

THE ARROW LAKES

ELECTORAL AREA 'K' – THE ARROW LAKES
OFFICIAL COMMUNITY PLAN BYLAW NO. 2022,
2009

**ELECTORAL AREA 'K' – THE ARROW LAKES
OFFICIAL COMMUNITY PLAN**

BYLAW NO. 2022, 2009

THIS CONSOLIDATED COPY IS FOR CONVENIENCE ONLY AND HAS NO LEGAL SANCTION

LIST OF AMENDMENTS TO OFFICIAL COMMUNITY PLAN BYLAW No. 2022, 2009, UP TO (see date at bottom of last page of amendments), WHICH ARE INCLUDED IN THIS CONSOLIDATED VERSION OF THE BYLAW

Bylaw No. File No.	Adopted	Amendment	Purpose
2121 4600-20- Z0820K- 29105030 Nakusp Greenscapes	May 20, 2010	Re-designating a 17.20 hectare portion of PID 014-028-085 - District Lot 9152, Kootenay District, Except Plan NEP23532; a 1.10 hectare portion of PID 014-028-051 - District Lot 9149, Kootenay District; and a 8.75 hectare portion of PID 005-543-894 - District Lot 7896, Kootenay District, Except Plans 5875 and 17277 from Open Space (OS) to Rural Residential (R3)	To allow an 11 lot subdivision along Alexander Road
2109 Z0914K- Block	June 24, 2010	Lot A, DL 100 & 2451, Plan 23675 – C2 to R1 Lot 1, DL 13034, Plan NEP73519 – R3 to R2 Block C, DL 863 – R3 to R2 Lot 3, DL 13034, Plan NEP73519 – R3 to M Lot 102 & 103, DL 397, Plan 980 – R3 to R2 Lot A, DL 397, Plan NEP23613 – R3 to R2 Lot 1, DL 397, Plan NEP71611 – R3 to R2 Lot 2, DL 4274, Plan 13679 – R3 to R1 Lot A, DL 4274, Plan 8221 – R3 to R1 Lot 12, DL 4274, Plan 1123 – R3 to R1 Block 10 & 11, DL 4274, Plan 1123 –	Resulting from the adoption of a new Official Community Plan for Electoral Area K and the inclusion of Area K in the RDCK Zoning Bylaw No. 1675.

Bylaw No. File No.	Adopted	Amendment	Purpose
		R3 to R1 Block 9, DL 4274, Plan 1123 – R1 to AG Lot 8, DL 4274, Plan 1123 – R1 to AG DL 7536, Except Plan 1186, 8990, 8186 – C2 to R3 DL 8186, Except Plan 85896I – C2 to I Sec. 22, Twp 69, Parcel A Except Plan NEP63485 – AG to R2 Sec 22, Twp 69, Part NE ¼ part SW of SRW R308 – AG to R2 Lot A, DL 183A, Plan NEP23556 – R2 to R1 Lot B Sec 18, Twp 70 Plan NEP89323 – AG to R3	
2175 Z1003K-02839.000	January 13, 2011	re-designating a 22 ha (55 acre) portion of the property legally described as PID 005-517-966, District Lot 8186, Kootenay District, Except Parcel A (Explanatory Plan 85896I) from Institutional (I) to Tourist Commercial (C2) and amending some text.	To recognize existing use of property and previous zoning prior to Area K OCP Block Amendment.
2195 Z1017-K-2195_2022	March 31, 2011	To include GHG Emission Reduction targets, policies and objectives	To meet the requirements of Bill 27 Green Statutes Amendments under the Local Government Act.
2399 Z1414K-02773.000	July 17, 2014	Re-designating a 1.5 ha portion of the property legally described as The East ½ of Block 3, District Lot 8156, Kootenay District Plan 846, Except Part Included In SRW Plan 10288 (PID 013-160-931) from the Community Residential (R1) designation to the Industrial (M) designation and the remainder to the Country Residential (R2) designation	To enable the use of the property for a towing operation and vehicle storage and dismantling. Subject to DP and covenant.
2451 Z1501K-02478.300	June 18, 2015	Re-designated a 1.0 ha portion of property legally described as Lot 3 DL 7700 KD Plan NEP 14190 (PID 010-107-738) from Industrial (M) to	To enable the development of a senior's housing project on lands owned by the RDCK.

Bylaw No. File No.	Adopted	Amendment	Purpose
		Institutional (I) and the remainder to Agriculture (AG)	
2546 Z1607K- 02581.000	March 16, 2017	Re-designate a portion of Crown land adjacent to Lot 2 District Lot 7904 Kootenay Land District Plan NEP 64626 (PID 024-541-541) from Open Space (OS) to Industrial (M)	To enable the use of property for log storage and sorting.
2552 Z1608K- 01000.160	May 18, 2017	Re-designate Lot A District Lot 100 KD Plan NEP85242 (PID 027-284-263) from Tourist Commercial (C2) to Rural Residential (R3)	To enable cabins to be constructed and occupied for residential purposes
2674 Z1903K- 01344.400	July 18, 2019	Re-designate Lot A, and an Undivided 1/3 Share in Lot D, District Lot 397, Kootenay District, Plan NEP92982 (PID 029-352-118) from Rural Residential (R3) to Agriculture (AG)	To enable a Farm Use (winery) at the subject property
2669 Z1908K- 03043.000	July 18, 2019	Re-designate a portion of Lot 1 District Lot 9156 Kootenay Land District Plan NEP6680 (PID 014-045-052) from Institutional to Agricultural.	To enable subdivision.
2679 Z1902K- RDCK Block Amendment	February 20, 2020	Housekeeping text amendments throughout bylaw Amendments to Schedule 'B'	To update references, clarify regulations and update Temporary Use Permits. To amend the future land use designation of multiple properties.
2756 10/5110/20/ ACCESSORY BUILDINGS AND TUP'S	October 21, 2021	Text amendments to sections 6.2 & 19.0.	To amend Environmentally Sensitive Residential Cluster Development Area, and minor housekeeping amendments.
2852 10/5200/20/A G Agricultural Policy Review – Phase 2 2019	July 20, 2023	Amendments and additions to Schedule A, Section 5 Deleting Development Permit Area #4 in Section 19 in it's entirety	RDCK Agriculture Policy Review Project

October 2021

MAPPING SCHEDULES are available on the RDCK's [WebMap](#) (PIMS), please refer to the [tutorial](#) on the WebMap (PIMS) site for instructions on how to view the mapping. Printable copies are available by contacting the RDCK GIS department.

Regional District of Central Kootenay
Electoral Area 'K' - The Arrow Lakes Official
Community Plan Bylaw No. 2022, 2009

A Bylaw to guide land use decisions within Electoral Area 'K' pursuant to Part 26 of the *Local Government Act of British Columbia, R.S.B.C. 1996*.

WHEREAS the Regional District of Central Kootenay wishes to adopt an Official Community Plan pursuant to Part 26 of the *Local Government Act*,

AND WHEREAS the Regional Board may adopt an Official Community Plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that bylaw;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the Official Community Plan in conjunction with its most recent capital expenditure program, the waste management plan, wastewater management plan, and economic strategy plan that is applicable in the RDCK to ensure consistency between them, in accordance with the *Local Government Act*,

AND WHEREAS if the Official Community Plan applies to land in an Agricultural Land Reserve established under Provincial Acts and Statutes, the Regional Board shall refer the Official Community Plan to the Province for comment;

AND WHEREAS the Regional Board has provided one or more opportunities for consultation with persons, organizations and authorities it considers affected in the development of the Official Community Plan in accordance with Section 879 of the *Local Government Act*;

AND WHEREAS the Regional Board of the RDCK has complied with all requirements of the *Local Government Act* prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

AND WHEREAS upon adoption of this bylaw, the Plan is an Official Community Plan of the RDCK;

NOW THEREFORE the Regional Board of the RDCK, in open meeting assembled, enacts as follows:

The Electoral Area 'K' – The Arrow Lakes Official Community Plan attached hereto as Schedules 'A', 'B', 'C', and 'D' and forming part of this bylaw is adopted as the Regional District of Central Kootenay Electoral Area 'K' – The Arrow Lakes Official Community Plan Bylaw 2022, 2009.

The bylaw shall apply only to that portion of the RDCK shown outlined on the attached Schedule 'B' Official Community Plan Maps forming part of this bylaw.

If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the Official Community Plan adopted by this bylaw is for any reason held to be invalid by a decision of a

court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw and Official Community Plan.

Pursuant to the *Local Government Act*, Zoning bylaws currently being considered by the Regional Board but not adopted as of the date of adoption of this bylaw and the Official Community Plan adopted by this bylaw are deemed to be consistent with the Official Community Plan.

This bylaw may be cited for all purposes as the **‘Regional District of Central Kootenay Electoral Area ‘K’ – The Arrow Lakes Official Community Plan Bylaw No. 2022, 2009’**.

