are concentrated in settlement areas, leaving most of the land for forestry, agriculture, and other resource uses. This plan identifies one Primary Settlement Area (Scotch Creek) and six Secondary Settlement Areas. The term Primary Settlement Area is synonymous with Scotch Creek in this plan and should be interpreted as referring to the same area.

#### **Objective 1**

To be thoughtful and careful stewards of the lands and waters of the North Shuswap to ensure that future generations will appreciate and benefit from wise choices made by today's elected decision-makers.

#### **Objective 2**

To direct growth and development in an organized and desirable manner, reinforcing established settlement patterns and discouraging development outside these settled areas.

#### **Objective 3**

To provide a clear separation between rural and non-rural lands to preserve both rural and non-rural lifestyle choices.

#### **Objective 4**

To ensure that public infrastructure, community amenities and utilities are planned and implemented in advance of development.

#### **Objective 5**

To ensure that land use and development will not negatively affect environmental features and functions, both inside and outside of settlement areas.

#### **Policy 1**

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

#### **Policy 2**

Except in exceptional situations, no public funds will be expended for the capital cost of extending servicing of water, sewer, and stormwater/rainwater systems to lands outside the Settlement Areas.

#### **Policy 3**

Scotch Creek is the Primary Settlement Area. The Regional District will encourage residential, commercial, and light industrial growth in Scotch Creek that is consistent with the policies of this plan. All new development must be connected to community water and sewer systems.

**Policy 4**

As the CSRD's resources allow, the Regional District will undertake a Local Area Plan for Seymour Arm, in full consultation with area residents and businesses.

**Policy 5**

Lee Creek, Celista, Magna Bay, Anglemont, St. Ives, and Seymour Arm are designated Secondary Settlement Areas. Low density residential and neighbourhood convenience commercial uses are appropriate in these Secondary Settlement Areas. All new development must be connected to community water and sewer services, except in Seymour Arm. The following land uses are generally acceptable in the Secondary Settlement Areas:

1. Detached and Duplex Residential
2. Recreational Residential
3. Commercial
4. Public and Institutional
5. Park and Protected Area
6. Foreshore and Water
7. Agriculture
8. Commercial Public Utility

**Policy 6**

Outside the boundaries of the Primary and Secondary Settlement Areas, the following uses are appropriate in certain locations.

1. Waterfront Residential
2. Public and Institutional
3. Park and Protected Area
4. Agriculture
5. Rural Residential
6. Rural and Resource
7. Foreshore and Water

**Policy 7**

Maintaining public views of Shuswap Lake is important. All development, regardless of its use or location, is limited to three storeys along Shuswap Lake. This height limit will be given a numerical value in the zoning bylaw.

**Policy 8**

The land use policies of this Plan will lead to review and revision to some aspects of the existing zoning bylaws. Where there are no zoning bylaws in place, the CSRD will prepare zoning bylaws. These activities will be undertaken in consultation with residents and landowners of Electoral Area 'F'.

## **11.4 Rural and Resource Lands (RSC)**

### ***Objective 1***

To support forestry, agricultural, mining and recreational uses provided they follow all Provincial regulatory requirements, and avoid conflicts with residential areas.

#### ***Policy 1***

The Rural and Resource land use designation is established on Schedules B & C.

*Policy 2*

Forestry, mineral, and aggregate extraction and outdoor recreational uses are appropriate in this area.

*Policy 3*

Lands designated as Rural and Resource should be maintained as large land parcels.

*Policy 4*

The Regional District encourages responsible land use practices on Rural and Resource lands:

Forestry should be managed in accordance with the Okanagan Shuswap Land and Resource Management Plan (OSLRMP). The Ministry of Forests, Lands and Natural Resource Operations is encouraged to use its regulatory authority to ensure that best management practices are followed by logging operations in order to minimize erosion and protect, to the greatest extent possible, the attractive viewscales associated with the natural tree cover in the area. There should be no clear-cutting of large tracts of forest land that are visible from Shuswap Lake.

Aggregate operations are subject to the licensing requirements of the Ministry of Energy and Mines. Aggregate operators must conduct their activities in accordance with the Aggregate Operators Best Management Practices Handbook for British Columbia which addresses specific community issues such as noise, dust, traffic, hours of operation, viewscales and sets out specific practices designed to minimize impact on the environment. Schedule E, showing the extent of aggregate potential, is sourced from the Ministry of Energy and Mines.

*Policy 5*

The Regional District encourages the Ministry of Energy and Mines to refer sand and gravel/quarry proposals to the Regional District and give due consideration to the impact of extraction and processing activities on surrounding land uses and developments. In particular, the Regional District encourages the Ministry not to issue new surface permits for sand and gravel/quarry processing near residential areas unless the applicant demonstrates how mitigation measures will minimize or nullify the effects of the proposed activity.

*Policy 6*

Resource extraction operations, including forestry and mining, are responsible for restoring the landscape upon completion of the operations.

**11.8 Secondary Settlement Areas (SSA)**

Detached, semi-detached and duplex

*Policy 1*

Detached, semi-detached and duplex housing forms are acceptable residential land uses in the Primary and Secondary Settlement Areas.

*Policy 2*

All new detached, semi-detached and duplex housing units with a density greater than 1 housing unit per 2.5 acres (1 unit per hectare) must be connected to both a community water system and a community sewer system.

*Policy 3*

Applicants for new, detached dwellings are encouraged to consider net density in the range of 3 to 5 units per acre (8 to 13 units per hectare). The zoning bylaw will establish additional conditions related to such matters as lot line setbacks, lot coverage and parking.

*Policy 4*

Applicants for new semi-detached and duplex dwellings are encouraged to consider net density in the range of 6 to 8 units per acre (15 to 20 units per hectare). The zoning bylaw will establish additional conditions related to such matters as lot size, lot coverage, setbacks, and parking.

Recreational Residential

Recreational Residential refers to recreational vehicles, modular homes and recreational cabins located in a park-like setting with shared amenities.

*Policy 1*

All development applicants for recreational residential development should demonstrate quality building design, attractive landscaped parking areas and road boulevards, and safe and attractive connections for pedestrians and cyclists to nearby areas.

