

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT

BYLAW NO. 701-103

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

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

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

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

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

A. TEXT AMENDMENTS

i) Schedule A, Zoning Bylaw Text is hereby amended by:

- a. All instances of "single family dwelling" used throughout the bylaw shall be replaced with "single detached dwelling".
- b. All instances of "multiple family dwelling" used throughout the bylaw shall be replaced with "multiple-dwelling".
- c. All instances of "cottage" used throughout the bylaw, including special regulations shall be replaced with "secondary dwelling unit". *This includes the "Explanation of South Shuswap Zoning Bylaw No. 701 Special Regulations" even though it is not part of the bylaw.
- d. Part 1 Definitions shall be amended by:
 - i. Deleting the following definitions: cottage, family, multiple family dwelling, and single-family dwelling.
 - ii. Adding the following definitions:
 - HOUSEHOLD means people living together in one (1) *dwelling unit* using a common *kitchen*;
 - DOMESTIC WATER SYSTEM has the same meaning as in the Drinking Water Protection Act, but excludes a tank truck, vehicle water tank or other similar means of transporting drinking water, whether or not there are any related works or facilities;
 - KITCHEN means facilities used or designed to be used for the cooking or preparation of food;
 - MULTIPLE-DWELLING is a *building* containing three or more *dwelling units* each of which is occupied or intended to be occupied as a permanent home or residence of not more than one *household*, but does not include *townhouse*;
 - ON-SITE SEWAGE DISPOSAL SYSTEM is the collection, treatment and disposal of sewage to the ground on the *parcel* on

which the sewage is generated, but does not include a privy or an outhouse;

- 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, townhouses* 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*;
- 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*;
- VACATION RENTAL is the *use* of a residential *dwelling unit* for *temporary* accommodation on a commercial basis. Vacation rental does not include meeting rooms, eating and drinking establishment, concierge, or retail sales;

iii. Amending the following definitions:

- COMMUNITY SEWER SYSTEM is a sewage collection, treatment and disposal system serving 50 or more parcels situated within the community intended to be serviced. Facilities may include wastewater treatment (disposal) plants and ancillary works, sanitary sewers and lift stations for the collection and treatment of wastewater, and the discharge and/or re-use of treated effluent wastewater and biosolids. All components of a community sewer system must comply with all regulations of the jurisdiction having authority for issuing approvals;
- DWELLING UNIT is a use of one (1) or more rooms in a detached *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;

e. Part 2 Administration – Section 2.0 Statement of Intent shall be amended to read as follows:

This Zoning Bylaw was drafted in accordance with South Shuswap Official Community Plan Bylaw No. 700 which intended that all single detached dwellings and cottages existing at the date of adoption of that plan (March 16, 1995) be conforming uses. Special regulations within this bylaw recognize these uses. Bylaw No. 701-103 amended this bylaw to allow one or more secondary dwelling units in most zones. Where special regulations previously permitted one or more cottages on a parcel, these regulations have been amended to permit them as secondary dwelling units. Where a special regulation permits a higher number of single detached dwellings than permitted in the applicable zone, secondary dwelling units are not permitted unless already recognized in the special regulation.

- f. Part 3 General Regulations - the following text shall be added as Section 3.22 and the Table of Contents shall be updated accordingly:

3.22 Secondary Dwelling Unit

- .1 Where permitted in a zone, the number and type of *secondary dwelling unit* (SDU) is determined by the *parcel* size and level of service:

Parcel Size	Level of Service	SDU Regulation	Total Dwelling Units Permitted***	Maximum Number of Residential Buildings
Any	<i>Community Sewer System**</i>	1 attached* <u>and</u> 1 detached SDU	3	2
< 1 ha	<i>On-site Sewage Disposal</i>	1 attached* <u>or</u> 1 detached SDU	2	1-2
1 ha – 8 ha	<i>On-site Sewage Disposal</i>	1 attached SDU* <u>and</u> 1 detached SDU	2-4	2-3
>8 ha	<i>On-site Sewage Disposal</i>	1 attached* <u>or</u> 1 detached SDU per <i>single detached dwelling</i>	2-4 depending on whether a property is in the ALR	2-4

*Attached SDU is a *secondary dwelling unit* that shares at least one common wall with the single detached dwelling.

**For an SDU, despite the definition in Part 1 of this bylaw, the number of connections for a community sewer system may be less than 50 provided written confirmation from the sewer system operator that the system has the capacity to service the proposed SDU is received.