Purpose

The Electoral Area ‘K’ – The Arrow Lakes Official Community Plan is intended to ensure that decisions of the use and development of property within Electoral Area K shown on Schedule ‘B’, are made with regard to land capabilities and constraints, growth trends, the interrelationship of land uses, and the aspirations of the people, for the benefit of the whole community. Further, the Plan is intended to:

- i) form the basis for regulatory land use bylaws, capital expenditures programming, and waste management; and
- ii) to provide guidance and information for private and public organizations and individuals.

Repeal

The Official Community Plan portion of Electoral Area K – The Arrow Lakes Rural Land Use Bylaw No. 1248, 1997 is hereby repealed.

READ A FIRST TIME on the 23rd day of July, 2009.

READ A SECOND TIME on the 23rd day of July, 2009.

PUBLIC HEARING held on the 18th day of August, 2009.

READ A THIRD TIME on the 20th day of August, 2009.

APPROVED by the Minister of Community and Rural Development this 15th day of November, 2009 Approval No. 2009068.

ADOPTED this 26th day of November, 2009.

"G.L. Wright"

Chair

"Dawn Attorp"

Secretary

I hereby certify that the foregoing to be a true and correct copy of Bylaw No. 2022 cited as the "Electoral Area 'K' – The Arrow Lakes Official Community Plan Bylaw No. 2022, 2009", as read a Third time by the Regional Board on this 20th day of August 2009.

Dated at Nelson, BC this 20th day of November, 2009.

"Dawn Attorp"

Secretary

I hereby certify that this is a true and correct copy of the Electoral Area 'K' – The Arrow Lakes Official Community Plan Bylaw No. 2022, 2009.

Dated at Nelson, BC this 20th day of November, 2009.

"Dawn Attorp"

Secretary

SCHEDULE 'A'

Regional District of Central Kootenay

**Electoral Area 'K' - The Arrow Lakes Official
Community Plan Bylaw No. 2022, 2009**

**Regional District of Central Kootenay
Electoral Area 'K' – The Arrow Lakes Official
Community Plan Bylaw No. 2022, 2009**

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Map 2	Agricultural Land Reserve
<u>Schedule 'B' Series</u>	<u>Electoral Area 'K' - The Arrow Lakes Official Community Plan Map</u>
Schedule 'B.1'	Context
Schedule 'B.2'	Arrow Lakes
<u>Schedule 'C'</u>	<u>Arrow Lakes Road and Trail Network Plan</u>

Note: Schedule 'B' Series, and 'C' can be viewed either on the RDCK website at www.rdck.bc.ca, or in hard copy at the RDCK office.

Acronyms used in this document

Agricultural Land Reserve	ALR
Agricultural Land Commission	ALC
Official Community Plan	OCP
Regional District Central Kootenay	RDCK
Environmentally Sensitive Residential Cluster Development Permit	ESRC DP

OFFICIAL COMMUNITY PLAN MAP DESIGNATIONS

The future use and development of land within the Arrow Lakes area must be consistent with the overall pattern of land use depicted on Schedule 'B', and based on the following land use designations:

Rural Designations:

Agriculture	AG
Environmental Reserve	ER
Open Space	OS
Rural Resource	R4
Quarry	Q

Residential Designations:

Community Residential	R1
Country Residential	R2
Rural Residential	R3

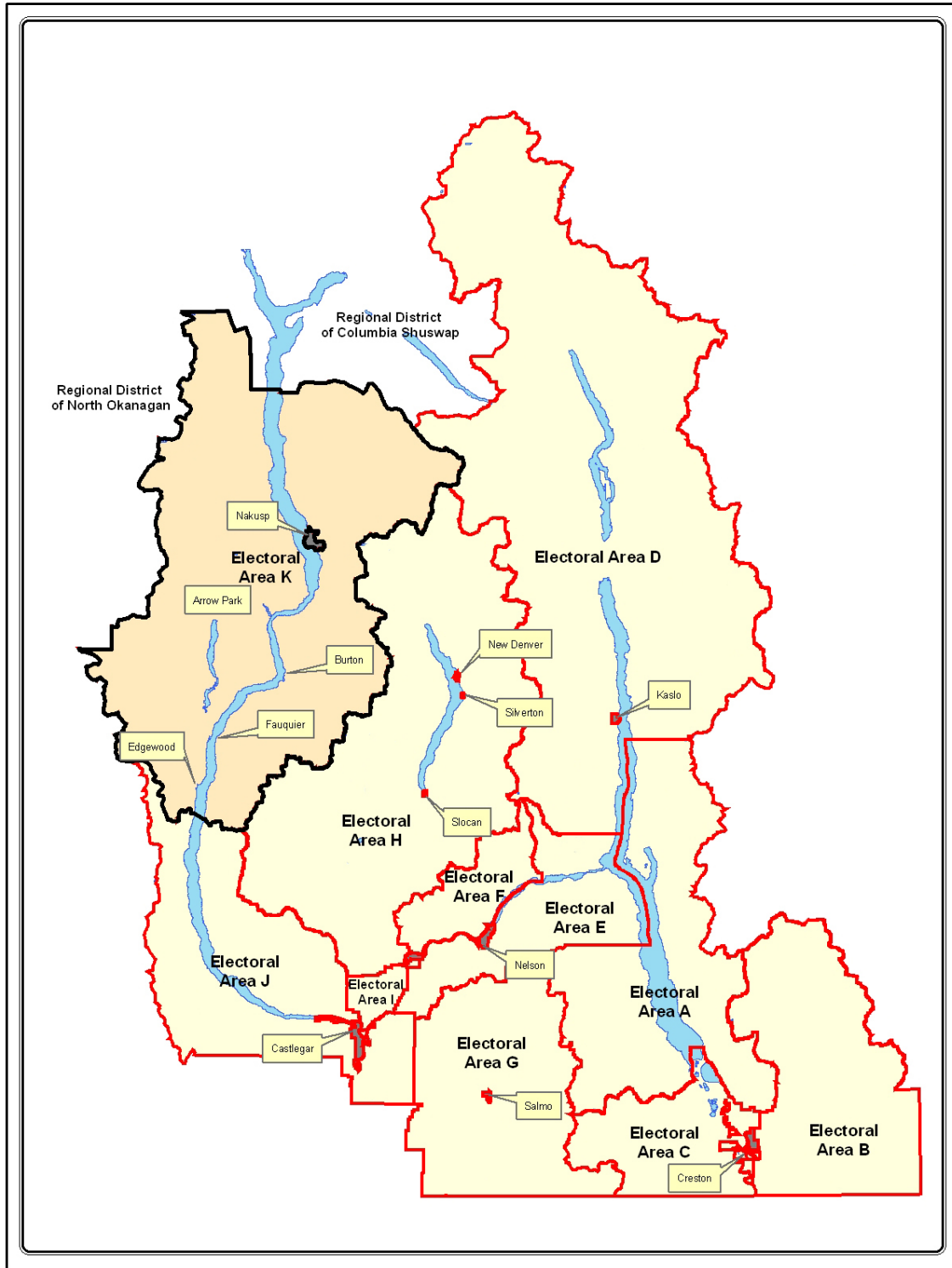
Commercial and Industrial Designations:

General Commercial	C1
Tourist Commercial	C2
Industrial	M

Community Services and Administrative Designations:

Institutional	I
Parks and Recreation, Culture and Heritage	PA

Map 1: General Context Map



1.0 INTERPRETATION AND ADMINISTRATION

The provisions of this Plan apply to all lands and surface of water within the Electoral Area K identified on Schedule 'B' of this bylaw, and Map 1, General Context Map.

Interpretation

An Official Community Plan means a community plan as referred to in the *Local Government Act* and as adopted by the Regional Board of the Regional District of Central Kootenay (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*

Administration

1. This OCP comes into effect as of the date of formal adoption by the Regional Board.
2. The Zoning bylaw will be the primary tool to regulate development, not the OCP. All land use designation amendment proposals must be consistent with the intent of this OCP that serves as a policy foundation for the Zoning bylaw.
3. This Plan will be reviewed on a yearly basis and, in order that the document continues to accurately reflect the long-range planning objectives of the Arrow Lakes area, the Plan will undergo a comprehensive review every five to ten years.
4. Public hearings to consider Plan amendments will be held upon the time of application and at the discretion of the Board. All public hearings will be advertised in the local newspaper and all property owners within 100 meters of the subject property will be sent notice as required under the Local Government Act. The Board may hold a public hearing at any time to consider a community plan amendment if it is deemed to be in the public interest.
5. The OCP can only encourage senior levels of government to take action; it cannot force or require senior governments to act. Furthermore, although the OCP cannot commit the Regional Board to specific expenditures, the Regional Board cannot enact bylaws or undertake works that are contrary to it without amending the Plan.

2.0 PUBLIC CONSULTATION

An OCP represents the consensus of the community on future growth and development. It provides objectives and policies that inform the RDCK Board and other government agencies in making land use decisions. Residents, businesses, landowners and governments all depend upon the OCP to assess future community potential. An OCP contains broad goals, objectives for particular land uses, specific and general policies, advocacy policies, maps and development permit area guidelines; it does not contain regulations or detailed prescriptions.

