

**Relevant Excerpts from Electoral Area E Official Community Plan Bylaw No. 840 and
Electoral Area E Zoning Bylaw No. 841**

(See Bylaw No. 840 and Bylaw No. 841 for all policies and zoning regulations)

Electoral Area E Official Community Plan Bylaw No. 840

4.1 Planning Strategy

Electoral Area E is mostly rural with small centres of settlement, commercial services and industry located along Highway 97A and Highway 1. The section of the Eagle River valley between Sicamous and Malakwa is largely agricultural while the hillsides are mostly Crown land and provide a broad resource land base. A number of resorts are located throughout the plan area – notably Hyde Mountain, Three Valley Gap, Swansea Point, and Shandy Cove. Malakwa has been identified as the village core of the Plan area and has the potential to grow as a social, cultural, and economic hub.

This pattern of development will likely remain unchanged in the near to intermediate future as the larger populated centres of Sicamous, Salmon Arm and Revelstoke continue to provide the majority of services required by area residents. Maintaining the viability of rural communities, however, is a key priority that can be facilitated by planning policies that support economic, environmental and social sustainability and resilience.

The following objectives and policies are established to guide development in the Plan area. General planning objectives and policies pertain to the entire Plan area while the objectives and policies listed in sections 4.2 to 4.13 are intended for specific communities and land use designations.

Supplemental objectives and policies for the natural environment, community social infrastructure, economy, mobility, and servicing are included in sections 3 and 5.

4.1.1 General Objectives

1. Facilitate the development of sustainable and resilient communities (Healthy Built Environments – section 1.2).
2. To support the long-term viability of rural areas for agriculture and rural-resource-based economic activities.
3. To provide for the diverse housing and lifestyle needs of community members while directing new population growth in a manner that is balanced with the environment and complements or enhances existing neighbourhoods.
4. To maintain commercial and industrial uses and support the redevelopment of commercial and industrial areas while supporting opportunities for appropriate, neighbourhood-oriented home-based businesses in residential areas.
5. To preserve and enhance the natural environment, support energy and water conservation, and reduce greenhouse gas emissions.

6. To increase opportunities for healthy social and cultural interaction within the community through the provision of community services and facilities.
7. To improve active transportation connections between neighbourhoods, commercial nodes, the waterfront, and other communities.

4.1.2 General Policies

1. In order to preserve large land parcels within the rural areas, subdivision under section 514 of the Local Government Act (Subdivision of Land for Relatives) will generally not be supported on parcels less than 25 ha in size that are located outside the ALR. Any new parcels created by subdivision under section 514 shall be at least 1 ha or larger in size.
2. On ALR lands, agricultural uses are subject to the Agricultural Land Commission Act (ALC Act) and ALR Regulations. Agricultural uses are supported in all designations within the ALR. Outside ALR lands, agricultural uses are supported to an intensity compatible with surrounding uses.
3. The Plan designates existing higher density residential uses as Rural Residential (RR) and Medium Density (MD). Further designation of RR and MD lands is generally not supported outside Malakwa.
4. Prior to supporting any OCP redesignation or rezoning that will increase water use on a property, the CSRD may require a hydro-geological impact review and assessment on the quantity and quality of water resources as specified in the CSRD Development Approval Information Bylaw. A qualified professional engineer or geoscientist with proven knowledge and experience in groundwater management must provide a written statement, through a hydro-geological impact assessment, verifying the long-term reliability of the water supply for the proposed development. The assessment must also verify that there will be no significant negative impacts on other water supplies and properties (refer to section 6.9).
5. Minimize impacts and protect open space by encouraging: clustered development; and open space networks with trails through developments leading to public and commercial uses, parks, and other trails.
6. Any subdivision proposed in the Plan area must comply with CSRD's Subdivision Servicing Bylaw.
7. All new construction in the Plan area will be required to obtain a building permit in accordance with CSRD's Building Regulation Bylaw.
8. New development proposals may require a development permit as per the requirements in section 6 of this Bylaw.
9. New development shall have adequate space for emergency access, except for properties with no legal road access (i.e., water access only parcels).
10. Home occupations are permitted as an accessory use in all designations where residential use is permitted, provided that these uses are compatible with the character of the area, do not present a potential conflict with surrounding properties, and comply with pertinent bylaws and Acts. A home occupation is generally any occupation or profession carried out for gain

or profit that is secondary to the residential or agricultural use of the property. Regulations regarding home occupations will be specified in the Zoning Bylaw.

11. One principal dwelling unit shall be permitted per parcel in designations that support residential use. Additionally, up to two secondary dwelling unit per parcel may also be considered subject to zoning regulations and parcel size.
12. Vacation Rentals involve the use of dwelling units for temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the Zoning Bylaw. Vacation Rentals may be considered in the following designations: Rural Resource (RSC), Medium Holdings (MH) Agriculture (AG), and Residential (RR, MD, and VC). In areas not zoned for vacation rentals, it is recommended that they first be considered on a three year trial basis by the use of a Temporary Use Permit prior to applying to rezone. Vacation Rentals shall:
 13. Not create an unacceptable level of negative impact on surrounding residential uses;
 14. Comply with all applicable regulations of the Agricultural Land Commission (ALC) when located within the ALR;
 15. Be subject to provincial servicing requirements; and,
 16. Be subject to all Ministry of Transportation and Infrastructure permit requirements.
17. Bed and Breakfast operations are generally permitted in designations that permit residential use, and are regulated through the Zoning Bylaw. Bed and Breakfasts shall:
 18. Be limited to a maximum of three (3) let rooms accommodating up to two (2) persons per room per single detached dwelling;
 19. Not disrupt the residential character of the site;
 20. Be subject to provincial servicing requirements;
 21. Be located in the principal dwelling only; and,
 22. Comply within all applicable regulations of the ALC when located within the ALR.
23. Any proposed cannabis production facility will only be permitted on ALR land and land designated Agriculture (AG) or Industrial (ID). Cannabis production facilities must be properly licenced and meet all federal and provincial health and safety requirements. Such facilities are expected to fit within the character of the area and are encouraged to meet the conditions listed in the CSRD's Cannabis Related Business Policy.

