

Relevant Excerpts from Electoral Area C Official Community Plan Bylaw No. 725

(See [Bylaw No. 725](#) for all policies and land use regulations)

SECTION 1- Plan Vision and Framework

1.1 Vision Statement

The South Shuswap is a special place with a distinct character and ambience. Its unique qualities include Shuswap Lake (the Lake), which forms the heart of the community and offers beautiful views, recreational opportunities, a valuable fisheries resource, and a source of domestic water. Other components of this unique ambience include the upland community areas, the tree-clad mountains, their undulating silhouettes against the sky, the well-maintained farms and ranches and their functionally expressive architecture, and the diverse social and aesthetic qualities of the various neighbourhoods. This Plan seeks to have all new developments preserve and, if possible, enhance these qualities.

Looking forward 100 years, the vast majority of the South Shuswap will remain rural, with productive agriculture, extensive forests, rugged terrain, and natural shorelines.

Throughout the coming century, the sustainability of Shuswap Lake is paramount. All public and private decisions must protect the Lake from over-development, environmental pollution, human and agricultural wastes. Concurrently, agricultural land must also be protected.

In the next 20 years, development is anticipated to be at a moderate scale, and less intensive than the Okanagan Valley. Small pockets of settlement along Shuswap Lake will stay much as they are today. Sunnybrae, White Lake, and Eagle Bay will likely be serviced with sewer and water, making way for a modest amount of primarily residential development. The Sorrento Village Centre will be serviced with sewer and water, allowing for detached and multi-unit residential, commercial, and business-industrial uses. These uses will be concentrated around the Village Centre and away from the lakeshore. Higher density residential, commercial and industrial development outside the Village Centre and 'Balmoral Corner' will be strongly discouraged; although the OCP supports such uses at the 'Balmoral Corner', the lands are in the ALR and previous applications to exclude the land for uses other than agriculture have been refused by the ALC.

South Shuswap residents and businesses will practise stewardship to allow rural lands, parks and accesses to the lakes to be available for future generations. Developed areas will include greenways that encourage people to walk and bicycle, and will have ample undeveloped land to allow for plant and animal diversity.

1.2 Sustainable Planning Principles

Nine principles provide the foundation for the Plan. Together, they point towards a more “sustainable community”, one that is continually adjusting to meet the social and economic needs of its residents within the context of the finite carrying capacity of the natural environment, and climate change, to accommodate these needs.

Principle 1

All measures to protect and restore the natural environment will be used, and emphasis placed on Shuswap Lake, White Lake and their interlinked watersheds and foreshores. The CSRD will collaborate with all other jurisdictions that have impact on these Lakes.

Principle 2

To maintain large areas of rural landscape throughout the South Shuswap while encouraging gradual, sustainable, moderate and efficient development in the existing settled areas.

Principle 3

A range of housing choices is supported, taking into account affordability for existing residents, particularly for young families and seniors. Only ground-oriented housing is appropriate near the Lakes; more dense forms of housing must be located away from the Lakes.

Principle 4

Agriculture, tourism and forestry are supported as the foundations of the economy, while economic diversification that has low impact on the area's character and natural environment is encouraged. The establishment of a business park that attracts clean industries and complements existing businesses is also encouraged.

Principle 5

Safe roads, improved public transit, and opportunities for safe cycling and walking are encouraged as an alternative to driving. Relocation of the Trans-Canada Highway around Sorrento and intersection upgrades to improve safety of the travelling public at the Trans-Canada Highway / Balmoral Road intersection are high priorities.

Principle 6

Public accesses to the shorelines of the lakes of the South Shuswap and, in particular, providing parks and facilities that are suitable for families with children and teens are encouraged. Further development of low-impact, outdoor recreation activities throughout the South Shuswap is encouraged, while expansion of commercial houseboat operations outside of municipal boundaries is discouraged.

Principle 7

A region-wide approach to correct inferior water and sewage treatment systems and a comprehensive, affordable liquid waste management plan that takes into account the latest technologies is supported, in order to fully protect groundwater, lakes and streams.

Principle 8

A concentration of community facilities in the Sorrento and Balmoral areas, including retail, cultural, health and emergency services is supported.

Principle 9

Active community involvement within the South Shuswap, including planning decisions related to land use, housing, servicing, parks and transportation is supported.

SECTION 3- Growing Gradually and Wisely

3.1 General Land Use Management

The policies of this Plan aim to protect the rural character of this area, yet allow modest growth in settled areas that are, or will be, serviced by community water and sewer systems. By directing growth to the Village Centre and Secondary Settlement Areas as shown on Schedule B Land Use Designations – Overview, and Schedule C Land Use Designations - Mapsheets, there will be less impact on the rural and natural areas of the community, thereby protecting 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 the use of public transit.

