

**Relevant Excerpts from**  
**Electoral Area B Official Community Plan Bylaw No. 850**  
**Electoral Area B Zoning Bylaw No. 851**

(See [Bylaw No. 850](#) and [Bylaw No. 851](#) for all policies and land use regulations)

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**Bylaw No. 850**

**1.5 General Implementation**

1.5.3 The CSRD will require development approval information pursuant to Section 920.1 of the Local Government Act. Procedures and policies for requiring development approval information will be required to be established by bylaw and would apply to:

- applications for amendments to an adopted Zoning Bylaw,
- applications for a Development Permit, and
- applications for temporary use permits.

The Development Approval Information Bylaw will apply to all lands within the OCP Bylaw area. The Development Approval Information Bylaw will give the CSRD authority to require an applicant to provide information on the impact of the activity or development that is the subject of the application. The Development Approval Information Bylaw will also specify the matters for which additional on-site and off-site information will be required, including, but not limited to such issues as:

- an assessment of drinking water source and sewage disposal as required by the local authorities;
- transportation patterns including traffic flow;
- the impact and assessment on local infrastructure;
- assessment of capacity of public facilities including schools and parks;
- the impact on or need for additional community services;
- the impact and assessment of the natural environment of the area affected;
- assessment of slope conditions;
- an assessment of the wildfire urban interface; and,
- an assessment of how the development addresses on-site issues such as emergency use, accessibility and water conservation.

The Development Approval Information Bylaw will also set out procedures regarding requests for reconsideration of development approval information requirements.

**2. Planning Strategy**

**2.1 Growth Patterns – Upper Arrow Lake (Galena Bay, Beaton, Shelter Bay, Halcyon North & Arrowhead)**

Development in this area focusses 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.

### **3.0 Rural Resource**

#### **3.1 Community Context**

Rural resource lands represent the majority of the land area in Electoral Area 'B'. These lands are generally publicly owned Crown resource lands but also include large private holdings. Provincial forests, community watersheds, woodlot licenses, recreation tenures, transportation networks and mineral resource values are managed by provincial resource agencies through consultation with the local community and other resource stakeholders. The management of these lands is complex and there is potential for conflict particularly in interface areas between rural settlement and resource uses. The rural resource environment also creates an attractive natural setting that is highly valued in many of the settlement and recreation areas in Electoral Area 'B'. Area policies support sustainable development of resources while respecting the natural environment and community values.

#### **3.2 Objectives**

3.2.1 Support crown lands for a wide spectrum of rural resource values. Minimize conflicts and alienation of resources by promoting site-specific design and tenure management.

3.2.2 Protect water resources essential to public health and in support of continued growth and development of settlement areas.

3.2.3 Plan for and protect wildlife corridors, habitat of threatened and endangered species and ecosystem connectivity in advance of expansion of settlement areas or tenures.

3.2.4 Identify lands for future community expansion in advance.

3.2.5 Encourage access to and opportunity for development of crown resources that contribute provincial revenues in support of community social, health, education and transportation services and that provide local economic opportunities.

3.2.6 Support efforts to protect the natural values of the river valley ecosystems, particularly in floodplain or reservoir water management areas, managing recreation use where there is potential for conflict between recreation and environmental values.

### **3.3 Policies**

#### **General**

3.3.1 Designate lands as shown on Schedules B and D, Land Use Map for Rural Resource Use.

3.3.2 Support a 60 ha minimum parcel size for Rural Resource area designations.

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.

3.3.4 Limit development activity and human access within designated community watersheds. Public roads and settlement uses are not encouraged. Management of crown tenures should include provisions to restore the site to natural condition and watershed flow levels.

3.3.5 Encourage relevant agencies to develop strategies to manage public access to the backcountry, commercial backcountry use, backcountry tenures and existing and new applications.

3.3.6 Work with appropriate Federal and Provincial Agencies to preserve and manage critical viewsheds and watersheds within the Rural Resource areas to protect important aesthetic values and essential timber and water resources. It is recognized that uses such as logging will alter viewsapes along key watercourses (Lake Revelstoke, Arrow Lakes, Trout Lake) however; management efforts to minimize impacts near lakeshores will be encouraged. Viewsapes from Federal Parks and national highway corridors are also recognized as priorities for protection.