While the OCP is a document that is a collective vision put forth by the community, other agencies and First Nations have been consulted, including:

- Ktunaxa Kinbasket Treaty Council
- Sinixt First Nation
- Village of Nakusp
- Arrow Lakes School District No. 10
- Agricultural Land Commission
- Aboriginal Relations and Reconciliation
- Agriculture and Lands
- Community Development
- Economic Development
- Education
- Energy, Mines, and Petroleum Resources
- Environment
- Forests and Range
- Interior Health
- Transportation
- Westbank First Nation

This OCP was prepared in consultation with local residents, land owners, community groups, and various levels of government. The process proceeded in three phases: community consultation, policy development and bylaw adoption. The community consultation and policy development phases involved twelve public meetings, information posted and updated regularly on the RDCK website, a land use survey distributed in July 2007 and two newsletters.

An OCP does not commit or authorize the RDCK to proceed with any project that is specified in the plan.

Land Use Survey

In June of 2007 a land use survey was distributed to all residents of Electoral Area K. The purpose of the survey was to gather public comments on a range of land use planning issues. The results of this survey are reflected in the OCP.

Highlights of the survey results which are relevant to the OCP are as follows:

- Most people (50.8 %) indicated that they choose to live in Electoral Area K to pursue a rural lifestyle. Furthermore most people (65.9 %) identified themselves as full-time residents who have lived in Area K for more than 10 years (64 %).
- Most people (51.1 %) indicated that their property is 2 ha (5 ac) or larger however, most people (55.2 %) said that their ideal minimum lot size is 1 ha (2.5 ac) or less.
- Most people (57.6 %) support industrial and commercial development however there was also strong support (82.0 %) for the Regional District to regulate the development of aggregate operations as well as commercial and industrial development.
- Most people (82.6 %) recognize Arrow Lake as a significant landscape feature and support (89.7 %) protecting the natural environment which includes watersheds and wildlife areas.
- Most people (63.7 %) support preserving the Agricultural Land Reserve however most people (60.0 %) also support a review of the current ALR boundaries.

3.0 THE ARROW LAKES

Historical Context

There is evidence going back thousands of years of periodic and some permanent human habitation along the Arrow Lakes. The Arrow Lakes area was part of the traditional territory of the Sinixt or Arrow Lakes People, where they fished, hunted and gathered in addition to setting up seasonal settlements and trading centres. Much of the archaeological evidence of the lifestyle, customs and rituals of the Sinixt is now seasonally underwater in the Arrow Lakes Reservoir.

The Arrow Lakes area was explored by David Thompson in 1811, and traversed by fur traders and other explorers for the remainder of the nineteenth century. Permanent settlements began to crop up in the 1890's as people of European decent moved west.

Although it was assumed that the communities around the Arrow Lakes would become mining towns like so many communities in the West Kootenays, most developed around forestry and agricultural endeavours, providing a slower, but more constant pace of development in the area.

When the Trans-Canada railway was completed in 1885, it provided an east-west link across Canada. The sternwheelers provided north-south transportation from stations along the Trans-Canada railway to the communities around the Arrow Lakes. It was through these transportation corridors that the early settlers received their supplies and shipped out their products to market.

Through the rest of the nineteenth and the early twentieth centuries, transportation in the area improved. In 1893, the Nakusp-Slocan Railway was completed. In 1913 roads were completed from Nakusp to Edgewood. In 1925, the road over the Monashee to Vernon was completed. The road connecting Nakusp and New Denver was completed in 1930.

Due to the Columbia Basin Treaty with the United States, studies were conducted in the early 1960's as to the feasibility of building dams in the area to prevent flooding down river. In 1968, this became a reality. The Keenleyside Dam began operation, flooding the Arrow Lakes and necessitating the movement of entire communities uphill. Thousands of acres of agricultural lands were put under water, taking away much of the food production which had been the economic mainstay of so many of the communities in the Arrow Lakes area. The landscape of the Arrow Lakes would never be the same.

Today, some of these effected communities still exist in locations uphill of their original town sites. Others are only seasonally occupied or have disappeared all together.

Geographic Context

Electoral Area K covers 4,390 square kilometres of land and encompasses both the East and West shores of the Upper and Lower Arrow Lakes from Halcyon Hot Springs to south of

Edgewood and Applegrove, as well as the areas surrounding Mosquito Lake and Whatshan Lake.

Electoral Area K includes the unincorporated communities of Applegrove, Edgewood, Fauquier, Burton, Arrow Park, Crescent Bay, Whatshan Lake, Brouse, Glenbank, Box Lake, Needles, Halcyon, and Inonoaklin Valley.

Highway 6 runs through Area K, providing access to the Slocan Valley, Nelson and Castlegar to the South and Vernon and the North Okanagan to the West, while Highway 23 runs north to Revelstoke and the Shuswap.

The Village of Nakusp, although not part of Area K, is entirely surrounded by Area K. Electoral Areas D, H and J of the Regional District of Central Kootenay also share borders with Area K, as well as the Regional District of North Okanagan and the Regional District of Columbia Shuswap.

Demographic Context

According to Census Canada data, the 2006 Area K population was 1800 which is a decline of 179 person (-9%) from the 2001 Census population figure of 1979. Census Canada reports the 2006 population for the unincorporated communities of Burton at 225, Fauquier at 197 and Edgewood at 145.

In 2006 the median age of the population of Electoral Area K was 50.9 years old (meaning exactly half of the population is younger and half is older than 50.9 years). In comparison the 2006 BC population median age was much younger at 40.8 years old.

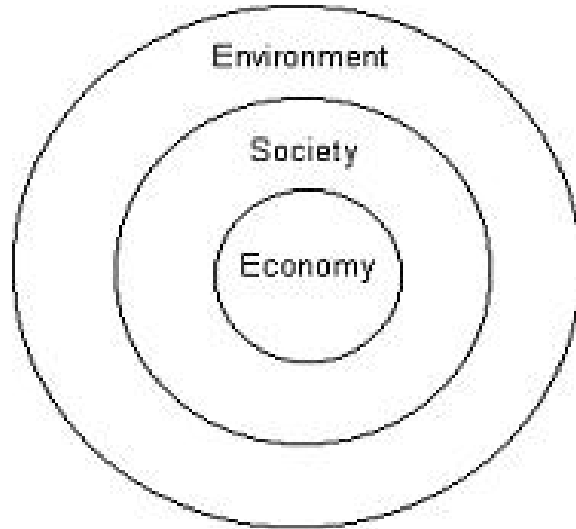
In terms of the number of occupied dwellings, defined as the principal dwelling of a permanent resident, in 2001 Census Canada reports that there were 982 occupied dwellings in Electoral Area K and that by 2006 the number of occupied dwellings declined to 820 representing a decrease of 16.5%.

During this same timeframe the Regional District of Central Kootenay received 57 building permit applications for new residences, 13 building permit applications for new manufactured home sites, and only one demolition permit issued. This may indicate an increase in the number of non-resident property owners.

4.0 GOALS

General

1. To encourage the appropriate use of land in recognition of the desires of area residents, existing uses, resource constraints and opportunities, compatibility between uses, and the efficient provision of community services.
2. To maintain opportunities for rural living through development which respects the lifestyles of area residents and the natural environment.
3. To maintain the integrity of the area's visual environment.
4. To protect heritage resource values and concerns in the course of public and private land development.
5. Balance economic, social, and environmental values in land use decision making.



Environmental

1. Protect the natural environment.
2. Work toward carbon neutrality by focusing on alternative methods of transportation and energy efficiency.
3. Ensure efficient transportation systems including the promotion of pedestrian and non-vehicular traffic
4. Direct development away from areas of high natural hazards to areas of no or low natural hazards, unless appropriate mitigation works are in place.
5. Ensure that development does not adversely harm or detract from identified wildlife corridors and areas with high wildlife and fisheries habitat value.
6. Protect the quantity and quality of water resources and waterways.

Social

1. Provide for safe, quiet, and attractive rural residential neighbourhoods that will satisfy the housing and social needs of all Arrow Lakes residents, with particular emphasis on affordable market, rental and seniors housing.
2. Protect and enhance the unique “community character” of the unincorporated settlements within the rural plan area.

3. Protect and enhance public access along the foreshore of the Arrow Lakes.

Economic

1. Ensure that home-based business opportunities are provided, with recognition of impacts to neighbours, local business and residential character.
2. Promote and enhance local food production through protection of viable agricultural lands and educational and marketing support to local producers.

5.0 AGRICULTURE

Background

Although agricultural activity in Area K has been greatly reduced compared to historical levels due to the flooding of the Arrow Lakes, there is still a great deal of agricultural land in Area K, a large portion of which is within the Agricultural Land Reserve (ALR). A large part of the area surrounding the Arrow Lakes is within the ALR as well as areas surrounding other



water bodies and water courses. There are also areas of ALR within and around Rural Nakusp, Fauquier, Burton, Edgewood and Arrow Park and large areas of Crown Land within the ALR in the north-western portion of the plan area.