*Policy 2*

Any proposal for recreational residential development should be encouraged to locate within the Primary or Secondary Settlement Areas.

*Policy 3*

New developments must be serviced by a community water and a community sewage system.

*Policy 4*

Applicants for new recreational residential dwellings are encouraged to consider a net density in the range of 10 to 12 units per acre (25 to 30 units per hectare).

**11.9 Rural Residential (RR)**

*Policy 1*

The Rural Residential land use designation is established on Schedules B & C. Detached dwellings are acceptable within the Rural Residential designation, provided they comply with the requirements of the zoning bylaw.

*Policy 2*

The maximum density permitted in the Rural Residential designation is 1 unit per hectare (0.4 units per acre).

*Policy 3*

Residential development in rural areas will provide the Regional District with the appropriate technical information about on-site sewage disposal and water servicing.

**11.10 Commercial (C)**

*Objective 1*

To encourage a range of commercial services that meets the needs of North Shuswap residents and tourists.

*Policy 1*

New commercial development is directed to Primary and Secondary Settlement Areas.

*Policy 2*

All new commercial development must be serviced by community water and sewer systems (except in Seymour Arm) and have provisions made for the appropriate management of storm water by the time of occupancy.

*Policy 3*

If requested by local businesses, the Regional District will assist in the development of a Scotch Creek Business Improvement Association to help improve the viability of businesses and the attractiveness of Scotch Creek as a destination.

*Policy 4*

Commercial land use policies for the Scotch Creek Primary Settlement Area are described in Section 12.

*Policy 5*

In Secondary Settlement Areas, a limited range of retail, business and professional services and community services that meet the daily needs of residents and tourists is acceptable.

**11.11 Major Destination Resort**

*Policy 1*

No area is designated as Major Destination Resort. Any proposal for a Major Destination Resort will be considered on its merits and will be required to undertake impact studies as part of the review process.

*Policy 2*

Major Destination Resort proposals should be directed to areas of least sensitivity. Any proposal will be sited and designed to avoid adverse impacts on nearby residential areas, existing commercial development, environmentally sensitive areas and fish habitat.

*Policy 3*

In light of the environmentally sensitive conditions associated with the foreshore of Lee Creek and the mouth of the Adams River, a Major Destination Resort is inappropriate in this area.

*Policy 4*

Major Destination Resorts are not supported in Seymour Arm.

*Policy 5*

Any Major Destination Resort must be connected to community water and sewer, and have provisions made for the appropriate management of storm water by the time of occupancy.

*Policy 6*

The applicant for a Major Destination Resort will be required to undertake impact studies as part of the review process and to satisfy relevant Development Permit requirements. Additionally, the CSRD will require the applicant to demonstrate how provision will be made for the housing of seasonal workers associated with the resort's operations.

**11.12 Public & Institutional (PI)**

*Policy 1*

Existing institutional uses, both public and private, are acknowledged by this Plan.

*Policy 2*

Public and private institutional uses are encouraged to locate in the Primary and Secondary Settlement Areas. Institutional uses include schools, health facilities, cemeteries, religious facilities, government offices, libraries, and community halls as well as infrastructure required for public utility systems.

**11.13 Parks and Recreation (PK)**

*Policy 1*

The Parks and Recreation designation includes federal, provincial, and regional parks, and associated park uses, as well as public and private recreation facilities.

**13.1 Hazardous Lands Development Permit Areas**

**13.1 (a) Purpose**

The Hazardous Lands DPA is designated under the Local Government Act for the purpose of protecting development from hazardous conditions. Three hazardous lands categories have been established under this permit area: (1) Flooding and Debris Flow, (2) Steep Slope and (3) Interface Fire.

**13.1 (b) Justification**

Whereas evidence of past flooding and debris flow exists on the watercourses named in the Area section that follows, whereas steep slopes pose a potential landslide risk and whereas interface fire pose a risk to life and property, a Hazardous Lands DPA is justified to:

- protect against the loss of life;
- minimize property damage, injury and trauma associated with flooding and debris flow events;
- ensure that development in steep slope areas is designed and engineered to provide a high level of protection from ground instability and/or slope failure; and
- plan and manage development in fire interface areas in a way that minimizes the risk of damage to property or people from interface fire hazards and mitigates interface fire hazards.



### **13.1.1 Hazardous Lands Development Permit Area 1 (DPA 1 Flooding and Debris Flow Potential)**

#### **13.1.1.(a) Area**

The area within 100 m (328 ft.) of Adams River, Corning Creek (a.k.a. Lee Creek), Hudson Creek, Onyx Creek, Ross Creek, Scotch Creek, and Seymour River is designated as Hazardous Lands DPA 1 (*Flooding and Debris Flow Potential*).

*[Note: Due to limited detailed hazard mapping, the CSRD may require additional lands to be investigated if evidence exists of flooding and debris flow potential beyond the 100 m (328 ft) that may impact or be impacted by the proposed development.]*

#### **13.1.1.(b) Guidelines**

To protect against the loss of life and to minimize property damage associated with flooding and debris flow events, the CSRD encourages low intensity uses, such as conservation (natural) areas, agriculture, park and open-space recreation, in flood susceptible lands.

Where flood and debris flow susceptible lands are required for development, the construction and siting of buildings and structures to be used for habitation, business or the storage of goods damageable by floodwaters shall be flood-proofed at a minimum to those standards specified by the Ministry of Environment's *Flood Hazard Area Land Use Management Guidelines*, or, if greater, to standards set out by a Qualified Professional registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC).

DPs addressing Flooding and Debris Flow Potential shall be in accordance with the following:

- .1 Prior to construction of, addition to or alteration of a building or other structure or prior to subdivision approval, the applicant shall submit a report, prepared by a qualified professional registered with the APEGBC with experience in geotechnical engineering and preferably also with experience in hydraulic engineering. The report, which the Regional District will use to determine the conditions and requirements of the DP, must certify that the "land may be used safely for the use intended" as provided under the Local Government Act.
- .2 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;
  - ii. inspections of up-stream channels and flood ways, including channel confinement and creek gradients;
  - iii. debris dams and characteristics, culverts;
  - iv. sources of alluvium (channels and eroded banks), protection of groundwater resources, and related hydrologic features, which are factors that may affect the field defined limit of flooding and related erosion and deposition, as well as the potential for debris torrents;
  - v. slope and stream profiles with documentation of slope stability, the limits and types of instability, should be indicated along with changes in stability that may be

- induced by forest clearing, and the mobilization and run out limits of debris in creeks; and
- vi. comments regarding cut and fill slope stability with reference to required surface or subsurface drainage, culverts, and special reference to the stability of fills required for steep gully crossings should be provided

- .3 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.

