

Relevant Excerpts from

Electoral Area F Official Community Plan Bylaw No. 830 and

Scotch Creek/Lee Creek Zoning Bylaw No. 825

(See [Bylaw No. 830](#) and [Bylaw No. 825](#) for all policies and land use regulations)

Bylaw No. 830

1.2 Sustainable Planning Principles

Ten principles provide the foundation for this Plan. Together, they point towards a sustainable community, one that is continually adjusting to meet the social and economic needs of its residents within the context of the finite carrying capacity of the natural environment, and the world's changing climate, to accommodate these.

Principle 1

To use all measures to protect sensitive ecosystems, wildlife habitats and watersheds, in collaboration with all other jurisdictions that have authority in the North Shuswap. Every effort must be made to protect the quality of Shuswap Lake.

Principle 2

To maintain large areas of the North Shuswap as undeveloped and to direct development in an organized and desirable manner, strengthening community identity and protecting sensitive ecosystems.

Principle 3

To encourage a range of housing choices for all age groups, taking into account affordability choices for existing residents, particularly young families. Only ground-oriented housing is appropriate near Shuswap Lake.

Principle 4

To work towards greater economic diversification that is compatible with the North Shuswap's established character and natural environment.

Principle 5

To encourage the BC government to ensure that roads are safely designed and well maintained and, wherever possible, to provide opportunities for safe cycling and walking.

Principle 6

To increase opportunities for public access to the shoreline of Shuswap Lake and ensure more public parks, and facilities for active recreation.

Principle 7

To take a region-wide approach to correct inferior water and sewage treatment systems and work toward comprehensive, affordable water service, and a Liquid Waste Management Plan that takes into account the latest technologies, and fully protects groundwater, lakes and streams.

Principle 8

To encourage community services and facilities to locate in Scotch Creek, including improvements to health and emergency services.

Principle 9

To encourage involvement in a healthy rural community, including planning decisions related to land use, servicing, parks and transportation.

Principle 10

To foster social and cultural growth in the North Shuswap, by supporting the arts and preserving the cultural heritage of the area.

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 11 Managing Growth: North Shuswap

Managing growth and channeling it in ways that will preserve and enhance the character of the North Shuswap is fundamental to its long-term vision.

NOTE: The text of this section should be read in conjunction with the map schedules. Minor adjustments to the boundaries of the land use designations on the map schedules may be made without a Plan amendment on the basis of new, or site-specific, information, provided that such amendments do not affect the intent of the designations or the overall vision and principles of this Plan.

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, Celistia, 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'.

11.9 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.

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.

13.1.2 Hazardous Lands Development Permit Area 2

(DPA 2 Steep Slope)

13.1.2 (a) *Area*

All areas with slopes in excess of 30% are designated as Hazardous Lands DPA 2 (Steep Slope). These are referred to as 'steep slope' areas below.

[Note: The CSRD requires a slope assessment of slope conditions as a condition of DP issuance. Provincial 1:20,000 TRIM mapping, using 20 m (66 ft) contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.]

13.1.2 (b) *Guidelines*

To protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, the CSRD discourages development in steep slope areas. Where steep slope areas are required for development, DPs addressing Steep Slopes shall be in accordance with the following:

For subdivision, either 1 or 2:

- .1 Submission of a report by an APEGBC registered professional with experience in geotechnical engineering.
 - (i) 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.

- (ii) The report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
- (iii) The report should include the following types of analysis and information:
 - o site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
 - o strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
 - o surface & subsurface water flows & drainage;
 - o vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
 - o recommended setbacks from the toe and top of the slope;
 - o recommended mitigation measures; and
 - o recommended 'no-build' areas.
- (iv) Development in steep slopes should avoid:
 - o cutting into a slope without providing adequate mechanical support;
 - o adding water to a slope that would cause decreased stability;
 - o adding weight to the top of a slope, including fill or waste;
 - o removing vegetation from a slope; and
 - o creating steeper slopes.
 - o siting Type 1, 2 and 3 septic systems and fields within steep slopes. All sewage practices must abide by the recommendations of the Sewerage System Standard Practices Manual.
- (v) 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.