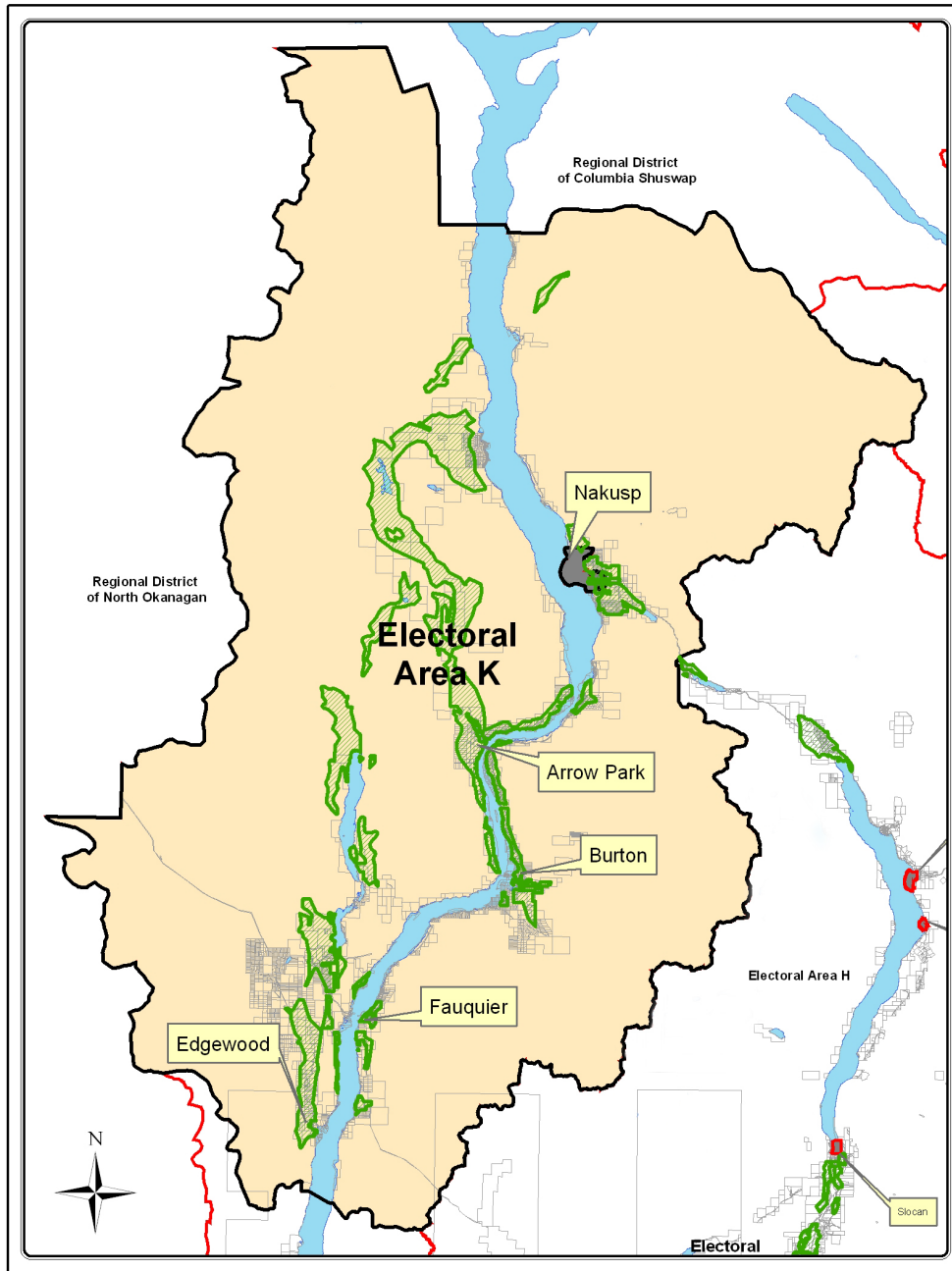
Lands designated as Agriculture in Schedule 'B' include areas within the Agricultural Land Reserve and additional lands with the identified potential for agricultural operation or activity generally including but not limited to the production of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, fibre crops and horticultural and aquaculture products, as well as activities associated with the production and processing of these items. Agriculture operations and activities, such as livestock grazing, may also be dependent on lands located outside of the Agriculture designation in Schedule 'B'.

Objectives

1. To encourage the preservation of agricultural land and enhancement of agricultural activities.
2. To minimize conflicts between agriculture and other land uses.
3. To examine any ALR boundary changes initiated by the RDCK, First Nation Governments or the Province, which review agricultural suitability in the Plan area, provided affected landowners are notified and have the opportunity for input.

4. To encourage the agricultural sector's improvement and expansion by pursuing supportive land use policies within and adjacent to farming areas and to ensure adequate water and land resources for agricultural purposes with recognition of the importance of local food security.
5. To support a strategy for diversifying and enhancing farm income by creating opportunities for uses secondary to and related to the agricultural use.
6. To work with the Village of Nakusp on a co-operative approach to agricultural lands within the urban / rural interface that will mitigate the loss of agricultural land to future growth.

Map 2: Agricultural Land Reserve



7. To promote activities associated with the production and processing of livestock, poultry, farmed game, fur bearing animals, crops, fruit, grain, vegetables, milk, eggs, honey, mushrooms, fibre crops and horticultural and aquaculture products, provided the activity serves local producers and is small scale.

Policies

The Regional Board:

1. Encourages that the principal use of lands designated as Agricultural on Schedule 'B' shall be for agricultural use.
2. Supports applications for the removal, subdivision and non-farm use of lands presently in the Agricultural Land Reserve if such development relate to lands that do not have value for agriculture as determined by the British Columbia Agricultural Land Commission.
3. Supports the consolidation of small farm parcels under 0.8 hectares (2 acres) with other agricultural parcels to encourage more efficient use of farm lands within the Agricultural Land Reserve.
4. The Regional District will consider the designation of properties that do not meet the minimum lot size as agricultural on a case by case basis provided that the subject property's primary use is that of agriculture or market gardens to diversify the local agricultural community and provide for enhanced food security.
5. Provides for property owners or occupiers to diversify and enhance uses secondary to agricultural uses with home industry, home occupation, or small scale tourist accommodation business opportunities.
6. The Regional Board encourages the development of small scale food processing facilities on Farm Lands in Agricultural zones provided the facility operates in an environmentally sustainable fashion
7. May consider an accessory dwelling to accommodate farm help and support secondary farm income where the additional density can be sustainably serviced.
8. Discourages subdivisions of agricultural land that do not benefit agriculture and cause further fragmentation of agricultural land.
9. Encourages and promotes the Environmental Farm Plan program to farmers in the Region.

6.0 OPEN SPACE

Background

For the purpose of this section, Open Space is described as large parcels of land, primarily 20 ha or greater, and includes private and/or Crown Land. Typical uses include forest land, grazing or range land, public recreation areas, watershed, and resource extraction areas. Although it is recognized that local land use designations do not apply to the Crown, the 20 ha minimum parcel size is still applied to Crown land in order to provide regulations upon alienation, and to address Crown leases.

Objectives

1. To encourage environmentally sensitive resource development practices to minimize the impacts on nearby lands.
2. To ensure that the public has an opportunity for review of proposals for resource extraction and processing on lands which are not designated as open space, quarry, or industrial. Such a review should be conducted through the land use amendment or temporary use permitting processes.
3. To retain mining, exploration, forestry, logging and wood processing as traditional resource-based land uses that contribute to the local economy and nature of communities in the Plan area.

Policies

The Regional Board:

1. Recognizes that an Open Space designation includes those uses compatible with larger parcels and/or restrictions to land use such as accessibility or hazards.
2. Supports a 20 ha minimum parcel size for 'Open Space' designations in recognition that these areas will remain rural with limited community services and infrastructure.
3. Recognizes the jurisdiction of the Province over public Crown Land.
4. Shall ensure that permitted land uses and activities include: forestry, mining, exploration, range land, trapping, hunting, farming, tourism and commercial and non-commercial backcountry recreational activities.

7.0 RESIDENTIAL

Background

This section outlines the objectives and policies for Community Residential, Country Residential, and Rural Residential designations in the Plan area.

Rural Residential and Country Residential development generally includes single detached housing, manufactured homes, duplexes, and accessory buildings and uses that fit with low-density development characteristics. This designation is generally associated with the rural areas outside of and non-adjacent to municipal boundaries.

Community Residential development generally includes higher density single and duplex dwellings, triplexes, fourplexes, townhouses, apartments and other uses that fit with the residential intent of the designation. This designation is limited to those areas adjacent to municipal boundaries or within existing communities where servicing and infrastructure costs are lower and where development is already of a higher density. The Plan recognizes that Community Residential development will be directed to existing settlement areas, which are better able to function as service centers. It may also include areas that are already supporting such densities elsewhere in the Plan area.

General Residential Objectives

1. To maintain opportunities for rural living through development which respects the lifestyles of area residents and the natural environment.
2. To support the provision of housing alternatives to residents, which includes the enjoyment of both rural and suburban lifestyles; and to establish suitable development policies for each form of development.
3. To identify areas considered suitable for development based on uses and densities appropriate and supportive of sustainable development patterns based on the most efficient use of existing and proposed infrastructure and community services.
4. To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.

