

Electoral Area B Official Community Plan Bylaw No. 850

Section 2 Planning Strategy

Upper Arrow Lake (Galena Bay, Beaton, Shelter Bay, Halcyon North & Arrowhead)

Development in this area focuses on the Galena Bay and Beaton areas and has historical roots that refer back to the original settlement of the area. Unlike the Lake Revelstoke area, where many of the original settlement areas and private parcels were flooded with the creation of the reservoir, the private lands in the Galena Bay and Beaton areas were only impacted to a limited degree with the raising of the Columbia River water levels. Most of the original surveyed parcels have remained in private ownership and are occupied and developed for private residential or recreational use with some limited resource use (logging and agriculture – grazing) on large lots. There have also been a few small lakefront lots created north of Halcyon and in Galena Bay. There is evidence of further development interest in lakefront properties in these areas as well as a local interest in protecting the rural nature of the area.

Specific policies related to the future development of the Upper Arrow Lake area are outlined in Section 4.4

Rural Resource

3.3 Policies

General

3.3.3 Support approval of appropriate Federal and Provincial agencies. Uses include but are not limited to: forestry, agriculture, mining, and public utilities.

- Forest uses include silviculture, watersheds, timber extraction, compatible ranching and/or backcountry recreational activities.
- Mining uses include: extraction and processing.
- Public Utility uses that could potentially impact neighbouring properties (e.g. waste water treatment facilities) will require specific zoning and/or land use designations.

Section 4 Residential

4.3 Land Use & Density Policies

General

4.3.1 The future residential use of land shall be consistent with the residential designations provided on Schedules B and D and include:

- Neighbourhood Residential (e.g. Trout Lake);
- Rural Residential 2;
- Small Holdings;
- Residential Cluster Development on a site specific basis;

Encourage land use compatibility and preserve open space by:

- clustering development;
- incorporating buffers;
- using setbacks;
- density bonusing;
- open space covenants; and

- landscape techniques.

4.3.4 When considering new residential development ensure that Regional District Park and open space functions are addressed.

4.3.7 New development shall meet the standards set out in the CSRD Subdivision Servicing Bylaw.

Small Holdings

4.3.20 The principal use shall be residential or agricultural.

4.3.22 One primary dwelling and one secondary dwelling unit shall be permitted per parcel.

4.3.23 The minimum parcel size for subdivision of Small Holdings land shall be 4 ha.

4.3.24 Notwithstanding Section 4.3.23, Residential Cluster Developments (Section 4.3.25) may be supported or the minimum parcel size for holdings in the Beaton, Galena Bay, Begbie Bench areas may be 2 ha where the development application:

- involves a public consultation process;
- provides all required development approval information (Section 1.5.3);
- provides site details showing that a minimum of 50% of the overall site area can provide a contiguous building site with slopes of less than 25%;
- addresses regulatory conditions of relevant agencies, including the Agricultural Land Commission;
- where new roads are proposed, road design shall meet all requirements of the CSRD Subdivision Servicing Bylaw and MoT standards, including requirements for fire and emergency vehicles, safety and access; and
- new roads shall provide a paved travel surface and a paved or gravel shoulder for pedestrians with grades less than 8%.

Residential Cluster Development

4.3.25 The CSRD recognizes the development potential of this area and the high values assigned to “natural” environmental conditions. The CSRD will consider applications for new Cluster Developments where an application has successfully met the criteria outlined in this section. All applications are subject to legislated public processes for OCP and Zoning Bylaw amendments required for re-designation as Comprehensive Residential Development zones. Cluster developments use the allowable density for the overall parcel and concentrate units close together to create a compact development surrounded by undeveloped open space.

Conditions of Support for Application Processing

- provides required development approval information;
- residential cluster development where net development density should not exceed 1 dwelling unit/2 ha or 1 dwelling unit/1 ha on the lakeshore (see Lakeshore criteria Section 4.3.26);
- maintain rural, wilderness nature of Area 'B' by ensuring that 80% of the area is retained and protected as natural open space (e.g. is without building, road or servicing footprints);
- development areas (residential units) are clustered to minimize the impact of development footprints (e.g. roads, houses);
- the remaining lands are retained as open space and these areas should be large, contiguous areas;

- residential uses are appropriate to the surrounding uses (e.g. setbacks, density, relation to foreshore);
- new roads shall provide a paved travel surface and a paved or gravel shoulder for pedestrians with grades less than 8%; and
- addresses transportation planning.

