

Electoral Area E Official Community Plan Bylaw No. 840 Excerpts

The following excerpts are from the Electoral Area E [Official Community Plan Bylaw No. 840](#) are applicable to this application.

Section 3. Sustainability and Resilience

Climate change and pandemics are present threats highlighting the need for local communities to be prepared for and able to adapt to significant changes – particularly those that are of external origin. Community planning for sustainability and resilience can lead to positive economic, social, cultural, and environmental outcomes when facing threats that are often beyond the control of a local community.

3.14 Housing and Special Needs

The LGA requires that an OCP includes policies respecting affordable housing, rental housing and special needs housing. In developing housing policies, the local government must consider the most recent housing needs report and include:

3.14.2 Development Potential

Assessing true subdivision and development potential is challenging, as each development must be determined on a site-specific basis. Also, uncertainties from the housing market fluctuations create challenges in predicting the rate of growth over time. Nevertheless, it is reasonable to conclude that the development potential in Electoral Area E will satisfy primary housing needs over the expected life of this Plan.

This Plan generally directs future higher density residential development towards the Malakwa Village Centre (refer to section 4.7). The Village Centre (VC) and Medium Density (MD) designations in Malakwa could allow for the creation of 200 new parcels, albeit connected to community water and sewer. The potential for future subdivision in Malakwa without community water and sewer is much less, but there is still sufficient vacant land for the creation of approximately 10 new parcels with on-site servicing.

Overall development potential in Electoral Area E is significant given the total number of vacant parcels, and parcels that are designated to accommodate future subdivision. In total, Electoral Area E has 178 vacant parcels that are designated either Medium Holdings (MH), Rural Residential (RR) or Medium Density (MD). These parcels could all potentially support new residential development without rezoning or subdivision. It should be noted that future subdivision is only appropriate on lands that are not located with the ALR.

The estimated number of RR designated parcels that could potentially accommodate future subdivision is 20. This number reflects lot yield uncertainties from road dedication, servicing levels and the need for land assembly and redevelopment of some larger lot parcels.

The potential to add secondary dwelling units to the existing housing stock is also significant and provides opportunities for supplementing incomes and aging in place.

3.14.3 Housing Needs

Given Electoral Area E's projected slow rate of population growth and good potential for future development, it is likely that anticipated housing needs can be met for next the 5 years and beyond. The challenge, however, will be in ensuring that "affordable" and "suitable housing" is available for those households and individuals that are considered in a "core" or "extreme" housing need or have other special needs.

76% Electoral Area E residents live in single detached dwellings, including most of the 65 and older population. Declining health and mobility in this age group could likely place higher demand more affordable and suitable forms of housing such as townhouses.

3.14.4 Objectives

- .1 Meet anticipated housing needs through the new development and redevelopment of residentially designated lands.
- .2 Provide a range of housing types and tenures to meet the needs of all residents of the community.
- .3 Encourage the development of affordable, appropriate housing for seniors to allow Electoral Area E residents to age in place, close to friends and family.
- .4 Encourage housing that is affordable to families and working people.
- .5 Encourage innovative approaches to housing affordability such as rent-to-own, mixed market and non-market projects, public-private partnerships, and greater allowance of secondary dwelling units.

3.14.5 Policies

- .1 Support secondary dwelling units in designations where residential use is permitted. The allowance of secondary dwelling units and whether they are attached or detached will be subject to zoning regulations, servicing requirements, and siting considerations.
 - .2 Cooperate with the provincial and federal governments, the real estate community, social service agencies, faith-based organizations, service clubs and other community resources to facilitate the development of affordable and special needs housing.
 - .3 Applicants for higher density projects are encouraged to provide a minimum of 5% of their housing for lower income residents.
 - .4 Implement zoning that encourages a proportion of the units in any multi-unit development are
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accessible by those with mobility challenges (e.g., access to front door with no steps or steep grades, wide front door, accessible washroom on main floor).

- .5 Consider bonusing provisions in the zoning bylaw for lands within the Malakwa Village Centre and Medium Density (MD) designation to provide affordable housing and special needs housing.
- .6 Inform residents about support programs and incentives for affordable, rental and special needs housing.
- .7 Through zoning, ensure that seasonal/temporary housing and vacation rentals do not jeopardize the housing needs of permanent residents.
- .8 The CSRD will develop a policy to guide community amenity contributions (CACs) and density bonusing for the purpose of community benefits including: community amenities, affordable and/or special needs housing, and cash contributions-in-lieu.