Residential Policies

The Regional Board:

1. Encourages land use amendment applications for the clustering of development into higher densities in order to provide efficient servicing and to maintain open space subject to:
 - a. density for that zone being maintained;
 - b. approval of all provincial agencies;

- c. common lands are zoned for an environmental reserve and maintained as green space for the proposed development;
 - d. development of a community water system; and
 - e. development of common access points to the cluster development.
2. Encourages a variety of housing tenures and organizational frameworks, including affordable housing, seniors housing, lease, rental, strata title, and co-operative housing.
 3. Will regulate home occupations in residential areas to maintain the residential character of an area, and ensure that the home occupation does not have a negative impact on the quality of life enjoyed by residents of the area, nor generate undue conflicts with adjacent property owners and residents.

Community Residential (R1) Policies

The Regional Board:

1. Supports that existing lots smaller than the minimum lot size permitted may be used for the purposes permitted in the designation provided that all other regulations are met.
2. Supports the development of medium density residential with lot sizes under 1.0 ha (2.47 acres) in or adjacent to existing communities.
3. Supports that the clustering of strata lots and subdivision lots shall be encouraged subject to density not exceeding the requirements in the applicable zoning bylaw and subject to the protection of green space or provision of public amenity.
4. Directs that accessory uses include provisions to allow for accessory tourist accommodation, secondary suites, home-based business, the keeping of farm animals subject to health and agricultural regulations, and the sale of site grown horticultural produce.

Country Residential (R2) Policies

The Regional Board:

1. Directs that the principal use shall be single detached or duplex dwellings.
2. Directs that the minimum lot size be 1.0 ha (2.47 acres).
3. Supports that existing lots smaller than the minimum lot size permitted may be used for the purposes permitted in the designation provided that all other regulations are met.

4. Supports that the clustering of strata lots and subdivision lots shall be encouraged subject to density not exceeding the requirements above and subject to the protection of green space or provision of public amenity.
5. Directs that accessory uses include provisions to allow for accessory tourist accommodation, secondary suites, home-based business, the keeping of farm animals subject to health and agricultural regulations, and the sale of site grown horticultural produce.

Rural Residential (R3) Policies

The Regional Board:

1. Directs that the principal use shall be single detached or duplex dwellings.
2. Directs that the minimum lot size be 2.0 ha (4.94 acres).
3. Supports that existing lots smaller than the minimum lot size permitted may be used for the purposes permitted in the designation provided that all other regulations are met.
4. Supports that the clustering of strata lots and subdivision lots shall be encouraged subject to density not exceeding the requirements above and subject to the protection of green space or provision of public amenity.
5. Directs that accessory uses include provisions to allow for accessory tourist accommodation, home-based business, the keeping of farm animals subject to health and agricultural regulations, and the sale of site grown horticultural produce.

8.0 COMMERCIAL AND INDUSTRIAL

Background

This section outlines the objectives and policies for General Commercial, Tourist Commercial and Industrial designations in the Plan area.

Industrial activities are provided for under the Industrial land use designation. The principal industrial activity in the Plan area is light, small scale industrial, and the Plan recognizes that heavy industrial development will be directed to existing settlement areas, which are better able to function as service centers.



Objectives

1. To accommodate commercial developments that service the local communities and travelling public.
2. To ensure that industrial uses are located in a manner which reduces impacts on neighbouring properties and the natural environment.
3. To accommodate temporary industrial and commercial uses in appropriate locations.

General Commercial (C1) Policies

1. Recognizes the commercial and service centre role of the village of Nakusp, therefore commercial development in the Arrow Lakes plan area will primarily be oriented toward serving local community needs and tourist and traveler needs
2. The Commercial designation is intended to provide a wide range of commercial development options. As shown on Schedule 'B', areas in Burton, Fauquier and Edgewood are the commercial focal points in the planning area and are therefore designated as Commercial zones. Commercial uses in the future will be within or in close proximity to these areas.
3. Supports landscaping and/or screening requirements of new commercial developments where such uses are adjacent to non-commercial properties.

Tourist Commercial (C2) Policies

1. Land use amendments for Tourist Commercial developments may be considered by the Board throughout Electoral Area K - The Arrow Lakes.
2. Small scale tourism accommodation is intended to provide property owners with the opportunity to construct a cabin(s) or an additional dwelling(s) for tourist accommodation. These commercial uses will operate in conjunction with the principal residential use of the property. The focal point for this type of tourist accommodation will be along the Arrow Lakes.

Industrial (M) Policies

The Regional Board:

1. Supports that upon application, a light industrial subdivision may be considered subject to good arterial highway access and subject to noise abatement and landscaping requirements and where land use conflicts are minimized.
2. Recognizes the maintenance of existing industry, and supports new small scale light industry so that a broader employment base may be achieved.

3. Recognizes existing aggregate processing uses in the area. However, further industrial or quarry operations are discouraged by the Regional District unless mitigative measures are taken to ensure such development will have no impact on the neighbouring property owners.
4. Supports that Industrial Development Permits pursuant to Section 488.1(1) (a) and (f) of the *Local Government Act* may be considered on any parcel designated as Industrial. Such permits may be subject to the provision of performance bonds and/or registered covenants ensuring compliance of the permit.
5. Discourages industrial activities that are considered noxious or emit large volumes of pollutants, or are otherwise detrimental to the environment, neighbouring properties, and the community as a whole.
6. Supports that a Development Permit Area pursuant to Sections 488.1 and 489 of the *Local Government Act* shall be required for all industrial developments to ensure development is compatible with adjacent land uses.

9.0 COMMUNITY SERVICES AND ADMINISTRATION

Background

The Community Services and Administration land use designations generally refers to public, non-profit or utility uses such as schools, churches, recreation facilities, community centres, public health facilities, community care facilities, fire halls, libraries, post offices, and local government and improvement district buildings. Cultural and historic sites are also included within this designation.

Objectives

1. To support a strategy of directing administrative and institutional development to areas where services and amenities are more readily available, and where they best serve the needs of residents.
2. To ensure that land use decisions accommodate emergency response through adequate access to developments and facilities for fire protection services and first response.

Policies

The Regional Board:

1. Generally discourages administrative and institutional uses from locating in rural areas, particularly on agricultural land, and directs them to the areas which have the necessary infrastructure and support services, and therefore, a proposal to introduce this type of development in the rural areas should clearly articulate the

need for it, analyse its impact on the rural community, and demonstrate how it will respect the character of the rural area.

2. Supports the location and development of fire halls and community halls and parks in the rural area as development requires; and the needs of the community change.
3. Supports the Province, senior governments, First Nation communities and interest groups in identifying and protecting features and sites of scenic, architectural, historical or archaeological and ecological significance within the Plan area.
4. Encourages the development community to consider cultural and heritage resources in project planning and design.
5. Supports that emergency response organizations are provided the opportunity to comment on emergency access and safety issues when considering major new developments in the Plan area.

10.0 PARKS AND RECREATION, CULTURE AND HERITAGE

Background

The Arrow Lakes have a variety of recreational and cultural facilities. The Plan area includes portions of Valhalla Wilderness Park. Numerous hiking trails and camping opportunities are located through out the Plan Area.

Objectives

1. To facilitate the provision of recreation opportunities for residents and visitors.
2. To provide a diverse range of recreational and cultural opportunities that are compatible with the rural and cultural character of the Arrow Lakes Plan Area.
3. To encourage the preservation and use of the old CPR right-of-way for recreational trail use.
4. To protect heritage resource values and concerns in the course of public and private land development



Policies

The Regional Board:

1. Will consider public and commercial recreation development compatible with adjacent land uses upon application for rezoning.
2. Encourages that beaches on Crown Land and land owned by B.C. Hydro along the Arrow Lakes be maintained for public use.

3. Will consider the development of a linear park along the old C.P.R. right-of-way.
4. Encourages the development of low-impact recreational opportunities within the Arrow Lakes Plan area.

11.0 SERVICING AND TRANSPORTATION

Background

The Plan acknowledges the advantages of orderly growth and planning of subdivisions, and the disadvantages of un-serviced development or premature, uneconomical extensions of utilities and services. It also supports combining servicing with sound land use development principles for the protection of environmentally sensitive land.

The Plan sets out Schedule 'C' Road and Trail Network Plan for current and future roads and trails proposed for the area. The Plan recognizes the importance of a mutually supportive partnership to acknowledge the plans and policies of both the RDCK and the Province.

Servicing (Water, Sewage Disposal and Waste Management)

Over the years, development has occurred with a variety of infrastructure providers and service levels. Cumulatively, this led to a mixture of development standards depending upon when the development was initially constructed and what level of service was required at the time. Presently there are no RDCK owned and operated community water or sewage systems in the Plan area. Septic is the most common form of sewage treatment. Electric and natural gas services are provided by service providers that act independently of local government.

Servicing Objectives

1. To promote cluster residential development to minimize long-term servicing costs and to promote open space principles within development areas.
2. To promote adequate provision of potable water and sewage services to all residents of the Arrow Lakes.
3. To ensure that water and sewer systems support good health and safety, and meet recognized standards of service.
4. To ensure that new development proposals do not put undue strain or pressure on existing domestic and irrigation water supply.
5. To ensure that new developments are subject to the requirements of adequate water supply for both



domestic and fire protection purposes, where applicable.