### **13.4 Riparian Areas Regulation (RAR) Development Permit Area**

#### **13.4.1 Purpose**

The RAR DPA is designated under the Local Government Act, and applicable provisions of the Community Charter for the protection of the natural environment, its ecosystems and biological diversity. The RAR regulations place considerable emphasis on Qualified Environmental Professionals (QEPs) to research established standards for the protection of riparian areas. The presence of the QEP, Ministry of Environment (MOE) and Department of Fisheries and Oceans in the review process reduces the extent to which the CSRD will be involved in the technical details of the permitting process. Essentially, the role of the QEP means that CSRD involvement is more administrative in nature.

#### **13.4.2 Area**

The RAR DPA is comprised of riparian assessment areas for fish habitat, which include all watercourses and adjacent lands shown on Provincial TRIM map series at 1:20,000, as well as unmapped watercourses.

As illustrated in Figure 13.1, the area comprises:

- o Within 30m (98.4 feet) of the high water mark of the watercourse;
- o Within 30m (98.4 feet) of the top of the ravine bank in the case of a ravine less than 60m (196.8 feet) wide; &
- o Within 10m (32.8 feet) of the top of a ravine bank for ravines 60 metres (196.8 feet) or greater in width that link aquatic and terrestrial ecosystems that exert an influence on the watercourse.

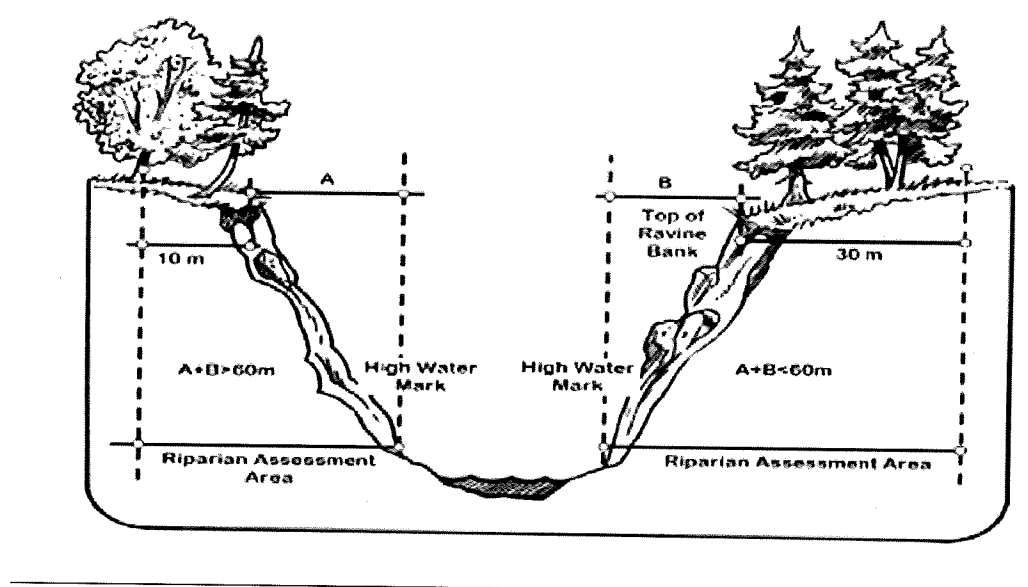


Figure 13.1

Unless the proposed development or alteration of land is clearly outside the riparian assessment area the location of the development shall be determined accurately by survey in relation to the RAR DPA to determine whether a DP application is required.

#### 13.4.3 Justification

The primary objective of the RAR DPA designation is to regulate development activities in watercourses and their riparian areas in order to preserve natural features, functions and conditions that support fish life processes. Development impact on watercourses can be minimized by careful project examination and implementation of appropriate measures to preserve environmentally sensitive riparian areas.

#### 13.4.4 Guidelines

(a) A DP is required, except where exempt for development or land alteration on land identified as a riparian assessment area within the RAR DPA. Development requiring a DP shall include, but may not be limited to, any of the following activities associated with or resulting from residential, commercial or industrial activities or ancillary activities, subject to local government powers under the Local Government Act:

- (i) Removal, alteration, disruption or destruction of vegetation within 30 m (98.4 ft) of a watercourse.
- (ii) Disturbance of soils within 30 m (98.4 ft) of a watercourse;
- (iii) Construction or erection of buildings and structures within 30 m (98.4 ft) of a watercourse;
- (iv) Creation of non-structural impervious or semi-impervious surfaces within 30 m (98.4 ft) of a watercourse.
- (v) Flood protection works within 30 m (98.4 ft) of a watercourse;
- (vi) Construction of roads, trails, docks, wharves and bridges within 30 m (98.4 ft) of a watercourse;

- (vii) Provision and maintenance of sewer and water services within 30 m (98.4 ft) of a watercourse;
- (viii) Development of drainage systems within 30 m (98.4 ft) of a watercourse;
- (ix) Development of utility corridors within 30 m (98.4 ft) of a watercourse; and
- (x) Subdivision as defined in the Land Title Act, and including the division of land into 2 or more parcels within 30 m (98.4 ft) of a watercourse.

(b) A DP may be issued once the following guidelines have been met:

- (i) Assessment by a QEP in accordance with the RAR established by the Provincial and/or Federal Governments; and
- (ii) Provincial notification that a QEP has submitted a report certifying that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides in their professional opinion that a lesser setback will not negatively affect the functioning of a watercourse or riparian area and that the criteria listed in the RAR has been fulfilled.

