

COLUMBIA SHUSWAP REGIONAL DISTRICT

MAGNA BAY ZONING BYLAW NO. 800

THIS CONSOLIDATED BYLAW IS NOT INTENDED TO BE USED FOR LEGAL PURPOSES

CONSOLIDATED FOR CONVENIENCE ONLY WITH:

**BYLAW NO. 800-1
BYLAW NO. 800-3
BYLAW NO. 800-4
BYLAW NO. 800-5
BYLAW NO. 800-6
BYLAW NO. 800-7
BYLAW NO. 800-11
BYLAW NO. 800-14
BYLAW NO. 800-16
BYLAW NO. 800-18
BYLAW NO. 800-20
BYLAW NO. 800-24
BYLAW NO. 800-27
BYLAW NO 800-28
BYLAW NO. 800-29**

May 19, 2017

**INFORMATION SHEET ON THE BYLAWS
WHICH WERE CONSOLIDATED
INTO BYLAW NO. 800**

BYLAW NO. 800-1 – Adopted October 20, 2005

- Change the definition of Service Station and add additional parking requirements for service station
- Added a new General Commercial 2 Zone

BYLAW NO. 800-3 – Adopted October 20, 2005

- text amendment to add special regulation to the Multi-Single Family Residential Zone.

BYLAW NO. 800-4 – Adopted February 15, 2007

- text amendment to delete the definition of Marina and add a new definition of Marina to exclude the sale of marine petroleum products.

BYLAW NO. 800-6 – Adopted March 20, 2008

- added a new definition for "height";
- added a new height regulation within certain zones.

BYLAW NO. 800-7 – Adopted August 20th, 2009

- adds comprehensive development zone 1 for Magna Bay Developments Ltd.
- adds a new definition for Resort Residential Space and additional parking requirements

BYLAW NO. 800-11 – Adopted June 24th, 2009

- text amendment to amend the minimum parcel size in the Residential Zone where serviced by both a community water system and community sewer system

BYLAW NO. 800-5 – Adopted August 18, 2011

- text amendment to amend the parcel size created by subdivision in the Country Residential Zone to allow for lot averaging

BYLAW NO. 800-16 – Adopted February 16, 2012

- text amendment to provide laundromat, service station, and increased campground density only on portion of the West ½ of North West ¼, Section 17, Township 23, Range 9, West of 6th Meridian, Kamloops Division Yale District, Except part of the Southerly 350 Feet of Legal Subdivision 12 Section 17 as shown on Plan B7633

BYLAW NO. 800-14 – Adopted August 16, 2012

- text amendment to revise definition of marina
- delete the Water and Foreshore Zone
- add text to Part 5 Zones, Section 5.7 (1) (b)
- map amendment to repeal zoning from all lands lying below the natural boundary of Shuswap Lake

BYLAW NO. 800-18 – Adopted April 18, 2013

- text amendment to revise the following definitions: community sewer system, community water system, recreational vehicle, resort residential space
- add the following definitions: Park Model, Seasonal and Temporary
- text amendment to Comprehensive Development Zone 1
- map amendment to show rezoning

BYLAW NO. 800-20 – Adopted July 17, 2014

- revise definition of Guest Cottage
- add new subsection 3 under Section 5.5 Residential Zone, site specific

BYLAW NO. 800-24 – Adopted December 4, 2015

- Add a new subsection 4 under Section 5.5 Residential Zone, site specific

BYLAW NO. 800-27 – Adopted May 19, 2016

- Added new definition - Duplex to Section 1.0
- Amended Section 5.6, Multi-Single Family Residential Zone, Subsection 2 (3) (c)

BYLAW NO. 800-28 – Adopted September 15, 2016

- Add new subsection 3 under Section 5.3 including a map
- Add new subsection 5 under Section 5.5 including a map
- map amendment to show rezoning

BYLAW NO. 800-29 – Adopted May 18,, 2017

- Add new subsection 6 under Section 5.5 including a map

COLUMBIA SHUSWAP REGIONAL DISTRICT

MAGNA BAY ZONING BYLAW NO. 800

WHEREAS the Board wishes to adopt a new zoning bylaw for part of Electoral Area 'F' of the Columbia Shuswap Regional District;

AND WHEREAS the Local Government Act provides that the Board may adopt a zoning bylaw pursuant to section 903 and parking space requirements bylaw pursuant to section 906;

AND WHEREAS the Board held a public hearing pursuant to section 890 of the Local Government Act;

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

1. This bylaw may be cited as "Magna Bay Zoning Bylaw No. 800."
2. Attached hereto and forming part of Magna Bay Zoning Bylaw No. 800 are:
 - (a) Schedule A, Zoning Bylaw Text; and
 - (b) Schedule B, Zoning Map.

READ a first time this 16th day of July, 2002.

READ a second time this 26th day of June, 2003.

PUBLIC HEARING held this 19th day of June, 2003.

SECOND PUBLIC HEARING held this 17th day of July, 2003.

READ a third time this 21st day of August, 2003.

Received the approval of the Ministry of Community, Aboriginal and Women's Services this 2nd day of October 2003.

RECONSIDERED AND ADOPTED this 16th day of October, 2003.

MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)

CHAIR

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

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

Manager of Corporate
Administration Services (Secretary)

Manager of Corporate
Administration Services (Secretary)

The contents of this box are not a part of this bylaw

Note

- The units of measurement in this bylaw are metric; imperial equivalents are approximate and provided in brackets for the convenience of the reader.
- Words in *italics* are defined in Part 1 of this bylaw.

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Further Information about Development and Subdivision within Magna Bay In Addition To Magna Bay Zoning Bylaw No. 800

Schedule A

Zoning Bylaw Text

PART 1 DEFINITIONS

1.0 DEFINITIONS

In this *bylaw*:

ACCESSORY BUILDING is a detached *building* or structure that is customarily incidental to, subordinate to and exclusively devoted to a *principal use* or a *single family dwelling*, is not used for human *habitation* and is used for an *accessory use* or where permitted, for a *home business*;

ACCESSORY USE is the *use* of land, *buildings* and structures that is customarily incidental to, subordinate to, and exclusively devoted to the *principal use* or a *single family dwelling*. An accessory use does not include human *habitation*;

AGRICULTURE is the *use* of land, *buildings* and structures for:

- (a) the growing, rearing, producing or harvesting of agricultural crops, fur bearing animals, poultry or other livestock;
- (b) the storage, sale and primary processing of agricultural products harvested, reared or produced by the agriculture *use*; and
- (c) the storage and repair of machinery, implements and supplies that are part of the agriculture *use*;

BASEMENT SUITE is the *use* of a *dwelling unit* that is located on the lowest floor level of a *single family dwelling* for guest accommodation;

BED AND BREAKFAST is the *use* of one or more bedrooms within a principal *single family dwelling* to provide accommodation on a temporary basis to the travelling public and may include food service to guests;

BUILDING is a structure used or intended for supporting or sheltering a *use* or occupancy but does not include a *recreational vehicle*;

BYLAW is the Magna Bay Zoning Bylaw No. 800;

CAMPGROUND is the *use* of land, *buildings* and structures for camping for the temporary accommodation of the travelling public in tents or *recreational vehicles* on *camping spaces*;

CAMPING SPACE is the area of a *campground* used for one *camping unit*;

CAMPING UNIT is one *recreational vehicle*, or one camping tent;

BL800-18 COMMUNITY SEWER SYSTEM is a sewage collection, treatment and disposal system serving 50 or more *parcels*. 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;

BL800-18 COMMUNITY WATER SYSTEM means a waterworks system serving 50 or more *parcels*. Facilities may include water treatment plants and ancillary works, reservoirs, impoundments (dams), groundwater development (wells), and pumping stations for the collection, treatment, storage, and distribution of domestic potable water;

CONTIGUOUS PARCELS are *parcels* that have at least one *parcel* boundary in common but does not include *parcels* separated by a *highway*, *dike*, *water body*, *watercourse*, or other titled land;

BL800-27 DUPLEX is a building containing two dwelling units adjoined side by side, sharing a common wall or adjoined above and below each other;

DWELLING UNIT is a *use* of one or more habitable rooms in a *building* that constitute a single self-contained unit with a separate entrance, and used together for living and sleeping purposes for not more than one *family*, and containing a kitchen with a sink and cooking facilities and a bathroom with a water closet, wash basin and a bath or shower;

FAMILY is:

- a) one or more persons related by blood, marriage, adoption or foster parenthood; or
- b) not more than 5 unrelated persons;

FLOOR AREA is the total area of all floors in a *building* measured to the outside face of exterior walls. Where the context requires it, floor area is the total area of all floors in a portion of a *building* in a particular *use*, measured to the outside face of the walls of the area of the *use*. Floor area does not include *off street parking areas*, balconies, elevator shafts and areas used for *building* ventilation machinery;

GROSS FLOOR AREA is the total area of all floors in a *building* measured to the outside face of exterior walls. Where the context requires it, gross floor area is the total area of all floors in a portion of a *building* in a particular *use*, measured to the outside face of the walls of the area of the *use*.

GUEST ACCOMMODATION is a *use* of a *basement suite* or a *guest cottage* on the same *parcel* as a *single family dwelling*, for temporary rent free accommodation on a non commercial basis by guests of the residents of the *single family dwelling*;

BL800-20 GUEST COTTAGE is a *use* of a detached *building* for guest accommodation;

HABITATION is a room or space within a *building*, including a manufactured home or structure, that is or can be used for human occupancy;

BL800-6

HEIGHT is the vertical distance between the highest point of a building or structure and the lowest point of a building or structure where the finished ground elevation and the building meet, excluding localized depressions such as vehicle and pedestrian entrances to a maximum width of 6 m (19.69 ft.);

HIGHWAY includes a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property;

HOME BUSINESS is an occupation, profession or craft that is a *use* within a *single family dwelling*, or an *accessory building to a single family dwelling*;

HOME INDUSTRY is an occupation, profession or craft that is a *use* on the same *parcel* as a *single family dwelling*;

KENNEL is the *use* of land, *buildings* and structures for the purpose of training, boarding, breeding or caring for a total of 4 or more dogs or cats that are 2 or more months of age;

BL800-14

MARINA is the use of land, buildings and structures for the docking, berthing or mooring of boats and may also include boat launching facilities, sales and rentals of boats, personal watercraft and their accessories, storage of boats, sales of marine petroleum products, fishing supplies and accessory retail sales, boat repairs, boat building.

MOTEL is the *use* of land, *buildings* and structures to provide accommodation on a temporary basis to the travelling public within a *building* or group of *buildings* that are divided into separate sleeping units, each of which has a separate entrance from the outdoors, but does not include meeting rooms, the serving of food, retail sales or a manufactured home park;

NATURAL BOUNDARY is the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water is so common and usual and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

NURSERY is the *use* of land, *buildings*, and structures for the growing and selling of trees, plants, flowers, and seeds.