3.3.7 Develop a zone for resort or intensive recreation uses on Crown Land and require rezoning approval for new resort or intensive recreation uses. This process will provide an opportunity for public input and a comprehensive review of the proposal including: environmental impact (sensitive and hazardous areas), servicing (water, sewer, roads, power generation, waste disposal) and other relevant issues.

3.3.8 Work with the relevant provincial agency to identify recreational opportunities on Lake Revelstoke. The CSRD supports the concept of Remote Vacation Cabins (Section 3.3.9) on Lake Revelstoke but recognizes that any future development of this nature must be within the policy framework of the relevant government agency.

3.3.9 The CSRD may support applications to zone lands for “Remote Vacation Cabins” on Lake Revelstoke, subject to the following:

a. “Remote Vacation Cabins” would have a small building footprint and limited infrastructure and would have Restrictive Covenants acknowledging the long term intent for these properties is to remain as remote, seasonal or wilderness facilities until such time as plans are in place to provide comprehensive servicing for more intensive development. The Remote Vacation Cabin designation would permit limited, formalized recreational use in an area such as Lake Revelstoke where there is currently ad hoc use with no formal tenure structure and no existing or planned servicing (hydro, telephone, water, sewer). Remote Vacation Cabins would not transition to a higher use (e.g. permanent residence, or bigger footprint) until more comprehensive servicing is provided to the larger area.

b. Development approvals for Remote Vacation Cabins must clearly communicate to the public, by way of Restrictive Covenants, the limitations of these properties including:

- environmentally sustainable development practices;
- servicing, form and character conditions (3.3.9.c); and
- understanding from owners that the area will have limited “soft services”. Soft services include, RCMP, education, medical and emergency services.

c. Servicing, form and character strategies for Remote Vacation Cabins will address the following:

- intended for seasonal use;
- a single dwelling with a maximum total floor area of 90 m<sup>2</sup>;
- property cannot be further subdivided;
- provision of potable water as required to meet provincial standards, preferably from a community water system;
- a minimum parcel size of 1 ha for sites on independent on-site sewer systems, recognizing that provincial standards may require larger parcel sizes under certain slope and soil conditions and near a watercourse;
- where a community sewer system is provided, cluster development is supported with a maximum permitted density not to exceed 1 unit per 1 ha. Residual land will be designated for conservation or park use under a

Conservation Agreement, CSRD Parks and Recreation Ownership or through Restrictive Covenants;

- For properties on Lake Revelstoke, lakefront development densities will be based on the area of a contiguous parcel. Parcels should not be bisected by roads (Highway 23 North); and
- access is via a public road maintained by the relevant agency (Ministry of Transportation) provides legal public access.

3.3.10 Trails or recreations facilities within Rural Resource areas shall be designed for compatibility with varied resource development activities and land uses.

3.3.11 Support communication with and participation by First Nation communities in the management and development of Crown land resources.

3.3.12 For subdivisions within or adjacent to Rural Resource areas, provide for: routes to access forest roads; backcountry trail parking areas; and, controlled access facilities (gates, signage etc.) where such access does not conflict with resource tenures such as water reservoirs, watersheds, mining and timber harvesting.

3.3.13 Protect the viability of agricultural, mineral, energy and timber resources for future development by maintaining routes of access and by supporting development that is conducted in accord with Best Management Practices of the relevant government agency.

3.3.14 Backcountry recreation activity is supported subject to the policies and guidelines of the Ministry of Forests & Range Land Management Plan and a local public consultation process. The Regional District recognizes the multi-agency nature of backcountry recreation management and commits to participating cooperatively in the development of inter-agency background strategies. Recognizing that Area 'B' contains areas where backcountry recreation may impact wilderness management objectives, the CSRD supports using a comprehensive strategy to evaluate new backcountry wilderness recreation activities. The strategy should include the following:

a. Recognition of three broad policy tools:

- prohibitive – activity not allowed in specific areas or during specific periods of the year;
- limits on inputs – activity allowed but quotas applied to the number of users and their activities; and
- limits on outcomes – activity allowed within the context of activity-specific evaluation of backcountry recreation guidelines.

b. Evaluation Components:

i. Issue themes to be considered.

- degradation of the soil, air and water quality;

- integrity of vegetation communities;
- direct disturbance of wildlife;
- integrity of fisheries resource; and
- special management related to species of concern.