Section 4. Land Use Planning Strategy & Designations

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).
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- .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).
 - .6 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.
 - .7 Any subdivision proposed in the Plan area must comply with CSRD's Subdivision Servicing Bylaw.
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- .8 All new construction in the Plan area will be required to obtain a building permit in accordance with CSRD's Building Regulation Bylaw.
 - .9 New development proposals may require a development permit as per the requirements in section 6 of this Bylaw.
 - .10 New development shall have adequate space for emergency access, except for properties with no legal road access (i.e., water access only parcels).
 - .11 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.
 - .12 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.
 - .13 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:
 - a. Not create an unacceptable level of negative impact on surrounding residential uses;
 - b. Comply with all applicable regulations of the Agricultural Land Commission (ALC) when located within the ALR;
 - c. Be subject to provincial servicing requirements; and,
 - d. Be subject to all Ministry of Transportation and Infrastructure permit requirements.
 - .14 Bed and Breakfast operations are generally permitted in designations that permit residential use, and are regulated through the Zoning Bylaw. Bed and Breakfasts shall:
 - a. Be limited to a maximum of three (3) let rooms accommodating up to two (2) persons per room per single detached dwelling;
 - b. Not disrupt the residential character of the site;
 - c. Be subject to provincial servicing requirements;
 - d. Be located in the principal dwelling only; and,
 - e. Comply within all applicable regulations of the ALC when located within the ALR.
 - .15 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.
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4.2.2 Malakwa

Just northeast of the Cambie-Solsqua area is the community of Malakwa, settled in the late 1800s with the building of the railway (See Figure 2 - Electoral Area E Overview Map). After work on the railway was completed, livelihoods shifted to logging. A village was established along the railway and by the 1920s it was the social centre of the area with a school, church, community hall, post office and store.

The 2016 census reported 559 permanent residents living in the Malakwa area. While central Malakwa is still concentrated around the railway north of the Trans-Canada Highway, development has increased along two frontage roads that parallel the highway. Presently the post office and main general store are located on the southern frontage road, and both frontage roads have an assortment of motels, cafés, campgrounds, rest stops and some small industrial businesses.

North and west of the primary village area, the land surrounding Malakwa is subject to access constraints. One portion of land is separated from the village by the railway, with only one legal road crossing the rail tracks. Another land area is separated by the Eagle River, and it only has one road bridge, as well as a pedestrian bridge, providing access. These constraints affect the community's development potential due to emergency access limitations.

Malakwa currently has no community water system, and wastewater is handled on-site with individual septic tanks connected to either a drainfield or drywell.

General Policies

- .1 Encourage new development that strengthens the existing settlement as an affordable, family-oriented community with commercial enterprises.
 - .2 Lands within the Village Centre (VC) and Medium Density (MD) support higher density residential development.
 - .3 Encourage increased density in Malakwa, subject to the provision of community water and sewer, including:
 - a. A walkable village core with institutional, commercial and residential uses (refer to section 4.7.5);
 - b. Commercial uses that support the village and benefit from highway traffic along the frontage road;
 - c. Improved transportation system, including multi-use trails, and transit or other forms of alternative transportation (e.g., car co-ops, carpooling); and,
 - d. Medium Density (MD) residential uses surrounding the village core and recognizing nearby manufactured home parks.
 - .4 The Rural Residential (RR) land use designations across the railway and the Eagle River from Malakwa's core is based on the existing single access road to each of these areas. Should alternate access routes be developed, these areas could be considered for higher densities (providing an appropriate amendment is made to this OCP).
 - .5 Engage the province to discuss long-term options for the 6.43 ha parcel of Crown land located
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between Malakwa Road and the Trans-Canada Highway, straddling Loftus Road. This parcel represents a sizable portion of the Malakwa area and could offer potential benefit to the community including, but not limited to parkland, civic uses, and affordable housing.

- .6 Encourage a high standard of building, site design, and landscaping in Malakwa through the form and character development permitting process (refer to section 6.6).

4.7.4 Medium Density Residential

The Medium Density Residential designation applies to residential lands with a potential density greater than 1 unit/ha. These lands include the residential core of Malakwa, manufactured home parks located east of Malakwa, and certain shared-interest properties at Annis Bay. Notwithstanding Annis Bay, the Medium Density Residential designation also applies to lands that provide affordable housing (e.g., manufactured home parks).

Policies

- .1 Medium Density Residential lands are identified on Schedule B as "MD".
 - .2 The principal use shall be residential.
 - .3 New residential developments with density exceeding 1 unit/ha shall be serviced by community water and sewer systems.
 - .4 Owners of homes on parcels less than 1 ha in size are encouraged to upgrade on-site systems to current standards or connect to community water and sewer systems at the time such systems become available.
 - .5 Residential Minimum Parcel Size and Maximum Density are provided in Figure 7.
 - .6 Typical dwelling units include in the MD designation include: single detached, duplex, townhouse, and manufactured homes.
 - .7 Existing manufactured home parks shall be recognized in the Zoning Bylaw with a specific manufactured home park zone.
 - .8 Lands designated MD shall have zoning that reflects the current parcel size and use. "Comprehensive Development" zones may be used for certain MD designated parcels in which a range of uses exist.
 - .9 New MD development may require a form and character development permit (refer to section 6.6).
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Section 5. Community Infrastructure

3.1 Transportation and Mobility



The organization of the built environment and quality of connections between neighbourhoods and communities determines largely how people will move around for work, shopping, entertainment or recreation. Rural areas are typically more dependent on private vehicles than more compact, urban areas where transportation alternatives tend to be more readily available.