Lakeshore Criteria

4.3.26 Lakeshore development may occur in a range of parcel sizes, ranging from large rural and resource designation to small cluster developments. For all lakeshore development management of environmentally sensitive lakeshores is required and development will be required to address the following:

- Riparian Area Development Permit Area (Section 12.6) and Lakes 100 m Development Permit Area apply (Section 12.7);
- setback from the high water mark is 100 m unless a QEP indicates it to be less, but in no case should it be less than 30 m and subject to the flood plain and reservoir setback requirements;
- retains public access to lakeshore;
- addresses RAR and BC Hydro reservoir setbacks as required;
- mooring of boats is permitted subject to the wharf receiving approval of the relevant agency. The number of mooring berths should not exceed 1 berth per residential unit;
- mooring facility (dock) design shall minimize scale to reduce visual impacts;
- community water and sewer systems are required for lakeshore cluster developments;
- residential units in cluster developments (lots or strata units) may have a minimum site footprint of 0.4 ha for sites adjoining Lake Frontage;
- boathouses shall be entirely on privately owned upland; and
- waterfront parcels should have a minimum width of 30 m of Lake Frontage.

Upper Arrow Lake (Galena Bay, Beaton, Halcyon North, Arrowhead)

4.4.20 Recognize the strong community interest in maintaining the rural character of the area and designate all privately held lands as Small Holdings with a minimum parcel size of 4 ha.

4.4.23 Recognize the high recreation and residential values north of Highway 31 in Beaton and Galena Bay and south to Halcyon and support lakeshore development in a Residential Cluster Development format only and subject to the Residential Cluster Development Policies and Lakeshore Criteria of Section 4.3.26

Agriculture

10.3.3 Agriculture, including but not limited to agricultural food production, forage crops, livestock operations and accessory commercial uses, is permitted in the Rural Resource, Small Holdings, and Rural Residential 2 designations.

Environmental Management

12.6 Riparian Areas Regulation (RAR) Development Permit Area

Purpose

12.6.1 The Riparian Areas Regulation (RAR) Development Permit Area (DPA) is designated under Local Government Act, and applicable provisions of the Community Charter for the protection of the natural environment, its ecosystems and biological diversity.

Justification

12.6.2 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.

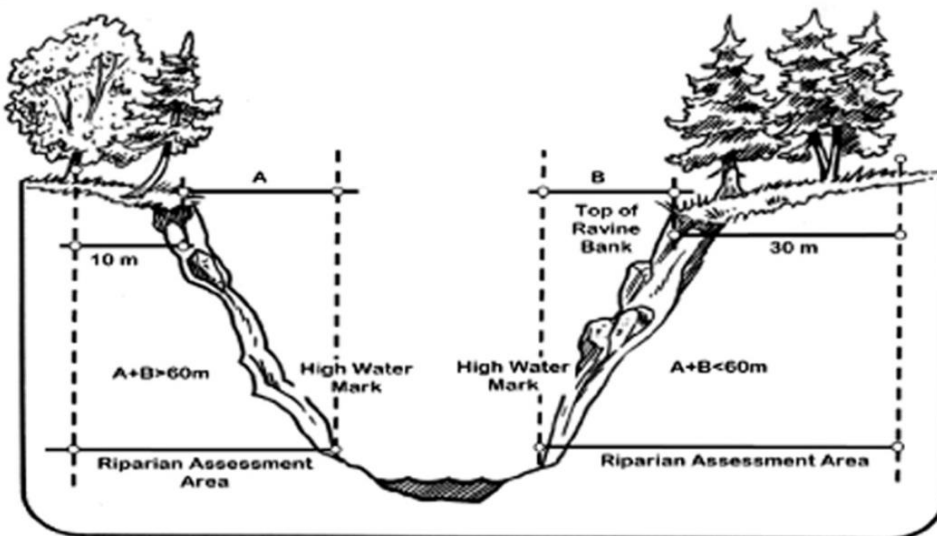
Area

12.6.3 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.

a. As illustrated in Figure 12.1, the area comprises of lands:

- i. within 30 m of the high water mark of the watercourse,
- ii. within 30 m of the top of the ravine bank in the case of a ravine less than 60 m wide,
- iii. within 10 m of the top of a ravine bank 60 m or greater in width that link aquatic and terrestrial ecosystems that exert an influence on the watercourse; and
- iv. Figure 12.1 illustrates the RAR DPA.