- ii. Achieves desired “results” with respect to wildlife and their habitats.
- iii. “Desired behaviours” that outline the practices of users that are most likely to achieve desired conditions.
- iv. Indicators that measure whether a desired condition is being achieved.
- v. Limits that set upper and lower targets for indicators.

3.3.15 Protect sand and gravel aggregate supplies for anticipated future needs.

3.3.16 Consult relevant aggregate supply inventories as part of the development review process. An inventory of aggregate reserves is provided by Ministry of Transportation (Schedule C).

## **4.0 Residential**

### **4.1 Community Context**

The majority of new residential development in Electoral Area 'B' is to be “rural” residential development. Rural residential development will occur in a variety of settings including: with agricultural operations; in existing rural communities (e.g. Trout Lake); on rural acreages (e.g. Begbie Bench); near the proposed Revelstoke Mountain Resort (RMR); and in recreational areas (e.g. Galena Bay).

Residential policies acknowledge that there will be a number of demographic trends that will influence housing needs. In particular, the overall aging of the population has generated an increased demand for recreational housing opportunities and second homes in the British Columbia interior. Additionally, the attractive natural environment and low density, dispersed settlement pattern continues to appeal to existing and new residents seeking a “wilderness” lifestyle experience. Within the plan area there are also local development initiatives, such as the Revelstoke Mountain Resort project, that are influencing growth patterns. Planning for the future of this area requires the balancing of growth demands with protection of the natural environment to ensure that the area retains the attractive natural context and integrates a variety of housing types and lifestyle needs.

The OCP recognizes that there are a number of unique development areas and provides plan policies that are tailored to specific local conditions, community visions and development pressures for these areas. The residential designations are:

<i>Land Use Designation</i>	<i>Minimum Parcel Size (hectares)</i>	
Neighbourhood Residential (NR)	0.2 ha	
Rural Residential 2 (RR2)	2 ha	
Small Holdings (SH)	4 ha	
Residential Cluster Development (CD)	n/a	

The majority of the residential development in the plan area is low density, single family development set in a rural context on large lots. This product is expected to continue to be the dominant housing form, with high density development encouraged to locate in urban areas where full servicing can be provided. The only exception will be site specific Residential Cluster Development projects (Section 4.3.25).

## 4.2 Objectives

There are several important objectives that form a framework for the residential policies.

- 4.2.1 Ensure that development is sustainable, with appropriate infrastructure (water and sewer) and utilities (telephone, power) and not costly to maintain and support. Developments are to provide potable water that meets the Canadian Drinking Water Guidelines.
- 4.2.2 Encourage the concentration of new development into existing developed areas.
- 4.2.3 Support the policies of the City of Revelstoke to concentrate growth in their serviced, sustainable urban centre.
- 4.2.4 Support the preservation of buildings and features that have significant heritage values.
- 4.2.5 Ensure comprehensive analysis and a co-ordinated review as part of subdivision application process, including addressing "Environmental Best Management Practices for Urban & Rural Development", Ministry of the Environment.
- 4.2.6 Provide for a choice of housing types while recognizing single family housing as the dominant housing form.
- 4.2.7 Maintain and encourage support of the rural character and the social and cultural diversity of the plan area and ensure environmental integrity is addressed.

## 4.3 Land Use & Density Policies

### General

4.3.20 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.

4.3.21 High Density Residential uses are encouraged to locate in serviced urban areas (e.g. Nakusp, Revelstoke).

4.3.22 Mobile Home parks are discouraged in rural areas because they place unacceptably high pressures on the rural area for provision of public facilities and services such as parks, schools and water and sewer utilities.

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

4.3.24 Support a range of residential dwelling types.

4.3.25 Development of accessory buildings on lots prior to establishment of a principal use shall be permitted subject to size limitations as identified in zoning.

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

4.3.27 On land outside the Agricultural Land Reserve, zoning shall regulate subdivision pursuant to Section 946 of the *Local Government Act*.

4.3.28 Support a process to initiate implementation of a Building Inspection Process.

4.3.29 One primary dwelling unit and one secondary dwelling unit shall be permitted in the primary dwelling in all residential zones subject to the relevant parking requirements, the requirements of the Agricultural Land Commission Act, and the BC Building Code. Once building permits are mandatory and the requirements of the BC Building Code can be addressed, sewage disposal systems must be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system.