OFF STREET LOADING AREA is one or more off street loading spaces on a *parcel* and includes an off street access to the loading space;

OFF STREET PARKING AREA is one or more off street parking spaces on a *parcel* and includes circulation ways;

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;

ON SITE WATER SUPPLY is a source of water not provided by a *community water system* that meets all of the on site water requirements stated in the Subdivision Servicing Bylaw No. 592;

PAD is a paved surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home;

PARCEL is a lot, block or other area in which land is held or into which land is subdivided but does not include a *highway*;

PARCEL BOUNDARY, EXTERIOR SIDE is a *parcel* boundary other than a *front parcel boundary* or a *rear parcel boundary*, and is common to the *parcel* and a *highway* other than a lane or a walkway;

PARCEL BOUNDARY, FRONT is the shortest *parcel* boundary common to a *parcel* and a *highway* other than a lane or a walkway;

PARCEL BOUNDARY, INTERIOR SIDE is a *parcel* boundary other than a *front parcel boundary* or a *rear parcel boundary* that is not common to a *highway* other than a lane or a walkway;

PARCEL BOUNDARY, REAR is the *parcel* boundary that lies the most opposite to and is not connected with the *front parcel boundary*; or where the rear portion of the *parcel* is bounded by intersecting side *parcel* boundaries, it is the point of this intersection;

PARCEL BOUNDARY, SIDE is a *parcel* boundary other than a *front parcel boundary* or a *rear parcel boundary*;

PARCEL COVERAGE is the horizontal area within the vertical projection of the outermost walls of the *buildings* on a *parcel* expressed as a percentage of the *parcel* area;

PARCEL WIDTH is the horizontal distance between the two side *parcel* boundaries, measured at the minimum front *setback* from the *front parcel boundary*;

PARK is the *use* of land, *buildings* and structures used and operated for the recreation and enjoyment of the public, and

- (a) the land is dedicated as park by a plan deposited in the Land Title Office or operated as a local service or extended service pursuant to Part 24 of the Local Government Act;
- (b) the land is under tenure from the crown for the purpose of a park; or
- (c) the land has been dedicated as a provincial park;

BL800-18 PARK MODEL is a trailer or recreational unit which conforms to CSA Z241 Standard for RVs and does not exceed 50 m² of floor space;

PERSONAL WATER CRAFT is an engine powered water craft on which the operator stands, kneels or sits astride and which has no external propeller but which is driven forward by a jet pump or impeller creating a high speed backward ejection of water.

PRINCIPAL BUILDING is the main *building* on a *parcel* and that contains or is most directly related to the *principal use*;

PRINCIPAL USE is the main purpose that land, *buildings* or structures on a *parcel* are ordinarily used;

PRIVY is a small portable *building* that rests on or above the surface of the ground, has a bench with a hole or holes through which human excretion may be evacuated into a waterproof vault that forms an integral part of the built structure of the *building*;

PUBLIC ASSEMBLY FACILITY is the *use* of land, *buildings* or structures where people gather periodically for public, cultural, religious, philanthropic or entertainment purposes;

PUBLIC UTILITY is the *use* of land, *buildings* and structures for electrical, telephone, water, sewer, gas, cable television, communication transmission facility, or other like services provided by government, or by a private provider operating pursuant to authority granted in public utility legislation or pursuant to a franchise under Part 17 of the Local Government Act, but does not include any office, administrative facilities, works, repair, maintenance or storage yards;

BL800-18 RECREATIONAL VEHICLE is a vehicular-type of portable structure, without permanent foundation, that can be towed, hauled or driven and that is primarily designed for use as *temporary* living accommodation for the purposes of recreation, camping and travel, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes, and does not include a *park model*;

RESIDENTIAL CAMPSITE is the *use* of land for one or more *camping units*, for temporary rent free accommodation on a non commercial basis by guests of the residents of either a *single family dwelling* that is on the same *parcel* or a *standalone residential campsite* that is on the same *parcel*;

BL800-18 RESORT RESIDENTIAL SPACE is the *use* of a *recreational vehicle* or *park model* for *temporary* or *seasonal* accommodation

RESTAURANT is the *use* of land, *buildings* and structures as an eating establishment for the preparation and serving of prepared, ready to eat food, to be consumed on or off the premises. Restaurant includes a drive-in restaurant and takeout restaurant;

RETAIL STORE is the *use* of land, *buildings* and structures for the retailing and display of merchandise inside a *building* and may include services that are customarily incidental to, subordinate to and exclusively devoted to the main *use*, but does not include a *restaurant*, or motor vehicle repair facility of any kind, or a *service station*;

BL800-18 SEASONAL means less than one hundred eighty-two (182) days per calendar year;

BL800-1 SERVICE STATION is the use of land, buildings and structures for the retailing of motor fuels and may include mechanical repairs and servicing of vehicles and boats, but does not include auto body or boat body repairs, painting or the wrecking of vehicles.

SETBACK is the shortest horizontal distance between any portion of a *building* or structure that is above finished ground level and each of the respective *parcel* boundaries;

SINGLE FAMILY DWELLING is the *use* of land, structures and one detached *building* used exclusively for one *dwelling unit*, except where additional *uses* are specifically permitted in this *bylaw* as a part of a *single family dwelling*;

STANDALONE RESIDENTIAL CAMPSITE is the *use* of land for one *camping unit*, for rent free accommodation on a non-commercial basis where there is no *single family dwelling* existing on the *parcel*.

BL800-18 TEMPORARY means less than four (4) consecutive weeks;

USE is the use that land, *buildings* or structures are put to and if not in use then the use they are designed or intended to be put to;

VEHICLE WRECKING is the *use* of land, *buildings* and structures for the dismantling and storage of vehicles and sales of used vehicle parts. Vehicle wrecking may also include vehicle repair provided it is subordinate to the vehicle wrecking.

WATER BODY is a natural depression, including a lake, pond, swamp or wetland, containing water on the average at least six months of the year or having a watershed area of 2 km² (494 ac.) or more but does not include a *watercourse*;

WATERCOURSE is a natural depression with well defined banks, and a bed of 0.6 m (1.97 ft.) or more below the surrounding land, serving to give direction to a current of water on the average at least six months of the year or having a watershed area of 2 km² (494 ac.) or more upstream from the point of consideration and includes a stream and river but does not include a *water body*;

YOUTH CAMP is the *use* of land, *buildings* and structures as a camp facility that provides temporary accommodation to youths and their adult leaders, and may include camping spaces, sleeping cabins, common *buildings* and recreation facilities that are customarily incidental to, subordinate to and exclusively devoted to, the camp facility.

PART 2 ADMINISTRATION

TITLE

2.0 This *bylaw* may be cited as the Magna Bay Zoning Bylaw No. 800.

2.1 APPLICATION

This *bylaw* applies to the Magna Bay Zoning Bylaw No. 800 area, shown in Schedule B of this *bylaw*.

2.2 CONFORMITY

- (a) Land, including the airspace above it, and the surface of water, *buildings* and structures may only be *used*, constructed, altered and located in conformity with this *bylaw*.
- (b) Subdivision must be in conformity with this *bylaw*.

2.3 SEVERABILITY

If any provision of this *bylaw* is determined to be invalid by a court, such provision may be severed and the remainder of this *bylaw* is not affected.

2.4 INSPECTION

The Administrator, and the Manager of Development Services and his delegate are authorized individually or in any combination to enter at all reasonable times on any *parcel* and into any *building* or structure to ascertain whether the provisions of this *bylaw* are being observed.

2.5 CONTRAVENTION OF BYLAW

A person who:

- (a) contravenes this *bylaw*;
- (b) causes or permits an act or thing to be done in contravention of this *bylaw*;
- (c) neglects or omits to do a thing required by this *bylaw*; or
- (d) fails to comply with an order, direction or notice given under this *bylaw*, or prevents or obstructs or attempts to prevent or obstruct the authorized entry of an officer onto property under section 2.4;

is guilty of an offence upon summary conviction under this *bylaw*.

2.6 OFFENCE

Each day of continuance of an offence under section 2.5 constitutes a new and separate offence.

2.7 PENALTY

A person who is guilty of an offence is liable to the penalties stated in the Offence Act.

PART 3 GENERAL REGULATIONS

USES PERMITTED IN EACH ZONE

- 3.0** The following *uses*, are permitted in each zone:
- (a) municipal *uses* that are owned or operated by the Columbia Shuswap Regional District including but not limited to a *community sewer system*, a *community water system*, a fire hall and a fire fighter training facility;
 - (b) *public utility*;
 - (c) *park*; and
 - (d) horticulture;

HEIGHT EXCEPTIONS

- 3.1** (1) The following may exceed the maximum *height* regulations of this *bylaw* by a maximum of 20 percent:
- (a) chimney;
 - (b) flag pole;
 - (c) pole or similar structure used for area lighting; and
 - (d) water storage tank that is part of a *community water system*.
- (2) The following may exceed the maximum *height* regulations of this *bylaw*:
- (a) antenna and support structures for the transmission and reception of radio frequencies, including but not limited to radio, television, short wave, amateur, citizen band and microwave;
 - (b) *agriculture buildings* including but not limited to a barn, grain storage *building* and a silo; and
 - (c) pole or similar structure used for telephone lines, electrical transmission lines and cable television lines.

SETBACK EXCEPTIONS

- 3.2** The following may be in a required minimum front *setback*, rear *setback*, or side *setback*:
- (a) a fence or retaining wall that is less than 1.5 m (4.92 ft.) above the ground;
 - (b) landscaping features such as a trellis, manmade pond or yard ornament;
 - (c) a utility pole, including a pole used for area lighting;
 - (d) a driveway and walkway;
 - (e) a structure below finished grade; and
 - (f) a wheel chair ramp.

MINIMUM PARCEL SIZE FOR SUBDIVISION EXCEPTIONS

- 3.3** (1) The minimum *parcel* size regulations for subdivisions stated in Part 5 do not apply if all the requirements of this subsection are met:
- (a) the subdivision occurs along a zone boundary;
 - (b) the subdivision occurs within a *parcel* that has 2 or more zones;
 - (c) no *parcel* created by subdivision shall have more than one zone; and
 - (d) the minimum *parcel* size of each proposed *parcel* created by subdivision is 1 ha (2.47 ac.).