A key goal of this OCP is to improve the transportation network by creating a viable, safe and efficient multi-modal transportation system, which lessens dependency on private vehicles through improved transportation infrastructure and a variety of transportation alternatives including walking, cycling,

horse-back riding and transit.

A well-integrated multi-modal transportation system will contribute to reduced GHG emissions, improve air quality, provide more equitable access to employment, services and shopping, and support the health and wellbeing of residents. Existing transportation routes are shown on the Schedule B of this Plan.

In 1922, the Sutherland Highway was built from Revelstoke to Sicamous, providing road access to Malakwa. This highway eventually became part of the Trans-Canada Highway and was eventually widened to four lanes between Yard Creek and east of Malakwa. The service roads parallel to this stretch of highway provide opportunities for businesses as well as alternative routes for walking and cycling. Some secondary roads, such as the Cambie-Solsqua Road, also provide beautiful drives, cycling and walking routes.

Today, highways still provide the main form of transportation, connecting the various settlements within Electoral Area E. The Ministry of Transportation and Infrastructure (MoTI) builds and operates the public roads in Electoral Area E, while forest service roads are maintained by the

forest industry under road use permits.



Highway safety should remain a priority along with providing non-vehicular transportation options for both residents and visitors to the region. When making road improvements, there may be opportunities to include designated cycling and pedestrian paths adjacent to the road. Currently there is no public transportation, and although there are trails for walking and hiking in the back-country, there is no integrated trail system to serve alternative modes of transportation such as cycling (e.g., pathways parallel to roadways).

MoTI was expected to begin work in 2020 to replace the aging R.W. Bruhn Bridge at Sicamous Narrows with a five-lane span that includes a separated pedestrian and cycling lane. The total project length is 2.45 km and also includes intersection improvements between Old Sicamous Road and Silver Sands Road.

An electric vehicle charging station was installed in Malakwa in 2017 and is part of the expanding charging station network.

5.1.1 Objectives

- .1 Encourage the provision of a safe and efficient road system to serve the existing and future needs of residents and visitors.
- .2 Prioritize public transit and active forms of transportation (e.g., walking and cycling)
- .3 Ensure that the road system has adequate capacity to carry potential increased traffic flows that may result from a proposed OCP designation change.
- .4 Encourage safe alternatives to vehicular use, including walkways and cycling routes.
- .5 Encourage the provision of parking for people visiting waterfront parks and beach accesses

5.1.2 Policies

- .1 Encourage the MoTI to upgrade Highways 1 and 97A (especially from Sicamous to Swansea Point and south).
 - .2 Encourage MoTI to upgrade roads with separated parallel pathways to support use by pedestrians and cyclists.
 - .3 Encourage MoTI to improve maintenance of highways, including snow removal and weed control.
 - .4 Maintain existing hiking and cycling paths.
 - .5 Support new initiatives that contribute to alternative modes of travel (e.g., dedicated, safe cycling paths adjacent to roads).
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- .6 Encourage consolidation of driveways from adjacent parcels onto major roads and highways, especially for new developments, to reduce the number of access points for safety and environmental reasons.
- .7 Encourage and support transit, potentially including bus, Handi-dart, van, carpool, and/or car co-op, particularly between Malakwa and Sicamous, but also from Salmon Arm to Revelstoke.
- .8 Encourage the development of a separated bicycle path to Sicamous from Malakwa and Swansea Point.
- .9 Encourage the province to upgrade and maintain Perry Road as an emergency access route to and from Electoral Area F via Seymour Arm.

5.3 Water Supply and Distribution

In addition to the large lakes and the Eagle River, Electoral Area E has many smaller creeks and streams which were important sources of surface water when people first settled in the area. Groundwater is also an important resource; the main aquifer in the area is known as the Malakwa Aquifer, running east-west in the Eagle Valley. Another major aquifer lies in the Hummingbird Creek Valley. Today, most residents obtain water from individual on-site wells. Other drinking water sources include surface water (streams/lakes) and community water systems (e.g., Swansea Point and Annis Bay).

5.3.1 Objectives

- .1 To encourage the development of community water systems and ensure that they are designed and operated to the satisfaction of the CSRD.
- .2 To protect the Electoral Area's aquifers as a source of community water supply.