Servicing Policies

The Regional Board:

1. Shall consider the transfer of ownership and/or operation of existing community water and sewer systems from B.C. Hydro to the Regional District or the local community on the basis of a number of criteria, including:
 - a) the wishes of the residents about the operation of the utilities;
 - b) the state of repair of the infrastructure; and
 - c) cost to the users of the utility.
2. Requires that developers pay for the servicing costs associated with new developments. It is intended that the developer incur costs for all upgrades, including design, associated with the increase in the related infrastructure.
3. Requires that new and improved domestic community water systems be designed and constructed to provide hydrants with sufficient flows for the provision of fire protection.
4. Encourages the cooperation and coordination with and among utility companies in utilizing existing corridors for multiple uses, where feasible and compatible, as determined by the relevant service provider.
5. Encourages utility agencies to hold public meetings on proposed changes to their facilities that would affect the Arrow Lakes area.

Transportation Objectives

1. To encourage the Province to plan for the provision of a road network capable of safely servicing existing and future development.
2. To ensure that future development patterns and land use decisions recognize and support highway safety and mobility objectives.
3. To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.

Transportation Policies

The Regional Board:

1. Discourages continuous development along major roads in order to achieve a more efficient use of land and a proper distribution of traffic flow throughout the road network.
2. Encourages the Province to consult with the public prior to commencing any significant transportation initiatives.

12.0 NATURAL ENVIRONMENT

Background

The Arrow Lakes is an area recognized for its lakes and mountainous landscapes. The natural environment is of significant value to the economy and livelihood of the Plan area for recreation, education, tourism, and spiritual well being; and is recognized for its inherent value to wildlife and the ecological functioning of the area.

Objectives

1. To preserve and protect natural values within the Plan Area in recognition of their importance to the local economy, residents, visitors and for wildlife and ecological functioning.
2. To maintain high water quality of groundwater and surface water sources of domestic water supply.
3. To foster an awareness of the natural environment and protect sensitive and significant natural features and values from negative impact as a result of development.
4. To encourage the maintenance of wildlife habitat and winter range.
5. To preserve the aesthetic value of the landscape.
6. To regulate the siting and environmental design of development adjacent to watercourses, including sensitive and significant natural features and values.
7. To encourage Provincial and Federal governments, private organizations and private landowners to protect, enhance and manage sensitive habitat areas in the Plan area and to adhere to Federal and Provincial statutes and regulations for the protection of fish and wildlife habitats.

Policies

The Regional Board:

1. Supports the identification, protection, and enhancement of environmentally sensitive areas, such as watercourses, wetlands, shorelines, steep rocky terrestrial areas and ungulate winter range.
2. Supports best management practices for land developers, as found in:
 - a. Department of Fisheries and Oceans: Land Development Guidelines for the Protection of Aquatic Habitats, September 1993;



- b. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia.
- c. Other applicable Provincial Guidelines and Best Management Practices sanctioned by the Province.
3. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for “Changes In and About a Stream” pursuant to Section 11 of the *Water Sustainability Act*.
4. Supports the objectives of the Province contained in the BC Stewardship Centre Stewardship Series documents, ‘Stream Stewardship: A Guide for Planners and Developers’, and ‘Stewardship Bylaws: A Guide for Local Government’, which describe measures for:
 - a. providing and protecting vegetated riparian areas adjacent to watercourses;
 - b. controlling soil erosion and sediment in run-off water;
 - c. controlling the storm water rates of run-off to minimize impacts on watercourses;
 - d. controlling in-stream work, construction and diversions on watercourses;
 - e. providing support to a stewardship program;
 - f. maintaining fish passages in watercourses;
 - g. preventing the discharge of deleterious substances into watercourses
 - h. encouraging the rehabilitation of degraded riparian zones;
 - i. prohibiting landfill within the riparian area;
 - j. controlling work within the riparian area;
5. Encourages the retention of existing wildlife corridors.
6. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest development in these areas.
7. To protect environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community ‘greenway’ corridors that link open space areas.
8. Supports Provincial regulation that prohibits the dumping of raw sewage and grey water from pleasure craft into the Upper and Lower Arrow Lakes.
9. Recognizes the ecological importance and functioning of all waterways in the Plan area.

13.0 GREENHOUSE GAS EMISSION REDUCTION TARGETS

Background

Beginning in 2007, the Province of BC has moved forward with a number of legislated and policy actions designed to encourage energy efficiency and reduce emissions of greenhouse gases (GHGs). These are driven by a legislated target to reduce the total GHG emissions in the Province by 33% from 2007 levels by 2020, and 80% by 2050.¹

Of specific relevance to local governments is the *Local Government (Green Communities) Statutes Amendment Act* (Bill 27, 2008). "Bill 27" amends the *Local Government Act* to read:

- LGA 473 (3) - An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets (by May 31, 2010).
- LGA 429 - Required Content of a Regional Growth Strategy:(2)(d) to the extent that these are regional matters, targets for the reduction of greenhouse gas emissions in the RDCK, and policies and actions of the local government proposed for the RDCK with respect to achieving those targets (by May 31, 2011).

In addition, Bill 27 provides some additional enabling powers to local governments intended to assist them in achieving reductions of community-wide emissions. This context provides a mandate to communities and regions to explore energy as part of the planning process.

Greenhouse Gas Emission Reduction Objectives

1. Demonstrate leadership in energy conservation, energy efficiency and greenhouse gas emission reductions and to work towards carbon neutrality.
2. Foster the development of renewable energy supply options.
3. Reduce energy consumption and encourage energy efficiency in planning, design and construction of neighbourhoods and buildings.
4. Reduce greenhouse gas emissions and encourage energy efficiency in planning, design and construction of neighbourhoods and buildings.
5. Locate developments where services and amenities are available and efficiently utilized.
6. Ensure future settlement patterns reduce dependency on private automobiles and encourage other forms of transportation such as walking, cycling and transit.

¹ This target is defined in the Greenhouse Gas Reduction Targets Act (Bill 44, 2007)

Greenhouse Gas Emission Reduction Policies

General

The Regional Board will:

1. Will implement the RDCK Corporate Greenhouse Gas Emissions Reduction Plan (2010).
2. Will work collaboratively with our partners and community members to reduce the combined greenhouse gas emissions of the rural areas by 15% from baseline levels (2007) by 2020 and by 25% from baseline levels (2007) by 2030.
3. Encourages the reduction of landfill waste through the RDCK zero waste policy, and will investigate ways to increase waste diversion through strategies identified in the Resource Recovery Plan.
4. Supports collaboration with and supports partners that raise awareness and provide education on energy and emissions to local businesses, residents, and other organizations in the community.

Development and Buildings

The Regional Board:

1. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development.
2. Encourages energy efficient retrofits of older buildings, including both residential and commercial buildings.
3. Encourages the use of local materials and green building techniques in new and retrofitted developments.
4. Encourages the establishment of a sustainability checklist for the evaluation of development applications and supports the investigation into the creation of associated incentives for developers that develop buildings to a high level of building performance.

Transportation

The Regional Board:

1. Supports a voluntary reduction of personal vehicle transportation emissions by promoting use of public transit, more efficient vehicles, use of alternative fuels, providing sufficient pedestrian and cycling facilities and routes, encouraging home-based businesses, and encouraging changes in travel patterns.
2. Encourages nodal development instead of sprawl along major roads and, where appropriate, encourages clustering of commercial and urban residential

development along major roads, in order to achieve a more efficient use of land and a proper distribution of traffic flow throughout the road network.

3. Encourages compact development rather than the creation of low-density residential lots fronting the major road network and the provision of multiple accesses onto the major road network.

Walkways, Trails & Commuter Bicycle Network

The Regional Board:

1. Encourage connectivity between existing walkways and trail systems to schools, parks and commercial areas.
2. Promotes pedestrian-friendly development within urban and suburban residential areas, where pedestrian facilities are established and integrated with transit service planning.
3. Supports the enhancement of cycling and pedestrian systems in new and existing developments, and supports the development of a comprehensive network of pedestrian and bicycle routes along existing and future road networks.
4. Supports an integrated, improved, and expanded trail network in new and existing developments, to provide effective and safe trail transportation options for residents and visitors.
5. Supports on-street alternative transportation options with incorporation of sufficient buffering, and accommodation of the movement of agricultural machinery.

Transit

The Regional Board:

1. Supports continuing to facilitate improvement to and expansion of public transportation service opportunities, bus shelters and cross walks in cooperation with BC Transit.
2. Supports the reduction of the use of private automobiles and encourages the RDCK and member municipalities to investigate initiatives to expand public and shared transit, including the use of buses, car co-operatives and delivery services.

Renewable Energy Supply

The Regional Board:

1. Seeks partnerships with utility companies, independent power producers, NGOs, member municipalities, Provincial and Federal agencies and others to further local energy strategies and concurrent planning efforts.