4.2 Cambie-Solsqua Corridor

This area corresponds with lands surrounding Cambie-Solsqua Road and is identified on Figure 2 (Electoral Area E Overview Map). Solsqua was primarily settled by English and Scottish pioneers in the early 1900s, while just to the northeast the Cambie area was originally settled by Finnish homesteaders. Today the Cambie-Solsqua area is still primarily agricultural with much of the land

base located within the ALR. Among some larger farms there are a few large-lot subdivisions, as well as small acreages and hobby farms. The original Solsqua store, that was also once the post office and regional library, still stands and has been renovated as a home. The Cambie Hall, built in 1914, still hosts community gatherings and events.

BC Stats (2016) only provides data for the Solsqua area and shows that there are 143 private dwellings, 110 of which are occupied by permanent residents.

General Policies

1. Retain Cambie - Solsqua as a rural area containing farms (and existing small pockets of residential development that are rural in character.
2. Designate ALR lands as Agriculture (AG), large-lots outside the ALR as Medium Holdings (MH), and smaller residential parcels as Rural Residential (RR).
3. Oppose the removal of land from the ALR for non-farm uses.
4. Discourage further subdivision of large parcels and direct new development to existing areas of higher density and existing services

4.4 Rural and Resource (RSC)

This land use designation applies to primarily Crown lands but also large privately owned parcels that are used and valued for forestry, natural resource productivity, and environmental conservation opportunities. They provide habitat and support biodiversity and environmental processes, particularly in undeveloped areas. Rural and Resource (RSC) lands represent approximately 95% of the land base in the Plan area.

Balancing the interests and the management of Crown land is a multi-jurisdictional responsibility of the following groups; applicable provincial ministries, Indigenous Governments, Local Governments, Crown land licensees and users, private property owners, and other stakeholders.

Crown land tenure application referrals to the CSRD provide an opportunity for information sharing and co-ordination of proposals by provincial agencies, Crown corporations, resource industries, utility companies, and lease holders. Proposals can be diverse ranging from resource extraction to adventure tourism. Accordingly, CSRD interests can vary from visual concerns, geohazard stability, outdoor recreation access or development related impacts to neighbouring settlement areas and more.

Objectives

1. Encourage more comprehensive and collaborative management of the Rural and Resource land base.
2. Support the protection and use of Crown lands for a wide range of rural and resource values, including water resources, wildlife habitat and corridors, and environmentally sensitive areas.
3. Minimize conflicts between resource activities and adjacent land uses.
4. Encourage and protect responsible outdoor recreational opportunities that are compatible with the economic uses of resource lands.

5. Protect, conserve and enhance the quality and quantity of freshwater resources.
6. Establish strong lines of communication between the CSRD, Indigenous Nations, and other levels of government that are responsible for managing Crown lands.

Policies

1. Rural and Resource (RSC) lands are identified on Schedule B as "RSC". Appropriate uses are forestry, mineral and aggregate extraction and processing, agriculture, backcountry recreation, public utilities, and residential (private land).
2. Lands designated as RSC should be maintained as large parcels with a minimum size of 60 ha.
3. Approximate locations with aggregate potential (sand and gravel deposits) are identified on Schedule D. Mining policies are provided in section 3.12.
4. Applications for soil removal, deposit or aggregate operations have the potential to impact neighbouring properties and public amenities, and thus applicants should conduct an impact assessment, consult with the public, and minimize impacts prior to mining permit approval or renewal.
5. Encourage Ministry of Forests, Lands, Natural Resource Operations and Rural Development to take a leadership role to enable effective, community-based, collaborative land use planning for Crown land which includes Indigenous governments, local governments, industry sectors, interest groups, and local residents.
6. Consider cumulative effects on natural resource values when reviewing forestry plans, development proposals, and tenure applications on RSC lands.
7. Work with the province, District of Sicamous, Indigenous Governments, trail user groups, and other applicable stakeholders to support responsible public access to the backcountry for recreation.
8. Work with the province, the District of Sicamous, and other stakeholders to encourage adequate staging areas with off-street parking for backcountry recreation tenure areas.
9. Recognize established backcountry skiing and snowmobiling tenure areas with lodges and accessory buildings as "Resort - RT" (refer to section 4.9).
10. Residential development in the Rural and Resource designation shall be permitted at a maximum density of two principal dwelling units per parcel, subject to zoning. Each principal dwelling may contain one attached secondary dwelling unit subject to zoning and proof of adequate water and sewer services that meet provincial regulations.

4.5 Agriculture (AG)

The Shuswap is known as a region of exceptional farms, farmers and food. The Shuswap community has cultivated an environment that guides and supports the responsible and sustainable use of farmland, innovative agricultural economic enterprise, contributes to its celebrated and international reputation, champions educational and innovation, and instils a collaborative spirit. It is the place to be.

Shuswap Agricultural Strategy - 2014

European settlers began establishing farms in the Eagle Valley at the turn of the last century. Farms ranged from 8 to 40 hectares and had to be cleared and improved to retain title. Over the years, larger farms developed and at one time the Eagle Valley was known for producing excellent celery. Today there are mostly grain and dairy farms, cattle, some small nurseries, vegetable/berry

operations, hops producers, and horse stables. Much of the farmland in the Eagle Valley is included in the province's Agricultural Land Reserve (ALR).