- (2) The minimum *parcel* size regulations for subdivisions stated in Part 5 do not apply if all the requirements of this subsection are met:
- (a) the subdivision occurs along a *highway* that is constructed to the Ministry of Transportation's standards;
 - (b) the subdivision is limited to a *parcel* that is split by a *highway*;
 - (c) the minimum *parcel* size of each proposed *parcel* created by subdivision is 1 ha (2.47 ac.); and
 - (d) each *parcel* created must consist of the entire area isolated by the *highway*.
- This exception does not apply to a *parcel* shown on a reference, explanatory or subdivision plan deposited in the Land Title Office after December 31, 2002.
- (3) The minimum *parcel* size regulations for subdivisions stated in Part 5 do not apply if all the requirements of this subsection are met:
- (a) the siting of existing *buildings* and structures are not rendered unlawful;
 - (b) no additional *parcels* are created;
 - (c) all *parcels* are *contiguous*;
 - (d) a *parcel* must not be enlarged to a size that can be further subdivided;
 - (e) the subdivision does not result in a parcel in 2 or more zones; and
 - (f) a *parcel* must not be reduced in size to less than 1 ha (2.47 ac.).
- (4) The minimum *parcel* size regulations for subdivisions do not apply to:
- (a) a municipal *use*; that is owned or operated by the Columbia Shuswap Regional District including but not limited to a *community sewer system*, a *community water system*, a fire hall and a fire fighter training facility;
 - (b) a *park*;
 - (c) a *public utility*; or
 - (d) a *parcel* that is intended for a *use* that will not result in sewage generation and a restrictive covenant is in effect that prohibits *buildings* on the *parcel*.

ESTABLISHMENT OF FLOOD PLAINS

- 3.4 (1) The following land is designated as flood plain:
- (a) land lower than the flood construction level; and
 - (b) land within the flood plain setback.
- (2) The flood construction level is:
- (a) 351 m Geodetic Survey of Canada datum for Shuswap Lake;
 - (b) 2 m (6.56 ft.) above the *natural boundary* of Onyx Creek;
 - (c) 1.5 m (4.92 ft.) above the *natural boundary* of a *water body* or *watercourse* other than Shuswap Lake and Onyx Creek; and
 - (d) Where more than one flood construction level is applicable, the higher elevation is the flood construction level.
- (3) The flood plain setback is:
- (a) 20 m (65.62 ft.) from the *natural boundary* of Onyx Creek;
 - (b) 30 m (98.43 ft.) from the *natural boundary* of Ross Creek;
 - (c) 15 m (49.22 ft.) from the *natural boundary* of a *water body* or *watercourse*; other than Onyx Creek and Ross Creek; and
 - (d) where more than one flood plain setback is applicable, the larger distance is the flood plain setback.

MEASUREMENT OF FLOOD CONSTRUCTION LEVEL AND FLOOD PLAIN SETBACK

- 3.5 (1) The flood construction level is determined by measuring at a 90° angle to the *natural boundary* to a point where the elevation is the required elevation above the *natural boundary*.
- (2) The flood plain setback is determined by measuring at a 90° angle to the *natural boundary* the distances stated in subsection 3.4(3).

APPLICATION OF FLOOD PLAINS

- 3.6 (1) A *building*, including a manufactured home or structure must not be constructed, reconstructed, moved or extended within a flood plain setback.
- (2) The underside of a floor system or top of concrete slab that is used for *habitation*, business, or the storage of goods that are susceptible to damage by floodwater, must be above the flood construction level.
- (3) Where landfill or structural support or both are used to comply with subsection (2), they must be protected against scour and erosion from flood flows, wave action, ice and other debris and not extend within the flood plain setback.
- (4) Furnaces and other fixed equipment susceptible to damage by floodwater must be above the flood construction level.
- (5) The Manager of Development Services or his delegate, may require that a British Columbia Land Surveyor's certificate be submitted to him by the land and property owners, to verify compliance with the flood construction level and flood plain setback stated in subsections (1), (2) and (3).
- (6) The following are exempted from the regulations of subsection (2) as they apply to the flood construction level:
- (a) a renovation of an existing *building*, including a manufactured home or structure that does not involve an addition to the exterior of the *building*, manufactured home or structure;
 - (b) an addition to a *building*, manufactured home or structure of less than 25 percent of the *floor area* existing the date of coming into force of this bylaw. The addition must be no lower in elevation than the floor existing the date of coming into force of this *bylaw*. The distance from the *building*, manufactured home or structure to a *water body* or *watercourse* must not be decreased with respect to the flood plain setback;
 - (c) a carport or domestic garage;
 - (d) a *building* used for *agriculture* excluding a closed-sided livestock housing and a *dwelling unit*; and
 - (e) a farm *dwelling unit* that is located both on a *parcel* 8.1 ha (20.01 ac.) or larger and within the provincial Agricultural Land Reserve and provided:
 - (i) the underside of a wooden floor system;
 - (ii) the top of a concrete slab;
 - (iii) in the case of a manufactured home, the top of the *pad*; or

- (iv) the ground surface under an area used for *habitation*, is no lower than 1 m (3.28 ft.) above the natural ground elevation measured from the highest point on the perimeter of the farm *dwelling unit* or no lower than the flood construction level, whichever is the lesser.
- (7) The following are exempted from the regulations of subsections (1) and (2) as they apply to the flood construction levels and flood plain setbacks:
- (a) a floating *building* and structure;
 - (b) a dock or wharf;
 - (c) a boat fuelling *use*;
 - (d) a fence constructed of wood or wire through which water can flow freely; and
 - (e) works constructed to stabilize the shoreline of a *water body* or the banks of a *watercourse*.

ACCESSORY BUILDING

- 3.7 An *accessory building* must be located on the same *parcel* as the *principal use* or *single family dwelling* and be used for an *accessory use* or a *home business*, provided a *home business* or *accessory use* is a permitted *use* in the zone where the *accessory building* is located.

ACCESSORY USE

- 3.8 An *accessory use* must be located on the same *parcel* as the *principal use* or *single family dwelling* to which it relates.

BARE LAND STRATA PLAN ACCESS ROUTE

- 3.9 Despite any other provision of this *bylaw*, for the purpose of a *setback*, a *highway* includes an access route within land subdivided as a bare land strata plan under the Strata Property Act.

BASEMENT SUITE

- 3.10 A *basement suite* must have its own entrance from the outdoors.

BED AND BREAKFAST

- 3.11 A *bed and breakfast* must comply with the following regulations:
- (a) there may be a maximum of one *bed and breakfast* on a *parcel*;
 - (b) a maximum of 3 bedrooms in a *single family dwelling* may be used for a *bed and breakfast*;
 - (c) a *bed and breakfast* must be operated by a permanent resident of the *single family dwelling* to which it relates;
 - (d) a maximum of one person who is not a resident of the *single family dwelling* may be on the *parcel* at any one time to assist a resident in the operation of a *bed and breakfast*; and
 - (e) One sign not exceeding one square metre (10.76 sq. ft.) may be located on a *parcel* for the purpose of advertising a *bed and breakfast* on that *parcel*.

CAMPGROUND

- 3.12** The maximum density of *camping spaces* in a *campground* is 5 per ha.

GUEST ACCOMMODATION

- 3.13** *Guest Accommodation* must:

- (a) have a *floor area* of less than 50 m² (538.2 sq. ft.); and
- (b) be located on the same *parcel* as a *single family dwelling* that is the *principal use*.

HOME BUSINESS

- 3.14** A *home business* must comply with the following regulations:

- (a) a *home business* must be on the same *parcel* as the *single family dwelling* to which it relates;
- (b) all *home businesses* on a *parcel*, in total, must be subordinate and incidental to the *single family dwelling* to which they relate;
- (c) a *home business* must be fully enclosed by a roof, walls and foundation within a *single family dwelling* or an *accessory building* to the *single family dwelling*;
- (d) there must be no outside storage or operation of the *home business* with the exception of required *home business* off street parking spaces;
- (e) all *home businesses* on a *parcel* may use, in total, a maximum of 25 percent of the *floor area* of the *single family dwelling* to which the *home businesses* relate;
- (f) the maximum total *gross floor area* of all *home businesses* on a *parcel* is 60 m² (645.84 sq. ft.);
- (g) Where a *home business* and a *home industry* are permitted, the sum of the *gross floor areas* of both *uses* must not exceed the maximum *gross floor area* for *home industry*.
- (h) a *home business* must be operated by a permanent resident of the *single family dwelling* to which the *home business* relates;
- (i) a maximum of one person who is not a resident of the *single family dwelling* may be on the *parcel* at any one time to assist a resident in the operation of a *home business*;
- (j) the area used for the display and sale of retail and wholesale goods on a *parcel* is limited to 20 percent of the *floor area* used for the *home business* and must be auxiliary and incidental to the *home business*;
- (k) One sign not exceeding one square metre (10.76 sq. ft.) may be located on a *parcel* for the purpose of advertising the *home businesses* on that *parcel*; and
- (l) a *home business* does not include:
 - (i) a *bed and breakfast*, boarding house or any similar kind of accommodation to the public;
 - (ii) vehicle or equipment repair or maintenance of any kind;
 - (iii) vehicle wrecking;
 - (iv) metal fabrication;
 - (v) a *kennel*;
 - (vi) a *restaurant* or similar *use* involving the serving of prepared food or drink; or.
 - (vii) a sawmill.

HOME INDUSTRY

3.15 A *home industry* must comply with the following regulations:

- (a) a *home industry* must be on the same *parcel* as a *single family dwelling*;
- (b) a *home industry* is not permitted within a *single family dwelling*;
- (c) a *home industry* must be fully enclosed by a roof, walls and foundation within a *building*;
- (d) there must be no outside storage or operation of the *home industry* with the exception of required *home industry* off street parking spaces;
- (e) the maximum total *gross floor area* of all *home industries* on a *parcel* is 200 m² (2152.8 sq. ft.);
- (f) Where a *home business* and a *home industry* are permitted, the sum of the *gross floor areas* of both *uses* must not exceed the maximum *gross floor area* for *home industry*.
- (g) a *home industry* must be operated by a permanent resident of the *single family dwelling* to which the *home industry* relates;
- (h) a maximum of two people who are not residents of the *single family dwelling* to which the *home industry* relates may be on the *parcel* at any one time to assist a resident in the operation of the *home industries* on the *parcel*;
- (i) the area used for the display and sale of retail and wholesale goods on a *parcel* is limited to 20 percent of the *floor area* used for the *home industry* and must be auxiliary and incidental to the *home industry*;
- (j) One sign not exceeding one square metre (10.76 sq. ft.) may be located on a *parcel* for the purpose of advertising the *home industries* on that *parcel*;
- (k) a *home industry* does not include:
 - (i) a *bed and breakfast*, boarding house or any similar kind of accommodation to the public;
 - (ii) vehicle or equipment repair or maintenance of any kind;
 - (iii) vehicle or equipment wrecking;
 - (iv) metal fabrication;
 - (v) a *kennel*;
 - (vi) a *restaurant* or similar *use* involving the serving of prepared food or drink; or.
 - (vii) a sawmill.

OUTDOOR STORAGE

3.16 Except as is permitted in a zone, a *parcel* must not be *used* for the outdoor storage of discarded materials, rubbish or offensive matter, or for the wrecking of a motor vehicle.