2. Encourages the investigation and development of renewable energy supply options such as district energy, ground source heat pumps, solar, heat recovery systems, etc., where opportunities might be present.
3. Supports the exploration of renewable energy opportunities in the agricultural and forestry industries, such as biomass energy production.
4. Supports the creation of a renewable energy service for the RDCK.

14.0 HAZARD LANDS

Background

Hazard lands include, but are not limited to areas the RDCK has reason to believe are subject to natural hazards including flooding, mud flows, torrents of debris, erosion, rock fall, landslip, and avalanche and wildfire.

Objectives

1. To prevent development in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed.
2. To prevent injury and loss of life and to prevent or minimize property damage as a result from natural hazards.

Hazard Lands Policies

The Regional Board:

1. Directs development away from those lands that may have a potential natural hazard, or have been identified as hazardous by the RDCK or other agencies having jurisdiction.
2. The watersheds upstream of the alluvial fans of Heart Creek, Inonoaklin Creek, Eagle Creek and Caribou Creek are sensitive to future change caused by extreme meteorological events, logging or wild fire. The extent and severity of the flood hazard on these alluvial fans of these creeks could be modified by such changes upstream.
3. The Regional Board encourages the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to impose the strictest regulation of logging of Crown lands in all community and domestic watersheds.

Fire Management Policies

The Regional Board:

1. Supports protection of accesses to water sources such as hydrants, standpipes, lakes, and streams to remain free of obstructions for fire protection purposes.

2. Encourages local volunteer fire departments to work with the RDCK to keep up to date with emergency preparedness and with the identification of increased risk as a result of natural or man-made events.

15.0 AGGREGATE AND MINERAL RESOURCES

Background

The Provincial Ministry of Energy, Mines and Petroleum Resources is primarily responsible for the regulation of aggregate and mineral resources operations. The RDCK is able to regulate land uses and through this tool can have some input into the location of new aggregate operations. The results of the land use survey indicate that 82% of residents of the Plan Area support the regulation of the development of aggregate resources indicating community support for the RDCK to regulate new aggregate operations within the plan area.

Objectives

1. To encourage environmentally sensitive resource development practices that minimize the impacts on nearby lands.
2. To minimize conflicts between sand and gravel processing operations and adjacent land uses.
3. To consider a Soil Removal Bylaw pursuant to the Municipal Act to regulate the removal of soil, rock, gravel or sand on hazardous lands; and on lands which may adversely impact adjacent rural or residential lands.
4. To support Provincial requirements for rehabilitation and reclamation of resource extraction sites.

Policies

The Regional Board:

1. Supports the Provincial requirements for the removal of aggregate and mineral resources. The Province is encouraged to refer mineral exploration proposals to the RDCK for comments and give due consideration to the impact of resource extraction activities on surrounding land uses and developments.
2. Will consider land use designation amendment applications for the processing of aggregate resources on the basis of a variety of criteria, including but not limited to the:
 - a. extent of visual screening, and other mitigation works proposed;
 - b. type of processing proposed;
 - c. prevailing wind direction, and the potential for noise and dust;

- d. compatibility with adjacent land uses;
 - e. environmental sensitivity of the site, and adjacent land;
 - f. accessibility; and
 - g. characteristics of aggregate deposits and groundwater resources.
3. Encourages the Province not to issue new surface leases and permits for mineral processing near designated residential areas unless effective mitigation measures can be implemented to significantly reduce or nullify the effects of the proposed activity.
 4. Recognizes existing aggregate processing uses in the area. However, further industrial or quarry operations are discouraged by the Regional District unless mitigative measures are taken to ensure such development will have no impact on the neighbouring property owners.
 5. Will consider the utilization of recoverable deposits prior to subsequent development in areas where recoverable deposits are located.
 6. Will consider that any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified a "mineral" or a "mine" under Provincial Acts and Statutes not be restricted by any terms or conditions of this bylaw so long as the Province manages the activities and land for that purpose.

16.0 CROWN LAND

Background

The Plan Area contains large areas of Crown land managed by the BC Provincial government under various Provincial agencies. Crown land is used for various public and commercial purposes. The most significant public use is recreation, and the most significant and visible commercial uses of Crown land are forest harvesting, cattle grazing, mining, and tourism. Other visible examples are gravel quarries, telecommunication sites and utility corridors.

Crown Land Objectives

1. To encourage the Province to respect the interests and concerns of residents of the Arrow Lakes area in decisions concerning activities, development, and sale of Crown land.

Crown Land Policies

The Regional Board will:

1. Strongly encourage the Province to seek full community support before any change in land use on Crown land, including issuing licences or permits for any development

or activity, land sales, and land use designation amendments that may affect the community.

2. Strongly encourage the Province to give adequate notice to the RDCK and the community about applications for the lease or sale of Crown Lands, and to encourage the Province to hold a public meeting in the effected community before a decision is made on such applications.
3. Strongly discourage the alienation of environmentally sensitive Crown lands with important habitat and wildlife corridors and shoreline, through the sale and lease of adjoining Crown lands.
4. Encourage the management or disposition of Crown land in a manner that is consistent with the broader policies of the Plan regarding settlement patterns and the conservation of environmentally sensitive areas with recognition of the value of these lands for recreational and conservation values.

17.0 TEMPORARY USE PERMITS

Background

Temporary Use Permits may be issued by the RDCK under the *Local Government Act*, S.493. The temporary use may continue in accordance with the provisions of the permit until the date that the permit expires, or three years after the permit was issued, whichever occurs first. Permits may be renewed only once, after which the use must be either permanently designated in the OCP Bylaw and Zoning Bylaw or cease. Temporary Use Permits are not a substitute for a land use designation amendment in accordance with the Zoning Bylaw. Permits are also subject to approval by the Agricultural Land Commission where land is within the Agriculture Land Reserve.

Objective

1. Permit temporary uses to provide short-term opportunity when considered appropriate by the Regional Board, while minimizing any negative impacts affecting surrounding properties or the environment.

Policies

The Regional Board:

1. May consider the issuance of Temporary Use Permits throughout the Electoral Area K plan area, subject to the following:
 - a. demonstration that the use is temporary or seasonal in nature;
 - b. address potential conflict with nearby land uses;
 - c. address potential impacts on environmentally sensitive areas;
 - d. satisfy provision of adequate servicing that meets health requirements; and,
 - e. consider relevant policies within other sections of this plan.
2. May require conditions under which a temporary use may be allowed, including: the buildings or structures that may be used; the period of applicability of the permit; the area, duration or timing of use; and required site rehabilitation upon cessation of the use.
3. May require security deposits, site restoration plans or letters of undertaking to ensure conditions are met.

18.0 COMMUNITY SPECIFIC POLICIES

Arrow Park

- Development in the Arrow Parks area shall be primarily rural residential and agricultural.

Brouse/Glenbank

- Development in the Brouse and Glenbank areas shall be primarily rural residential and agricultural. Other forms of development shall be directed towards the boundary of the Village of Nakusp.

Box Lake

- Industrial development should be kept a distance from residential development and be screened from adjacent properties.
- Industrial development shall be located as to take full advantage of highway access, but fully screened from adjacent properties and passing traffic.

Burton

- Discourages industrial development in the community aside from home based business and cottage industries in association with the principal use of single family residential.
- Encourages existing commercial uses.
- Recognizes existing public beach access and informal and formal recreational trails and supports on-going maintenance of these community resources.
- Recognizes the unique bottomland habitat found in Burton and encourages the conducting of an environmental assessment in the area.
- Encourages the continuance of existing tourist uses, but the creation and expansion of eco-tourism uses in the area.

Edgewood

- Encourages existing commercial uses.
- Encourages the Province to consider designation of a public access point to the Lower Arrow Lake.
- Supports the development of an Engineering Study of the Eagle Creek Non-Standard Flood and Erosion Area.

Fauquier

- Encourages exclusion of lands from the Agricultural Land Reserve where appropriate within the area serviced by community water and sewer.
- Encourages residential development to occur primarily between Highway 6 and Willow Street.

Halcyon

- Most development in the Halcyon Hot Springs Resort Area will be designated tourist commercial or small scale tourist commercial.
- Compact, clustered development shall be the primary form of development in Halcyon Hot Springs Resort.

Whatshan Lake

- Development on the east shore of Whatshan Lake shall be primarily low density residential or small scale tourist commercial.
- Development on the west shore of Whatshan Lake shall remain primarily rural residential, agricultural and open space.

19.0 DEVELOPMENT PERMIT AREAS

Background

The OCP may designate Development Permit Areas under the authority of local government legislation. Unless otherwise specified, a development permit must be approved by the Regional Board prior to any development or subdivision of land within a designated Development Permit Area.

Development Permit Areas allow for implementation of special guidelines for the protection of the natural environment, protection from hazardous conditions, for revitalization of designated areas, or to guide the form and character of development within the Arrow Lakes Plan area.

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.

Development Permit Area #1: Environmentally Sensitive Residential Cluster Development (ESRC DP) Area

Designation

The ESRC DP area is designated under Section 488.1(1) (a) and (e) of the Local Government Act for protection of the natural environment, its ecosystems and biological diversity and the establishment of objectives for the form and character of intensive residential development.