In 2014 the CSRD Board approved the CSRD Shuswap Agricultural Strategy. This Strategy was guided by a steering committee and assisted by CSRD staff, the Salmon Arm Economic Development Society, Shuswap Economic Development, and the consulting team. This is a high-level document that is meant to guide policy, action, and investment on agriculture in the Shuswap. It provides context and background on the state of Shuswap agriculture, a vision for agriculture in the Shuswap, and makes 19 recommendations for action. The proposed key strategies include:

- Establishment of an independent, non-political Shuswap Agricultural Organization, with staff, to represent the region's agricultural interests;
- Initiation of an Agricultural Economic Development process, including the marketing and branding of Shuswap-grown products; and
- Provision of agricultural education services through a secondary education institution, like Okanagan College's Salmon Arm campus.

The "Agriculture" land use designation applies to lands that are used and valued for agriculture. All lands within the ALR are included in this designation except for some properties that have non-farm uses which predate the ALR. Some non-farm uses may also have been permitted by the Agricultural Land Commission (ALC) on certain ALR properties and are therefore not designated "Agriculture" in this plan.

Objectives

1. Support the long-term viability of the agriculture sector in the Plan area.
2. Encourage food self-sufficiency for the Plan area.
3. Strongly encourage that valuable agricultural lands are preserved for agricultural purposes and protected from fragmentation through subdivision.
4. Minimize conflicts between agriculture and other land uses.
5. Minimize the impacts of agriculture on environmental resources.

Policies

1. Agricultural lands are identified on Schedule B as "AG". Agriculture is also permitted in areas designated Rural and Resource (RSC), Medium Holdings (MH), and to a limited extent Rural Residential (RR). The ALR land base is shown on Schedule C. In areas designated Agriculture, agriculture should be the primary and dominant land use.
2. Support the use of ALR land for activities listed under part 2 (Farm Use) in the ALR Use Regulation.
3. Support the vision, strategies, and recommendations of the 2014 CSRD Shuswap Agricultural Strategy. Additional land uses on "AG" designated land may include: farmer's markets, agricultural sales, principal homes, secondary dwelling units for farm help, bed and breakfasts, home-based businesses, and other buildings, structures and uses associated with agricultural operations.

4. Keep good quality agriculture lands intact and do not detract from agricultural viability, except where authorized by the Agricultural Land Commission (ALC).
5. Encourage support for the agriculture industry in keeping with public interest in the “100 Mile Diet” and other healthy food choices (e.g., new options for production and marketing of locally grown foods, on-site sales of food, incentives for farmers to remain on their land, support for new farmers to access land).
6. Encourage agri-tourism due to its benefits to both the agriculture and tourism industries.
7. Encourage education programs dealing with agricultural practices that enhance natural ecosystems and protect environmental resources (e.g., Environmental Farm Planning).
8. Discourage the application of pesticides, herbicides, and fertilizers; vegetation removal (through cutting and grazing) in areas adjacent to watercourses; and inadequate streamside or lakeside protection from the flow of contaminated surface water.
9. Encourage the province to enforce regulations where poor agricultural practices have caused negative impacts on watercourses or groundwater.
10. Residential uses on ALR land must be consistent with the ALC Act, the ALR Use Regulation, and zoning bylaw.
11. Support the agriculture industry in applications for grants for study and/or implementation of environmentally sound agriculture practices.

4.6 Medium Holdings

This land use designation applies to large rural parcels, generally 8.0 ha or more in size as shown on Schedule B, and generally not located within the ALR. These lands are intended to provide for traditional rural land uses and serve as a buffer between Rural and Resource (RSC) and Agricultural (AG) lands, and the more densely developed Rural Residential (RR) lands in the Plan area.

In this land use designation, larger residential parcel sizes are the typical form of development and residents in the area promote the retention of large parcel sizes to protect each individual property's privacy and rural quality of life. Medium Holdings (MH) lands are characterized by the suitability to accommodate un-serviced rural activities. These parcels typically have an adequate water supply and wastewater can be treated and disposed of through on-site ground disposal systems.

The MH designation also recognizes low density residential uses in remote locations (e.g., Anstey Arm). Generally, these lands do not have direct access to a highway and are accessible primarily by water. Land in this designation should have either water frontage or a means of access to the water such as a public right of way suitable for the purpose.

Objectives

1. Preserve the rural character of Medium Holdings (MH) lands within the Plan area.
2. Provide a buffer between residential areas and agricultural lands.

3. Encourage farm activities on productive or potential agricultural lands including suitable agri-tourism opportunities.

Policies

Lands within the Medium Holdings designation are identified on Schedule B as "MH".

1. Lands designated Medium Holdings shall have a minimum permitted parcel size of at least 8.0 ha.
2. Residential development in the Medium Holdings designation shall be permitted at a maximum density of 1 principal dwelling unit per parcel. Up to two secondary dwelling units may be considered in the Medium Holdings designation, subject to zoning and proof of adequate water and sewer services that meet provincial regulations.

4.7.3 Rural Residential

This land use designation recognizes the existing pattern of small residential parcels (generally 1 ha or less) existing in Swansea Point, Malakwa, and in clusters along the Cambie - Solsqua corridor (refer to Schedule B). Neighbourhood agricultural pursuits are supported in these areas if they are consistent with adjacent densities and land use (e.g., raising chickens, and growing produce).

The Rural Residential designation also recognizes seasonal residential uses in remote locations (e.g., Anstey Arm). Generally, these lands do not have direct access to a highway and are accessible primarily by water. Lands in this designation should have either water frontage or a means of access to the water such as a public right of way suitable for the purpose. The Zoning Bylaw will apply a specific zone to address the unique circumstances of these lands.

One hectare is smallest recommended parcel size under current health policies for parcels with on-site water and sewage disposal. This does not mean, however, that all existing Rural Residential designated properties are suitable for on-site water supply and sewage disposal.