RESIDENTIAL CAMPSITE

- 3.17
- (1) The *single family dwelling* or *standalone residential campsite* that a *residential campsite* is related to, must be the *principal use* on the *parcel*.
 - (2) Where a *residential campsite* is permitted, a maximum of three camping units are permitted on the residential campsite.
 - (3) Where a *residential campsite* is related to a *single family dwelling*, it must have a connection to an *onsite sewage disposal system*.

- (4) Where a *residential campsite* is related to a *standalone residential campsite*, it must have a connection to an *onsite sewage disposal system* or have a *privy* on the *parcel* while the *residential campsite* is occupied.

STANDALONE RESIDENTIAL CAMPSITE

- 3.18 (1) Where a *standalone residential campsite* is permitted, a maximum of one *standalone residential campsite* is permitted on a *parcel*.
- (2) A *standalone residential campsite* must be connected to an *onsite sewage disposal system* or have a *privy* on the *parcel* while the *standalone residential campsite* is occupied.

PART 4 OFF STREET PARKING AND OFF STREET LOADING REGULATIONS

CHANGES TO SITUATIONS EXISTING DATE BYLAW CAME INTO FORCE

- 4.0 (1) A change to land, *buildings*, structures or *uses*, in existence the date this *bylaw* came into force, must provide and maintain off street parking spaces and off street loading spaces in accordance with the regulations of this *bylaw* with respect to the change.
- (2) An off street parking space and off street loading space existing the date this *bylaw* came into force must not be reduced to less than the regulations of this *bylaw* require including but not limited to the number of off street parking spaces and off street loading spaces.

NUMBER OF OFF STREET PARKING AND OFF STREET LOADING SPACES

- 4.1 (1) The number of off street parking spaces and off street loading spaces required for each *use* is stated in Table 1.
- (2) Where the calculation of the required number of off street parking spaces or off street loading spaces results in a fraction, one space must be provided for the fraction.
- (3) Where seating is the basis for calculating the number of off street parking spaces or off street loading spaces, each 0.5 m (1.64 ft.) of width on a bench, pew, booth or similar seating type, is one seat.
- (4) Where more than one *use* is located on a *parcel*, the total number of off street parking spaces and off street loading spaces required is the sum total of the requirements for each *use*.
- (5) Where more than one requirement applies to a *use*, the more stringent requirement applies.

OFF STREET PARKING SPACE

- 4.2 An off street parking space must be a minimum of 15.9 m² (171.15 sq. ft.) in area, 2.9 m (9.51 ft.) wide, 5.5 m (18.05 ft.) long and 2.2 m (7.22 ft.) high and have a regular surface with a maximum slope of 8 percent. .

OFF STREET LOADING SPACE

- 4.3 An off street loading space must be a minimum of 3.7 m (12.14 ft.) wide, 9 m (29.53 ft.) long and 3.7 m (12.14 ft.) high and have a regular surface with a maximum slope of 8 percent.

AVERAGE AREA OF OFF STREET PARKING SPACES

- 4.4 The area of an off street parking space may be reduced by a maximum of 20 percent provided the average area of all the off street parking spaces on the *parcel* are equal to the minimum area stated in section 4.2.

ACCESS TO OFF STREET PARKING SPACE AND OFF STREET LOADING SPACE

- 4.5 (1) An off street parking space and an off street loading space must be accessible from a driveway or other internal roadway that is connected to a *highway*, by a driveway or another form of common driveway or access way that is suitable for the purpose of moving traffic from a *highway* to an off street parking space or off street loading space.
- (2) Excepting the off street parking spaces for a *single family dwelling*, an off street parking space and an off street loading space must be constructed so as to permit unobstructed access to and egress from each space at all times without the need to move other vehicles.

LOCATION OF OFF STREET PARKING SPACE AND OFF STREET LOADING SPACE

- 4.6 (1) An off street parking space and off street loading space must be located on the same *parcel* as the *use* it is required for.
- (2) An off street loading space must not be within the required *setback* from the *front parcel boundary* and it must not be closer than 7.5 m (24.61 ft.) to the nearest point of intersection of 2 or more *highways*.

**TABLE 1
REQUIRED OFF STREET PARKING SPACES AND OFF STREET LOADING SPACES**

USE	MINIMUM REQUIRED NUMBER OF OFF STREET PARKING SPACES	MINIMUM REQUIRED NUMBER OF OFF STREET LOADING SPACES
<i>Bed and breakfast</i>	1, plus 1 per guest room	
<i>Campground</i>	3, plus 1 for each campsite	
<i>Cemetery</i>	3	
<i>Cottage</i>	1	
<i>Dwelling unit</i>	2	
<i>Guest accommodation</i>	1	
<i>Home business</i>	1, plus 1 for each 30 m ² (322.92 sq. ft.) of <i>floor area</i>	
<i>Home industry</i>	1, plus 1 for each 30 m ² (322.92 sq. ft.) of <i>floor area</i>	
<i>Kennel</i>	1, plus 1 for each 30 m ² (322.92 sq. ft.) of <i>floor area</i>	
<i>Marina</i>	1 for each berth plus 1 for each 20 m ² (215.28 sq. ft.) of <i>floor area</i>	
<i>Motel</i>	1 for each sleeping unit	
<i>Nursery</i>	1, plus 1 for each 30 m ² (322.92 sq. ft.) of <i>floor area</i>	
<i>Office</i>	1 for each 10 m ² (107.64 sq. ft.) of <i>floor area</i>	
<i>Place of religious worship</i>	1 for each 4 seats	
<i>Public assembly facility</i>	1 for each 10 m ² (107.64 sq. ft.) of <i>floor area</i>	
<i>Residential campsite</i>	1	

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<i>Resort Residential Space</i>	1	
<i>Restaurant</i>	3, plus 1 for each 10 m ² (107.64 sq. ft.) of <i>floor area</i>	1 where the <i>floor area</i> is greater than 500 m ² (5382 sq. ft.)
<i>Retail store</i>	1 for each 10 m ² (107.64 sq. ft.) of <i>floor area</i>	1 where the <i>floor area</i> is greater than 500 m ² (5382 sq. ft.)
<i>Service Station</i>	2 per service bay	
<i>Standalone residential campsite</i>	1	
<i>Single family dwelling</i>	2 per <i>dwelling unit</i>	
<i>Youth camp</i>	5	

PART 5 ZONES

BL800-1 ESTABLISHMENT OF ZONES

5.0 The Magna Bay Zoning Bylaw No. 800 area is divided into the zones stated in Table 2. Column 1 lists the name of each zone and Column 2 states a descriptive term for each zone that is for convenience only.

**TABLE 2
ZONE TITLES AND ZONE SYMBOLS**

COLUMN 1 ZONE TITLE	COLUMN 2 ZONE SYMBOL
Agriculture	A
Rural	R
Country Residential	CR
Residential	RS
Multi-Single Family Residential	MSR
General Commercial	GC
Comprehensive Development 1	CD-1
Industrial Gravel Processing	IG
Institutional	P

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LOCATION AND EXTENT OF ZONES

- 5.1**
- (1)** The location and extent of each zone is shown in Schedule B.
 - (2)** Where a zone boundary is shown as following a *highway*, the centreline of the *highway* is the zone boundary.
 - (3)** Where a zone boundary does not follow a legally defined line, and where distances are not specifically stated, the location of the zone boundary will be determined by scaling to the centre of the zone boundary line as shown on the maps in Schedule B.

Permitted Uses

5.2 (1) The *uses* stated in this subsection and no others are permitted in the Agriculture zone, except as stated in Part 3 General Regulations.

(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 m² (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*

Regulations

(2) On a *parcel* zoned Agriculture, 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	60 ha (148.2 ac.)
(b) Minimum <i>parcel</i> width created by subdivision	100 m
(c) Maximum <i>parcel</i> coverage	25 percent
(d) Maximum number of <i>single family dwellings</i> per <i>parcel</i>	<ul style="list-style-type: none"> • On <i>parcels</i> less than 30 ha (74.1 ac.); 1 • On <i>parcels</i> equal to or greater than 30 ha (74.1 ac.); 2
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
(f) Minimum <i>setback</i> of a <i>building</i> containing a <i>home industry</i> from each <i>parcel</i> boundary Minimum <i>setback</i> for all other <i>uses</i> from: <ul style="list-style-type: none"> • <i>front parcel</i> boundary • <i>side parcel</i> boundary • <i>rear parcel</i> boundary 	<p>10 m (32.81 ft.)</p> <p>5 m (16.41 ft.)</p> <p>5 m (16.41 ft.)</p> <p>5 m (16.41 ft.)</p>

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5.3 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Rural zone, except as stated in Part 3 General Regulations.

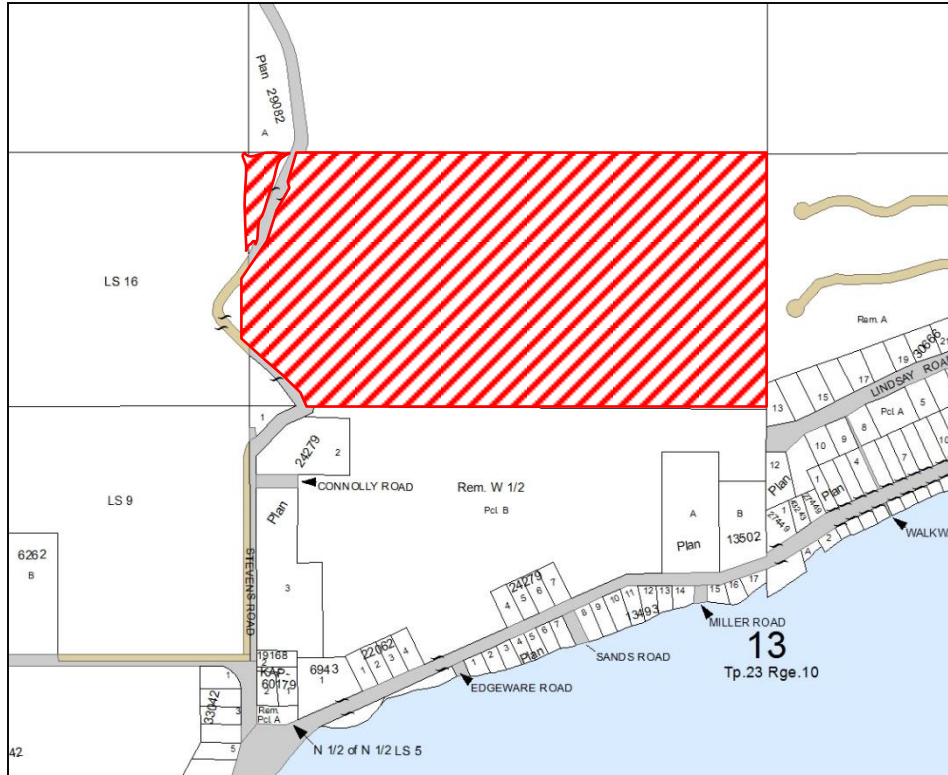
- (a) *Single family dwelling*
- (b) *Agriculture*
- (c) *Bed and Breakfast*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (d) *Cemetery*
- (e) *Guest accommodation*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (f) *Home business*
- (g) *Home industry*, permitted on a *parcel* 4000 m² (0.99 ac.) or larger.
- (h) *Kennel, buildings* and structures, including runs must be a minimum of 90 m (295.29 ft.) from a *parcel* boundary.
- (i) *Residential campsite*
- (j) *Standalone residential campsite*
- (k) *Accessory use*

(2) Regulations

On a *parcel* zoned Rural; 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	60 ha (148.2 ac.)
(b) Minimum <i>parcel</i> width created by subdivision	100 m
(c) Maximum <i>parcel</i> coverage	25 percent
(d) Maximum number of <i>single family dwellings</i> per <i>parcel</i>	<ul style="list-style-type: none"> • On <i>parcels</i> less than 30 ha (74.1 ac.); 1 • On <i>parcels</i> equal to or greater than 30 ha (74.1 ac.); 2
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
(f) Minimum <i>setback</i> of a <i>building</i> containing a <i>home industry</i> from each <i>parcel</i> boundary Minimum <i>setback</i> for all other <i>uses</i> from: <ul style="list-style-type: none"> • <i>front parcel</i> boundary • <i>side parcel</i> boundary • <i>rear parcel</i> boundary 	10 m (32.81 ft.) 5 m (16.41 ft.) 5 m (16.41 ft.) 5 m (16.41 ft.)