3.1.1 Objectives

- .1 To be thoughtful and careful stewards of the lands and waters of the South Shuswap to allow future generations an opportunity to appreciate and benefit from wise choices made by today's elected decision-makers.
- .2 To manage growth by directing development and redevelopment in existing settled areas and to discourage development outside these areas.
- .3 To provide a clear separation between rural and non-rural lands to preserve both rural and non-rural lifestyle choices.
- .5 To support the growth and long-term viability of the agricultural industry in the South Shuswap.

3.1.2 Policies

- .1 Land uses and activities that adversely affect safety, health, or liveability within Area C are not supported.
- .4 Outside the Village Centre and Secondary Settlement Areas, new residential development is generally discouraged unless co-located with an agricultural use. Strip commercial development between these development areas is not acceptable.
- .5 Development will only be considered in areas with lower environmental values within the Village Centre and Secondary Settlement Areas, thereby allowing for the protection of areas with higher environmental values as well as agricultural lands.
- .7 Agricultural uses on ALR lands are supported in all land use designations. Agricultural uses on non-ALR lands may be supported in all land use designations subject to compatibility with adjacent land uses and setbacks set out in the zoning bylaw.

3.4 Residential

3.4.1 Policies

- .1 New residential development will be directed to the Village Centre and Secondary Settlement Areas identified on Schedules B and C. Outside these areas, residential development is discouraged unless co-located with an agricultural use.

- .2 Residential development is subject to the following land use designations, housing forms and maximum densities:

Land Use Designation	Housing Form	Maximum Density
Medium Density (MD)	Detached	5 units/ac (1 unit/0.2 ac) 12 units/ha (1 unit/0.08 ha)
	Semi-detached	8 units/ac (1 unit/0.13 ac) 20 units/ha (1 unit/0.05 ha)
	Townhouse	12 units/ac (1 unit/0.13 ac) 30 units/ha (1 unit/0.03 ha)
Neighbourhood Residential (NR)	Detached, Semi-detached	2 units per 1 acre (1 unit/0.2 ha)
Country Residential (CR)	Detached, Semi-detached	1 unit per 1 acre (0.4 ha)
Rural Residential (RR)	Detached, Semi-detached	1 unit per 2.5 acres (1 ha)
Rural Residential 2 (RR2)	Detached, Semi-detached	1 unit per 5 acres (2 ha)
Small Holdings (SH)	Detached, Semi-detached	1 unit per 10 acres (4 ha)
Medium Holdings (MH)	Detached, Semi-detached	1 unit per 20 acres (8 ha)
Large Holdings (LH)	Detached, Semi-detached	1 unit per 25 acres (10 ha)
Rural Holdings (RH)	Detached, Semi-detached	1 unit per 148 acres (60 ha)

3.14 Railway Transportation Corridor (RW)

3.15.1 Objective

- .1 To work with the CPR to maintain rail transportation throughout the area, while at the same time protecting the interests of the community.

3.15.2 Policies

- .1 The Railway Transportation Corridor designation is shown on Schedules B and C.
- .2 To support preservation of the CPR right of way as an active transportation corridor. Within the Railway Transportation Corridor only transportation and associated accessory but subordinate uses are considered appropriate.

Section 6 – Respecting our Sensitive Environments

6.4 Hazardous Areas

Hazardous Areas include lands that are susceptible to flooding, erosion, landslip, and rock fall. This includes steeply sloping areas in excess of 30% slope, areas on or below unstable slopes (subject to subsidence, rockfall or severe erosion) or areas subject to flooding. If subdivision and development occur in these hazard areas, it is important that scientific assessments are undertaken in order to mitigate potential harm to persons or damage to property.

6.4.1 Objectives

- .1 To protect human life and property from natural and human-made hazards.
- .2 To minimize and mitigate human and development-related activities so that they do not contribute to flooding increased water run-off, soil erosion, or slope instability.

6.4.2 Policies

The Regional District will:

- .1 Implement Hazard Lands Development Permit Areas;
- .2 When reviewing subdivision applications in areas subject to hazardous conditions, a recommendation will be made to the Provincial Approving Officer to either:
 - a) Refuse the subdivision of lands subject to hazardous conditions; or
 - b) Require the registration of a suitably worded Section 219 Covenant, prohibiting areas subject to hazardous conditions from use or development.

Section 11. Fostering Community Vitality

Sustainable Principle

Active community involvement within the South Shuswap, including planning decisions related to land use, housing, servicing, parks and transportation is supported.