Policies

- .1 Lands within the Rural Residential designation are identified on Schedule B as "RR".
- .2 The principal land use shall be residential.
- .3 Residential Minimum Parcel Size and Maximum Density are provided in Figure 7.
- .4 Residential development in the RR designation shall be permitted at a maximum density of one principal dwelling unit per parcel. One secondary dwelling unit may be considered for parcels in the RR designation, subject to zoning and proof of adequate water and sewer services that meet provincial regulations.
- .5 Many parcels in areas designated Rural Residential are currently as small as 0.2 ha, and these parcels are acknowledged as non-conforming in size. Owners of small non-conforming parcels are encouraged to upgrade on-site systems or connect to community water and sewer systems at the time such systems become available.

6.2 Geohazard Development Permit Area

6.2.1 Authority

“Geohazard Development Permit Area” (Geohazard DPA) is designated pursuant to section 488(1)(a)(b) of the *Local Government Act* (LGA) for the protection of development and the natural environment from hazardous conditions.

It should be noted that areas susceptible to clear-water flooding (riverine and lake flooding) are not included in the Geohazard DPA. Flooding geohazard areas are instead designated as floodplains in the Zoning Bylaw and regulated by means of established flood construction levels and floodplain setbacks.

6.2.2 Area Designated

Geohazard DPA encompasses:

- .1 All parcels (any portion of which) identified on Schedule E - Geohazard DPA Map as:
 - a. Steep Creek Hazard Areas; or,
 - b. Steep Slopes that are 30% or greater for a minimum distance of 10 m.

6.2.3 Justification

Development of land in areas subject to periodic catastrophic geophysical events requires careful planning to minimize the risk and to mitigate the impacts of such events on communities, structures and the natural environment. The need for risk management is also increased by the likelihood that climate change will magnify the severity and frequency of such events (e.g., more intense rain events, post-wildfire landslides).

Much of the Plan area is subject to a wide range of geohazards originating from the upslope areas of the Monashee Mountains. Significant debris flows events have impacted Swansea Point (Hummingbird Creek - 1997 and 2012) and the section of Highway 1 from Griffin Lake to Three Valley Lake is prone to frequent rockfalls, washouts, and avalanches.

Potential geohazards in the Geohazard DPA include but are not limited to:

- Steep slopes
- Debris flows
- Debris flood
- Debris slides
- Steep creeks (including alluvial fans)
- Landslides
- Landslide dams
- Rockfalls
- Snow avalanches
- Stream avulsions

In spring 2020, a Geohazard Risk Prioritization study of the CSRD was completed by BGC Engineering Inc. This study identifies geohazards (steep creeks and areas with potential for debris

flow/flood) within the Plan area and provides direction on where more detailed geohazard assessment and mapping is needed. The geohazard mapping in this study provides the basis for establishing the boundaries of the Geohazard DPA.

Subdivision, development of land, or removal of vegetation in these areas may destabilize the area, pose potential for loss of life and property, and cause environmental damage. To protect development from the geohazards present in the Plan area, the following objectives, conditions, and guidelines apply to Geohazard DPA.

6.2.4 Objectives

The objectives of Geohazard DPA are to:

- .1 Minimize the risk to life, and to minimize the potential for damage to property and the natural environment by:
 - a. Directing development away from hazardous areas;
 - b. Making sure that if development occurs in hazardous areas it is safe for the use intended.
- .2 Determine:
 - a. If a geohazard(s) is present on the subject parcel;
 - b. The level of risk posed by the geohazard if the proposed development occurs; and,
 - c. Any recommended mitigation measures that reduce the consequences of a geohazard event on human life, property, and the natural environment.
 - d. If development occurring in hazardous areas is safe for the use intended.

6.2.5 Activities requiring a permit

Unless an activity is exempted (see exemptions sections below), section 489 of the LGA requires a DP for protection from hazardous conditions to be approved by local government before:

- .1 Subdivision of land (as pursuant to section 455 of the LGA);
- .2 Construction of, addition to or alteration of a building or other structure; and/or
- .3 Alteration of land, including but not limited to clearing, grading, blasting, preparation or construction of underground services, swimming pools, septic systems, retaining walls, driveways, and roads.

6.2.6 Exemptions

Notwithstanding section 6.2.5, a Geohazard DP is not required for any of the following:

- .1 Development or alteration of land to occur outside the designated DPA, as determined by CSRD. This determination may be based on information provided by a BC Land Surveyor.
- .2 Alteration of land where a preliminary 'overview' geohazard assessment report has been conducted by a Professional Engineer or Professional Geoscientist and determined that the subject property will be safe from the effects of potential geohazard events.
- .3 Non-structural repairs or renovations (including roof repairs or replacement) to a structure provided that such repairs or renovations do not increase the floor area of the structure.

- .4 Replacement or repair of lawfully existing deck (without a roof or walls), provided that the location and dimensions do not change.
- .5 Subdivision to facilitate parcel consolidation.
- .6 The construction of a small accessory building or structure if the building or structure is less than 10 m² and not used for habitation.
- .7 Removal of a hazardous tree, as determined in a report by a Certified Arborist or Registered Professional Forester (who is qualified to do tree risk assessment) that represent an imminent risk to safety of life or buildings. The report is required to be submitted to the CSRD.
- .8 Free standing signs and fences.
- .9 Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .10 Emergency response actions necessary to prevent, control or reduce immediate and substantial threats to life or property during emergency events.
- .11 All timber harvesting.
- .12 Activities conducted and/or approved by the CSRD, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works pursuant section 11 of the *Water Sustainability Act*.
- .13 Activities conducted by the CSRD or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines.

6.2.7 Guidelines

In order to achieve the objectives of Geohazard DPA, the following guidelines shall apply to the issuance of development permits:

- .1 It should be demonstrated that locating development entirely outside of the DPA has been considered, and an explanation of why that is not being proposed should be provided.
- .2 Assessment reports can take the form of either an 'overview assessment' (typically map-based involving at least a reconnaissance intensity of field work) or a 'detailed' assessment (typically field work intensive in which areas prone to landslides are delineated and characterized and estimates of hazard or risk are made). Overview assessments require letter report or memorandum describing geomorphic setting and hazard zones.
- .3 The CSRD requires an assessment of slope conditions as a condition of DP issuance. Provincial 1:20,000 TRIM mapping, using 20 m contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.
- .4 An geohazard assessment report prepared by a QP (must be either a Professional Engineer or Professional Geoscientist) in good standing with Engineers and Geoscientists BC (EGBC) and with experience in geotechnical study and geohazard assessments, shall be required to assist in

determining what conditions or requirements shall be included in the development permit so that the proposed development is protected from the hazard, and no increase in hazard is posed to existing development on or near the subject property.

