

What is a Development Permit Area?

Local governments designate Development Permit Areas (DPAs) in Official Community Plans (OCP) by the authority set out in the Local Government Act, Section 488.

DPAs help to protect, preserve and promote certain features or characteristics in a community.

This can be through landscaping or exterior finishing of buildings (form and character), or through requiring building designs that reduce the emissions of greenhouse gases and promote energy conservation.

Also, DPAs can require the protection of the environment, ecosystems and biodiversity.

They require an application to the Regional District to detail, in writing and graphics, how guidelines will be met in order to obtain a Development Permit (DP).

A DP must be issued before a building permit can be issued.

Waterfront 100 DPA

What's New?

- Changing the name of the Environmentally Sensitive Waterfront to Waterfront 100.
- Clarified what is being asked for by simplifying the guidelines to specific points rather than in multiple paragraphs.
- Strengthening the language around ensuring that the proposed septic system will include measures to prevent input of nutrients, such as nitrogen and phosphorous into the lake.

When is a Permit required?

When building, renovating, altering, and extending a building or structure that would create a new dwelling unit or expand the floor space in a current one in the area designated at Waterfront 100 DPA—within a hundred metres of Christina Lake or one of the Lake's tributaries.

Waterfront 100 DPA

Exemptions

A Waterfront 100 Development Permit is not required for any of the following:

1. The sewage disposal system serving the new or existing building is located more than 100 m beyond the natural boundary of Christina Lake or tributary stream.
2. projects involving the repair, alteration, extension or renovation of an existing building or structure which does not involve the addition of floor area to a dwelling unit.
3. the subdivision of land.
4. Works conducted in accordance with the Provincial FireSmart Manual, provided that all landscaping is conducted within 10.0 metres of an existing structure or building, though existing on-site native plants which meet the FireSmart Manual guidelines are to be maintained as part of the landscaping.
5. Construction of free-standing fences and signs.
6. Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs, planting vegetation and maintenance of irrigation systems.
7. Emergency response actions necessary to prevent, control, or reduce immediate and substantial threat to life or property during emergency events.

Waterfront 100 DPA

Guidelines

1. The landowner will submit an application that includes a site plan and a report from a qualified professional, demonstrating, to the Board's satisfaction, that the method of sewage treatment and disposal for the subject parcel is sufficient to avoid negative impacts on the quality of water in Christina Lake.
2. This report must be sealed by a licensed professional. A person qualified as a professional is a person identified under section 7(3) of the Sewerage System Regulation.
3. Assessment reports submitted in support of a DP application will follow the appropriate Engineers and Geoscientists of BC Professional Practice Standards.
4. It is expected that this professional report will:
 - A) demonstrate that the unique characteristics of the parcel have been considered and as well as the nature of the existing or proposed development;
 - B) Describe the existing vegetation and any proposed vegetation removal;
 - C) Discuss potential impacts to the aquatic environment;
 - D) An analysis if the suitability for site soils to accept stormwater infiltration and post development landscape irrigation;
 - E) Detail flows associated with the existing and proposed land uses;
 - F) Detail the field and laboratory investigations undertaken, why those investigations were selected and others were omitted;
 - G) Provide specifics as to how nutrients from the septic system will be captured and prevented from being released into aquatic systems.
 - H) Detail methods used, including equipment and personnel;
 - I) Include logs and certificates for test pits, percolation tests and soil grain size analysis and documentation of the seasonal high-water table;

Waterfront 100 DPA

Guidelines continued

- J. Consider expected impacts from climate change, including, but limited to, increased potential for occurrences of flooding;
 - K. Provide a recommendation for the preferred option(s) for the subject site, with a clear justification for the choice, including statements about how the proposed development and onsite sewerage system will not compromise any drinking water supplies.
 - L. Recommend a method of sewage treatment and disposal that exceed the minimum standards required by Provincial regulation, including but not limited to through management of nutrients in effluent; and
 - M. Specify which aspects of the recommended system are an improvement over Provincial regulation.
5. Only third-party testing will be accepted. Testing performed by a property owner not witnessed by a qualified professional will not be accepted.
 6. Report must also describe how and where silt screening will be installed to prevent sediment from entering a watercourse and silt fencing must be installed as detailed in the report.
 7. A greater level of detail will be expected in recommendations for more complex or difficult situations, including potentially specific recommendations for sewage collection, sewage treatment, effluent disposal, and monitoring requirements.
 8. The Regional District may require further investigations if it is determined that they are needed to support the proposed system.
 9. Once a development permit has been issued, a follow-up assessment by the professional may be required to ensure that the use of the land is consistent with the professional reporting requirements, the Sewerage System Regulation, and the Regional District's conditions and requirement included in the DP.

Commercial DPA

What's New?

The three Commercial DPAs in the current Official Community Plan are proposed to be put into one Commercial DPA.

When is a Permit required?

When building, renovating, altering, and extending a building or structure on parcels in the Commercial DPA.

Exemptions

A Commercial Development Permit is not required for any of the following:

- Subdivision of land;
- Site preparation and maintenance including the alteration of land;
- Minor alterations to buildings or structures not involving additional floor area;
- Construction of fences, additions such as decks and stairs.