A community is more than its natural setting and built environment. It is the people of all ages, cultures and incomes who live, work and play there. Land use planning has an important role to play in contributing to the overall wellbeing of its residents and facilitating the development of communities that are safe and convenient. Thoughtful land use planning can also support social interaction and foster community development to create a sense of place and neighbourliness.

The South Shuswap is an attractive location for retirees and an aging population will require convenient services. While recognizing the need for services for an aging population, residents, through the public process, emphasized that the South Shuswap should continue to provide for residents of all ages. During the public process the importance of venues and activities that bring residents together for social, recreational, cultural, educational and civic activities was recognized.

The South Shuswap is comprised of several separately identified communities: Sorrento, Skimikin, Balmoral, Blind Bay, Notch Hill, White Lake, Reedman Point, Eagle Bay, Sunnybrae, Tappen, Carlin and Wild Rose Bay. Each area has its own identity — economic, historical and cultural with the common link being the larger region and Shuswap Lake.

The South Shuswap has a vibrant arts community with artisans, musicians and actors and is known for its many cultural events including the crafters market every Saturday in Sorrento, the Carvers and Woodworkers' show, the Bluegrass Swing Festival, Shuswap Lake Festival of the Arts — to name a few. The arts community is enhanced by the local First Nations culture and the area hosts the annual Squilax Pow Wow.

Section 12. Development Permit Areas

The *Local Government Act* provides the Regional District with the authority to establish a development permitting system. It also makes provision for local governments to require applicants for development approvals to undertake impact studies.

Development Permits are one of the most effective legal tools for the protection of environmentally sensitive areas, avoiding development in hazardous conditions, and setting out expectations regarding “form and character” of development. Local governments may designate Development Permit Areas (DPAs) in an OCP. When an area is designated, the local government must describe the special site conditions or objectives that justify the designation, and specify guidelines to achieve those objectives.

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.

Variances, as well as conditions respecting the sequence and timing of construction, may also be considered for inclusion within a Development Permit in accordance with applicable guidelines as per the authority granted under s.920() and s.920(3) of the *Local Government Act*.

12.1 Hazardous Lands Development Permit Areas (*Steep Slope*)

12.1.1 Purpose

The Hazardous Lands Development Permit Area is designated under the *Local Government Act* for the purpose of protecting development from steep slope hazardous conditions.

12.1.2 Justification

Whereas steep slopes pose a potential landslide risk, a Hazardous Lands Development Permit Area is justified so that DP guidelines and recommendations from qualified engineering professionals are utilised prior to development in steep slope areas in order to provide a high level of protection from ground instability and/or slope failure.

12.1.3 Area

All properties, any portion of which, contain slopes 30% or greater are designated as Hazardous Lands Development Permit Area (*Steep Slope*). These are referred to as 'steep slope' areas below. The CSRD requires a slope assessment of slope conditions as a condition of development permit issuance. Provincial 1:20,000 TRIM mapping, using 20m (66ft) contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.

12.1.4 Exemptions

A Hazardous Lands Development Permit is not required for the following:

- .1 A single storey accessory building with a gross floor area less than 10 m² (107.4 ft²) which are placed on slopes of less than 30%;
- .2 Non-structural **external** repairs or alterations exempted by the BC Building Code; or
- .3 Non-structural **internal** repairs or alterations exempted by the BC Building Code which do not create sleeping accommodations or bedrooms.

12.1.5 *Guidelines*

- .1 Whenever possible placement of buildings and structures should be considered first in non-steeply sloped areas, i.e. less than 30% slope;
- .2 In order to protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, development in steep slope areas is discouraged;
- .3 Occupant and public safety shall be the prime consideration of the qualified geotechnical professional and the CSRD prior to approval of development in steeply sloped areas; and,
- .4 Geotechnical reports from qualified geotechnical professionals must address best engineering practices in the field of geotechnical engineering and provide detailed recommendations. At the discretion of CSRD staff an independent third party review of the submitted report(s) may be undertaken.

Where steep slope areas are required for development, development permits addressing Steep Slopes shall be in accordance with the following:

For subdivision, either 12.1.5.5 or 12.1.5.6 applies:

- .5 Submission of a geotechnical report by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering.
 - a. The geotechnical report, which the Regional District will use to determine the conditions and requirements of the development permit, must certify that the land may be used safely for the use intended.
 - b. The geotechnical report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
 - c. 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, including watercourses;
 - ii. strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
 - iii. surface & subsurface water flows & drainage;
 - iv. vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
 - v. recommended setbacks from the toe and top of the slope;
 - vi. recommended mitigation measures; and

vii. recommended 'no-build' areas.

d. Development in steep slopes should avoid:

- i. cutting into a slope without providing adequate mechanical support;
- ii. adding water to a slope that would cause decreased stability;
- iii. adding weight to the top of a slope, including fill or waste;
- iv. removing vegetation from a slope;
- v. creating steeper slopes; and
- vi. siting Type 1, 2 and 3 septic systems and fields within steep slopes.

e. 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.