#### 13.4.5 *Exemptions*

The RAR DPA does not apply to the following:

- (a) Construction, alteration, addition, repair, demolition and maintenance of farm buildings;
- (b) Clearing of land for agriculture;
- (c) Institutional development containing no residential, commercial or industrial aspect;
- (d) Reconstruction, renovation or repair of a legal permanent structure if the structure remains on its existing foundation in accordance with provisions of the relevant section of the Local Government Act. Only if the existing foundation is moved or extended into a riparian assessment area would a RAR DPA be required;
- (e) An area where the applicant can demonstrate that the conditions of the RAR DPA have already been satisfied, or a DP for the same area has already been issued in the past and the conditions in the DP have all been met, or the conditions addressed in the previous DP will not be affected; and
- (f) Development to which RAR does not apply, as confirmed in writing by a QEP.

### **Magna Bay Zoning Bylaw No. 800**

#### **Section 5.2 Agriculture - A**

Permitted Uses

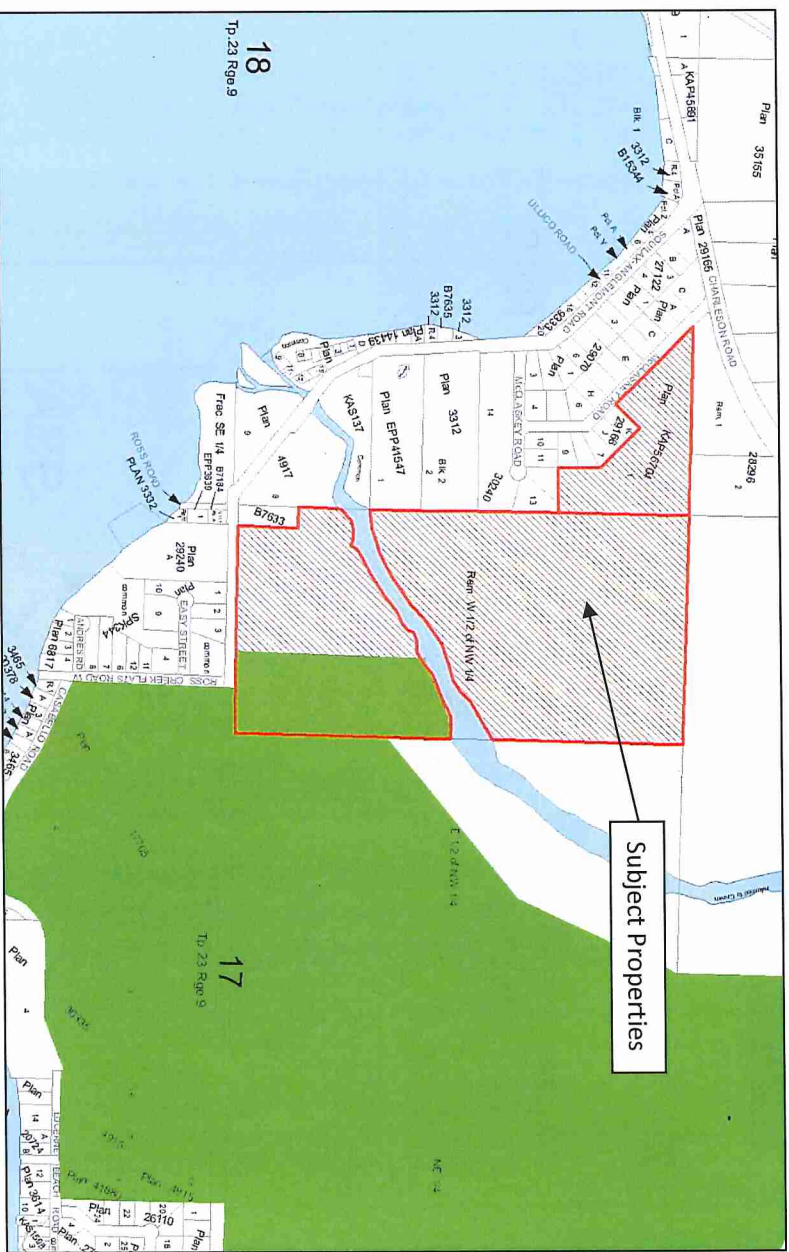
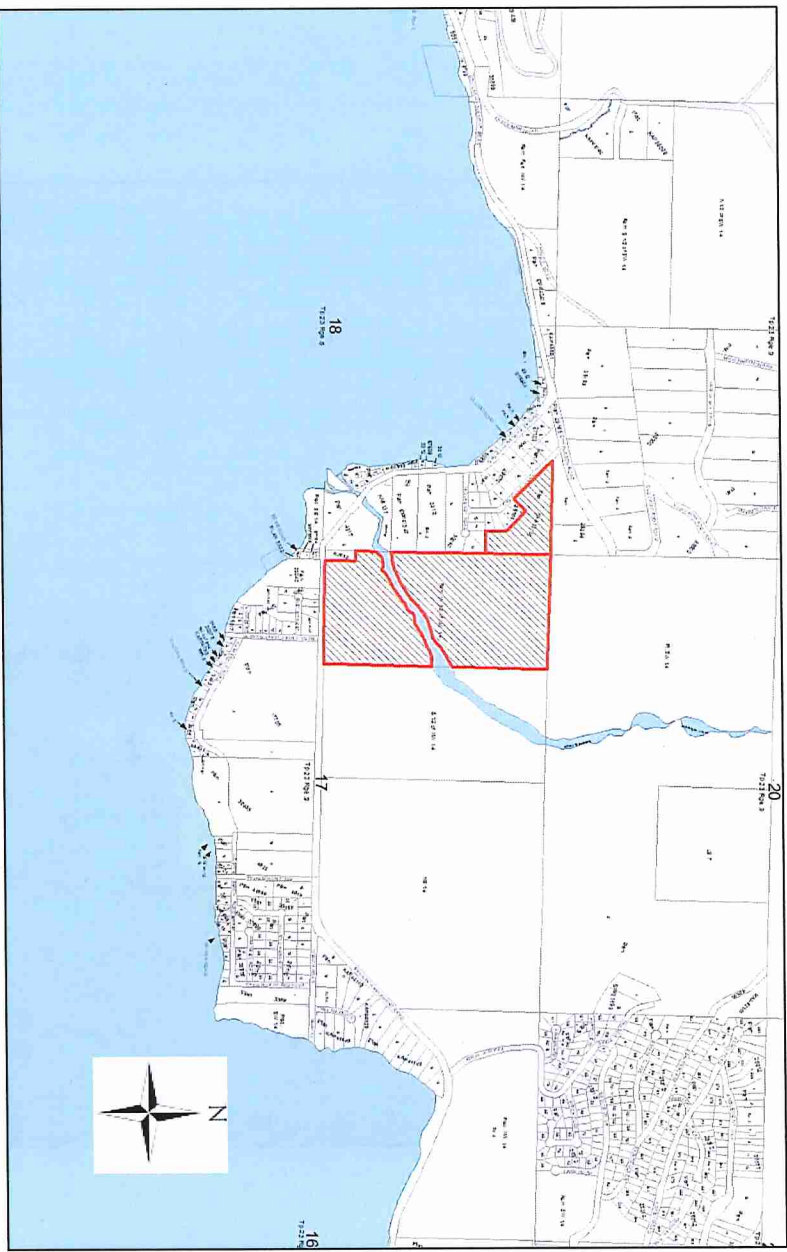
- (a) Agriculture
- (b) Aquaculture
- (c) Bed and breakfast, permitted on a parcel 1 ha (2.47 ac.) or larger.
- (d) Home business
- (e) Home industry, permitted on a parcel 4000 m<sup>2</sup> (0.99 ac.) or larger.
- (f) Kennel, permitted on a parcel 2 ha (4.94 ac) or larger. Buildings and structures, including runs must be a minimum of 30 m (98.43 ft.) from a parcel boundary.
- (g) Residential campsite
- (h) Single family dwelling
- (i) Standalone residential campsite
- (j) Accessory use

