

COLUMBIA SHUSWAP REGIONAL DISTRICT
MAGNA BAY ZONING AMENDMENT BYLAW NO. 800-34

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", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

Schedule A, Zoning Bylaw Text, Part 1 Definitions is amended, as follows:

i. PART 1: DEFINITIONS is amended by:

1. Deleting the definition of "ACCESSORY BUILDING" and replacing it with the following:

"ACCESSORY BUILDING or STRUCTURE is a detached building or structure located on the same parcel as the principal building and the use of which is customarily ancillary to that of the principal use;"

2. Deleting the definition of "ACCESSORY USE" and replacing it with the following:

"ACCESSORY USE is the use of land, buildings or structures in conjunction with and ancillary to an established principal use;"

3. Deleting the definition of "FLOOR AREA," and replacing it with the following and placed in alphabetical order:

"FLOOR AREA, NET is the total area of all storeys in a building measured to the outside face of exterior walls, or, as applicable, the area associated with each specific use measured to the outside face of the walls of the area. For portions of buildings without walls, the floor area is measured from the outside edges of posts. Floor area, net does not include balconies, decks, and parking areas;"

4. Deleting the definition of "GROSS FLOOR AREA", replacing it with the following, and placed in alphabetical order:

"FLOOR AREA, GROSS is the total area of all storeys in a building and attached decks and balconies, whether at, above, or below established grade, measured to the outside face of the exterior walls, windows, roof or floor as applicable, or the area in a portion of a building as applicable. For structures or portions of structures without walls, floor area, gross is measured from the outside edges of posts. Where a roof extends more than 1.3 m beyond a wall or post floor area, gross is

measured to the outermost edge of the roof or eave. For buildings, structures or portions thereof without a roof floor area, gross is measured from the exterior face of a wall, post or edge of floor. Floor area, gross includes balconies, decks and parking areas but does not include unenclosed exterior stairs;"

5. Adding the definition of "STOREY" in alphabetical order:

"STOREY is the portion of a building situated between the top of any floor and the roof or ceiling above it with a minimum clearance height of 1.5 m;"

ii. PART 3, GENERAL REGULATIONS, is amended by:

1. Section 3.6 'APPLICATION OF FLOODPLAINS' is amended by replacing all references of "floor area" with "*floor area, gross*" in Section 3.6.6(b).
2. Section 3.7 'ACCESSORY BUILDINGS' is amended by deleting all text and replacing it with the following:

" ACCESSORY BUILDING

3.7 An *accessory building* must be located on the same *parcel* as the *principal use* to which it relates and must only be used for an *accessory use, home occupation* or *secondary dwelling unit* provided these uses are permitted in the zone where the *accessory building* is located."
3. Sections 3.14 'HOME BUSINESS' and Section 3.15 'HOME INDUSTRY' are amended by replacing all references of "floor area" with "*floor area, net*".

iii. PART 4 OFF STREET PARKING AND OFF STREET LOADING REGULATIONS is amended by replacing all references to "floor area" with "floor area, net" in 'TABLE 1, REQUIRED OFF STREET PARKING AND OFF STREET LOADING SPACES'.

iv. Part 5, Zones, is amended by:

1. Section 5.4 'Country Residential Zone' is amended by deleting section 5.4.2(e) and (g) and replacing it with the following:

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(e) Maximum height for: <ul style="list-style-type: none"> • Principal building and structures • Accessory Buildings <ul style="list-style-type: none"> ○ Accessory buildings containing a dwelling unit 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft) • 10 m (32.81 ft)

<ul style="list-style-type: none"> ○ All other Accessory buildings and structures 	<ul style="list-style-type: none"> • 8.5 m (27.89 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"> ○ Accessory buildings containing a dwelling unit ○ All other Accessory buildings and structures • On a parcel 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 (1614.59 ft²) • 250 m² (2690.98 ft²)

2. Section 5.5 'Residential Zone' is amended by:

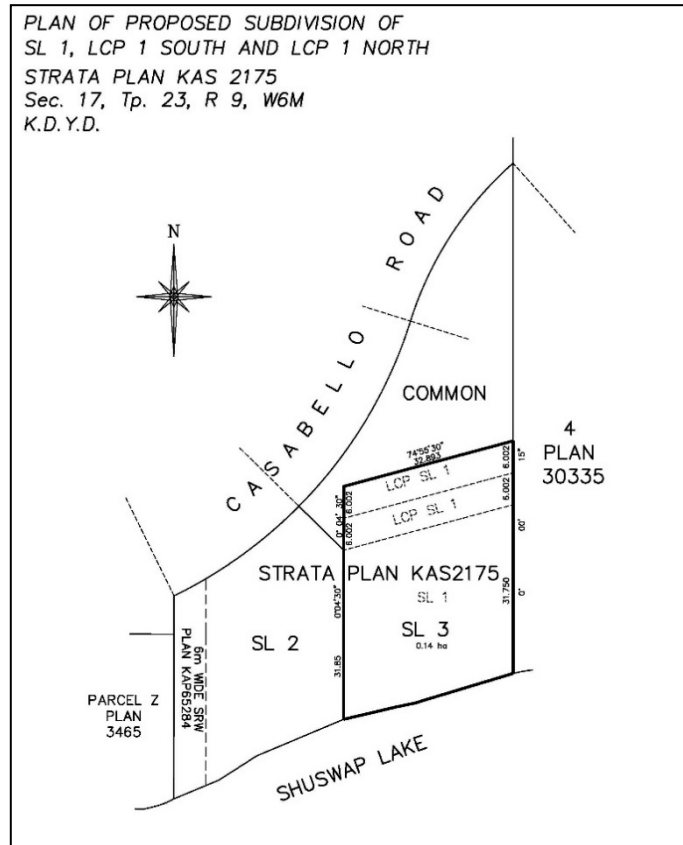
- a. deleting Sections 5.5.2(e) and (g) and replacing them with the following:

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
<p>(e) Maximum height for:</p> <ul style="list-style-type: none"> • Principal building and structures • Accessory Buildings <ul style="list-style-type: none"> ○ Accessory buildings containing a dwelling unit ○ All other Accessory buildings and structures 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft) • 10 m (32.81 ft) • 8.5 m (27.89 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"> ○ Accessory buildings containing a dwelling unit ○ All other Accessory buildings and structures • On a parcel 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 (1614.59 ft²) • 250 m² (2690.98 ft²)

- b. Section 5.5(4)(b)(iii) is deleted and replaced it with the following:

"(iii) Deleted

only for Strata Lot 3, Section 17, Township 23, Range 9, West of the 6th Meridian, Kamloops Division Yale District, Plan KAS2175, which is more particularly shown on the following map.



3. Section 5.6 'Multi-Single Family Residential Zone - MSR' is amended by:
- Deleting the words "gross floor area" in Section 5.6. (f) and replacing it with "floor area, gross"
 - Deleting 5.6.2(g) and replacing it with the following:

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(g) Maximum <i>floor area, gross</i> of an accessory building:	<ul style="list-style-type: none"> 150 m² (1614.59 ft²)

2. This bylaw may be cited as "Magna Bay Zoning Amendment Bylaw No. 800-34"

READ a first time this 16th day of March, 2023.

READ a second time as amended this 15th day of February, 2024.
2024.

READ a third time this _____ day of _____, 2024.

ADOPTED this _____ day of _____, 2024.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 800-34
as read a third time.

CERTIFIED a true copy of Bylaw No. 800-34
as adopted.

Corporate Officer

Corporate Officer