- (3)**
- (a)** In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
 - (b)** Notwithstanding Section 5.3(2)(a) the minimum parcel size created by subdivision only for that portion of Lot A, Section 13, Township 23, Range 9, W6M, KDYD, Plan 25890 shown hatched on the following map, is 30 ha:



5.4 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Country Residential zone, except as stated in Part 3 General Regulations.

- (a) *Single family dwelling*
- (b) *Bed and Breakfast*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (c) *Guest accommodation*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (d) *Home business*
- (e) *Home industry*, permitted on a *parcel* 4000 m² (0.99 ac.) or larger.
- (f) *Residential campsite*
- (g) *Standalone residential campsite*
- (h) *Accessory use*

(2) Regulations

On a *parcel* zoned Country 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 Off Street Parking and Off Street Loading Regulations.

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COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
<p>(a) Minimum <i>parcel</i> size created by subdivision</p> <p>A subdivision with lots smaller than 2 ha (4.94 ac) may be created provided that the development net density must not exceed 1 lot per 2 ha (4.94 ac) and the minimum parcel size is not less than 1 ha (2.47 ac).</p>	2 ha (4.94 ac.)
<p>(b) Minimum <i>parcel width</i> created by subdivision</p>	20 m (65.62 ft.)
<p>(c) Maximum <i>parcel coverage</i></p>	25 percent
<p>(d) Maximum number of <i>single family dwellings</i> per <i>parcel</i></p>	1
<p>(e) Maximum <i>height</i> for:</p> <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 6 m (19.69 ft.)

<p>(f) Minimum <i>setback</i> of a <i>building</i> containing a <i>home industry</i> from each <i>parcel</i> boundary</p> <p>Minimum <i>setback</i> for all other <i>uses</i> from:</p> <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> 	<p style="text-align: center;">10 m (32.81 ft.)</p> <p style="text-align: center;">4.5 m (14.76 ft.)</p> <ul style="list-style-type: none"> • for an <i>accessory building</i> 3 m (9.84 ft.) • for a <i>principal building</i> or structure, 4.5 m (14.76 ft.) <p style="text-align: center;">4.5 m (14.76 ft.)</p> <ul style="list-style-type: none"> • for an <i>accessory building</i>, 3 m (9.84 ft.) • for a <i>principal building</i> or structure, 6 m (19.69 ft.)
<p>(g) Maximum gross <i>floor area</i> of an <i>accessory building</i></p>	<p style="text-align: center;">55 m² (592.02 sq. ft.)</p>

5.5 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Residential zone, except as stated in Part 3 General Regulations.

- (a) *Single family dwelling*
- (b) *Bed and breakfast*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (c) *Guest accommodation*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (d) *Home business*
- (e) *Home industry*, permitted on a *parcel* 4000 m² (0.99 ac.) or larger.
- (f) *Residential campsite*
- (g) *Standalone residential campsite*
- (h) *Accessory use*

(2) Regulations

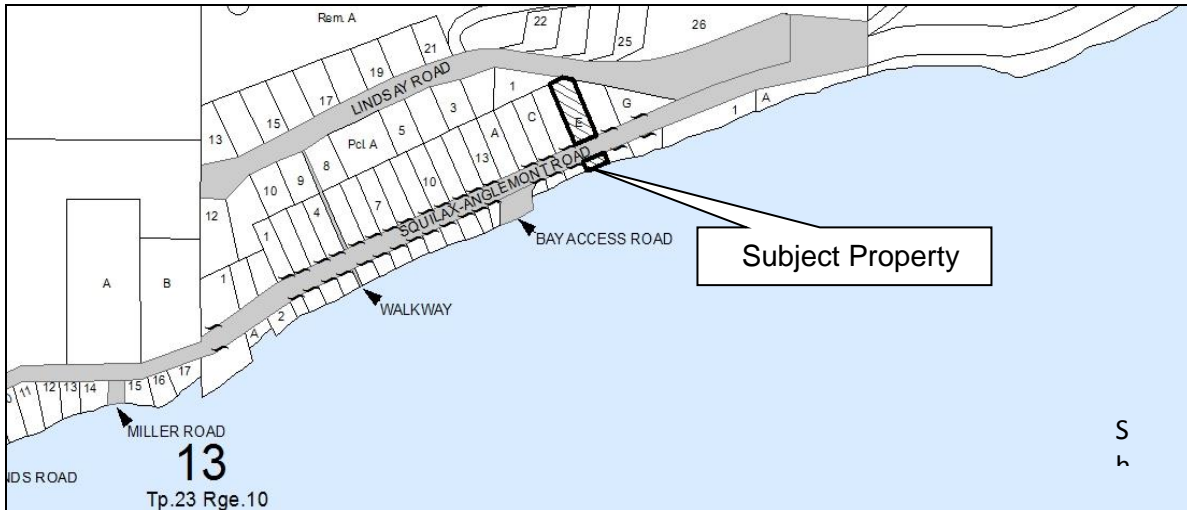
On a *parcel* zoned Residential: no land shall be used; no *building* or structure shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3 General Regulations and Part 4 Off Street Parking and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

	COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
BL800-11	(a) Minimum <i>parcel</i> size created by subdivision <ul style="list-style-type: none"> • where a <i>parcel</i> is served by both a <i>community water system</i> and a <i>community sewer system</i> • in all other cases 	4000m ² (1 ac.) 1 ha (2.47 ac.)
	(b) Minimum <i>parcel</i> width created by subdivision	20 m (65.62 ft.)
	(c) Maximum <i>parcel</i> coverage	25 percent
	(d) Maximum number of <i>single family dwellings</i> per <i>parcel</i>	1
BL800-6	(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 6 m (19.69 ft.)

<p>(f) Minimum setback of a building containing a home industry from each parcel boundary</p> <p>Minimum setback for all other uses from:</p> <ul style="list-style-type: none"> • front parcel boundary • interior side parcel boundary • exterior side parcel boundary • rear parcel boundary 	<p>10 m (32.81 ft.)</p> <p>4.5 m (14.76 ft.)</p> <p>2 m (6.56 ft.)</p> <p>4.5 m (14.76 ft.)</p> <ul style="list-style-type: none"> • for an accessory building 3 m (9.84 ft.) • for a single family dwelling and guest accommodation 4.5 m (14.76 ft.)
<p>(g) Maximum gross floor area of an accessory building</p>	<p>55 m² (592.02)</p>

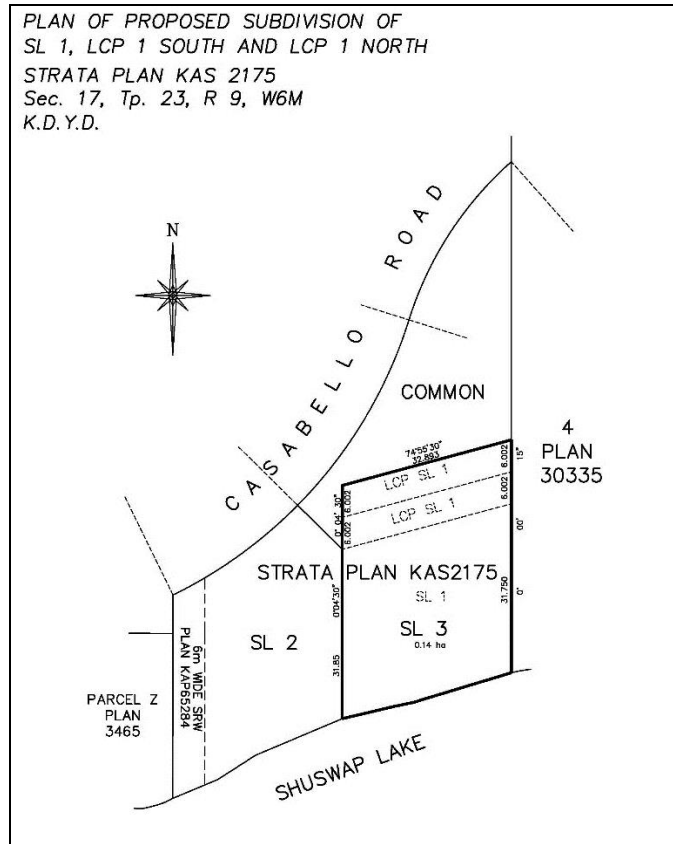
BL800-20

- (3)** (a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
- (b) (i) despite Part 3 General Regulations, Section 3.13(a), the maximum floor area of the guest accommodation is 140.63 m²; and
- (ii) despite the parcel size requirement described in Section 5.5(1)(c), a guest accommodation is a permitted use on Lot E, Section 13, Township 23, Range 10, W6M, KDYD, Plan 29668, which property is more particularly shown hatched on the map following.



- (4) (a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
- (b) (i) despite the minimum parcel size created by subdivision established in Section 5.5(2)(a), the minimum parcel size created by subdivision is 0.140 ha;
- (ii) despite the minimum setback for all other uses from the interior side parcel boundary as established in Section 5.5(2)(f), the minimum setback for the existing hot tub from the interior side parcel boundary is 1.12 m; and,
- (iii) despite the maximum gross floor area of an accessory building as established in Section 5.5(2)(g), the maximum gross floor area of an accessory building is 68.6 m²;

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.