- 4.3.30 There are several parcels in Area 'B' where, prior to the adoption of this bylaw, landowners have developed their property to a density that is non-conforming to the proposed land use pattern. For these properties, the CSRD recognizes this existing commitment to land uses and density and will work with the landowner to address non-conforming density through the zoning bylaw (e.g. north of Halcyon).

#### **4.3 Land Use & Density Policies**

##### **Small Holdings**

- 4.3.31 The principal use shall be residential or agricultural.
- 4.3.22 One primary 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.

#### **4.4 Community Specific Policies**

##### **Upper Arrow Lake (Galena Bay, Beaton, Shelter Bay, 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.
- 4.4.21 Consider supporting the development of a Galena Bay Neighbourhood Association as a registered non-profit society through the Electoral Area grant process.
- 4.4.22 Recognize existing lakefront parcels, which are 1 ha and smaller in size, through zoning provisions with a minimum parcel size of 1 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.

## **12. Environmental Management**

### **12.1 Community Context**

Environmental quality is an integral component of the community vision, tied to the quality of life and lifestyle options which are unique and highly valued by the residents in and visitors to Electoral Area B. The community is interested in protecting the region's natural environment for its unique ecosystems, scenic beauty, wilderness recreation and resource-based economy. The community is interested in providing for sustainable, planned development which balances the need for protection, use and enjoyment of natural areas.

### **12.2 Objectives**

- 12.2.2 Preserve and enhance the ecological systems and diversity of the Regional District.

12.2.4 Protect environmentally sensitive lands such as steep slopes, floodplains, watersheds and soils subject to erosion from land uses having major environmental impacts.

12.2.5 Restrict the uses of land that are subject to hazardous conditions or that are environmentally sensitive to development.

12.2.6 Incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation plans, and development proposals.

12.2.8 Minimize and plan for the impacts of climate change.

12.2.9 Support Best Management Practices for local species and environments provided by senior levels of government.

### **12.3 General Environmental Policies**

12.3.3 Streamside and foreshore property owners will be required to prevent or reduce impacts on watercourses subject to the guidelines established in Riparian Areas Regulation Development Permit Area (RAR DPA) Section 12.6.

12.3.4 Implement practices to prevent sediment from entering local watercourses when considering development activities.

12.3.6 Applications for new land use designations shall be accompanied by a detailed Environmental Review of environmentally sensitive and hazardous areas such as watercourses, sensitive habitat areas, wildlife corridors, flood plains and steep slopes. The environmental review shall include recommendations on the management of sensitive conditions. The Regional District may implement recommended environmental management practices through such mechanisms as:

a. The establishment of an Environmental Reserve designation where development on private lands in sensitive areas is protected from adverse development. Passive uses, with minimal impact on the applicable area would be supported within the Environmental Reserve designation. Developments acceptable in the reserve area would include trails, interpretive signs, benches and other similar types of passive recreation, conservation or environmental protection and management purpose or represent some other public benefit to the community that would not compromise the environmental sensitivity of the area.

b. The use of Conservation Agreements with the Regional District as a party to the agreement, to protect sensitive areas and implement conditions and recommendations of the environmental review conducted as part of the required development approval information as identified in Section 1.5.3.

c. A conservation zone or Environmental Reserve designation may be assigned to land covenanted or deeded against further development or use, including common property in strata title subdivisions.

d. Owners entering into Conservation Agreements and placing voluntary conservation covenants on their land shall not be deprived of the privilege to enjoy land as their own, but they may not close, fence or otherwise obstruct any adjoining public route of access. Developments acceptable in the covenanted area could include trails, interpretive signs, benches and other similar types of passive recreation, conservation or environmental protection and management purpose or represent some other public benefit to the community and not compromise the environmental sensitivity of the area.

12.3.7 The Regional District will work co-operatively with the Ministry of Forests & Range regarding planning and management of forested areas and any timber harvesting and related forest practices carried out on Crown lands within a provincial forest and subject to the relevant provincial regulations.

12.3.13 Support new developments exhibiting strategies related to ecological protection, ecological restoration and green design including green buildings and green infrastructure.

## **12.4 Environmentally Sensitive Areas**

12.4.2 Encourage voluntary protection of natural features in cases where an Environmental Review has identified an objective to protect for stream conservation, water quality protection, or habitat preservation. To encourage voluntary placement of Conservation Agreements, the Regional District may give consideration to allowing increased density on the balance of the subject property.

