

- Encourage developers to incorporate Fire Smart guidelines into their overall planning, including opportunities to address emergency access and setbacks.

Research:

- Investigate and implement methods of wildfire hazard abatement to a moderate level from both a Regional and local perspective.
- Determine methods that will ensure that wildfire hazard reduction works are maintained in the long term. Investigate methods such as restrictive covenants, zoning bylaws, subdivision and development bylaws, building bylaws, and specified area taxation.

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.

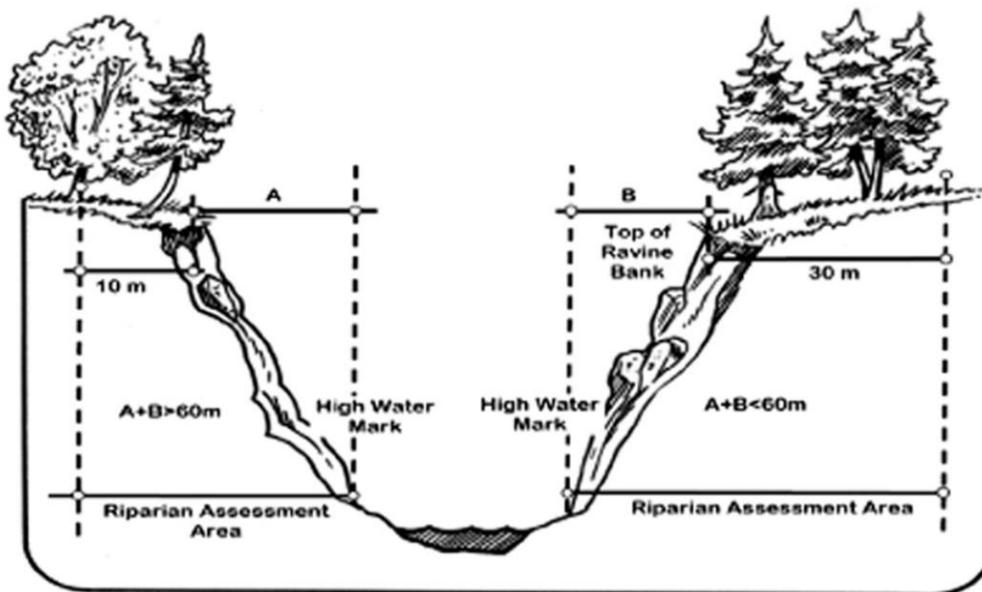
Area

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:



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

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;

- 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.

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.