BL800-28

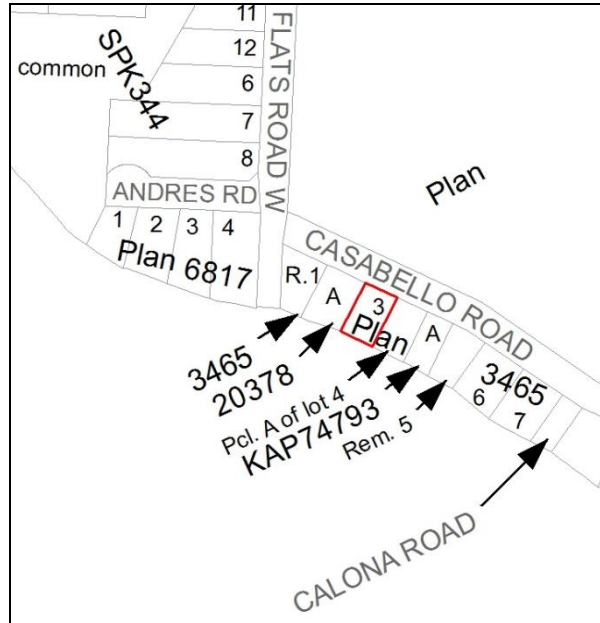
- (5) (a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
- (b) (i) Notwithstanding Section 5.5(2)(a), the minimum parcel size created by boundary adjustment subdivision for that portion of Lot A, Plan 25890 and Lot 1, Plan 24279, all of Section 13, Township 23, Range 10, W6M, KDYD, as detailed on the plan of subdivision attached to MOT File 2015-00249, and shown on the following map, is 0.578 ha:



BL800-29

- (6) (a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
- (b) (i) despite the maximum parcel coverage as established in Section 5.5(2)(c), the maximum parcel coverage is 30%;
- (ii) despite the maximum height of an accessory building as established in Section 5.5(2)(e), the maximum height of an accessory building is 7.72 m; and,

- (iii) despite the minimum interior side parcel boundary setback as established in Section 5.5(2)(f), the minimum interior side parcel boundary setback is 1.39 m (to the eaves) for the garage, only for Lot 3, Section 17, Township 23, Range 9, West of the 6th Meridian, Kamloops Division Yale District, Plan 3465, which is more particularly shown on the following map:



5.6 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Multi-Single Family Residential zone, except as stated in Part 3 General Regulations.

(a) *Single family dwelling*

(b) *Home business*

(c) *Accessory use*

(2) Regulations

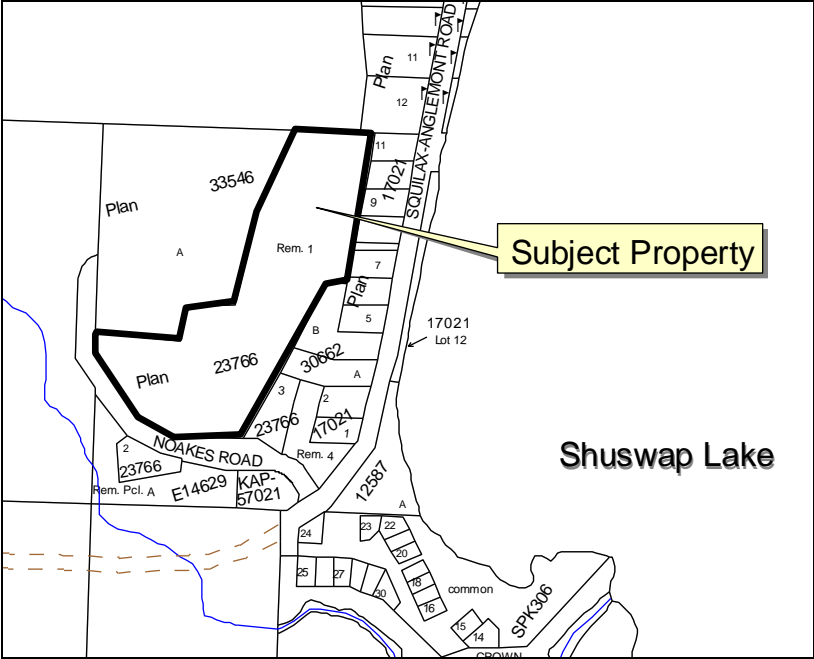
On a *parcel* zoned Multi-Single Family Residential; no land shall be used; no *building* or structure shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3 General Regulations and Part 4 Off Street Parking and Off Street Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision	8 ha (19.76 ac.)
(b) Minimum <i>parcel width</i> created by subdivision	20 m (65.62 ft.)
(c) Maximum density of <i>single family dwellings</i> <ul style="list-style-type: none"> • on <i>parcels</i> less than 1 ha • on <i>parcels</i> 1 ha or larger 	1 per <i>parcel</i> 1 per ha (2.47 ac.)
(d) 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> 	4.5 m (14.76 ft.) 2 m (6.56 ft.) 4.5 m (14.76 ft.) 4.5 m (14.76 ft.)
(e) Minimum separation distance between <i>single family dwellings</i> on a <i>parcel</i>	4.5 m (14.76 ft.)
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
(g) Maximum <i>gross floor area</i> of an <i>accessory building</i>	55 m ² (592.02)

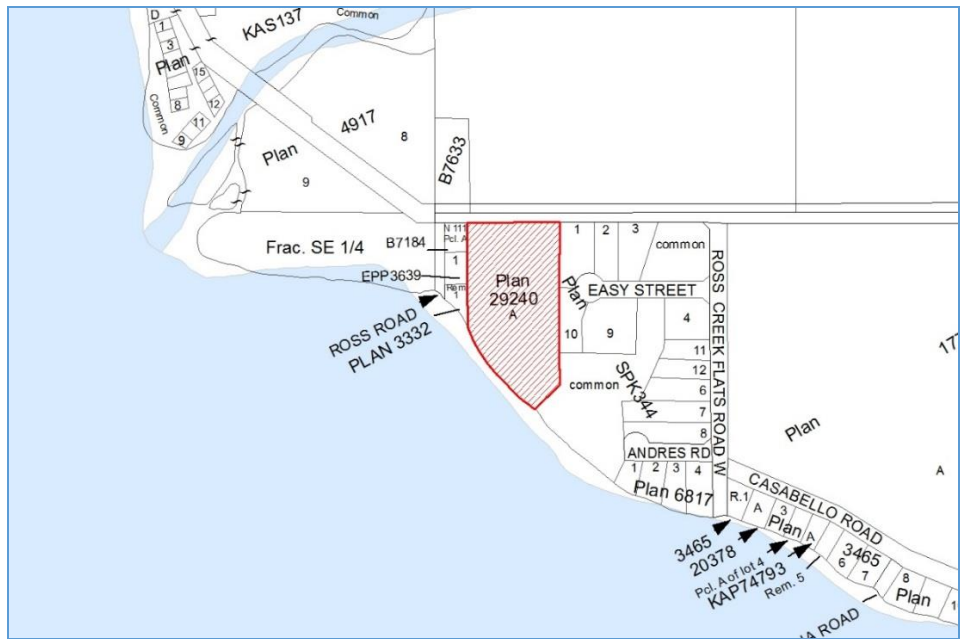
BL800-6

(3) (a) In this subsection, lands are described by legal description and by map and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

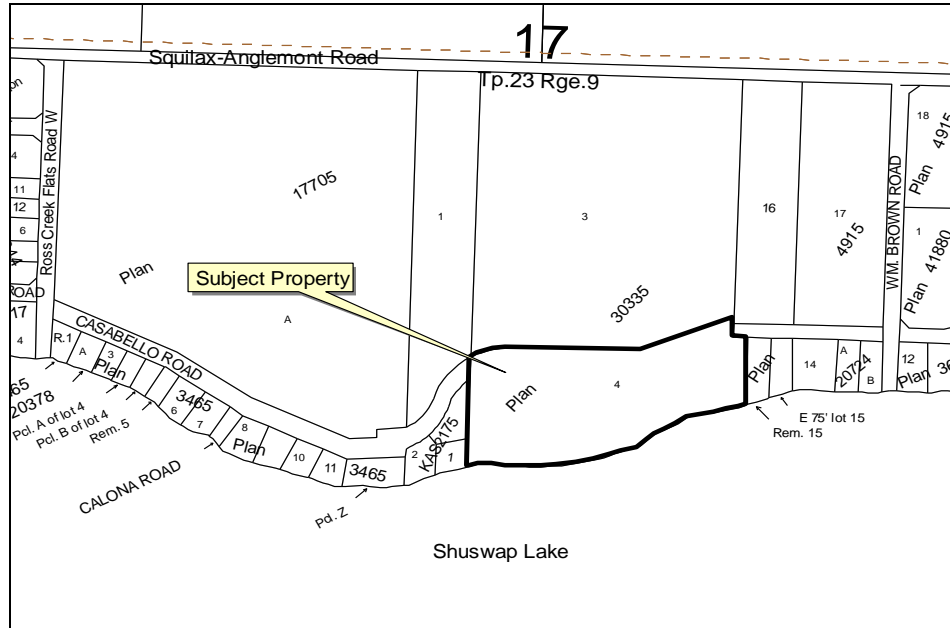
- (b) Despite subsection (2)(c) the maximum density of *single family dwellings* on Lot 1, Plan 23766, Section 14, Township 23, Range 10, W6M, KDYD except Plan 33546 as shown on the map below is 3.59/ha.



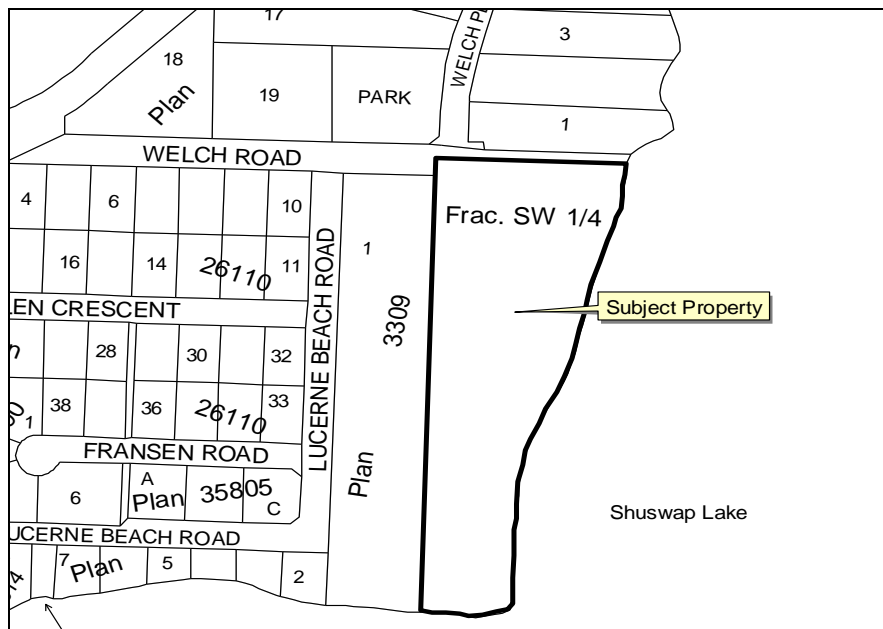
- (c) (i) Despite subsection (2)(c) the maximum density of *dwelling units* on Lot A, Plan 29240, Section 17, Township 23, Range 9, W6M, KDYD as shown on the map below is 10.47/ha.
- (ii) Despite subsection (1) the permitted uses on Lot A, Plan 29240, Section 17, Township 23, Range 9, W6M, KDYD as shown on the map below, shall include five (5) duplexes.
- (iii) Notwithstanding subsection (2)(e) the Minimum separation distance between *buildings* containing *dwelling units* is 2.74 m on Lot A, Plan 29240, Section 17, Township 23, Range 9, W6M, KDYD as shown on the map below.