#### **Section 5.8 Industrial Gravel Processing - IG**

Permitted Uses

- (a) Sand and gravel processing
- (b) Concrete batching
- (c) Accessory use, except asphalt batching

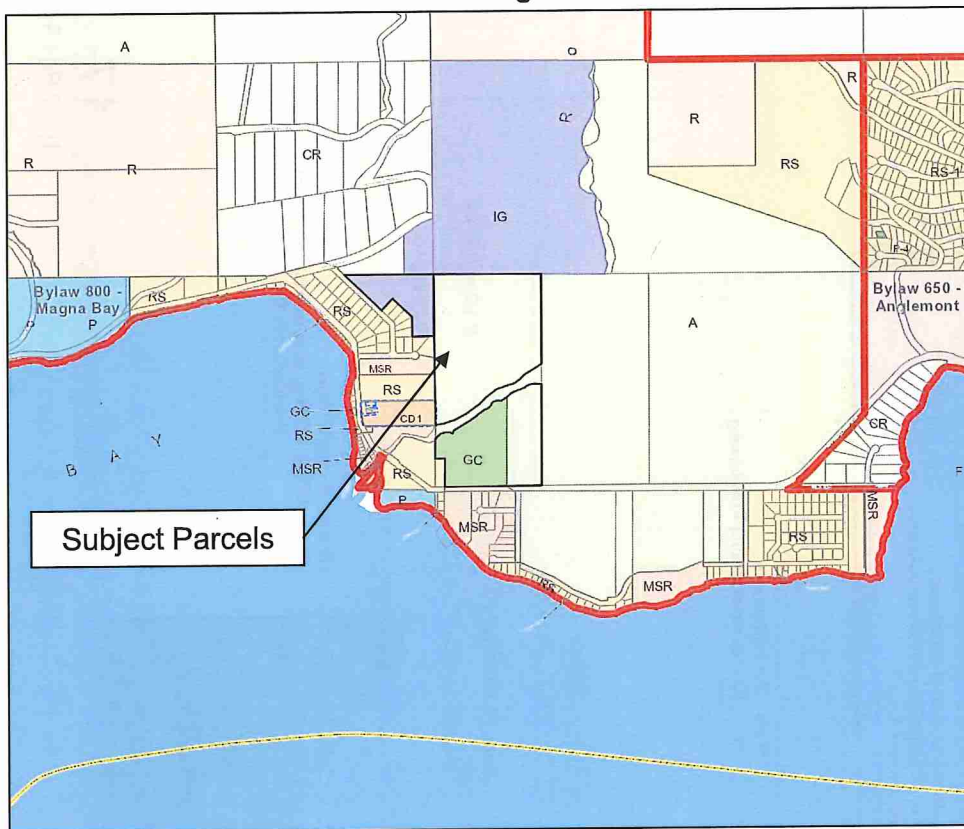
# Location







## Zoning







Orthophoto





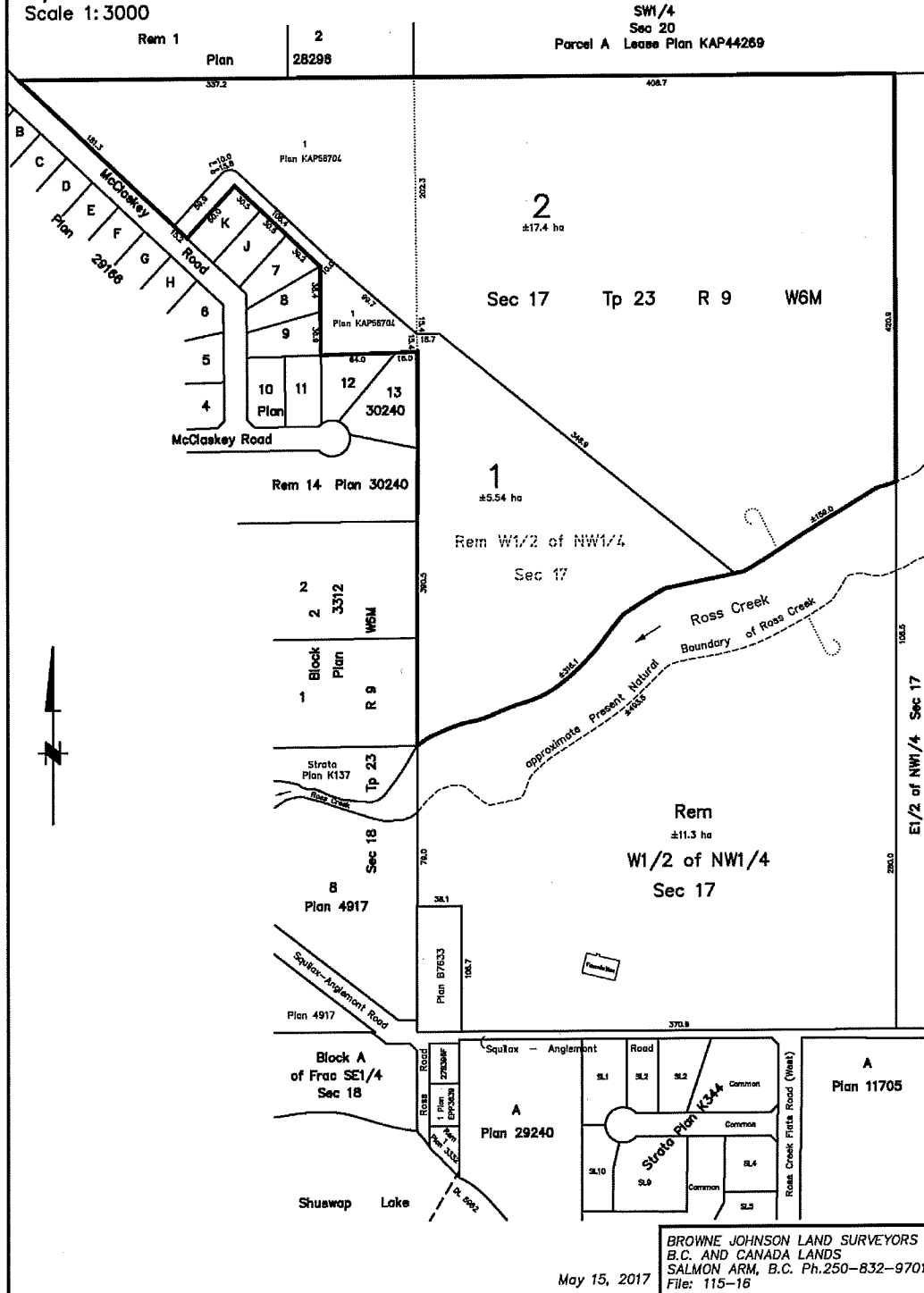
Orthophoto



# Proposed Subdivision Plan

Sketch Plan of Proposed Subdivision of  
Part of the W1/2 of the NW1/4, Sec 17 (Except Plan B7633),  
and Lot 1, Plan KAP56704, Sec 17, all of  
Tp 23, R 9, W6M, KDYD

Scale 1:3000



COLUMBIA SHUSWAP REGIONAL DISTRICT

ELECTORAL AREA 'F' OFFICIAL COMMUNITY PLAN  
AMENDMENT (SCOTCH CREEK DEVELOPMENTS) BYLAW NO. 830-18

A bylaw to amend the "Electoral Area 'F' Official Community Plan No. 830"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 830;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 830;

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

1. "Electoral Area 'F' Official Community Plan Bylaw No. 830" is hereby amended as follows:

A. MAP AMENDMENT

- i) Schedule B (Land Use Designations – Overview Map) which forms part of "Electoral Area 'F' Official Community Plan Bylaw No. 830" is amended by redesignating those portions of Part W1/2 of the NW 1/4, Section 17, Township 23, Range 9, W6M, KDYD, Except Plan B7633 (PID: 014-009-552), which are more particularly shown outlined in bold blue and hatched on Schedule 1 attached hereto and forming part of this bylaw from RSC Rural and Resource Lands to SSA Secondary Settlement Area.
- ii) Schedule C (Land Use Designations - Mapsheets) which forms part of "Electoral Area 'F' Official Community Plan Bylaw No. 830" is amended by redesignating those portions of Lot B, Section 28, Township 22, Range 11, West of 6th Meridian, KDYD, Plan 34450, Except Plans 42553, KAP48913, KAP53004, KAP57959, and KAP77293, which are more particularly shown outlined in bold and cross-hatched on Schedule 1 attached hereto and forming part of this bylaw from LD Low Density Residential, Scotch Creek Primary Settlement Area to CPU Commercial Public Utility Scotch Creek Primary Settlement Area..

2. This bylaw may be cited as "Electoral Area 'F' Official Community Plan Amendment (Isley) Bylaw No. 830-18."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time 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