- a. Overview and detailed assessment reports should include: a site plan identifying areas susceptible to the geohazard(s), location of watercourses, existing natural vegetation, on-site topography, and location of existing and proposed development;
 - b. All reports shall be accompanied with a CSRD Geohazard Assurance Statement Form and shall meet the latest Engineers and Geoscientists British Columbia (EGBC) Legislated Landslide Assessment Guidelines;
 - c. The assessment report must include any recommended mitigative measures and a statement from the QP that states in their opinion that the property is safe for the use intended; and,
 - d. The assessment report shall form part of the DP along with any terms and conditions.
- .5 Development should be sited to avoid hazards. Where impossible or impractical to avoid hazards, development should:
- a. Be designed to ensure that development can withstand the hazard(s);
 - b. Take a form that minimizes the development within any hazardous areas and minimizes impact on the natural features including vegetation, that help to mitigate flood and/or erosion risk; and,
 - c. Be conducted at a time of year, and use construction methods, that minimize the impact on the DPA.
- .6 The CSRD Board may refuse to issue a DP where the hazard frequency, as determined by a QP, exceeds the acceptability threshold for the proposed development determined by CSRD policy as it developed and exists at the time.
- .7 The QP should be aware that the following activities may exacerbate hazards and contribute to slope failure and should generally plan to avoid these activities:
- a. Placing fill, organic wastes, and debris along or below the crest of slopes;
 - b. Excavation on steep slopes or at the base of slopes;
 - c. Discharge of surface or ground water on or below the crest of slopes;
 - d. Cutting trees on or below the crests of slopes; and,
 - e. Installation of septic systems and fields within steep slopes.
- .8 If the assessment report identifies any geohazards or site conditions which, in the opinion of the QP or the CSRD, may impact the safe development of the subject property or an adjacent property unless restrictions on development are established, the assessment report, together with a section 219 covenant shall be required to be registered on the title of the subject property pursuant to the *Land Title Act*
- .9 Notwithstanding the registration of a section 219 covenant, a further assessment report could be required by the CSRD if there is a change in the conditions or if some other circumstances arise which are substantially different than those anticipated by the initial assessment report.
- .10 Once a DP has been issued, a follow-up assessment by the QP may be required to ensure that the use of the land is consistent with the QP's assessment report and CSRD's conditions or requirements included in the DP.