Figure 12.1: Riparian assessment area:



Source: British Columbia Ministry of water, Land & Air Protection, Riparian Areas Regulation Implementation Guidebook, March 2005

Note: Terms used in Figure 12.1 are defined in the referenced source.

- b. 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 development permit application is required.

- c. Where land is subject to more than one Development Permit Area designation, a single development permit is required. The application will be subject to the requirements of all applicable Development Permit Areas, and any development permit issued will be in accordance with the guidelines of all such Areas.

Guidelines

12.6.4 The RAR DPA Guidelines are as follows:

- a. Preservation of water courses, water bodies, and adjacent, natural features, functions and conditions of riparian areas that support fish and animal habitat is the primary objective of the RAR DPA;
- b. Impacts to watercourses and riparian areas from proposed development are not desirable. Such impacts must be minimized to the greatest extent possible and addressed in a report from a QEP, including mitigative measures;
- c. Disturbance of soils and removal of vegetation should be minimized in the development process;
- d. Whenever possible development or land altering activities shall be located outside of the 30 m setback to the riparian area unless a QEP permits a reduced setback area;
- e. A RAR Development Permit 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 RAR Development Permit 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 of a watercourse.
 - ii. Disturbance of soils, within 30 m of a watercourse;
 - iii. Construction or erection of buildings and structures within 30 m of a watercourse;
 - iv. Creation of non-structural impervious or semi-impervious surfaces within 30 m of a watercourse;
 - v. Flood protection works within 30 m of a watercourse;
 - vi. Construction of roads, trails, docks, wharves and bridges within 30 m of a watercourse;
 - vii. Provision and maintenance of sewer and water services within 30 m of a watercourse;
 - viii. Development of drainage systems within 30 m of a watercourse;
 - ix. Development of utility corridors within 30 m 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 of a watercourse.

12.6.5 A RAR Development Permit may be issued once the following guidelines have been met:

- a. Assessment by a Qualified Environmental Professional (QEP) in accordance with the Riparian Areas Regulation established by the Provincial and/or Federal Governments. The assessment report from a QEP shall be used to determine the conditions of the development permit and shall include:
 - i. Site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features;
 - ii. Existing vegetation and any proposed vegetation removal;
 - iii. Assessment of hydrogeology, including soil types, drainage characteristics, seepage zones, springs and seasonally saturated areas, groundwater depth, flow direction & pathways, and shallow bedrock;

- iv. The suitability for site soils to accept stormwater infiltration and post-development landscape irrigation;
 - v. Potential impacts to other water courses or water bodies, e.g. Lake Revelstoke; and,
 - vi. Recommendations and mitigative measures.
- b. Provincial notification that a Qualified Environmental Professional 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 Riparian Areas Regulation has been fulfilled, and;
 - c. Written confirmation from the qualified professional that the Riparian Areas Regulation implemented through the RAR DPA does not supersede other federal, provincial and/or local government requirements, including that of other development permit areas, building permits, and flood covenants, federal or provincial authorization.

Exemptions

12.6.6 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, alteration, addition or repair of a legal permanent structure if the structure remains on its existing foundation. Only if the existing foundation is moved or extended into a riparian assessment area would a RAR DPA be required;
- e. A QEP can confirm that the conditions of the RAR DPA have already been satisfied;
- f. A Development Permit for the same area has already been issued in the past and a QEP can confirm that the conditions in the Development Permit have all been met, or the conditions addressed in the previous Development Permit will not be affected; and,
- g. A letter is provided by a QEP confirming that there is no visible channel.