***The total number of dwelling units permitted is based on the number of single detached dwellings permitted in a zone plus the number of SDUs permitted in this section.

- .2 A *secondary dwelling unit* must:

- (a) have a *floor area, net* no greater than 140 m²;
- (b) have a door direct to the outdoors without passing through any part of the *single detached dwelling unit*;
- (c) remain under the same legal title as the principal *single detached dwelling unit*, and not be stratified;
- (d) be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the *parcel* unless a *community sewer system* is available in which case connection to the *community sewer system* is required. For lots less than 1 ha the back up field area is required to be protected by a Section 219 covenant.
- (e) be serviced with potable water from either a *domestic water system* or a *community water system*;

- (f) not be used as a *vacation rental* unless expressly permitted by this *Bylaw*;
- (g) not be used as a *bed and breakfast*; and,
- (h) Off-street parking shall be provided in accordance with Schedule B of this *Bylaw*.

- .3 Notwithstanding 3.22.1 and 3.22.2, *secondary dwelling units* on property within the Agricultural Land Reserve (ALR) must be in accordance with Agricultural Land Commission regulations for residential dwelling units in the ALR.
- .4 Where there is a special regulation permitting additional dwelling units on a parcel, the provisions of Part 2 Administration – Section 2.0 Statement of Intent apply.

g. Schedule B - Parking Provisions shall be amended as follows:

- Table 1 – add the following after School, Secondary:

<i>Secondary dwelling unit (SDU)</i>	One (1) for a studio or 1 bedroom SDU; or Two (2) for a two (2) or more bedroom SDU	
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h. AR1 - AGRICULTURE ZONE (20 ha) - Section 5.1 is amended by replacing “.5 cottage, permitted only if there is less than two (2) single family dwellings on the property and permitted only on parcels greater than 4,000 m²” with “.5 *secondary dwelling unit*”.

i. Section 5.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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j. AR2 – AGRICULTURE ZONE (4 ha) – Section 6.1 is amended by replacing “.4 cottage, permitted only if there is less than two (2) single family dwellings on the property and permitted only on parcels greater than 4,000 m²” with “.4 *secondary dwelling unit*”.

k. Section 6.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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l. RR1 – RURAL RESIDENTIAL ZONE (4000 m²) – Section 7.1 is amended by replacing “.2 cottage, permitted only on parcels greater than 4,000 m²” with “.2 *secondary dwelling unit*”.

m. Section 7.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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n. RR2 – RURAL RESIDENTIAL ZONE (5000 m²) – Section 8.1 is amended by replacing “.3 cottage, permitted only on parcels greater than 4,000 m²” with “.3 *secondary dwelling unit*”.

o. Section 8.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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p. RR3 – RURAL RESIDENTIAL ZONE (1 ha) – Section 9.1 is amended by replacing “.4 cottage, permitted only on parcels greater than 4,000 m²” with “.4 *secondary dwelling unit*”.

q. Section 9.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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r. RR4 – RURAL RESIDENTIAL ZONE (2 ha) – Section 10.1 is amended by replacing “.4 cottage, permitted only on parcels greater than 4,000 m²” with “.4 *secondary dwelling unit*”.

s. Section 10.2 is amended by replacing .3 in the table with:

.3 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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t. R1 – LOW DENSITY RESIDENTIAL ZONE – Section 11.1 is amended by adding “.5 *secondary dwelling unit*” following “.4 accessory use”.

u. Section 11.2 is amended by adding a new row to the table following .8 as follows:

.9 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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v. LH – LARGE HOLDING ZONE – Section 15.1 is amended by replacing “.4 cottage, permitted only if there are less than two (2) single family dwellings on the property” with “.4 *secondary dwelling unit*”.

w. Section 15.2 is amended by replacing .2 in the table with:

.2 Maximum number of secondary dwelling units per parcel	Subject to Section 3.22 of this bylaw
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x. Section 15.4 - Number of Guest Cottages in Notch Hill – Balmoral Area shall be deleted.

2. This bylaw may be cited as "South Shuswap Zoning Amendment Bylaw No. 701-103".

READ a first time this _____ 15th _____ day of _____ February _____, 2024.

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

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

Approved pursuant to Section 52(3)(a) of the Transportation Act this _____ day of _____, 2024.

for: Ministry of Transportation and Infrastructure

ADOPTED this _____ day of _____, 2024.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 701-103
as read a third time.

CERTIFIED a true copy of Bylaw No. 701-103
as adopted.

Corporate Officer

Corporate Officer