6.5 Riparian Areas Protection Regulation Development Permit Area

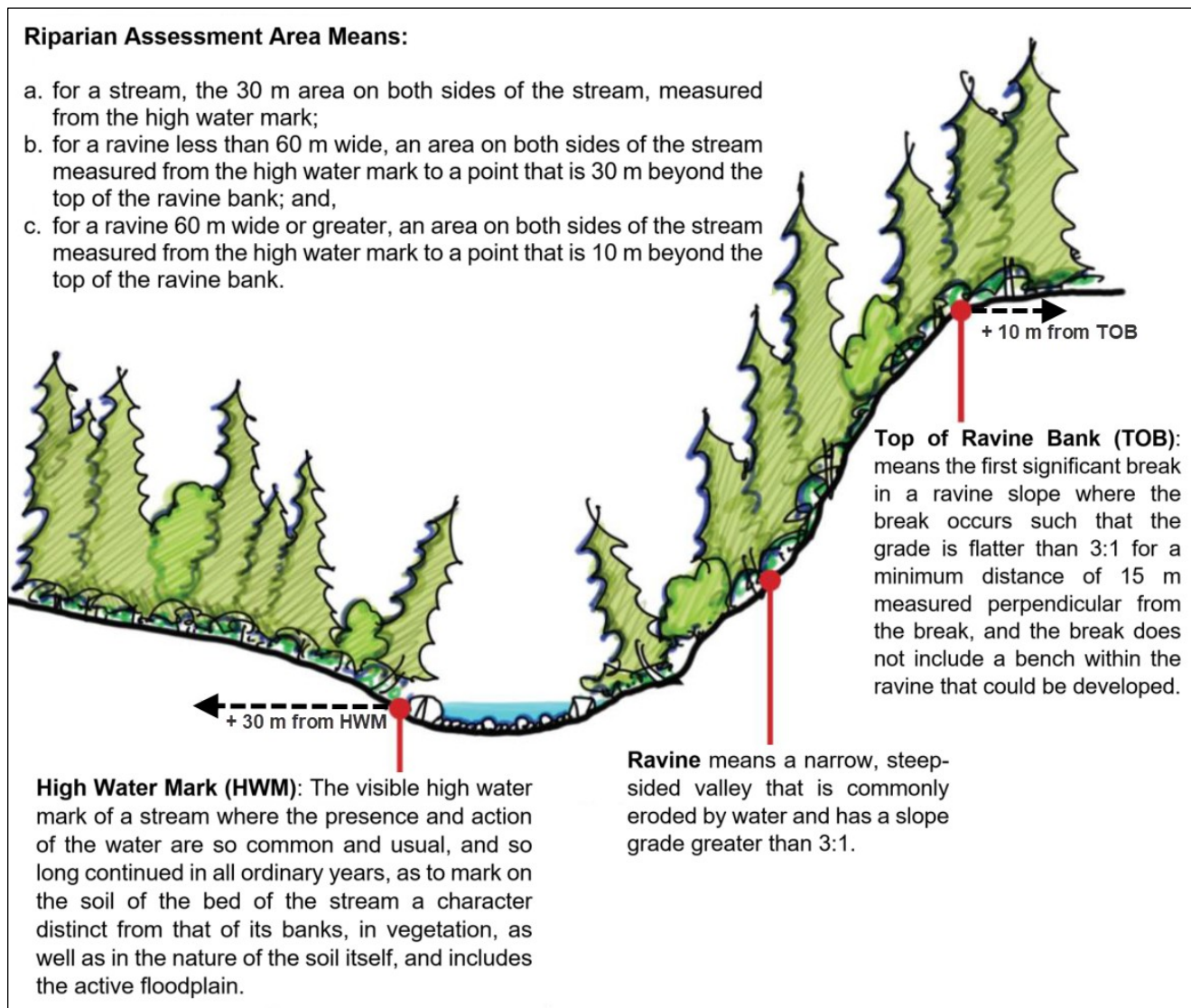
6.6 Authority

The “Riparian Areas Protection Regulation Development Permit Area” (RAPR DPA) is designated pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity

6.7 Area Designated

- .1 The RAPR DPA consists of all those parcels of land located:
 - a. Within the Plan area of this OCP (as per schedule B); and,
 - b. Entirely or partially within the “Riparian Assessment Area” as defined by the *Riparian Areas Regulation* under the *Riparian Areas Protection Act* as illustrated in Figure 8.
- .2 The Riparian Assessment Area is calculated from the following high water marks:
 - a. Shuswap Lake high water mark - 348.7 m
 - b. Mara Lake high water mark - 348.8 m
 - c. all other streams and waterbodies – 1 in 5 year high water mark
- .3 Where there is uncertainty regarding the location of development in relation to a Riparian Assessment Area or the nature of a stream, the CSRD may require:
 - a. A plan prepared by a BC Land Surveyor confirm whether the planned disturbance is within the Riparian Assessment Area; or,
 - b. A letter submitted by a qualified environmental professional (QEP) to determine if the stream satisfies the definition criteria.

Figure 8: Riparian Assessment Area



6.7.1 Justification

Streams and adjacent riparian areas act as natural storage, drainage and purification systems that help to maintain and improve water quality. Undisturbed riparian areas can help prevent flooding, control erosion, reduce sedimentation, moderate water temperature, and recharge groundwater. They are also critical to a healthy aquatic environment, providing habitat, shelter, water, shade and food sources for a variety of fish and wildlife.

Riparian areas provide essential wildlife corridors for numerous species that depend on access to aquatic habitat. Wetlands, which are intricately connected with watercourses, form an integral component of riparian areas and provide similar ecosystem services, in addition to acting as water purification systems through their filtration function.

Electoral Area E contains numerous lakes, rivers, creeks and wetland riparian areas that directly or indirectly provide natural features, functions and conditions that support fish and other aquatic life processes. Their value as an asset under a changing climate also needs to be recognized since they can reduce the impacts of floods, help filter polluting runoff to protect water quality, and help hold soil together to prevent erosion.

The *Riparian Areas Protection Act* requires the CSRD to protect riparian areas from negative impacts of development such as loss of trees, sedimentation and the alteration of natural processes. Streams, as defined by the *Riparian Areas and Protection Regulation*, may include everything from a seasonal creek to lakes as large as Shuswap Lake and Mara Lake. The *Riparian Areas Protection Act* requires a local government to provide a level of protection that meets or exceeds the *Riparian Areas Protection Regulation* standards.

6.7.2 Objectives

The intent of RAPR DPA is to:

- .1 Protect streams, their riparian areas and adjacent upland areas that exert an influence on streams from residential, commercial, public and institutional, and industrial development.
- .2 Promote the restoration and enhancement of riparian areas to support biologically diverse wildlife habitat, corridors for wildlife movement, and the natural features, functions and conditions that support fish life processes.

These objectives are achieved primarily through the involvement of a QEP and the identification of Streamside Protection and Enhancement Areas (SPEA) that should remain free of development, including no disturbance of soils and vegetation.

6.7.3 Activities requiring a permit

A RAPR DP must be obtained prior to the:

- .1 Subdivision of land (as defined in section 455 of the LGA).
- .2 Residential, agriculture, commercial, public and institutional, or industrial development.

6.7.4 Exemptions

Notwithstanding section 6.5.5, a RAPR DP is not required for the following:

- .1 Non-structural alterations or repairs of a building or structure on an existing foundation if the structure:
 - a. Remains on its existing foundation within its existing footprint;
 - b. Is not damaged or destroyed to the extent described in section 532 (1) [repair or reconstruction if damage or destruction \geq 75% of value above foundation] of the LGA.

- .2 Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs, planting vegetation and minor soil disturbance that does not alter the general contours of the land.
- .4 Development that is separated from a stream by a constructed public highway by a distance of no less than 10 m from the stream's HMW.
- .5 Removal of trees determined by a Certified Arborist or Registered Professional Forester (who is qualified to do tree risk assessment) to represent an imminent risk to safety of life and buildings. This exemption requires that the property owner provide the CSRD a copy of the danger tree risk assessment report prior to any tree removal.
- .6 Path for personal use by the parcel owners, provided it does not exceed approximately 1.0 m in width; are constructed of pervious natural materials with no concrete, asphalt, pavers or treated wood; do not involve structural stairs; require no removal of streamside vegetation; and do not impair stream bank stability. This exemption requires that the property owner provide the CSRD a letter prepared by a QEP stating that the construction and use of the path will have no negative impact to the SPEA.
- .7 The construction of a fence if only non-native trees are removed and the disturbance of native vegetation is restricted to 0.5 m on either side of the fence.
- .8 Emergency actions necessary to prevent, control or reduce immediate and substantial threats to life or property during flood, debris flood/flow, erosion, landslide, avalanche, stream avulsion and other geohazard events.
- .9 Activities conducted and/or approved by the CSRD, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works, pursuant to section 11 of the Water Sustainability Act.
- .10 Activities conducted by the CSRD or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines.
- .11 Forestry activities which are:
 - c. Located on Crown land and administered under an approved Forest Stewardship Plan approved by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development in accordance with the *Forest & Range Practices Act*; and,
 - d. Located on private land and managed in pursuant to the *Forest Act* or *Private Managed Forest Land Act*.