12.4.3 Plan for and protect wildlife corridors, habitat for threatened and endangered species and ecosystem connectivity in advance of expansion of settlement areas or tenures. It is recognized that the area supports sensitive species (e.g. Great Blue Heron and Painted Turtle) and there are specific Best Practices for species that are to be addressed in any development proposals. All development applications in the Columbia Basin should be referred to the Fish & Wildlife Compensation Program, specifically noted are lands in the South Revelstoke area.

12.4.4 Encourage all developers including developers of infrastructure projects to conserve wetlands, wildlife habitat, trees or other indigenous vegetation. Encourage alternative development methods, such as considering concentrating density, narrowing rights-of-ways, or accommodating cluster housing.

12.4.5 Allow the owner(s) of land affected by dedications for environmental protection to use the original site area in computing density, floor area ratios and minimum parcel areas for development or subdivision purposes.

12.4.7 Encourage the retention and use of wetlands as natural buffers between different land uses.

12.4.8 Discourage complete or indiscriminate lot clearing.

12.4.10 Co-operate with senior governments to provide a coordinated strategy for the stewardship of "Riparian Assessment Areas", in keeping with the general intent of the Riparian Areas Regulation (RAR), to ensure that no harmful alteration, disruption and/or destruction of fish habitat occurs.

12.4.11 Recognize Riparian Areas Regulation and designate all watercourses either identified on the BC TRIM map series 1:20,000 or where the Regional District or applicants are aware of a watercourse on the subject property as Riparian Areas Regulation Development Permit Areas (RAR DPA). The RAR DPA is outlined in Section 12.6. The RAR DPA relies on provincial scale mapping of watercourses as the CSRD has not had the opportunity to undertake detailed inventories of Streamside Protection and Enhancement Areas (SPEA) and watercourse locations. Accordingly, the CSRD may require additional technical research as part of the approval process. Given the lack of comprehensive watercourse data, it is recommended that in situations where a property owner maintains that development is outside of a riparian area, the CSRD may require confirmation from a Qualified Environmental Professional (QEP) that the proposed development is not within a riparian area.

12.4.12 Encourage developers to implement general stream management policies, including:

- a. minimizing obstructions and impediments to the flow of a stream, creek, watercourse, ditch, drain or sewer whether or not it is located on private property;
- b. retaining the natural stream channel geometry insofar as feasible;
- c. protecting and managing natural watercourses as open streams (except as authorized by way of the appropriate provincial ministry or agency approval);
- d. retaining mature streamside vegetation or tree cover wherever possible and incorporating it into the design of the project;
- e. avoiding groundwater interruption; and
- f. protecting aquatic biota and habitats.

12.4.13 Work with provincial and federal water and resource agencies to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to:

- a. accommodate the dynamic natures of the hydrologic systems;
- b. avoid and reduce flood damage;
- c. avoid the need for channel stabilization;
- d. avoid underground drainage systems;
- e. avoid groundwater interruption; and
- f. protect aquatic biota and habitats.

12.4.14 Locate low intensity land uses (for example agriculture, recreation, conservation) and manage forms of development on floodplains and aquifers in accordance with provincial and local government regulations.

12.4.15 Connectivity and movement of threatened and endangered species shall be considered at the time of neighbourhood planning or rezoning. This process will assess opportunities to use such tools as the transfer of density, density bonusing, park dedication, land trusts, covenants, or development agreements to conserve corridors of "sensitive ecosystems". Open space should have characteristics in accord with provincial government best management practices; for example, areas will be large and contiguous striving to have an overall configuration of 100 hectares or more, and no specific area less than 100 m in width and in accordance with the Regional District Parks Policy. In the absence of a "sensitive ecosystem" inventory for the Regional District, additional information may be required as part of the development approval process.

## **12.5 Environmentally Hazardous Areas**

12.5.1 All areas with slopes in excess of 30% are considered Hazardous Areas and are not recommended for development.

12.5.2 The general policy strategy for areas of steep slopes addresses the following.

Mapping:

- The Regional District requires an assessment of slope conditions as part of required Development Approval Information. 1:20,000 TRIM Provincial map series, using 20 m contour information may provide preliminary slope assessments, however, this information is for general purposes only and more detailed site assessments may be required as part of the development review process.

