

12.4 Riparian Areas Regulation (RAR) Development Permit Area

.1 Purpose

The Riparian Areas Regulation Development Permit Area (RAR DPA) is designated under the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity.

.2 Justification

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.

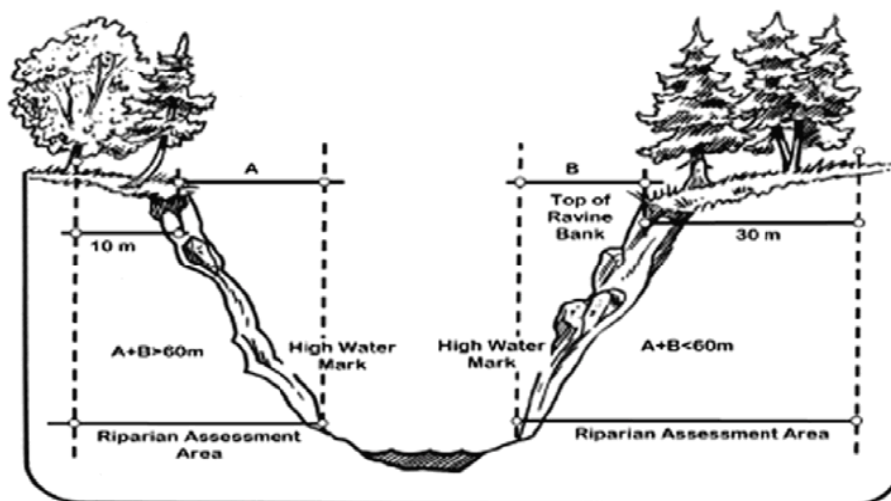
.3 Area

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.

As illustrated in Figure 12.1, the area comprises:

- Within 30m (98.4 feet) of the high water mark of the watercourse;
- Within 30m (98.4 feet) of the top of the ravine bank in the case of a ravine less than 60m (196.8 feet) wide;
- Within 10m (32.8 feet) of the top of a ravine bank for ravines 60 metres (196.8 feet) or greater in width that link aquatic and terrestrial ecosystems that exert an influence on the watercourse.

Figure 12.1



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.

.4 Exemptions

.1 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.

.5 Guidelines

- .1 Preservation of water courses, waterbodies, and adjacent, natural features, functions and conditions of riparian areas that support fish and animal habitat is the primary objective of the RAR DPA;
- .2 Impacts to watercourses and riparian areas 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;
- .3 Disturbance of soils and removal of vegetation should be minimized in the development process;
- .4 Whenever possible development or land altering activities shall be located outside of the 30m setback to the riparian area unless a QEP permits a reduced setback area;
- .5 Development requiring a 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:

- a. Removal, alteration, disruption or destruction of vegetation within 30m (98.4 feet) of a watercourse.
 - b. Disturbance of soils, within 30m (98.4 feet) of a watercourse;
 - c. Construction or erection of buildings and structures within 30m (98.4 feet) of a watercourse;
 - d. Creation of non-structural impervious or semi-impervious surfaces within 30m (98.4 feet) of a watercourse;
 - e. Flood protection works within 30m (98.4 feet) of a watercourse;
 - f. Construction of roads, trails, docks, wharves and bridges within 30m (98.4 feet) of a watercourse;
 - g. Provision and maintenance of sewer and water services within 30m (98.4 feet) of a watercourse;
 - h. Development of drainage systems within 30m (98.4 feet) of a watercourse;
 - i. Development of utility corridors within 30m (98.4 feet) of a watercourse; and
 - j. Subdivision as defined in the Land Title Act, and including the division of land into 2 or more parcels within 30m (98.4 feet) of a watercourse.
- .6 A development permit may be issued 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:
- a. Site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features;
 - b. Existing vegetation and any proposed vegetation removal;
 - c. Assessment of hydrogeology, including soil types, drainage characteristics, seepage zones, springs and seasonally saturated areas, groundwater depth, flow direction & pathways, and shallow bedrock;
 - d. The suitability for site soils to accept stormwater infiltration and post-development landscape irrigation;
 - e. Potential impacts to other water courses or water bodies, e.g. Shuswap Lake; and,
 - f. Recommendations and mitigative measures.

.6 Role of the QEP and CSRD in the RAR Development Permit Process

The RAR regulations place considerable emphasis on QEPs to research established 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.

12.5 Village Centre and Secondary Settlement Area Form and Character Development Permit Area

.1 Purpose

The Village Centre and Secondary Settlement Area (VCSSA) Form and Character DPA is designated under the *Local Government Act* for the establishment of form and character objectives for commercial, industrial and multi-family development in the Secondary Settlement Areas of the plan.

.2 Justification

The Village Centre and Secondary Settlement Areas will experience the most increased density and commercial development over time. Therefore the primary objective of the VCSSA DPA is to promote a high level of building and site design in the most densely populated areas of Electoral Area 'C', which take into consideration pedestrian movement, public space, mixed use, and designing in harmony with site conditions, neighbourhood character and the existing built environment.

.3 Area

This DPA applies to all commercial, industrial, multi-family residential and intensive residential (defined as a 5 or more single family residential subdivision) development as set out in Schedules B and C:

- .1 Within Sorrento Village Centre;
- .2 Within Secondary Settlement Areas; and,
- .3 On waterfront parcels (defined as those which have any portion of their parcel boundary in common with the natural boundary of a lake).

.4 Exemptions

- .1 A single storey accessory building with a gross floor area less than 10 m² (107.4 ft²);
or,
- .2 The complete demolition of a building and clean-up of demolition material. Partial demolition or reconstruction of a building requires a DP under this section.