6.7.5 Guidelines

In order to achieve the objectives of RAPR DPA, the following Guidelines shall apply to the issuance of DPs:

- .1 To proceed with consideration of the DP application, the CSRD will require notification by the B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development

ministry and Fisheries and Oceans Canada have been informed of the development proposal and have received copies of the Assessment Report, unless the federal Minister of Fisheries and Oceans or a regulation under the Canada *Fisheries Act* has authorized the harm to conditions in the riparian assessment area that would result from the implementation of the development proposal.

- .2 The CSRD may approve the DP application only if the QEP reports that the development as proposed will not harm natural features, functions and conditions that support fish life processes in the riparian assessment area, or that there will be no such harm if the SPEAs identified are protected and the measures identified in the Assessment Report are implemented. All assessment reports shall be accompanied with a CSRD Riparian Assessment Assurance Statement Form and shall meet:
 - a. The guidelines of this DPA;
 - b. The Professional Practice Guidelines for Legislated Riparian Assessments in BC; and,
 - c. The *Riparian Areas Protection Regulation*.
- .3 If adequate, suitable areas of land for the intended use exist on a portion of the parcel that lies outside the SPEA, the applicant should direct development to those areas in order to minimize adverse impacts. In all other cases, the applicant will be required to demonstrate with the support of a QEP, to the satisfaction of the CSRD, that developing in the riparian assessment area is necessary or advisable due to circumstances such as topography, hazards or lack of alternative developable land and that every effort has been made to minimize adverse impacts.
- .4 All *Riparian Areas Protection Regulation* Assessment Reports must be submitted on provincial standard reporting templates and follow and be consistent with formatting and content requirements.
- .5 Pursuant to the *Riparian Areas Protection Regulation* and the LGA, the Assessment Report prepared by a QEP should specifically consider and make recommendations respecting:
 - a. Protection measures to be taken to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion or protect the banks of watercourses;
 - b. The siting of buildings, structures or uses of land;
 - c. Areas to remain free of development;
 - d. Specified environmental features; and,
 - e. The timing of construction to avoid or mitigate impacts.
- .6 Develop and implement a soil erosion and sediment control plan as part of site design and construction to prevent the discharge of sediment-laden water into a stream.
- .7 Install temporary fencing and signage to prevent encroachment into the SPEA area during land preparation and construction.
- .8 Once a DP has been issued, a follow-up assessment by the QEP will be required to ensure that the use of the land is consistent with the QEP's assessment report, *Riparian Areas Protection Regulations* and the CSRD's conditions or requirements included in the DP.

Assessment Report Requirements and Development Permit Applications

Under the *Riparian Areas Protection Regulation*, a local government must not approve a development proposal related to a **riparian assessment area** unless a QEP has conducted an assessment that provides a professional opinion that there will be no adverse effect on the natural features, functions and conditions that support fish life processes in the riparian assessment area if (a) the development is implemented as proposed or (b) the SPEA identified in the assessment report are protected from the development and the developer implements mitigation measures identified in the Assessment Report.

The Assessment Report must specify the width of the SPEA and the measures necessary to protect its integrity, and it must adhere to the assessment methods set out in the schedule to the *Riparian Areas Protection Regulation*. Recommendations from the Assessment Report may become conditions of the DP.

To proceed with consideration of the DP application, the CSRD will require notification by the B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development that the ministry and Fisheries and Oceans Canada have been informed of the development proposal and have received copies of the Assessment Report, unless the federal Minister of Fisheries and Oceans or a regulation under the *Canada Fisheries Act* has authorized the harm to conditions in the riparian assessment area that would result from the implementation of the development proposal.

Electoral Area E Zoning Bylaw No. 841

4.5 RSC Rural and Resource Zone

.1 Purpose

To accommodate a variety of resource related uses on large Crown land and private parcels.

.2 Permitted Principal Uses

- (a) *airfield*
- (b) *agriculture*
- (c) *agri-tourism*
- (d) *backcountry recreation*
- (e) *equestrian facility*
- (f) *farm and garden centre*
- (g) *kennel*
- (h) *resource extraction*

- (i) *silvaculture*
- (j) *single detached dwelling*

.3 Permitted Secondary Uses

- (a) *accessory use*
- (b) *bed and breakfast*
- (c) *home occupation*
- (d) *residential campsite*
- (e) *secondary dwelling unit*
- (f) *small-scale sawmill*

.4 Regulations Table

MATTER REGULATED	REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	100 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	2
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	Shall be in accordance with Section 3.15 of this <i>Bylaw</i> .
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum <i>floor area</i> of <i>secondary dwelling unit</i>	115 m ²
(h) Maximum <i>floor area</i> of a <i>home occupation</i>	Shall be in accordance with Section 3.16 of this <i>Bylaw</i> .
(i) Minimum <i>setback</i> from all <i>parcel boundaries</i> <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 2 m ▪ 5 m
(j) <i>Kennel</i>	Permitted only on <i>parcels</i> 8 ha or greater. <i>Kennel buildings</i> and <i>structures</i> , including runs, must be

	a minimum of 50 m from all <i>parcel boundaries</i> .
(k) <i>Small-Scale Sawmill</i>	Permitted on a <i>parcel</i> 4 ha or larger. <i>Small-Scale Sawmill</i> must be a minimum of 50 m from a <i>parcel boundary</i> .
(l) Servicing standard:	<ul style="list-style-type: none"> ▪ <i>onsite sewerage system</i> ▪ <i>onsite water system</i>

4.6 AG1 Agriculture 1 Zone

.1 Purpose

To accommodate agriculture and related secondary uses on large parcels which are primarily located in the Agricultural Land Reserve (ALR). All uses on ALR land are subject to the ALC Act and ALR Use Regulation.