Geotechnical Assessment:

- Lands with slopes in excess of 30%, or as otherwise determined by the Regional District, Provincial or Federal agencies, shall be subject to geotechnical assessment prior to development proceeding.
- The geotechnical assessment must address the hazard in a manner that ensures the protection of property and quality of life of future users and adjacent property owners.

General Conditions:

- Setbacks from the toe and top of the slope shall be as determined by the geotechnical assessment.
- Development in potentially unstable areas or steep slopes shall avoid:
  - a. Cutting into a slope without providing adequate mechanical support;
  - b. Adding water to a slope that would cause decreased stability;
  - c. Adding weight to the top of a slope;
  - d. Removing vegetation from a slope; and,
  - e. Creating steeper slopes.

Covenants:

- Geotechnical assessments are required consistent within Development Approval Information requirements outlined in Section 1.5. Prior to a rezoning, subdivision approval and/or Building Permit being issued for development, 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.

Research:

- The Regional District will continue to identify and analyze Hazardous Areas with the objective of formulating protective strategies, encouraging restoration and obtaining knowledge to facilitate appropriate land use and servicing decisions.

12.5.3 The Regional District will support and facilitate the researching of flood plains within the Electoral Area so that they may be used to manage development within hazardous areas. Flood proofing regulations, including setback of buildings and structures from water bodies and siting of ground disposal systems shall be articulated through zoning provisions. When the Regional District obtains more information on flood plains, the Regional District will establish a Development Permit Area to specify guidelines for development in hazardous areas subject to flooding.

12.5.6 The susceptibility of an area to mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence, or avalanche may be assessed at the time of development application:

- a. A rezoning application may require an overall assessment of the site for development suitability (from conditions both on and off the site) prepared by a professional engineer and geoscientist licensed in BC specializing in geotechnical issues. Further detailed information may be required as a result of the assessment.
- b. A subdivision application may require a detailed Hazard Report (from conditions both on and off the site) specifying ways to reduce that hazard to a safe level and prepared by a professional engineer or geoscientist licensed in BC specializing in geotechnical assessment. The professional engineer will be required to determine an adequate level of safety given the type of hazard and the land use proposed. Completion of works that reduce the hazard may be required prior to subdivision approval depending upon the content of the report.

12.5.7 It is recognized that all areas within the OCP plan area are generally susceptible to wildfire risks and development should be consistent with provincial Best Practices for addressing wildland fire risks. Information is available from the FireSmart websites: <http://bcwildfire.ca/>

12.5.8 A general policy strategy for addressing wildfire risks is as follows.

Mapping:

- Work with the Ministry of Forests & Range to develop mapping that clearly indicates areas that are susceptible to wildfire with the objective of raising public awareness of potential wildfire hazard conditions and risks.

Qualified Professional Assessment:

- A rezoning application may require an overall assessment of the site for susceptibility to wildfire (from conditions both on and off-site) prepared by a professional forester licensed in BC specializing in forest wildfire assessment. Further detailed information may be required as a result of the assessment.
- A subdivision application may require a detailed report of the site for susceptibility to wildfire (from conditions both on and off-site) specifying ways to reduce that hazard. The report shall be prepared by a professional forester licensed in BC specializing in forest wildfire assessment and using the methodology supported by the BC Ministry of Forests & Range. Completion of works that reduce the hazard will be required prior to subdivision approval depending upon the content of the report.

General Conditions:

- Utilize a variety of wildfire hazard reduction methods such as education, development evaluation and approvals, development permits, and building permits. Review and update current practices.
- Encourage wildfire hazard reduction in a way that is supportive of restoring the natural environment. Such hazard reduction mimics the natural effects of localized ground fires that once were common but that human settlement has removed from the environment. Typical methods including thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of lower tree branches.
- Encourage developers to incorporate Fire Smart guidelines into their overall planning, including opportunities to address emergency access and setbacks.

## **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:

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;

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

- 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.

## **Bylaw No. 851**

### **PART 3: GENERAL REGULATIONS**

#### **3.0 USES AND BUILDINGS PERMITTED EACH ZONE**

The following uses are permitted in each zone:

- (a) the use of a building or part thereof as a temporary polling station, election official's headquarters, candidate's campaign office, and any other official, temporary use in connection with a federal, provincial, or municipal election, referendum or census;
- (b) community activity;
- (c) landscaping and horticulture;
- (d) park;
- (e) public assembly facility;
- (f) public use;
- (g) public utility; and
- (h) municipal uses that are owned or operated by the CSRD including but not limited to a park, a community water system, a fire hall and fire fighter training facility.
- (i) Issuance of a Temporary Use Permit to authorize the construction or conditional occupancy of a second dwelling unit, or a seasonal recreational vehicle use, on a parcel.