- .2 Registration of a Covenant on title identifying hazards and restricting 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:

- .3 Compliance with and submission of the relevant geotechnical sections of Schedule 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/or restricting construction, habitation or other structures or uses on slopes of 30% or greater.

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.

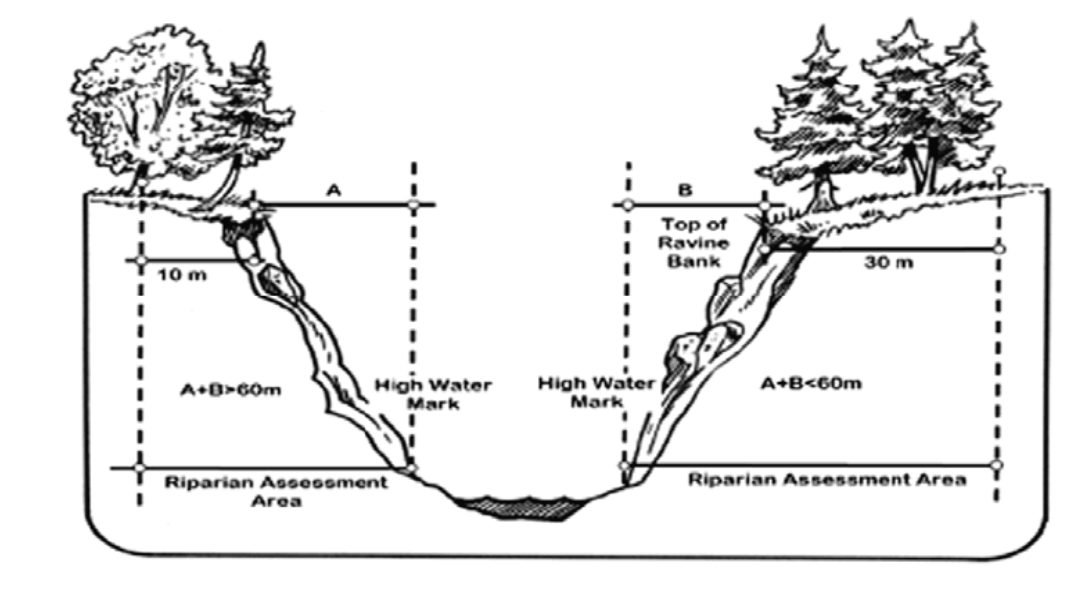


Figure 13.1

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.

Bylaw No. 825

1.0 DEFINITIONS

The following words and phrases wherever they occur in this *bylaw*, shall have the meaning assigned to them as follows:

DWELLING UNIT is a use of one (1) or more rooms in a *building* with self-contained eating, living, sleeping and sanitary facilities and not more than one *kitchen*, used or intended to be used as a residence for no more than one (1) *household*. This use does not include a *tourist cabin*, a *tourist suite*, or a *sleeping unit* in a hotel or *motel*;

SINGLE DETACHED DWELLING means a detached *building* containing only one (1) principal *dwelling unit* and, where permitted by this *Bylaw*, one (1) *secondary dwelling unit*. For the purposes of this Bylaw, a *manufactured home* is considered a *single detached dwelling*

SECONDARY DWELLING UNIT is an additional, self-contained, *dwelling unit* that is accessory to the *single detached dwelling* on a parcel. For clarity, *duplexes*, *multiple dwellings*, boarding rooms and rooming houses are excluded from the definition of *secondary dwelling unit*;

SECONDARY DWELLING UNIT, ATTACHED is a *secondary dwelling unit* that shares at least one common wall with the *single detached dwelling*.

