

## APPENDIX 'A'

### Applicable OCP Policies and Zoning Regulation

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

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

###### Objective 1

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

###### Policy 1

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

###### Policy 2

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

###### Policy 3

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

###### Policy 4

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

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

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

###### Objective 1

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

###### Objective 2

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

###### Objective 3

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

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

###### Policy 1

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

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

## **7.2 Resource Industries**

### **Policy 1**

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

### **Policy 2**

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

### **Policy 3**

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

## **7.3 Tourism**

### **Policy 1**

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

#### **Green and Sustainable**

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

#### **Four Season Destination**

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

#### **Regional Cooperation**

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

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

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

#### **Quality Infrastructure**

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

## **10.4 Stormwater Management**

### **Objective 1**

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

### **Policy 1**

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

### **11.1 General Land Use**

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

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

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

#### **Objective 1**

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

#### **Objective 2**

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

#### **Objective 3**

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

#### **Objective 4**

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

#### **Objective 5**

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

#### **Policy 1**

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

#### **Policy 2**

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

#### **Policy 3**

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

#### Policy 4

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

#### Policy 5

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

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

#### Policy 6

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

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

#### Policy 7

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

#### Policy 8

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

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

#### *Objective 1*

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

#### *Policy 1*

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

*Policy 2*

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

*Policy 3*

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

*Policy 4*

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

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

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

*Policy 5*

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

*Policy 6*

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

## 11.9 Rural Residential (RR)

*Policy 1*

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

*Policy 2*

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

### Policy 3

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

## **11.10 Commercial (C)**

### Objective 1

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

### Policy 1

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

### Policy 2

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

### Policy 3

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

### Policy 4

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

### Policy 5

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

## **13.1 Hazardous Lands Development Permit Areas**

### 13.1 (a) *Purpose*

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

### 13.1 (b) *Justification*

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

- protect against the loss of life;
- minimize property damage, injury and trauma associated with flooding and debris flow events;
- ensure that development in steep slope areas is designed and engineered to provide a high level of protection from ground instability and/or slope failure; and

- plan and manage development in fire interface areas in a way that minimizes the risk of damage to property or people from interface fire hazards and mitigates interface fire hazards.

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

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

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

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

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

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

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

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

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

- induced by forest clearing, and the mobilization and run out limits of debris in creeks; and
  - vi. comments regarding cut and fill slope stability with reference to required surface or subsurface drainage, culverts, and special reference to the stability of fills required for steep gully crossings should be provided
- .3 A Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.

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

#### *13.4.1 Purpose*

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

#### *13.4.2 Area*

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

As illustrated in Figure 13.1, the area comprises:

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

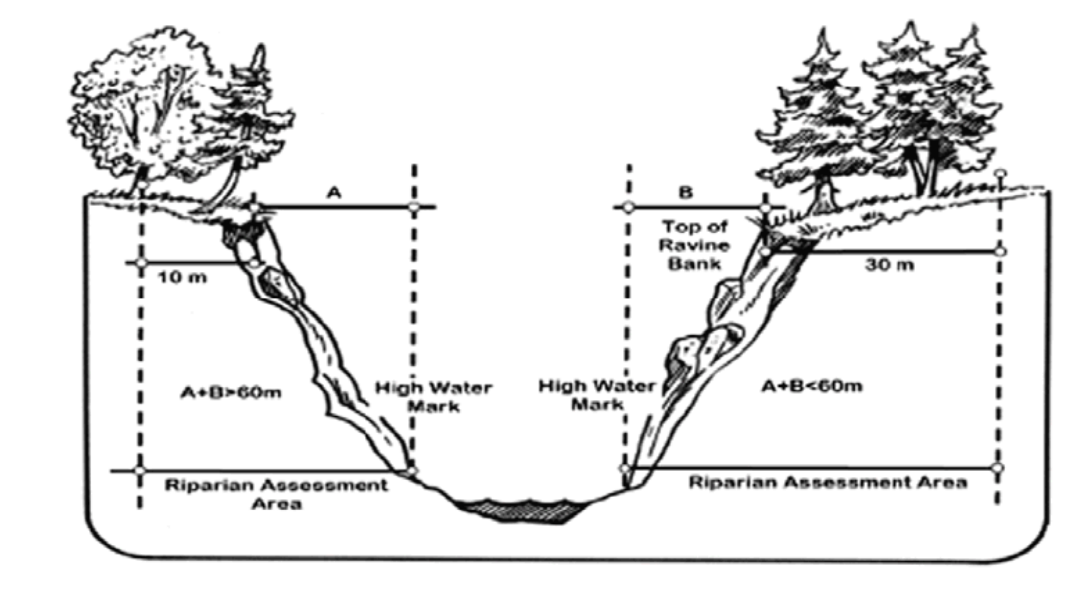


Figure 13.1

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

#### 13.4.3 Justification

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

#### 13.4.4 Guidelines

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

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

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

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

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

#### 13.4.5 *Exemptions*

The RAR DPA does not apply to the following:

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

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

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

Permitted Uses

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

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

#### Permitted Uses

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