Commercial DPA

Guidelines

1. Consideration will be given to the location of the proposed development activity in relation to the current and potential future adjacent land uses.
2. An application for a Commercial Development Permit will include graphic and written materials addressing the items identified in following guidelines, including an artistic rendering showing the proposed building in colour.
3. Buildings will be sited to face a public road, the lake, or open space such as a square. The rear walls of buildings should not be visible from a public road or lake.
4. Buildings will be finished on all sides with consistent exterior materials and colours.
5. Building designs, colours, and materials, which harmonize with and accentuate the natural setting of Christina Lake are recommended.
6. If parcel borders on a watercourse, buildings and structures will be low profile and setback 15 m from the natural boundary.
7. Buildings will have safe, practical access and parking areas for passenger vehicles. A plan showing parking areas with proposed traffic circulation patterns will be provided as part of the application.
8. Parking areas and driveways for the new developments will be surfaced with a material that is permeable and minimizes dust.
9. Landscaping will be implemented to enhance the appearance of the commercial area.
10. A higher standard of form and character will be applied to parcels and portions of parcels that are adjacent to potentially conflicting land uses, such as residential.
11. Screening in the form of permanent vegetative buffers, fences or a combination thereof will be required between commercial and residential properties.
12. Developments which involve multiple uses on one property are strongly encouraged.
13. Developments are encouraged to incorporate the concept of a well-designed central gathering place and focus for the community.
14. Signs will be consistent with building designs and complement their surroundings.
15. Service and storage areas will be screened to diminish their appearance or impact. This includes structures such as shipping containers (seacans).
16. Lighting will be designed to minimize light spill, glare and sky glow. Lighting is to be directed at the ground, using non-glare, full cut-off fixtures.
17. If the property borders on a watercourse, the Waterfront 100 and Riparian DPAs guidelines may also apply.

Industrial DPA

What's New?

The two Industrial DPAs in the current Official Community Plan are proposed to be put into one Industrial DPA.

When is a Permit required?

When building, renovating, altering, and extending a building or structure on parcels in the Industrial DPA.

Exemptions

A Commercial Development Permit is not required for any of the following:

- Subdivision of land;
- Site preparation and maintenance including the alteration of land;
- Minor alterations to buildings or structures not involving additional floor area;
- Construction of fences, additions such as decks and stairs.

Industrial DPA

Guidelines

1. An application for a Development Permit will be accompanied by graphic and written materials in which effective means of addressing issues related to the proposed industrial use are clearly described.
2. Measures to mitigate the impact of noise, vibration, odour, heat, dust and other potential effects of industrial land uses on adjacent lands are required. Examples of methods of mitigation include siting and orientation of buildings; and the use of building materials that absorb sound and vibration. The Regional District may request proof that proposed methods for mitigation of impacts will be effective. This could be in the form of a report from a professional stating that proposed methods are effective for mitigation of known impacts from proposed use.
3. Areas disturbed during construction activities will be revegetated. Coverage by other permeable, dust free surfaces may be acceptable in some cases, however vegetation is preferred.
4. Vegetation planted will be drought tolerant.
5. In addition to screening regulations in the Zoning Bylaw, supplementary screening in the form of walls, landscaped berms, fencing, hedging, planting, other screening materials will be used to create an aesthetically pleasing environment and to provide buffers to reduce potential noise, glare, heat, odour, and other potential effects of industrial activities on adjacent lands:
 - A. Around outdoor storage areas; and
 - B. Along parcel boundaries adjacent to roadways.

Industrial DPA

Guidelines

5. Access to and from parking and loading areas must not impede traffic flows on roadways and residential and rural areas.
6. A single access/egress point from the parcel will be encouraged. The parcel located along Ponderosa Drive, known as Lot 35 (folio number 71202632275), will be designed to have one access only onto Ponderosa Road, located within 100m of the parcel boundary of the Kettle Falls International Company rail line. An emergency egress at another point on this parcel may be considered, with discussion with the Fire Department.
7. Access lanes and parking areas should be surfaced with a material that is permeable and minimize dust.
8. Large expanses of parking will be broken up with landscaping islands into smaller subsections.
9. Buildings and structures will be permanent in nature.
10. Buildings finished in light, natural, earth tone colours are encouraged, and that the use of more than two colours for fencing materials is discouraged.
11. Lighting will be designed to minimize light spill, glare and sky glow. Lighting is to be directed at the ground, using non-glare, full cut-off fixtures.
12. A higher standard of form and character will be applied to parcels and portions of parcels that are adjacent to potentially conflicting land uses such as residential.

Riparian DPA

What's New?

This is a new Development Permit Area focused on the protection of riparian areas, which are areas upland from the natural boundary of a watercourse.

When is a Permit required?

When building or developing that includes disturbing the soil or removing vegetation in the Riparian DPA.

The Riparian DPA is:

- 10 m setback from the natural boundary of lakes.
- 30 m setback from the top of bank of Kettle River and Christina Creek.
- 15 m setback from the top of bank of creeks, streams, and the natural boundary of wetlands.

