

Assessment Report Requirements and Development Permit Applications

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

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

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

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.

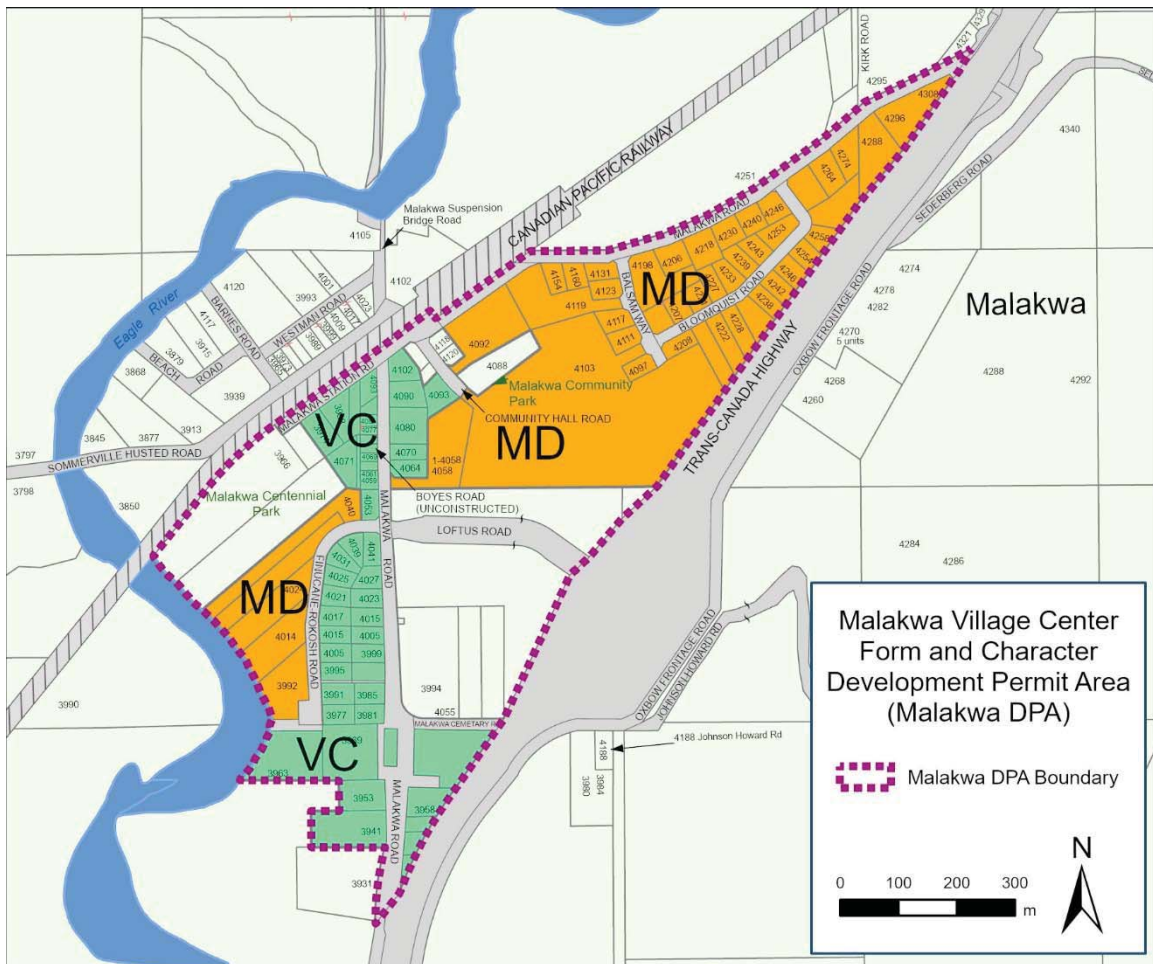
Intensive residential development may also provide the ability to cluster housing where slopes can integrate form without significant impact on natural features, views, tree cover and natural drainage courses and to increase density in existing low-density neighbourhoods.

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;

- 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

6.7 Resort Lands Form and Character Development Permit Area

6.7.1 Authority

“Resort Lands Form and Character Development Permit Area” (Resort DPA) is designated pursuant to section 488 (1)(e)(f) of the LGA for the 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.