#### **3.8 ESTABLISHMENT OF FLOODPLAINS**

(1) The following land is designated as floodplain:

- (a) land below the flood construction level; and
- (b) land within the floodplain setback.

(2) The following flood construction levels apply, unless otherwise specified in a flowage agreement with BC Hydro:

- (a) 442.3 m Geodetic Survey of Canada elevation datum for the Upper Arrow Lakes Reservoir;
- (d) 3 m above the natural boundary of the Illecillewaet, Jordan, Incomappleux, Akolkolex, Goldstream and Columbia Rivers;
- (g) 1.5 m above the natural boundary of any other watercourse; and
- (h) where more than one flood construction level is applicable, the higher elevation is the flood construction level.

(3) The floodplain setback is:

- (a) 30 m from the natural boundary of the Illecillewaet, Jordan, Incomappleux, Akolkolex, Goldstream and Columbia Rivers;
- (b) 30 m from the 440.7 m Geodetic Survey of Canada datum contour interval surrounding the Upper Arrow Lakes Reservoir;
- (g) 15 m from the natural boundary of any other watercourse; and
- (h) where more than one floodplain setback is applicable, the larger distance is the floodplain setback.

### **3.9 MEASUREMENT OF FLOOD CONSTRUCTION LEVEL & FLOODPLAIN SETBACK**

(1) The flood construction level is determined by measuring at a 90 degree angle to the natural boundary to a point where the elevation is the required elevation above the natural boundary as stated in subsection 3.8(2).

(2) The floodplain setback is determined by measuring at a 90 degree angle to the natural boundary the distances stated in subsection 3.8(3).

### **3.10 APPLICATION OF FLOODPLAINS**

(1) A building including a manufactured home, or structure must not be constructed, reconstructed, moved or extended into, or moved from place to place within a floodplain setback.

(2) The underside of a floor system or top of concrete slab that is used for habitation, occupation, or the storage of goods which are susceptible to damage by floodwater must be above the flood construction level.

(3) If landfill or structural support or both are used to comply with subsection 3.10(2), they must be protected against scour and erosion from flood flows, wave action, ice and other debris and not extend within the floodplain setback.

(4) Furnaces and other fixed equipment susceptible to damage by floodwater must be above the flood construction level.

(5) The Manager of Development Services or a person designated by the Regional Board may require that a British Columbia Land Surveyor's certificate be submitted to him by the land and property owners to verify compliance with the flood construction level and floodplain setback specified in subsections 3.10(1), (2), (3) and (4).

(6) The following are exempted from the requirements of subsection 3.10(2) as they apply to the flood construction levels:

- (a) a renovation of an existing building, manufactured home, or structure that does not involve an addition to the exterior of the building, or structure;
- (b) an addition to a building, manufactured home, or structure of less than 25% to a maximum of 100 m<sup>2</sup> of the floor area existing the date this Bylaw comes into force

however the addition must be no lower in elevation than the floor existing the date this Bylaw comes into force;

(c) a carport or domestic garage;

(d) a building used for agriculture excluding closed-sided livestock housing and a dwelling unit; and

(e) a farm dwelling unit that is located both on a parcel 8 ha or larger and within the provincial Agricultural Land Reserve and provided:

(i) the underside of a wooden floor system;

(ii) the top of a concrete slab;

(iii) in the case of a manufactured home, the top of the pad; or

(iv) the ground surface under an area used for habitation; and

(v) is no lower than 1 m above the natural ground elevation or no lower than the flood construction level, whichever is the lesser.

(7) The following are exempted from the requirements of subsections 3.10(1) and (2) as they apply to the flood construction levels and floodplain setback:

(a) a dock or wharf;

(b) a boat fueling use

(c) a fence constructed of wood or wire through which water can flow freely; and

(d) works constructed to stabilize the shoreline or banks of a watercourse.