5.3.2 Policies

- .1 Where applicable, ensure that all new water supplies are consistent with the CSRD's Water Utility Acquisition Strategy.
- .2 Encourage water conservation for all land uses, including residential, commercial, industrial and agricultural.
- .3 Encourage all developments on parcels less than 1 ha to connect to a community water system with fire flows where possible.
- .4 Oppose the extraction of freshwater resources from surface or groundwater for the purpose of commercial bottled water sales.

5.4 Liquid Waste Management

Aquatic environments in the Plan area remain relatively healthy but as development intensifies, these environments will become more susceptible to human contamination. Most properties have on-site septic systems. In proper conditions, these systems can adequately dispose of sewage; however when inadequate conditions exist, such as failed or saturated tile fields, it can lead to

sewage leaching into groundwater or the Lake, causing serious contamination.

Currently in Electoral Area E, all wastewater is dealt with by individual property owners or stratas and is typically regulated by the *Public Health Act - Sewerage System Regulation*. Larger, unified, community sewer systems that produce 22.7 m³ or more effluent a day are regulated by the *Environmental Management Act - Municipal Wastewater Regulation*.

In 2009 a Liquid Waste Management Plan (LWMP) was completed for Electoral Area E to develop community-specific solutions for wastewater management. The Plan seeks environmentally, socially and economically acceptable solutions and recommends the following seven area-wide solutions:

1. Public Education
2. On-Site System Surveys
3. Water Quality Monitoring
4. Provision of a Local Septage Facility
5. Prohibit Private Lake Discharges
6. Turn over Community Wastewater Systems to CSRD
7. Support MoE Watercraft Regulations

The 2009 plan examined the feasibility of implementing community sewer systems for Malakwa Swansea Point, and Hyde Mountain resort.

The Plan notes that settlement could continue in Malakwa with on-site sewage systems in the short term. However, the results of the groundwater quality monitoring program must be assessed in the next LWMP review. The monitoring may show that the cumulative impact of on-site systems is not sustainable. Residents are encouraged to improve and properly maintain their on-site systems. New developments should be restricted to a minimum of 1 hectare parcels if on-site systems are to be used.

Swansea Point was deemed at somewhat greater risk than Malakwa because of the higher density and smaller parcels. The risk is partially mitigated by the large proportion of seasonal residents. Only 65 dwellings are reported to be occupied year-round. The risk will increase as more dwellings are converted to year-round occupancy. The current water sampling program will help to identify the cumulative impact of on-site sewage systems on both the groundwater and the lake water and provide evidence on whether on-site sewage systems are sustainable in this area.

The anticipated Hyde Mountain golf course resort development is proposed with a community sewer system. The community sewer system would, in accordance with the LWMP policy 3.5.6, be turned over to CSRD. Other settlements such as Cambie and Annis Bay do not have any significant existing risks, but new developments must include community sewer systems if proposed parcels are less than 1 ha.

There are no specific recommendations given for Anstey Arm and the Trans-Canada Highway Corridor; however the LWMP also discusses general policy options for the entire Plan area (specific sub-area recommendations notwithstanding), which include:

- surveying and monitoring current systems and water quality;
 - educating the public on improved techniques;
 - banning lake discharge from private systems;
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- turning over all community systems to the CSRD; and,
- supporting MoE watercraft grey water holding regulations.

Water quality monitoring findings released in 2020 by the Shuswap Watershed Council concluded that residential development along with agriculture in valley bottoms contribute to the highest concentrations of nutrients entering aquatic environments (more details in section 3.4 of this Plan).

5.4.1 Objectives

- .1 To protect the water quality of watersheds in the Plan area
- .2 Encourage the provision of appropriate, safe infrastructure, balancing demands with environmental impacts and affordability.
- .3 Through zoning, specify the requirements for appropriate, safe wastewater treatment in order to maintain healthy aquatic and groundwater environments, and to protect humans from water contamination.
- .4 Ensure that human activities do not contribute to increased water run-off or soil erosion.