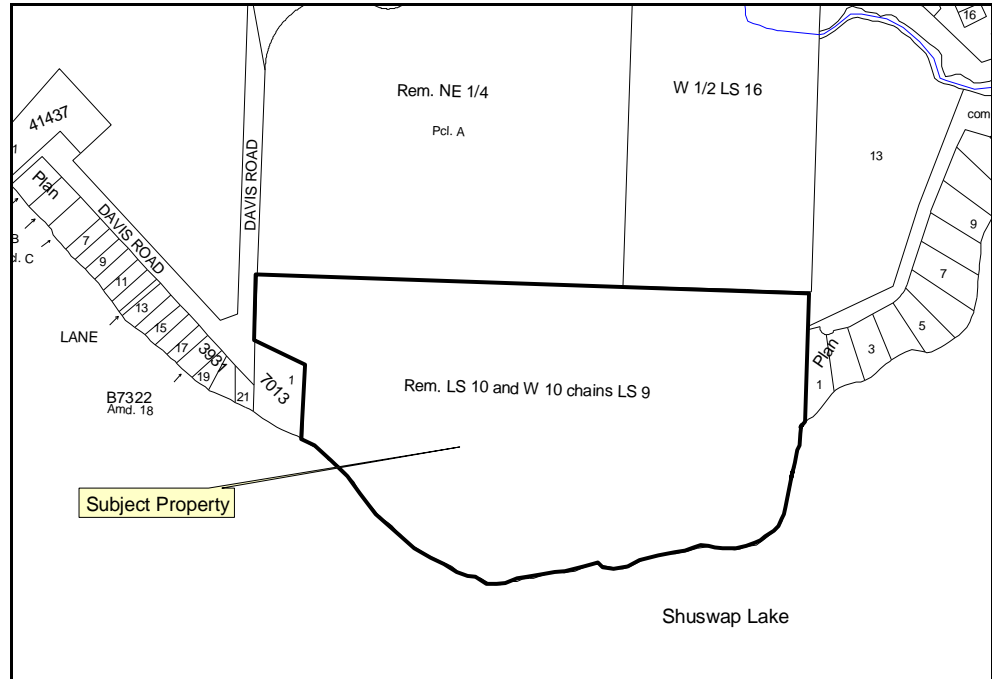
- (d) Despite subsection (2)(c) the maximum density of *single family dwellings* on Lot 4, Plan 30335, Section 17, Township 23, Range 9, W6M, KDYD as shown on the map below is 3.74/ha.



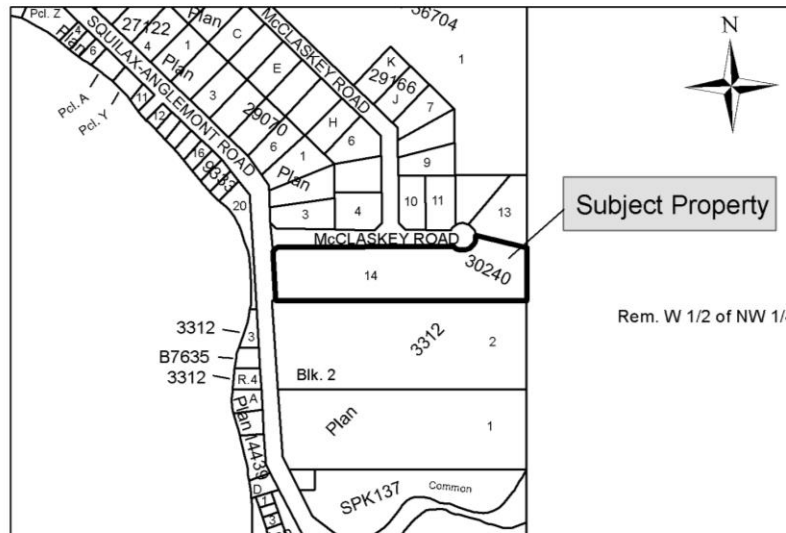
- (e) Despite subsection (2)(c) the maximum density of *single family dwellings* on part of south west 1/4 Section 16, Township 23, Range 9, W6M, KDYD as shown on the map below is 2.19/ha.



- (f) Despite subsection (2)(c) the maximum density of *single family dwellings* on the portion of LS 10 except Plan 7013 and the westerly 10 chains of LS 9 all in Section 11, Township 23, Range 10, W6M, KDYD as shown on the map below and that lies within the Multi-Single Family Residential Zone is 6.84/ha.



- BL800-3** (g) Despite subsection (2)(c) the maximum density of single family dwellings on Lot 14, Section 18, Township 23, Range 9, W6M, KDYD, Plan 30240 as shown on the map below is 1.57/ha.



5.7 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the General Commercial zone, except as stated in Part 3 General Regulations.

BL800-14

- (a) *Campground*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (b) *Marina*, but does not include the sale of marine petroleum products.
- (c) *Motel*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (d) *Nursery*
- (e) *Office*
- (f) *Restaurant*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (g) *Retail store*
- (h) Either a *dwelling unit* or a *single family dwelling* for the use of the owner, operator or caretaker of an existing permitted and *principal use* listed in subsections (a) to (g).
- (i) *Accessory use*

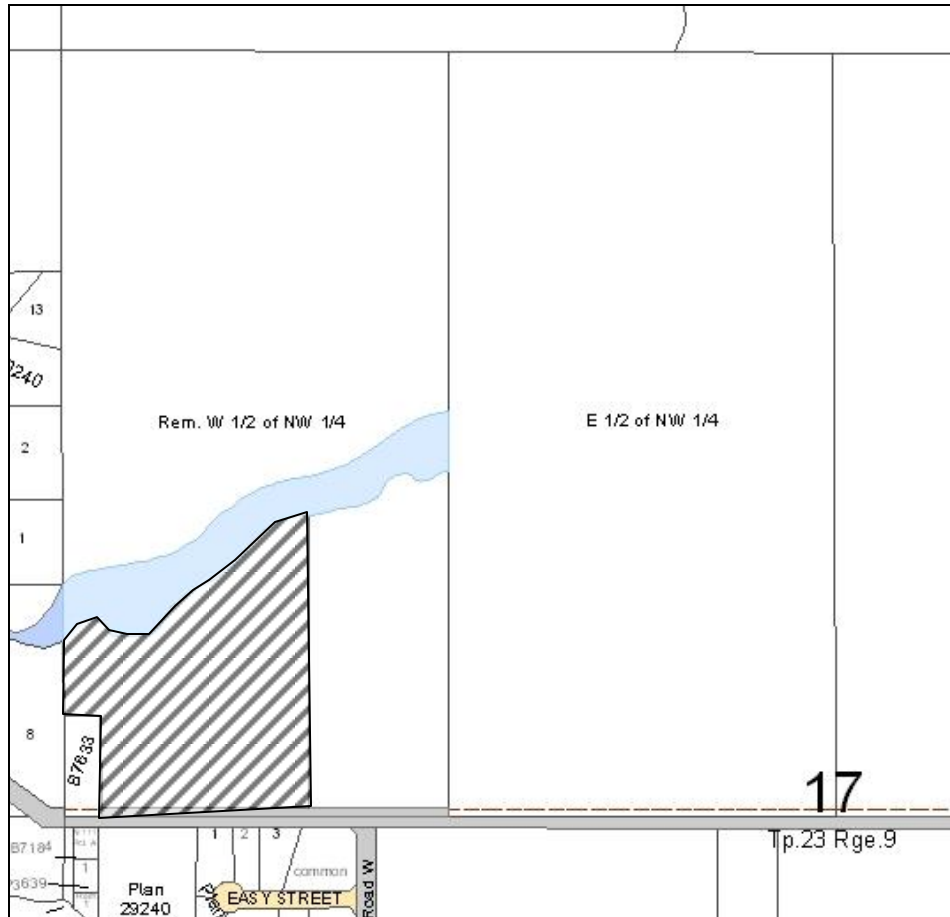
(2) Regulations

On a *parcel* zoned General Commercial: 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	1 ha (2.47 ac.)
(b) Minimum <i>parcel</i> width created by subdivision	30 m (65.62 ft.)
(c) Maximum <i>parcel</i> coverage	40 percent
(d) Maximum number of <i>dwelling units</i> or <i>single family dwellings</i> per <i>parcel</i>	1
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> • <i>front parcel</i> boundary • <i>interior side parcel</i> boundary • <i>exterior side parcel</i> boundary • <i>rear parcel</i> boundary 	4.5 m (14.76 ft.) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.) 3 m (9.84 ft.)
(g) Outdoor storage and display area	Must be sited in conformance with the minimum <i>setbacks</i>

- (3) (a)** In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.
- (b) (i)** despite Section 3.12, the maximum density of *camping spaces* in a *campground* is 10.5 per hectare; and
- (ii)** despite Section 5.7(1), a *service station* and a *laundromat* are permitted uses;

on that part of the West ½ of North West ¼, Section 17, Township 23, Range 9, West of 6th Meridian, Kamloops Division Yale District, Except part of the Southerly 350 Feet of Legal Subdivision 12 Section 17 as shown on Plan B7633; which part is more particularly shown hatched on the map below.



5.8 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Industrial Gravel Processing zone, except as stated in Part 3 General Regulations.

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

Regulations

- (2) On a *parcel* zoned Industrial Gravel Processing: 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 ha (12.36 ac.)
(b) Minimum <i>parcel</i> width created by subdivision	30 m (98.43 ft.)
(c) Required minimum siting of <i>buildings</i> , structures and stored sand and gravel from <i>parcel</i> boundaries: <ul style="list-style-type: none"> • all <i>parcel</i> boundaries that are adjacent to an area zoned Residential, Country Residential or Multi-Single Family Residential; • all <i>parcel</i> boundaries that are adjacent to an area not zoned Residential, Country Residential or Multi-Single Family Residential. 	<p>30 m (98.43 ft.)</p> <p>5 m (16.41 ft.)</p>
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)

BL800-6

5.9 (1) Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Institutional zone, except as stated in Part 3 General Regulations.