## **PART 5: ZONES**

### **5.3 RURAL AND RESOURCE – RSC**

#### **Principal Uses**

(1) The *uses* stated in this subsection and no others are permitted in the Rural and Resource zone as *principal uses*, except as stated in Part 3: General Regulations:

(a) *airfield*

(b) *agriculture*

(c) *aquaculture*

(d) *backcountry recreation*

(e) *forestry*

(f) *guest ranch*

(g) *horticulture*

(h) *kennel*

(i) *small-scale sawmill*

(j) *resource extraction*

(k) *single family dwelling*

(l) *standalone residential campsite*

(m) timber harvesting

### **Secondary Uses**

- (2) The *uses* stated in this subsection and no others are permitted in the Rural and Resource zone as *secondary uses*, except as stated in Part 3: General Regulations:
- (a) *accessory use*
  - (b) *home occupation*
  - (c) *residential campsite*
  - (d) *secondary dwelling unit*

### **Regulations**

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

<b>COLUMN 1 MATTER REGULATED</b>	<b>COLUMN 2 REGULATION</b>
(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 family dwellings</i> per <i>parcel</i> (subject to Section 3.7 of this <i>Bylaw</i> )	One
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i> (subject to Section 3.15 of this <i>Bylaw</i> )	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"><li>▪ <i>principal buildings</i> and structures</li><li>▪ <i>accessory buildings</i></li></ul>	<ul style="list-style-type: none"><li>▪ 11.5 m</li><li>▪ 10 m</li></ul>

(g)	Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 5 m</li> <li>▪ 5 m</li> <li>▪ 5 m</li> <li>▪ 5 m</li> </ul>
(h)	Maximum <i>gross floor area</i> of a <i>secondary dwelling unit</i>	Less than 60% of the <i>floor area</i> of the <i>principle dwelling unit</i> .
(i)	<i>Kennel</i>	Permitted on a <i>parcel</i> /8 ha or larger. <i>Buildings</i> and structures including runs must be a minimum of 75 m from a <i>parcel</i> /boundary.
(j)	<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 30 m from a <i>parcel</i> boundary.

## 5.5 SMALL HOLDINGS – SH

### **Principal Uses**

(1) The *uses* stated in this subsection and no others are permitted in the Small Holdings zone as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *agriculture*
- (b) *day care*
- (c) *horticulture*
- (d) *single family dwelling*
- (e) *standalone residential campsite*
- (f) *timber harvesting*

### **Secondary Uses**

(2) The *uses* stated in this subsection and no others are permitted in the Small Holdings zone as *secondary uses*, except as stated in Part 3: General Regulations:

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

## **Regulations**

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

<b>COLUMN 1</b> <b>MATTER REGULATED</b>	<b>COLUMN 2</b> <b>REGULATION</b>
(a) Minimum <i>parcel</i> /size created by <i>subdivision</i>	4 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 family dwellings</i> per <i>parcel</i> (subject to Section 3.7 of this <i>Bylaw</i> )	One
(e) Maximum number of <i>secondary dwelling</i> units per <i>parcel</i> (subject to Section 3.15 of this <i>Bylaw</i> )	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>▪ principal <i>buildings</i> and structures</li> <li>▪ <i>accessory buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 11.5 m</li> <li>▪ 10 m</li> </ul>
(g) Maximum gross floor area of secondary dwelling unit	Less than 60% of the floor area of the principal dwelling unit
(h) Maximum gross floor area of an home occupation	100 m <sup>2</sup>
(i) Minimum setback from: <ul style="list-style-type: none"> <li>▪ front parcel boundary</li> <li>▪ rear parcel boundary</li> <li>▪ rear parcel boundary for an accessory building (excluding, secondary dwelling unit or home occupation)</li> <li>▪ interior side parcel boundary</li> </ul>	<ul style="list-style-type: none"> <li>▪ 5 m</li> <li>▪ 5 m</li> <li>▪ 3 m</li> <li>▪ 2 m</li> </ul>



<ul style="list-style-type: none"> <li>▪ interior side parcel boundary for a detached secondary dwelling unit or home occupation</li> <li>▪ exterior side parcel boundary</li> </ul>	<ul style="list-style-type: none"> <li>▪ 5 m</li> <li>▪ 5 m</li> </ul>
(j) Small-Scale Sawmill	Permitted on a parcel 4 ha or larger. Small-Scale Sawmill must be a minimum of 30 m from a parcel boundary.