5.7 RESIDENTIAL - 1 (R1)

Principal Uses

5.7 (1) The *uses* stated in this subsection and no others are permitted in the Residential - 1 zone as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *Single detached dwelling*
- (b) *Standalone residential campsite*

Secondary Uses

(2) The *uses* stated in this subsection and no others are permitted in the Residential - 1 zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *Accessory use*
- (b) *Bed and breakfast*
- (c) *Secondary dwelling unit*
- (d) *Home business*
- (e) *Residential campsite*

Regulations

- (3) On a *parcel* zoned Residential - 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: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> /size created by subdivision <ul style="list-style-type: none"> ▪ where <i>parcel</i> is serviced by an existing <i>community sewer system</i> ▪ in all other cases 	0.1 ha (0.25 ac.) 1.0 ha (2.47 ac.)
(b) Minimum <i>parcel width</i> created by subdivision	20 m (65.62 ft.)
(c) Maximum <i>parcel coverage</i>	30%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	(a) One
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ Principal <i>buildings</i> and structures ▪ <i>Accessory building</i> containing a <i>dwelling unit</i> ▪ All other <i>Accessory buildings</i> and units 	<ul style="list-style-type: none"> ▪ 11.5 m (37.73 ft.) ▪ 10 m (32.81 ft.) ▪ 8.5 m (27.89 ft.)
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding <i>guest cottage</i> or <i>home business</i>) 	<ul style="list-style-type: none"> ▪ 4.5 m (14.76 ft.) ▪ 2.0 m (6.56 ft.) ▪ 4.5 m (14.76 ft.) ▪ 4.5 m (14.76 ft.) ▪ 2.0 m (6.56 ft.)

<p>(g) Maximum <i>floor area, gross</i> of an accessory building</p> <ul style="list-style-type: none"> ▪ On a parcel less than 0.4 ha <ul style="list-style-type: none"> ○ <i>Accessory buildings</i> containing a dwelling unit ○ All other <i>Accessory buildings</i> and structures ▪ On a <i>parcel</i> equal to or greater than 0.40 ha and less than 2.0 ha 	<ul style="list-style-type: none"> ▪ 250 m²(2690.98 ft²) ▪ 150 m²(1614.59ft²) ▪ 250 m²(2690.98 ft²)
<p>(h) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i></p>	<p>Shall be in accordance with Section 3.19</p>

5.10 MULTI-RESIDENTIAL (MR)

Principal Uses

5.10 (1) The *uses* stated in this subsection and no others are permitted in the Multi Residential zone as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *Row house dwelling,*
- (b) *Single detached dwelling*
- (c) *Standalone residential campsite*

Secondary Uses

(2) The *uses* stated in this subsection and no others are permitted in the Multi Residential zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *Accessory use*
- (b) *Secondary dwelling unit*
- (c) *Home business*
- (d) *Residential campsite*

Regulations

(3) On a *parcel* zoned Multi Residential, 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: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> /size created by subdivision	8.0 ha (19.77 ac.)
(b) Minimum <i>parcel width</i> created by subdivision	20 m (65.62 ft.)
(c) Maximum density of <i>dwelling units</i> <ul style="list-style-type: none"> where serviced by <i>community sewer system</i> in all other cases 	<p>one per 0.25 ha (one per 0.62 ac.)</p> <p>one per ha (one per 2.47 ac.)</p>
(d) Minimum separation distance between <i>single detached dwellings</i> on a <i>parcel</i>	(b) 4.5 m (14.76 ft.)
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> Principal <i>buildings</i> and structures All other <i>Accessory buildings</i> and structures 	<ul style="list-style-type: none"> 11.5 m (37.73 ft.) 8.5 m (27.89 ft.)
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <i>front parcel boundary</i> <i>interior side parcel boundary</i> <i>exterior side parcel boundary</i> <i>rear parcel boundary</i> 	<ul style="list-style-type: none"> 4.5 m (14.76 ft.) 2.0 m (6.56 ft.) 4.5 m (14.76 ft.) 4.5 m (14.76 ft.)
(g) Maximum <i>floor area, gross</i> of an <i>accessory building</i>	<ul style="list-style-type: none"> 150 m² (1614.59 ft².)
(h) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	1 per <i>single detached dwelling</i>