5.4.2 Policies

- .1 Direct development to areas that are appropriately serviced or where services are planned.
 - .2 Encourage servicing partnerships to enhance opportunities for construction and maintenance of water and wastewater systems, allowing existing parcels to tie into new systems where possible.
 - .3 Regardless of the level or type of treatment, the discharge of liquid waste (human, agricultural, industrial) into waterbodies within the Plan area is unacceptable. If a sewer system becomes available, properties within the service area will be required to connect to the system.
 - .4 Servicing will be regulated by the Zoning Bylaw. Connection to a community sewer system shall generally be required for:
 - a. newly created parcels that are smaller than 1 ha;
 - b. new residential development with a density greater than 2 units/ha; and,
 - c. new resort or commercial development with more than 4 sleeping units/ha.
 - .5 The servicing requirements of the Zoning Bylaw may need to be varied in cases where smaller sewerage systems regulated under the *Public Health Act* are proposed. Prior to the issuance of a development variance permit, a qualified professional will be expected to conduct a hydrogeological study to ensure that groundwater is not compromised by the proposed sewerage system.
 - .6 The CSRD shall:
 - a. Implement the Liquid Waste Management Plan (LWMP);
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- b. Assume control over private community sewage systems if the proper circumstances exist, and if there is support to do so from residents and the Provincial government, the users will fund the cost of operating and maintaining the system;
- c. Investigate opportunities for one or more marine pump-out(s) to a land-based discharge system located away from the residential areas of Shuswap and Mara Lakes.
- d. Work to enhance environmental awareness and promote activities that protect the water quality and natural aquatic habitat;
- e. Use the full range of planning tools and regulatory measures to protect the watershed and water quality of lakes on the Plan area. These include zoning bylaws, development permits, building regulation, and, potentially, covenants; and,
- f. Work with federal and provincial ministries and agencies, including the Shuswap Watershed Council, to implement strategies that protect and enhance the quality of the lakes and streams of the Plan area.

5.5 Solid Waste Management

The Regional District Solid Waste Management Plan has guided solid waste management since 1967. The current Solid Waste Management Plan was last updated in 2018.

5.5.1 Objective

To achieve efficient and environmentally acceptable solid waste disposal.

5.5.2 Policies

The CSRD shall:

- .1 Strongly support efficient and environmentally acceptable solid waste disposal methods through an education process, especially reduction of waste, reuse of materials, recycling, and backyard composting.
- .2 Continue to implement the strategies of the Solid Waste Management Plan.
- .3 Consider requiring new development to financially contribute towards any necessary upgrades to existing solid waste facilities.

5.6 Hydro, Gas and Communication Utilities

Private utility services, including hydro, gas, phone and Internet are vital services to a community.

5.6.1 Objective

To encourage utilities operators to provide residents and businesses in the Electoral Area E with utility services, effectively and affordably.

5.6.2 Policies

The Regional District shall:

- .1 Work with utility operators to encourage the affordable and convenient distribution of utility services, including high-speed Internet, throughout Electoral Area E.
 - .2 Request BC Hydro to reconsider its current policies and regulations regarding signage affixed
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to hydro poles. This is a form of visual pollution that impacts the ambience of Electoral Area E.

- .3 Follow the CSRD's Telecommunications Siting Policy when responding to telecommunication referrals.



Section 6. Plan Implementation

6.1 Development Permit Areas

6.1.1 Overview

A Development Permit Area (DPA) is an area designated by the official community plan (OCP) where special requirements and guidelines for specified development or alteration of the land are in effect. DPAs are delineated by means of either map or a written description (or both). In such areas, permits are typically required to ensure that development or land alteration is consistent with objectives and guidelines outlined within the applicable DPA section of the OCP.

A Development Permit (DP) sets forth conditions under which residential, commercial, institutional, or industrial developments may take place. Once issued, it becomes binding on the existing and future owners of the property. Depending on the type of DP it must be issued by either the Manager of Development Services or the CSRD Board of Directors.

Where land is subject to more than one DPA designation, a single DP is required. The application will be subject to the requirements of all applicable DPAs, and any DP issued will be in accordance with the guidelines of all such Areas

6.1.2 Authority for DPA Designation

The legislative authority for designation of DPAs is contained with sections 488 to 491 of the *Local Government Act* (LGA), which describe the various purposes for which local governments may create DPAs, the types of activity requiring a development permit (DP), and the range of requirements local governments may impose on the property or property owner(s) for different kinds of DPs.

In designating a DPAs, the OCP must:

- .1 Describe the special conditions or objectives that justify the designation; and
- .2 Specify guidelines respecting the manner in which the special conditions or objectives will be addressed.

6.1.3 Activities Affected

If an OCP designates areas under section 488 (1), the following prohibitions apply unless an exemption under section 488 (4) applies or the owner first obtains a development permit under this Division:

- .1 Land within the area must not be subdivided;
- .2 Construction of, addition to or alteration of a building or other structure must not be started;
- .3 Land within an area designated under section 488 (1)(a) or (b) [natural environment, hazardous conditions] must not be altered;

- .4 Land within an area designated under section 488 (1)(d), (h), (i) or (j) [revitalization, energy conservation, water conservation, greenhouse gas reduction], or a building or other structure on that land, must not be altered.

6.1.4 Exemptions

Section 488(4) of the LGA provides that an OCP may specify conditions under which a DP would not be required in a designated DPA. Each of the DPAs described in this OCP contains a list of exemptions. Some apply to specific activities; others apply to specific areas within the DPA.

The LGA also permits local governments to require that applicants provide a professional assessment report prior to considering the issuance of a DP. DP issuance is subject to meeting the guidelines specific to the applicable DPA(s) and professional report findings and may also require the applicant to pay a security deposit.