Role of the QEP and CSRD in the RAR Development Permit

12.6.8 The RAR regulations place considerable emphasis on QEP's to research and establish standards for the protection of riparian areas. It is the QEP's responsibility to consider federal and provincial regulations regarding fish, water and riparian protection and consult with appropriate agencies as necessary. Since the responsibility rests with the QEP for conducting research and providing technical information and recommendations specific to an application required under this RAR DP section the extent to which the CSRD will be involved in the technical details of the permitting process is reduced. If the RAR DP guidelines are met by the QEP, and the QEP report is submitted to and accepted by the BC Ministry of Environment, the CSRD role becomes more administrative in nature and the DP can be considered for approval.

12.7 Lakes 100 metre Development Permit Area

Purpose

12.7.1 The Lakes 100 m Development Permit Area (DPA) is designated under the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity.

Justification

12.7.2 The intent of Lakes 100 m DPA is to prevent or mitigate potential negative impacts on the lake environment development (generally defined as development beyond a single-family residence and specifically defined in the Area section below) and sewerage systems. Development close to the lake has the potential to

impact natural drainage patterns, disrupt stormwater infiltration and increase surface run-off into the lake. Involving a qualified professional who understands soil, drainage and hydrogeology before the construction of development and/or installation of sewerage systems close to the lake will reduce potential negative impacts on lake water quality.

Area

12.7.3 The Lakes 100 metre DPA applies to areas within 100 m of Kinbasket Lake, Lake Revelstoke, Upper Arrow Lake, Coursier Lake, Armstrong Lake, Staubert Lake, and Trout Lake. For the purposes of calculating distance from these lakes, the 1:5 year High Water Mark shall be used.

Activities

12.7.4 The Lakes 100 m DPA applies to:

- a. Any residential, commercial or industrial development which exceeds the following:
 - i. Removal, alteration, disruption or destruction of vegetation involving more than 30% of the parcel area; or
 - ii. Construction or erection of buildings and structures (including decks, stairs, and balconies), and non-structural impervious surfaces (e.g. paved driveway) with a sum total footprint (measured from the outermost portion of the buildings or structures) in excess of 450 m² or for parcels 0.10 ha or smaller, a combined site coverage totalling 30%.
- b. Installation, alteration, or replacement of (or a portion of) a sewerage system.

Where a development proposal involves multiple buildings, structures or phases, calculation of the size of the development shall include the entire build-out of the development.

Guidelines

12.7.5 The Lakes 100 m DPA guidelines are as follows:

- a. Preservation of natural features, functions and conditions that support fish and animal habitat is the primary objective of the Lakes 100 m DPA;
- b. Impacts to watercourses from proposed development is not desirable. Such impacts must be minimized to the greatest extent possible and addressed in a report from a QEP, including mitigative measures;
- c. Disturbance of soils and removal of vegetation should be minimized in the development process;
- d. Use of non-impervious and natural landscaping, including for driving surfaces, is desired;
- e. Compact and cluster development is desired in order to leave natural areas untouched to the greatest extent possible;
- f. The minimum setback of a Type 1 septic system and field from a lake listed in 12.7.3 is 100 m. If a property owner plans to install a septic system and field with a setback of less than 100 m from the lake, the property owner must engage an qualified professional registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) with experience in hydrogeology to review the proposed design and siting of the septic system and field, and submit an assessment of hydrogeology to ensure there will be no detrimental impacts on the adjacent water body;
- g. In all cases, the minimum setback for Type 1, 2 and 3 systems and fields shall be 30 m from all watercourses and drinking water sources. Lesser setbacks will only be considered in exceptional cases where a new system replaces or improves an existing failing one and only with explicit support from the Interior Health Authority and the Ministry of Environment. All setbacks must abide by the recommendations of the Sewerage System Standard Practices Manual with regard to reduction in critical horizontal setback distances;

- h. A development permit may be issued based upon the above guidelines and following the submission of a report from a Qualified Environmental Professional (QEP). This written submission shall be used to determine the conditions of the development permit and shall include:
- i. Site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features;
 - ii. Existing vegetation and any proposed vegetation removal;
 - iii. Assessment of hydrogeology, including soil types, drainage characteristics, seepage zones, springs and seasonally saturated areas, groundwater depth, flow direction & pathways, and shallow bedrock;
 - iv. The suitability for site soils to accept stormwater infiltration and post-development landscape irrigation;
 - v. Potential Lake impacts; and
 - vi. Recommendations and mitigative measures.