Area

The ESRC DP Area is comprised of all privately owned or leased lands designated as Community Residential (R1), Country Residential (R2) and Rural Residential (R3) on Schedule 'B' .

Justification

The intent of the ESRC DP Area is to ensure that intensive residential development is completed in a manner that is sensitive to the rural character of the Plan area, adjoining lands, the natural environment, and achieves a high standard of appearance. Lands in the Plan area have not been studied to a high level for their ability to sustain intense development over the long term. It is therefore desirable to allow development to occur in a manner which allows for efficient use of land and services and protects lands deemed environmentally sensitive or hazardous from potential adverse impacts.

Objectives

The ESRC DP Area seeks to achieve the following objectives:

1. Ensure that new intensive residential development respects the existing rural character of surrounding areas.
2. Reduce the impacts of residential land uses on the natural environment and surrounding lands.
3. Achieve a high standard of appearance.
4. Protect major traffic corridors from adverse traffic and congestion.

Prohibition

Land within the Environmentally Sensitive Residential Cluster Development Permit (ESRC DP) Area must not be subdivided and construction of, addition to or alteration of a building or other structure must not be started without first obtaining a Development Permit, unless otherwise exempt in this Bylaw.

Guidelines

Development shall be in accordance with the following guidelines:

1. Riparian zones should remain free of development and restoration of the riparian zone undertaken as part of the new development, if the vegetation is not intact and healthy (diversity of native shrubs and trees).
2. Total impervious cover of the site should minimize the impact on receiving aquatic environments. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas and use of on-site filtration.
3. Siting of buildings and structures, uses and site infrastructure away from property boundaries is encouraged to minimize potential impacts to surrounding lands.
4. Building profiles should reflect the character of surrounding development with special attention to the height of new buildings in relationship to surrounding buildings on adjoining properties.
5. Existing vegetation should be retained, where possible, as part of the overall landscape design.
6. Pedestrian networks, through and adjacent to the site should be designed to welcome people, encourage pedestrian activity, and integrate with and link to larger public spaces when possible.
7. Pedestrian amenities must be of sufficient width to allow for a safe walking environment for people of all ages and levels of mobility.
8. Transportation and parking provisions of a site design should include elements that recognize, respect and balance the needs of all transportation modes, including but not limited to cyclists, scooter users, disabled persons, commercial vehicles, public transit, pedestrians and motor vehicles, as well as consider environmental and visual impacts.
9. Traffic calming elements should be integrated into site plans.
10. Site design should incorporate, where appropriate, design elements to protect and enhance riparian areas, watercourses and sensitive eco-system elements.
11. Retention of green space in common areas is encouraged.
12. The use of covenants to ensure common lands in strata subdivisions are not subdivided further is encouraged.

Exemptions

The ESRC DP Area does not apply to the following:

1. Fee simple lots, strata developments, shared interest, cooperatives, or companies that propose lots or sub-lots that:
 - a. are all larger than 1 hectare (2.47 acres);
 - b. create less than five sub-lots or lots; or,
 - c. involve the construction of less than five buildings or dwelling units.
2. Additions, alterations and accessory structures in pre-existing developments, where all of the following are demonstrated at the time of application for Building Permit:
 - a. The parcel's strata, shared interest corporation, cooperative, or company has provided a letter of support for the proposal;
 - b. It is clearly demonstrated that the proposal will not impact adjacent riparian areas; and,
 - c. Appropriate setbacks and screening will be established by meeting all applicable zoning regulations, including landscaping requirements.

Development Permit Area #2: Industrial Development Permit (IDP) Area**Category**

The IDP area is designated under Section 488.1(1) (a) and (f) of the *Local Government Act* for the establishment of objectives for the protection of the natural environment and form and character of industrial uses within the Plan area.

Area

The IDP area is comprised of all privately owned or leased lands designated as Industrial (M) on Schedule 'B'.

Justification

The primary objective of this development permit area designation is to ensure that industrial developments within the Plan area are compatible and considerate of the natural environment and the surrounding residential and rural character of the Plan area.

Guidelines

Development shall be in accordance with the following guidelines and considerations:

1. impact on farm land;
2. capability of the natural environment to support the proposed development;
3. compatibility with adjacent land uses and designations, and the character of the area;
4. susceptibility to natural hazards, including but not limited to flooding, slope instability, or wildfire risk;
5. the size of the property in relation to the proposed industrial activity;

6. the Province is requested to ensure industrial activities involving emission of toxic or irritant material meet the highest standards regarding the protection of groundwater catchment areas, surface water and riparian areas and air-borne industrial pollutants;
7. wherever possible, new industrial activity shall be located in close proximity and with direct access to major roads;
8. prior to commencement of industrial activity, a landscape buffer shall be required on industrial properties adjacent to non-industrial designated properties; and
9. all industrial activity; including parking and storage must be screened and wide buffers shall be left along roads and property lines.

Exemptions

The IDP area does not apply to the following:

1. existing construction, alteration, addition, repair, demolition and maintenance of industrial buildings

Development Permit Area #3 –Resort Commercial Development Permit (RCDP) Area

Category

All lands designated Tourist Commercial (C2) as shown in Schedule B, are designated as a Development Permit Areas pursuant to Section 488(1)(f) of the *Local Government Act*, for the purpose of providing guidelines for the form and character of commercial and multi-family uses.

Justification

Electoral Area K includes the Halcyon Hot Springs, the Arrow Lakes, Whatshan Lake, and St. Leon's Hot Springs. The OCP recognizes the increase in non-resident owners in the area, the development of the Halcyon Hot Springs area and the potential for further resort type development provided that such development is compatible with existing uses. The overall objective of this designation then is to ensure that new resort commercial development is compatible with its surrounding residential and rural character, that it be aesthetically pleasing and environmentally sensitive.

Guidelines

Development permits issued in this area shall be in accordance with the following general guidelines and with the requirements of the applicable Zoning Bylaw.

1. Development proposals shall be articulated in a detailed development plan.

Form and Character of Building

2. Buildings and structures should be sited and shaped in such a manner as to be visually unobtrusive and aesthetically pleasing.
3. The shape, siting, roof line and exterior finish of buildings should be sufficiently varied to avoid a monotonous appearance
4. A residential component located above commercial development is encouraged
5. Parking should be in smaller clusters, screened from view from internal and adjacent residential uses and from adjacent streets.

Landscaping and Screening

6. Particular emphasis should be given to landscaping and the retention of natural vegetation. Landscaping and screening shall comply with the requirements of any applicable zoning bylaw.
7. Landscaping along the street should be established so that it is sympathetic to the neighbourhood.
8. The Development of new structures may require a geotechnical report prepared by a Professional Engineer. The report shall address potential impacts to existing services and the natural environment with particular emphasis on potential impacts to water resources.
9. Community water and sewer are required for larger developments.
10. Signage should be low, visually unobtrusive and grouped whenever possible. Particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting and boldness to be effective. Lighting should be unobtrusive and in scale with the surroundings.

Exemptions

The RCDP area does not apply to the following:

1. construction, alteration, addition, repair, demolition and maintenance of existing resort commercial buildings
2. subdivisions.

20.0 Implementation

Introduction

The OCP sets out statements on the broad objectives, polices and directions for the Plan area, but does not provide the tools for implementing its policies. The RDCK has a number of tools and methods available for implementing the Plan. The purpose of this section is to set out specific steps the RDCK can take to implement this Plan. Some of the steps include refining the Plan; changing existing bylaws; adopting new bylaws; conducting studies to obtain more information and direction; and working closely with other jurisdictions and government agencies. Some of the specific steps are set out in the subsections below.

Refinements

The RDCK will consider refinements to this OCP. These refinements may include but are not limited to the following:

1. changes resulting from various transportation planning initiatives;
2. refining the development permit areas as part of area specific plans, geotechnical and environmental assessments, subdivision applications and development permit applications

Zoning Bylaw

The Zoning Bylaw sets out the density of development on a parcel of land, as well as specifying the permitted uses allowed. It also contains specific regulations that control the size, siting and various other details of development on a parcel of land. The Zoning bylaw ensures consistency with the OCP, as well as to implement portions of the Plan.

Subdivision and Development Servicing Bylaw

The RDCK Subdivision and Development Servicing Bylaw sets out minimum standards for access, water systems, and sewer systems. Subdivisions must meet these standards before they are approved. The Subdivision and Development Servicing Bylaw will need to be reviewed and amended where necessary to ensure that it works to implement various policies in the Plan, particularly with respect to servicing levels related to parcel sizes.

Other Agencies

The RDCK will work with Provincial, Federal and other agencies to help implement and complement portions of the Plan.

Monitoring

The OCP should be monitored on an ongoing basis by the RDCK Board and where applicable, the Advisory Planning Commission. The OCP should be revised when necessary to ensure it addresses current needs and aspirations of the community and reflects changing local and external conditions. In support of this initiative, the RDCK will monitor:

1. population growth and demographic changes;

2. land supply / demand;
3. changing housing requirements;
4. economic, social, and environmental factors; and
5. refine or amend the Plan accordingly as resources permit.

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