Unless the proposed development is clearly exempt or outside the DPA, the area proposed for development shall be surveyed (at the owner's expense) to determine if a DP application is required.

6.1.5 Role of the Qualified and Coordinating Professionals in the DP Process

For most types of DPs qualified professionals (QPs) are required to research and provide written advice and recommendations to property owners and the CSRD regarding development proposals.

The QP must have appropriate education, training and experience to undertake the required research of the particular DP. Where applicable, a QP must complete and sign a Letter of Assurance stating they have fulfilled their professional obligations, have met their Association's Professional Code of Ethics, and meet the requirements of the *Professional Governance Act*. All QPs must be registered and in good standing with their applicable association(s).

As applicable, a Letter of Assurance from the QP is required to identify the responsibilities that are accepted by the QP when undertaking any assessment work necessary for the proposed development activities. Responsibilities include, but are not limited to:

- .1 Confirmation that the report has been created pursuant to applicable professional and government guidelines;
- .2 Indication of the work conducted in preparation of the report;
- .3 Confirmation that a review of local government bylaw's and other applicable legislation has been completed; and,
- .4 Any other responsibilities required by the CSRD pertaining to the specific DPA.

Where development is located within more than one DPA or requires a flood plain exemption, QPs shall collaborate with one another to ensure that any required assessment reports are coordinated to provide a comprehensive development permit application.

This OCP establishes seven DPAs:

6.2 Geohazard Development Permit Area

6.3 Foreshore and Water Development Permit Area

6.4 Lakes 100 m Development Permit Area

6.5 Riparian Areas Protection Regulation Development Permit Area

6.6 Malakwa Village Centre Form and Character Development Permit Area

6.7 Resort Lands Form and Character Development Permit Area

6.8 Commercial Form and Character Development Permit Area

6.6 Malakwa Village Centre Form and Character Development Permit Area

6.6.1 Authority

“Malakwa Village Centre Form and Character Development Permit Area” (Malakwa DPA) is designated pursuant to section 488 (1)(d)(e)(f) of the LGA for the revitalization of an area in which a commercial use is permitted; establishment of objectives for the form and character of intensive residential development; and establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

The authority to designate areas in which intensive residential is a permitted use includes any properties that are currently, or become, zoned for high density multiple-unit residential; small lot, compact, single-family residential and manufactured home park developments or some combination of these at any density that may be considered “intensive”. This designation provides the ability to establish guidelines and permit conditions addressing form and character of the development, most particularly for infill housing projects, including siting, exterior design and finish of buildings and other structures on properties zoned for intensive residential development.

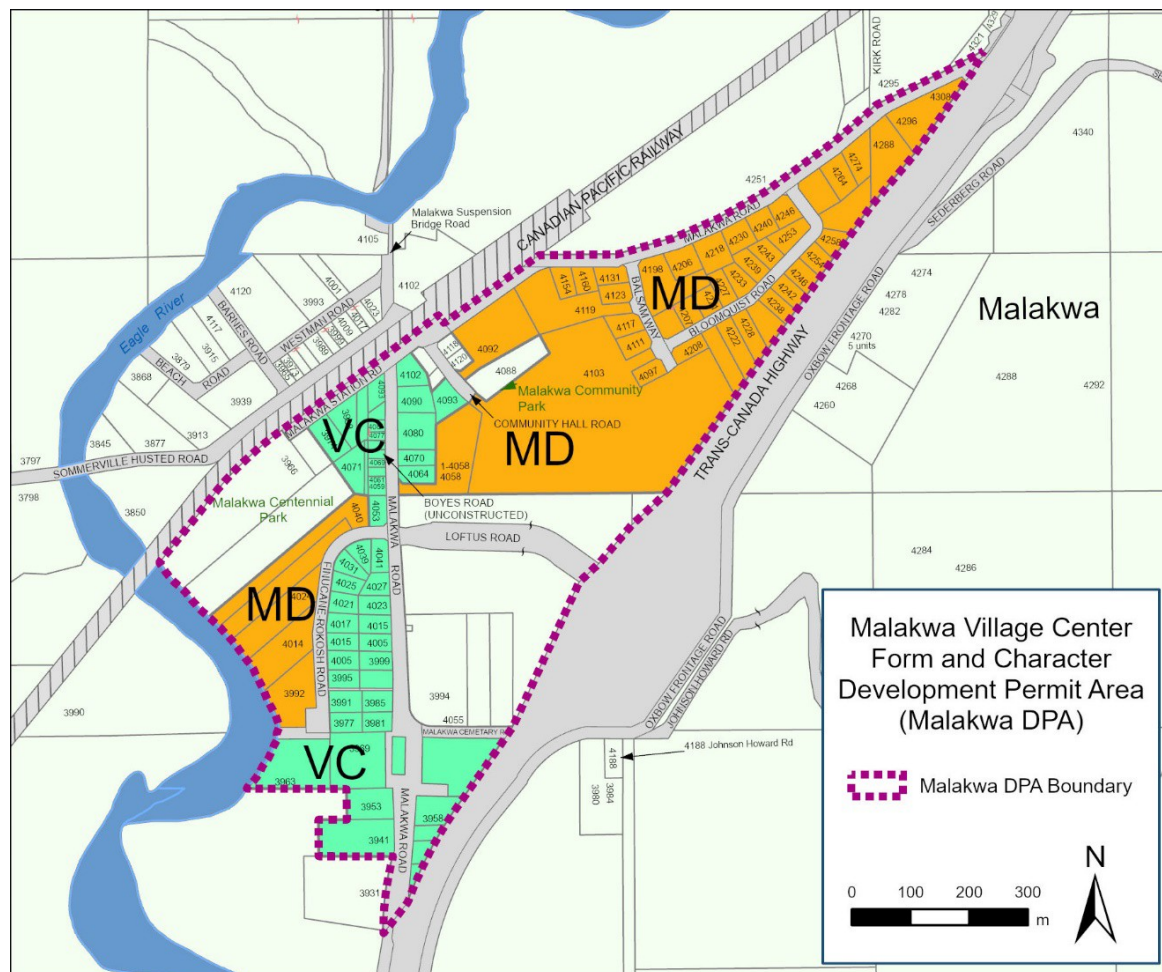
Intensive residential development may also provide the ability to cluster housing where slopes can integrate form without significant impact on natural features, views, tree cover and natural drainage courses and to increase density in existing low-density neighbourhoods.