Riparian DPA Exemptions

A Riparian Development Permit is not required for any of the following:

1. Projects involving the repair, alteration, extension or renovation of an existing building or structure that does not:
 - A. increase the floor area of the building or structure; nor
 - B. involve alteration of land within a “riparian area”, including the removal of vegetation or the grading, removal, deposit, or moving of soil.
2. Projects located outside the riparian area of a watercourse;
3. Works conducted in accordance with the Provincial FireSmart Manual, provided that all landscaping is conducted within 10.0 metres of an existing structure or building, though existing on-site native plants which meet the FireSmart Manual guidelines are to be maintained as part of the landscaping.
4. Alteration of the land for the purposes of planting a species included in the Riparian Guide as an appropriate species for riparian restoration.
5. If land is part of the 15% of the riparian area allowed to be an access corridor connecting the upland property to the watercourse is permitted and has a permeable surface which promotes infiltration of drainage into the ground rather than directing runoff into the lake or stream.
8. Construction of free-standing fences and signs.
9. Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs, planting vegetation and maintenance of irrigation systems.
10. Emergency response actions necessary to prevent, control, or reduce immediate and substantial threat to life or property during emergency events.

Riparian DPA Guidelines

Guidelines

1. Healthy riparian areas are essential to maintain the health of aquatic ecosystems. The extent of the riparian area required for a parcel is as follows:
 - A. 10 metres from the natural boundary of lakes;
 - B. 30 metres from the top of bank of Christina Creek and the Kettle River; and
 - C. 15 metres from the top of bank of other watercourses and from the natural boundary of wetlands.unless determined otherwise by a Qualified Environmental Profession (QEP).
2. Prior to development or any potential disturbance of the riparian area, the owner must submit an application including a landscape plan and other supporting information demonstrating that the riparian area will be maintained adjacent to the watercourse.
3. The riparian area is to remain in an undisturbed state and conform with a QEP Report, where one has been submitted in support of an application.
4. The riparian area is to be maintained in a natural state and is not to be developed. Maintenance of a natural state includes maintaining and planting native plant species identified as appropriate for riparian areas.
5. Where vegetation has been removed from the property within the riparian area, beyond the designated access corridor, discussed below, a development permit application will include a re-planting scheme consistent with a Qualified Environmental Professional's Report.
6. Once a development permit has been issued, a follow-up assessment by the QEP may be required to ensure that the use of the land is consistent with the QEP's reporting requirements and the Regional District's conditions and requirement included in the DP.

Riparian DPA Guidelines

Guidelines continued

11. Development or disturbance within the riparian area of a watercourse will only be considered in instances where all the following criteria are fulfilled:

- A. The applicant demonstrates that size or topographical constraints severely limit the ability to develop elsewhere on the parcel;
- B. The applicant will demonstrate through written and graphic materials that every alternative site and building design that could minimize the impact on the riparian area adjacent to the watercourse has been explored, which may include variances or reductions in all possible requirements (including, but not limited to, setbacks and height);
- C. A report from a QEP is provided demonstrating the location of the riparian area and how disruption of the riparian area can be minimized through avoidance, restoration and compensation in other areas;
- D. This report will also identify portions of the riparian area that will be lost through development, the size of the area and species composition;
- E. Development is directed to areas already subject to human disturbance; and
- F. On-site environmental values will be restored in accordance with a restoration plan prepared by a QEP.

Riparian DPA Guidelines

Guidelines continued

Submission of a Qualified Environmental Professional's Report

8. Applications for development permits which involve:
 - A. a proposed encroachment of new buildings or structures, or additions to existing buildings or structures resulting in an increased development footprint, within the riparian area of a watercourse; and
 - B. protection of less than 85% of the riparian area;will be accompanied by a report prepared by a Qualified Environmental Professional, as defined in the Riparian Area Protection Regulation, as amended, which assesses the proposed development using as a guideline the assessment methodology provided in the Schedule of Assessment Methods under the Riparian Areas Protection Regulation, as amended.
9. Report must consider expected impacts from climate change.
10. Report must also describe how and where silt screening will be installed to prevent sediment from entering a watercourse and silt fencing must be installed as detailed in the report.

Security Deposit

The Regional District may require, the deposit of a security in the form of an irrevocable letter of credit or a bank draft, to be held until the requirements of a permit related to safety or landscaping under this section have been executed to the Regional District's satisfaction. This would enable occupancy of buildings prior to completion of the landscaping requirements. Should there be no default as described above, the security provided under this section shall be returned to the permittee. Should a permittee fail to fulfil the requirements of a Development Permit, the Regional District may undertake and complete the works required by the Development Permit at the cost of the permittee and may apply the security in payment of the cost of the work, with any excess to be refunded to the permittee.

Next Steps

What happens after this Open House?

The OCP Draft will be sent to different groups, RDKB based and external, for further discussion and revisions, including:

- Steering Committee meeting to discuss what we heard at this Open House.
- Referral to Province, First Nations, other interested parties.
- To the Area C Advisory Planning Commission
- To the Electoral Area Services Committee
- To the Board of Directors
- Public Hearing
- Back to the Board of Directors