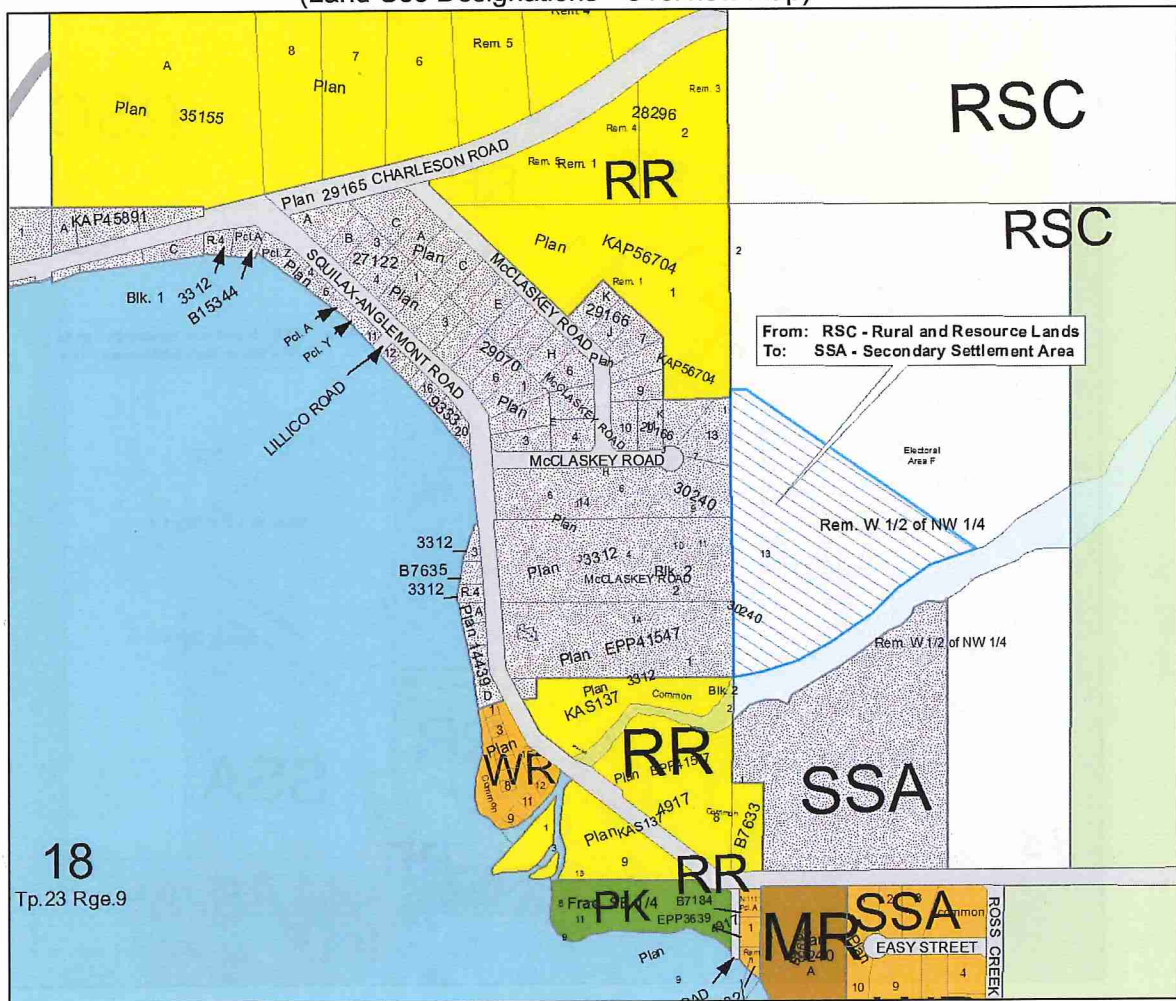
CERTIFIED true copy of Bylaw  
830-18 as read a third time.

CERTIFIED true copy of Bylaw No.  
830-18 as adopted.

\_\_\_\_\_  
Corporate Officer

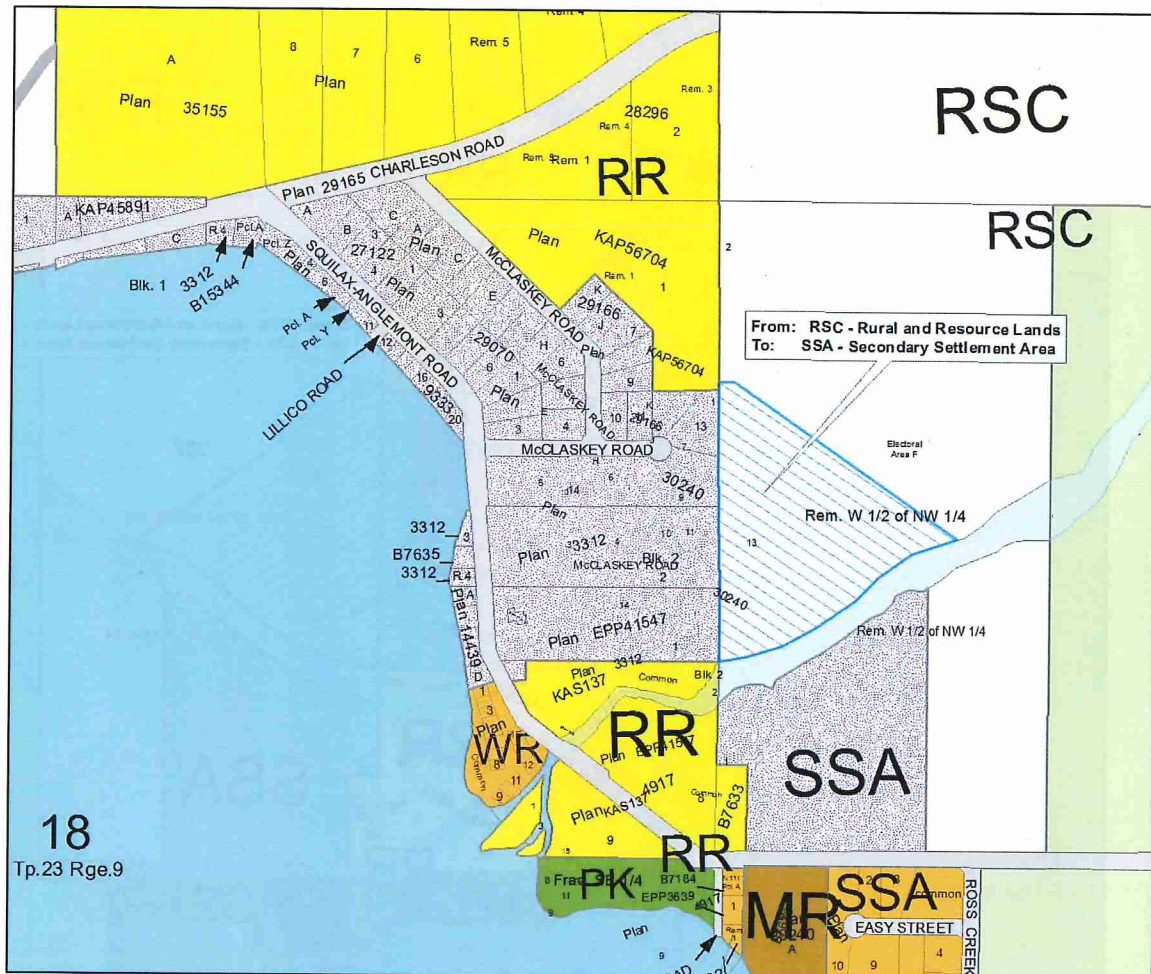
\_\_\_\_\_  
Corporate Officer

**ELECTORAL AREA 'F'**  
**OFFICIAL COMMUNITY PLAN AMENDMENT**  
**(ISLEY) BYLAW NO. 830-18**  
**(Land Use Designations - Overview Map)**