The DPA 3 Multiple Family and Intensive Residential Development Permit Area designation applies to all lands within CWK where multiple family and intensive residential development is permitted. This includes all multiple family residential, including four-plexes, triplexes and duplexes, bare land strata development with three or more units and compact small lot single-family subdivision (i.e. smaller than 700 square metres).

6.6.2 Area Designated

The Malakwa DPA applies to all lands that are designated VC and MD within the Malakwa DPA boundary as illustrated on Figure 9.

Figure 9: Malakwa Village Centre Form and Character Development Permit Area Boundary



6.6.3 Justification

Although Sicamous is the largest centre in the Plan area, the community of Malakwa is recognized as the village core for the rural area. Malakwa is designated for a mix of land uses including residential, commercial, park, and public and institutional. The development of a village centre with suitable form and character, well defined public spaces, and pedestrian mobility opportunities will help create a local identity and draw residents and visitors to the community.

Intensive and multi-family residential development share some similar characteristics, but their differences in scale need to be considered in setting guidelines for form and character. Intensive residential development typically comprises single detached houses on smaller lots, whereas multi-family residential development typically includes buildings containing three or more residential units.

6.6.4 Objectives

The objectives of the Malakwa DPA are to:

- .1 Strongly encourage a Healthy Built Environment for the Malakwa (refer to section 1.2.4).
- .2 Ensure that new development in Malakwa has a high standard of building and site design, while incorporating the rural characteristics of the surrounding area.
- .3 Ensure commercial and residential development are complimentary and well integrated;
- .4 Create a 'sense of place' through effective design that reflects and enhances the valued rural character of the area.
- .5 Encourage all new residential development that exceeds one principal dwelling unit/ha is adequately served by both a community water and sewerage system.
- .6 Compliment the community specific policies for the Malakwa Village Centre (refer to 4.7.5).

6.6.5 Activities requiring a permit

A Malakwa DP must be obtained prior to:

- .1 Subdivision of land creating five (5) or more residential parcels with an average minimum parcel size less than 2000 m² or density greater than 5 dwelling units per hectare, whether fee simple or strata.
- .2 Construction of, addition to, or alteration of a building or structure:

within the Malakwa DPA.

6.6.6 Exemptions

Notwithstanding Section 6.6.5, a DP is not required for any of the following:

- .1 Construction, renovation, or addition to a single detached dwelling, secondary dwelling unit or duplex.
- .2 Addition to an existing building or structure that is not visible from a public roadway or other public spaces.
- .3 Exterior alterations that do not alter or affect parking requirements, required landscaping, access to the site, or the building footprint or have any visible impact on the character or size of the building.

- .4 A single storey accessory building with a gross floor area less than 55 m² - located behind the principal building.
- .5 Construction of, addition to, or alteration of a single-detached dwelling or accessory residential building where no commercial component is present.
- .6 Interior renovations.
- .7 The complete demolition of a building and clean-up of demolition material.
- .8 Temporary buildings or structures that are erected for offices, construction, or marketing purposes for a period that does not exceed the duration of construction.

6.6.6 Guidelines

DP applications under this section must address each of the guidelines below in writing. Applications shall include a site plan, building plans and other relevant visual materials showing how the proposed buildings and/or structures are situated in relation to other buildings, services, and amenities in the area.