.2 Permitted Principal Uses

- (a) *agriculture*
- (b) *forestry*
- (c) *single detached dwelling*

.3 Permitted Secondary Uses

- (a) *accessory use*
- (b) *agritourism*
- (c) *bed and breakfast*
- (d) *equestrian facility*
- (e) *home occupation*
- (f) *kennel*
- (g) retail sale of agricultural products (must be in compliance with the ALR Use Regulation)
- (h) *residential campsite*
- (i) *secondary dwelling unit* (must in compliance with the ALR Use Regulation)

.4 Regulations Table

MATTER REGULATED	REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	100 m

(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	one
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	Shall be in accordance with Section 3.15 of this <i>Bylaw</i> .
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ <i>Single detached dwelling</i> ▪ Approved non-farm use <i>accessory buildings and structures</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum <i>floor area</i> of the <i>single detached dwelling</i> (including the <i>secondary dwelling unit</i>)	500 m ²
(h) Maximum <i>floor area</i> of retail space for agricultural retail sales	<ul style="list-style-type: none"> ▪ Unlimited if all products originate or are produced on the farm on which the sales are taking place ▪ Where products do not originate from the farm, the retail space <i>floor area</i> must be in compliance with the <u>ALR Use Regulation</u>.
(i) Maximum <i>floor area</i> of <i>secondary dwelling unit</i> <ul style="list-style-type: none"> • attached • detached on parcels < 40 ha • detached on parcels > 40 ha 	<ul style="list-style-type: none"> • 115 m² • 90 m² • 115 m²
(j) Maximum <i>floor area</i> of a <i>home occupation</i>	Shall be in accordance with Section 3.16 of this <i>Bylaw</i> .
(k) Minimum <i>setback</i> from all <i>parcel boundaries</i>	<ul style="list-style-type: none"> ▪ 5 m
(l) <i>Kennel</i>	Permitted only on <i>parcels</i> 8 ha or greater. <i>Kennel buildings and structures</i> , including runs, must be a minimum of 50 m from a <i>parcel boundary</i> .

(m) Servicing standard:	<ul style="list-style-type: none"> ▪ <i>onsite sewerage system</i> ▪ <i>onsite water system</i>
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4.7 MH Medium Holdings Zone

.1 Purpose

To accommodate single detached dwellings, agricultural uses, and rural pursuits on medium-sized parcels (approx. 1 – 8 ha).

.2 Permitted Principal Uses

- (a) *agriculture* (on *parcels* 2 ha and greater)
- (b) *agriculture, limited* (on *parcels* less than 2 ha)
- (c) *equestrian facility*
- (d) *forestry*
- (e) *single detached dwelling*

.3 Permitted Secondary Uses

- (a) *accessory use*
- (b) *agri-tourism* (on *parcels* 2 ha and greater)
- (c) *bed and breakfast*
- (d) *home occupation*
- (e) *residential campsite*
- (f) *secondary dwelling unit*

.4 Regulations Table

All agricultural *uses* must have a *setback* of at least 5 m from any *parcel boundary* and be contained by a *fence*.

MATTER REGULATED	REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	8 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	30 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One

(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	Shall be in accordance with Section 3.15 of this <i>Bylaw</i> .
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ <i>principal buildings and structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum <i>floor area</i> of a <i>secondary dwelling unit</i>	115 m ²
(h) Maximum <i>floor area</i> of <i>accessory building</i>	200 m ² on <i>parcels</i> less than or equal to 2 ha
(i) Maximum <i>floor area</i> of a <i>home occupation</i>	Shall be in accordance with Section 3.16 of this <i>Bylaw</i> .
(j) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 2 m ▪ 5 m
(k) Servicing standard:	<ul style="list-style-type: none"> ▪ <i>onsite sewerage system</i> ▪ <i>onsite water system</i>

4.8 RR1 Rural Residential 1 Zone

.5 Purpose

To accommodate single detached dwellings on smaller parcels.

.6 Permitted Principal Uses

- (a) *single detached dwelling*

.7 Permitted Secondary Uses

- (a) *accessory use*
- (b) *agriculture* (on *parcels* 2 ha or larger)
- (c) *agriculture, limited* (on *parcels* less than 2 ha)
- (d) *bed and breakfast*
- (e) *home occupation*
- (f) *secondary dwelling unit*

.8 Regulations Table

All agricultural *uses* must have a *setback* of at least 5 m from any *parcel boundary* and be contained by a *fence*.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(l) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 ha
(m) Minimum <i>parcel width</i> created by <i>subdivision</i>	30 m
(n) Maximum <i>parcel coverage</i>	30%
(o) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(p) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	Must comply with section 3.15 of this <i>Bylaw</i>
(q) Maximum <i>height</i> for <i>principal buildings</i>	11.5 m
(r) Maximum <i>height</i> for <i>accessory buildings</i> and <i>structures</i> :	<ul style="list-style-type: none">▪ 6 m on <i>parcels</i> less than or equal to 0.4 ha▪ 8 m on <i>parcels</i> greater than 0.4 ha

(s) <i>Maximum floor area of a secondary dwelling unit</i>	115 m ²
(t) <i>Maximum floor area of an accessory building</i>	<ul style="list-style-type: none"> ▪ 150 m² on <i>parcels</i> less than or equal to 0.4 ha ▪ 200 m² on <i>parcels</i> greater than 0.4 ha, but less than or equal to 2 ha
(u) <i>Maximum floor area of a home occupation</i>	Shall be in accordance with Section 3.16 of this <i>Bylaw</i> .
(v) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 2 m ▪ 5 m
(w) Servicing standard:	<ul style="list-style-type: none"> ▪ <i>onsite sewerage system</i> ▪ <i>onsite water system</i>