- (a) Place of religious worship
- (b) *Public assembly facility*
- (c) *Youth camp*, permitted on a *parcel* 1 ha (2.47 ac.) or larger.
- (d) *Accessory use*

(2) Regulations

On a *parcel* zoned Institutional: 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	1 ha. (2.47 ac.)
(b) Minimum <i>parcel</i> width created by subdivision	20 m (65.62 ft.)
(c) Maximum <i>parcel coverage</i>	25 percent
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.73 ft.) • 10 m (32.81 ft.)
(e) Minimum <i>setback</i> from: <ul style="list-style-type: none"> • <i>front parcel boundary</i> • <i>side parcel boundary</i> • <i>rear parcel boundary</i> 	<p style="text-align: center;">5 m (16.41 ft.)</p> <p style="text-align: center;">7.5 m (24.61 ft.)</p> <p style="text-align: center;">7.5 m (24.61 ft.)</p>
(f) <i>Youth camp</i> The maximum density of <i>camping spaces</i> , and beds in <i>buildings</i> is determined using the following calculation; (i) 1 <i>camping space</i> = 1 unit (ii) 1 bed = 0.33 units	The maximum density of units is 5 per ha

BL800-6

BL800-14

BL800-7 **5.11** **Development Area 1**

(1) **Permitted Uses**

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

- (a)** *Single Family Dwelling*
- (b)** *Home Business*
- (c)** *Accessory use*

(2) **Regulations**

On a *parcel* zoned Comprehensive Development 1 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.

BL800-18

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel size</i> created by subdivision	1 ha (2.47 ac.)
(b) Maximum <i>parcel coverage</i>	40 %
(c) Maximum number of <i>dwelling units</i> in Development Area 1	1
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> • Principal <i>buildings</i> and structures • <i>Accessory buildings</i> 	<ul style="list-style-type: none"> • 11.5 m (37.72 ft) • 6 m (19.69 ft)
(e) 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) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.) 3 m (9.84 ft.)

BL800-7

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)** *Resort Residential Space*
- (b)** *Accessory Use*
- (c)** *Offsite marina parking*

BL800-18

(4) Regulations

On a *parcel* zoned Comprehensive Development 1 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.

BL800-18

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision	1 ha (2.47 ac)
(b) Maximum number of <i>resort residential spaces</i> in Development Area 2 <ul style="list-style-type: none">• where a <i>parcel</i> is serviced by both a <i>community water system</i> and <i>community sewer system</i>• in all other cases	80 6 per ha (6 per 2.47 ac)
(c) Maximum number of <i>dwelling units</i> in Development Area 2	1
(d) Maximum <i>parcel coverage</i>	40%
(e) Maximum <i>height</i> for: <ul style="list-style-type: none">• Principal <i>buildings</i> and structures• <i>Accessory buildings</i>	<ul style="list-style-type: none">• 11.5 m (37.72 ft)• 6 m (19.69 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">4.5m (14.76 ft)2 m (6.56 ft.)4 m (13.12 ft.)3 m (9.84 ft.)

BL800-18

Development Area 3

(5) Permitted Uses

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

- (a) Boat Sales, Rental and Repair
- (b) Office
- (c) *Personal Water Craft*, All Terrain Vehicle and Snowmobile Sales, Rental and Repair
- (d) *Retail Store*
- (e) Either a *dwelling unit* or a *single family dwelling* for the use of the owner, operator or caretaker of an existing permitted and *principal use* listed in subsection (a) to (d).
- (f) *Accessory Use*

(6) Regulations

On a *parcel* zoned Comprehensive Development 1 within Development Area 3, 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	1 ha (2.47 ac)
(b) Maximum <i>parcel</i> coverage	60 %
(c) Maximum number of <i>dwelling units</i> in Development Area 3	1
(d) Maximum <i>height</i> for: <ul style="list-style-type: none">• Principal <i>buildings</i> and structures• <i>Accessory buildings</i>	<ul style="list-style-type: none">• 11.5 m (37.72 ft)• 6 m (19.69 ft)
(e) 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 m (6.56 ft.)4 m (13.12 ft.)3 m (9.84 ft.)

(7) Special Regulations

Within Comprehensive Development Zone 1 of Magna Bay Zoning Bylaw No. 800:

(a) COMMUNITY SEWER SYSTEM means a system of works owned, operated and maintained by the Regional District, Strata Corporation, Improvement District, Utility or Corporation (Private or Public), which is established and operated under the Public Health Act and regulations, or Environmental Management Act and regulations, or any other provincial legislation that may apply, for the collection treatment, and disposal of sanitary sewage, and which serves more than one *resort residential space* or *dwelling unit*.

(b) COMMUNITY WATER SYSTEM means a water supply system owned, operated and maintained by the Regional District,; a water utility company holding a certificate of Public Convenience and Necessity under the Water Act in respect of which no compliance issues under the Drinking Water Protection Act are outstanding; a Water Supply System operated by a strata corporation, in accordance with the Strata Properties Act, in respect of which no compliance issues under the Drinking Water Protection Act are outstanding; and which serves more than one *resort residential space* or *dwelling unit*.

**THE FOLLOWING INFORMATION IS NOT PART OF THE
MAGNA BAY ZONING BYLAW NO. 800**

**Further Information About Development And Subdivision Within The Magna Bay Zoning
Bylaw Area In Addition To Magna Bay Zoning Bylaw No. 800**

The following information is provided for the information and convenience of the reader. It may be used as a guide to investigate which agencies to contact for further information or requirements where development or subdivision is proposed. The information may not be complete and should be used only as a guide. The information is divided as follows:

1. Further information about Magna Bay Zoning Bylaw No. 800,
2. Agencies authorizing or regulating development, and
3. Agencies authorizing or regulating subdivisions.

Please note that more than one agency may regulate an activity or development. All regulations and bylaws in force must be complied with.

1. Further Information About Magna Bay Bylaw No. 800

Penalties For Contravention of Zoning Bylaw

In a conviction for an offence against a zoning bylaw a court may currently impose a fine of not more than \$2,000, or imprisonment for not more than 6 months, or both. The provincial government may change the penalties from time to time. In addition to this the costs of prosecution may be awarded. A local government may also apply for an injunction to restrain the contravention of a zoning bylaw.

Development Variance Permits

The CSRD Board in response to an application from a property owner may issue a development variance permit. A development variance permit may vary the provisions of the zoning bylaw, however it must not vary the use or density of land from that specified in the zoning bylaw.

Bylaws Amending a Zoning Bylaw

Applications to amend a zoning bylaw may be made to the CSRD, in accordance with Procedures Bylaw No. 566. Additional information is available from the CSRD, Development Services Department.

Non-conforming Uses And Siting

The Local Government Act sets out provisions for non-conforming uses and siting. Generally, land, a building or a structure that is lawfully used at the time a bylaw is adopted, and the use does not conform to the bylaw, then the use may be continued. If the use and density of buildings and structures conform to the bylaw but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted do not, then it may be maintained, extended or altered in the manner stated in the Act. The Local Government Act, Section 911 is more detailed than is stated here and additional limitations apply.

2. Other Agencies Authorizing or Regulating Development

Provincial Agencies

The Ministry of Transportation (phone 250-833-3370 in Salmon Arm)

Regulates accesses (private roads and driveways) to highways (public roads) and a permit is required prior to construction. Access permits for single family residential are no longer required, however the Ministry guidelines for location, design and construction of residential driveways should be followed.

Regulates parking requirements, which may be different than those in the zoning bylaw. Developments that require the approval of the Ministry must comply with the Ministry's parking standards.

Regulates a minimum setback from a building to a property boundary adjoining a highway under the Ministry's control.

Regulates highways and the design and construction standards that must be used for building and upgrading highways.

Provincial Agricultural Land Commission (phone 604-660-7000 in Burnaby)

Land in the Agricultural Land Reserve (ALR) is regulated by land use, activity, and subdivision by the Commission. In addition the placement of fill (including gravel) or removal of soil, is regulated by the Commission. Further information can be obtained from the CSRD, Development Services Department or the Provincial Agricultural Land Commission.

Interior Health, Environmental Health (phone 250-851-7340 in Kamloops)

Regulates the siting, construction, operation and alteration of septic disposal systems and other sewage disposal systems that treat less than 22,730 litres (5,000 imperial gallons) per day.

Regulates potable water supply.

Ministry of Water, Land and Air Protection (phone 250-371-6200 in Kamloops)

Environment

Regulates septic systems and other sewage disposal systems discharging more than 22,730 litres (5,000 imperial gallons) per day.

Regulates alterations and work in and about a stream or lake.

Water Management Branch

Withdrawal of surface water requires a water license.

Ministry of Energy and Mines (phone 250-554-5370 in Kamloops)

Regulates mineral and non mineral exploration and mines (including pits and quarries).

Ministry of Sustainable Resource Management (phone 250-356-0882 in Victoria)

Archaeological sites and artefacts are protected under the Heritage Conservation Act. A permit may be required from the branch.

Land and Water British Columbia Inc. (phone 250-377-7000 in Kamloops)

Manages and regulates provincial crown lands, sales, leases and licenses of occupation, rights of way and easements, including aquatic and foreshore tenures and the use of the affected land.

Federal Agencies

Fisheries and Oceans Canada (phone 250-804-7007 in Salmon Arm)

Fisheries and Oceans Canada is responsible for the protection of fish and fish habitat. Fisheries and Oceans Canada staff should be consulted before undertaking any activity that may affect fish or fish habitat.

Transport Canada, Canada Coast Guard (phone 604-775-8890 in Vancouver)

Permit for activities in, around, under and over navigable waters.

Private Restrictions

Covenants, statutory building schemes, easements and rights-of-way may be in effect on a *parcel* and may affect use and subdivision. To determine if there are any in effect on a particular *parcel*, a title search can be made at the Land Title Office (phone 250-828-4455 in Kamloops).

3. Agencies That Have Requirements With Respect To The Subdivision of Land

Many of the agencies listed above exercise the same regulations over subdivisions. The following are in addition to the above.

Columbia Shuswap Regional District (phone 250-832-8194, or 1-888-248-2773 toll free in BC, in Salmon Arm)

Subdivision Servicing Bylaw No. 592 generally regulates and sets standards for water supply systems (private and community) at the time of subdivision. Application forms can be obtained from the CSRD, Development Services Department.

Ministry of Transportation (MOT) (phone 250-851-7340 in Salmon Arm)

Applications to subdivide are decided by the Approving Officer and must be submitted to both the MOT and CSRD, Development Services Department.

Ministry of Water, Land and Air Protection (phone 250-371-6203 in Kamloops)

Water Management Branch

Covenants for natural hazard setbacks may be required at time of subdivision.

Ministry of Sustainable Resource Management, Archaeology Branch (phone 250-356-0882 in Victoria)

An archaeological impact assessment may be recommended for certain sites.