In order to achieve the objectives of Malakwa DPA, the following design guidelines shall apply to the issuance of development permits for new commercial, mixed use, and multi-family developments, buildings and structures:

.1 Building siting and design

- a. Building siting shall be encouraged to:
 - complement a pedestrian scale and focus
 - maximize sunlight penetration to open areas and pedestrian areas – avoiding shading on adjacent properties, buildings and roadways
 - locate residential dwelling units in mixed use buildings either above or behind a commercial unit
 - provide for suitable snow shedding and snow storage areas
 - Provide buffer space between adjacent wildlife corridors to minimize the impact of development on wildlife movement throughout the site
- b. Buildings shall be designed to create visual interest by:
 - using strong detailing in windows and doors
 - avoiding large expanses of blank wall
 - using quality natural building materials, such as wood, rock or stone
 - having pitched roofs to reflect the surrounding mountains, to preserve a feeling of openness and to provide broad sightlines to mountains and the sky
 - Screen outdoor mechanical systems

.2 Pedestrian Routes

- a. Locate pedestrian routes adjacent to and opposite compatible commercial developments;
- b. Use paving or surfacing features that highlight the route;

- c. Where possible, ensure safe pedestrian connections to greenspaces, parks, and other public amenities;
- d. Construct pathways with uniform and complementary material for a cohesive appearance throughout the development; and,
- e. Where feasible, buffer pedestrian routes from roadways, vehicular traffic, and parking areas.

.3 Water, Sewer and Stormwater

- a. Water shall be provided by a community water system where possible;
- b. Sewer shall be provided by a community system where possible, or alternatively on-site sewage is proposed where certified by a Professional Engineer (in good standing with EGBC), which certifies that the sewage will not lead to long-term degradation of the ground water;
- c. Storm water management plan prepared by a professional engineer to:
 - ensure post-development storm water flow volumes will not exceed predevelopment flow volumes in receiving waters
 - utilize natural topographical features such as sinks and wetlands and permeable paving surfaces to maximize stormwater infiltration
 - reduce paved road widths to reduce the amount of impermeable surfaces and reduce snow removal costs
 - maintain, to the extent possible, predevelopment flow patterns and velocities;
 - provide conveyance routes for major storms
 - demonstrate the use of best practices
 - certify that water quality of receiving surface and ground waters will not be negatively affected by storm water surface run-off during and post development
 - certify, where applicable, that there will be no negative effect on neighbouring properties

.4 Landscaping and Screening

- a. All planting shall be to BC Society of Landscape Architects standards;
- b. Trees adjacent to roads are encouraged, provided they do not cause safety problems for pedestrian or vehicular traffic, including emergency vehicles, and do not impede snow removal operations;
- c. Retain existing vegetation where possible;
- d. Vegetation planting shall encourage the use of native vegetation to reduce watering requirements, help mitigate storm water runoff and maintain the landscape character of the area;
- e. Service areas should be screened from view from streets or buildings to minimize visual impacts;
- f. Centralized wildlife proof garbage, composting and recycling depots should be provided for commercial and residential use; and,
- g. All trash or recycling receptacles and storage containers should be wildlife proof.

.5 Parking areas

- a. In parking areas, landscape islands of trees and shrubs shall be used to visually break up large expanses of parking;

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- b. Parking should be placed beneath and / or behind buildings to the maximum extent possible;
- c. Use paved surfacing or porous paving, paving stones, French drains, landscaped areas and similar techniques are encouraged to facilitate exfiltration of storm water; and,
- d. Parking areas shall be developed in accordance with the Zoning Bylaw.

.6 Safety

- a. Landscaping should not create blind spots, potential hiding places, or screen wildlife, particularly next to highways;
- b. Building materials should be chosen for their durability as well as their functional and aesthetic quality, while meeting Fire Smart principles;
- c. Buildings and structures will be sited appropriately in order to accommodate emergency response vehicles;
- d. There may be a need to screen storage yards or noxious land uses; and,
- e. Development shall be encouraged to implement strategies consistent with Bear Aware and Bear Smart programs in order to:
 - improve public safety
 - reduce property damage
 - have fewer bears killed due to conflict

.7 Signage and lighting

Signage and lighting will be implemented and managed to maintain rural character and atmosphere and to minimize visual impacts.

- a. The size, location and design of commercial signs and other advertising structures shall be compatible with uses and structures on adjacent properties and meet the requirements of the Zoning Bylaw;
- b. Outdoor site lighting shall be designed to minimize “light spill” and glare onto adjacent properties and public spaces. Outdoor lighting shall:
 - be fully shielded (pointing downward)
 - only light the area that needs it
 - be no brighter than necessary
 - minimize blue light emissions
 - only be on when needed