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.

12.7 Lakes 100 metre Development Permit Area

Purpose

12.7.1 The Lakes 100 m Development Permit Area (DPA) is designated under the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity.

Justification

12.7.2 The intent of Lakes 100 m DPA is to prevent or mitigate potential negative impacts on the lake environment development (generally defined as development beyond a single-family residence and specifically defined in the Area section below) and sewerage systems. Development close to the lake has the potential to impact natural drainage patterns, disrupt stormwater infiltration and increase surface run-off into the lake. Involving a qualified professional who understands soil, drainage and hydrogeology before the construction of development and/or installation of sewerage systems close to the lake will reduce potential negative impacts on lake water quality.

Area

12.7.3 The Lakes 100 metre DPA applies to areas within 100 m of Kinbasket Lake, Lake Revelstoke, Upper Arrow Lake, Coursier Lake, Armstrong Lake, Staubert Lake, and Trout Lake. For the purposes of calculating distance from these lakes, the 1:5 year High Water Mark shall be used.

Activities

12.7.4 The Lakes 100 m DPA applies to:

a. Any residential, commercial or industrial development which exceeds the following:

   i. Removal, alteration, disruption or destruction of vegetation involving more than 30% of the parcel area; or

   ii. Construction or erection of buildings and structures (including decks, stairs, and balconies), and non-structural impervious surfaces (e.g. paved driveway) with a sum total footprint (measured from the outermost portion of the buildings or structures) in excess of 450 m^2 or for parcels 0.10 ha or smaller, a combined site coverage totalling 30%.

b. Installation, alteration, or replacement of (or a portion of) a sewerage system.

Where a development proposal involves multiple buildings, structures or phases, calculation of the size of the development shall include the entire build-out of the development.

Guidelines

12.7.5 The Lakes 100 m DPA guidelines are as follows:

a. Preservation of natural features, functions and conditions that support fish and animal habitat is the primary objective of the Lakes 100 m DPA;

b. Impacts to watercourses from proposed development is not desirable. Such impacts must be minimized to the greatest extent possible and addressed in a report from a QEP, including mitigative measures;

c. Disturbance of soils and removal of vegetation should be minimized in the development process;

d. Use of non-impervious and natural landscaping, including for driving surfaces, is desired;

e. Compact and cluster development is desired in order to leave natural areas untouched to the greatest extent possible;

f. The minimum setback of a Type 1 septic system and field from a lake listed in 12.7.3 is 100 m. If a property owner plans to install a septic system and field with a setback of less than 100 m from the lake, the property owner must engage an qualified professional registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) with experience in hydrogeology to review the proposed design and siting of the septic system and field, and submit an assessment of hydrogeology to ensure there will be no detrimental impacts on the adjacent water body;

g. In all cases, the minimum setback for Type 1, 2 and 3 systems and fields shall be 30 m from all watercourses and drinking water sources. Lesser setbacks will only be considered in exceptional cases where a new system replaces or improves an existing failing one and only with explicit support from the Interior Health Authority and the Ministry of Environment. All setbacks must abide by the recommendations of the Sewerage System Standard Practices Manual with regard to reduction in critical horizontal setback distances;

h. A development permit may be issued based upon the above guidelines and following the submission of a report from a Qualified Environmental Professional (QEP). This written submission shall be used to determine the conditions of the development permit and shall include:

    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 Lake impacts; and

    vi. Recommendations and mitigative measures.