.6 Registration of a Covenant on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% and greater.

For construction of, addition to or alteration of a building or other structure:

Compliance with and submission of the relevant geotechnical sections of Schedule B-1, B-2 and C-B of the BC Building Code by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. A Covenant may be registered on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% or greater.

12.4 Riparian Areas Regulation (RAR) development Permit Area

.1 Purpose

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

.2 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.

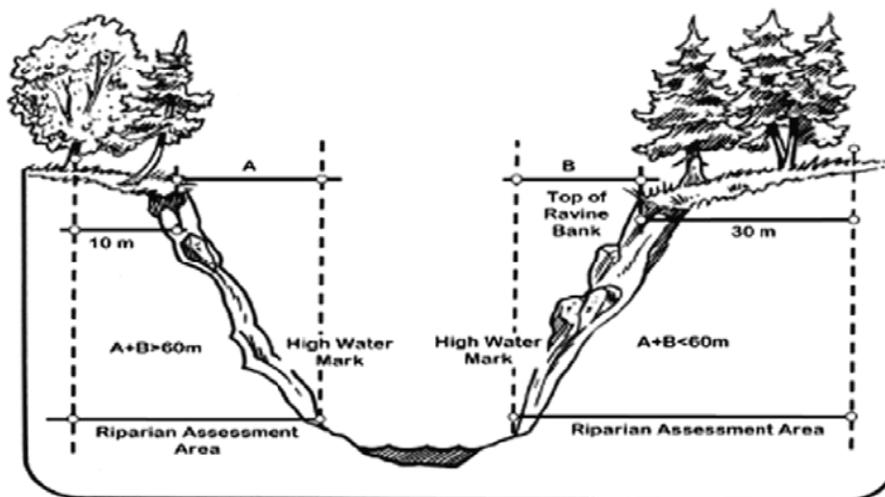
.3 Area

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 12.1, the area comprises:

- Within 30m (98.4 feet) of the high water mark of the watercourse;
- 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;
- 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 12.1



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 development permit application is required.

.4 *Exemptions*

.1 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.

.5 *Guidelines*

- .1 Preservation of water courses, waterbodies, and adjacent, natural features, functions and conditions of riparian areas that support fish and animal habitat is the primary objective of the RAR DPA;
- .2 Impacts to watercourses and riparian areas 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;
- .3 Disturbance of soils and removal of vegetation should be minimized in the development process;
- .4 Whenever possible development or land altering activities shall be located outside of the 30m setback to the riparian area unless a QEP permits a reduced setback area;
- .5 Development requiring a 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:
 - a. Removal, alteration, disruption or destruction of vegetation within 30m (98.4 feet) of a watercourse.

- b. Disturbance of soils, within 30m (98.4 feet) of a watercourse;
 - c. Construction or erection of buildings and structures within 30m (98.4 feet) of a watercourse;
 - d. Creation of non-structural impervious or semi-impervious surfaces within 30m (98.4 feet) of a watercourse;
 - e. Flood protection works within 30m (98.4 feet) of a watercourse;
 - f. Construction of roads, trails, docks, wharves and bridges within 30m (98.4 feet) of a watercourse;
 - g. Provision and maintenance of sewer and water services within 30m (98.4 feet) of a watercourse;
 - h. Development of drainage systems within 30m (98.4 feet) of a watercourse;
 - i. Development of utility corridors within 30m (98.4 feet) of a watercourse; and
 - j. Subdivision as defined in the Land Title Act, and including the division of land into 2 or more parcels within 30m (98.4 feet) of a watercourse.
- .6 A development permit may be issued 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:
- a. Site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features;
 - b. Existing vegetation and any proposed vegetation removal;
 - c. Assessment of hydrogeology, including soil types, drainage characteristics, seepage zones, springs and seasonally saturated areas, groundwater depth, flow direction & pathways, and shallow bedrock;
 - d. The suitability for site soils to accept stormwater infiltration and post-development landscape irrigation;
 - e. Potential impacts to other water courses or water bodies, e.g. Shuswap Lake; and,
 - f. Recommendations and mitigative measures.

.6 Role of the QEP and CSRD in the RAR Development Permit Process

The RAR regulations place considerable emphasis on QEPs to research established 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.