**ELECTORAL AREA 'F'**  
**OFFICIAL COMMUNITY PLAN AMENDMENT**  
**(ISLEY) BYLAW NO. 830-18**  
**(Land Use Designations - Mapsheets)**





COLUMBIA SHUSWAP REGIONAL DISTRICT

MAGNA BAY ZONING AMENDMENT

(ISLEY) BYLAW NO. 800-30

A bylaw to amend the "Magna Bay Zoning Bylaw No. 800"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 800;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 800;

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

1. "Magna Bay Zoning Bylaw No. 800" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "Magna Bay Zoning Bylaw No. 800" is hereby amended as follows:

- i. Part 1 Definitions, Section 1.0 is hereby amended by adding the following new definitions:

"COMMERCIAL is an occupation, service, employment or enterprise that is carried on for gain or monetary profit by any individual, business or organization;" after "CAMPING UNIT"; and,

"TOY STORAGE is the *commercial* use of land, *buildings* and structures to provide separate, individual self-storage units inside a *building*, each with a separate entrance designed to be rented or leased to the general public for private storage of personal goods, materials or equipment, but which does not include commercial use of the individual storage units;" after "TEMPORARY".

2. Schedule A, Zoning Bylaw Text, which forms part of the "Magna Bay Zoning Bylaw No. 800" is hereby amended as follows:

- i. Table of Contents, Part 5 Zones, is amended by adding "5.12 Comprehensive Development 2", after "5.11 Comprehensive Development 1", and showing the appropriate page number.
  - ii. Section 4.6 Table 1 Required Off Street Parking Spaces and Off Street Loading Spaces is hereby amended by adding "*Toy Storage*" in Column 1 "Use", and adding "1 per 10 *toy storage* units", in Column 2 "Minimum Required Number of Off Street Parking Spaces", after "*Single family dwellings*".
  - iii. Part 5 Zones, Section 5.0 Establishment of Zones, Table 2 is amended by adding "Comprehensive Development 2" in "Column 1 Zone Title", after

"Comprehensive Development 1", and "CDF-2", in "Column 2 Zone Symbol", after "CD-1".

- iv. Part 5 Zones is amended by adding the new Comprehensive Development 2 zone, as follows:

"

---

Zone Title      **COMPREHENSIVE DEVELOPMENT 2**

Zone Symbol – **CDF-2**

---

#### 5.12 Development Area 1

##### (1) Permitted Uses

The uses stated in this subsection and no others are permitted in the Comprehensive Development Zone 2 Development Area 1 except as stated in Part 3: General Regulations:

- (a) *Toy Storage*
- (b) *Outdoor Storage of Recreational Vehicles, Boats, and Trailers*

##### (2) Regulations

On a parcel zoned Comprehensive Development 2 within Development Area 1, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 4 Off Street Parking and Off Street Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision	5.5 ha (13.59 ac)
(b) Maximum <i>parcel coverage</i>	50%
(c) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>• Principal <i>buildings</i> and structures</li> </ul>	10.0 m (32.81 ft)
(e) Minimum setback from: <ul style="list-style-type: none"> <li>• <i>front parcel boundary</i></li> <li>• <i>interior side parcel boundary</i></li> <li>• <i>rear parcel boundary</i></li> </ul>	5.0 m (16.4 ft) 5.0 m (16.4 ft.) 6.0 m (19.69 ft.)

##### (3) Screening

Landscaped screening formed by a row of shrubs and trees,

supplemented with a wooden fence, masonry wall, or chain link fence with visual screening to a minimum height of 3.0 m is required along the west and south side property lines.

- (4) Silt and run-off control measures are required.

#### Development Area 2

(3) Permitted Uses

The uses stated in this subsection and no others are permitted in the Comprehensive Development Zone 1 Development Area 2 except as stated in Part 3: General Regulations:

- (a) *Accessory Single Family Dwelling (caretaker dwelling unit)*
- (b) *Accessory Use*

(4) Regulations

On a parcel zoned Comprehensive Development 2 within Development Area 2, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 4 Off Street Parking and Off Street Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Maximum number of <i>Accessory Single Family Dwellings</i> per parcel	1
(b) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>• Principal <i>buildings</i> and structures</li> <li>• <i>Accessory buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>• 8.0 m (26.25 ft)</li> <li>• 6 m (19.69 ft)</li> </ul>
(e) Minimum setback from: <ul style="list-style-type: none"> <li>• <i>front parcel boundary</i></li> <li>• <i>interior side parcel boundary</i></li> <li>• <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>5.0 m (16.4 ft)</li> <li>5.0 m (16.4 ft.)</li> <li>6.0 m (19.69 ft.)</li> </ul>

“

#### B. MAP AMENDMENTS

- i. Schedule B of Magna Bay Zoning Bylaw No. 800 is amended by:

- (a) rezoning that portion of Part W1/2 of the NW 1/4, Section 17, Township 23, Range 9, W6M, KDYD, Except Plan B7633, which part is more particularly shown outlined in blue and hatched on Schedule 1 attached hereto and forming part of this bylaw from, A - AGRICULTURE to CDF-2-COMPREHENSIVE DEVELOPMENT-1, DEVELOPMENT AREA 1;

- (b) rezoning that portion of Lot 1, Section 18, Township 23, Range 9, W6M, KDYD, Plan KAP56704, which part is more particularly shown outlined in red and crosshatched on Schedule 1, attached hereto and forming part of this bylaw from IG – Industrial Gravel Processing to CDF-2 – COMPREHENSIVE DEVELOPMENT – 2, DEVELOPMENT AREA 2; and,
- (b) rezoning that portion of of Part W1/2 of the NW 1/4, Section 17, Township 23, Range 9, W6M, KDYD, Except Plan B7633 which part is more particularly shown outlined in red and hatched on Schedule 1 attached hereto and forming part of this bylaw from, A - AGRICULTURE to IG – INDUSTRIAL GRAVEL PROCESSING;

2. This bylaw may be cited as "Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time 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. 800-30  
as read a third time.

Certified true copy of Bylaw No. 800-30  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

## Schedule 1

