



**ROCKYVIEW
OFFICIAL COMMUNITY PLAN
BYLAW NO. 2255, 2010
CONSOLIDATION**

This is a consolidation of the Rockyview Official Community Plan and adopted bylaw amendments. The amendments have been combined with the original Bylaw for convenience only. This consolidation is not a legal document.

October 30, 2020

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 2255

A bylaw to adopt an Official Community Plan for the Cranbrook rural area.

WHEREAS the Board of the Regional District of East Kootenay deems it necessary to adopt an official community plan in order to ensure orderly development of the Cranbrook rural area;

NOW THEREFORE, the Board of the Regional District of East Kootenay, in open meeting assembled, enacts as follows:

1. Title

This Bylaw may be cited as the “Regional District of East Kootenay – Rockyview Official Community Plan Bylaw No. 2255, 2010”.

2. Application

This Bylaw is applicable to all land within the boundaries of the Rockyview Plan area as shown on **Schedule B**.

3. Organization

The following attached schedules are incorporated into and form part of this Bylaw:

- (a) Schedule A – Policies
- (b) Schedule B – Plan Area
- (c) Schedule C – Agricultural Land Reserve
- (d) Schedule D – Land Use Overview
- (e) Schedule D1 – Gold Creek / Joseph Creek Watershed
- (f) Schedule D2 – Cranbrook North
- (g) Schedule D3 – Mission
- (h) Schedule D4 – Cranbrook East
- (i) Schedule D5 – Cranbrook West
- (j) Schedule D6 – Cranbrook South
- (k) Schedule D7 – Wycliffe
- (l) Schedule D8 – Gold Creek
- (m) Schedule E – Wildlife Habitat
- (n) Schedule F – Interface Fire Hazard
- (o) Schedule G – Road Network Plan
- (p) Schedule H1 – Development Permit Area #1 – ESA (Wycliffe)
- (q) Schedule H2 – Development Permit Area #1 – ESA (Cranbrook North)
- (r) Schedule H3 – Development Permit Area #1 – ESA (Cranbrook South)
- (s) Schedule H4 – Development Permit Area #1 – ESA (Mission)
- (t) Schedule H5 – Development Permit Area #1 – ESA (Gold Creek)
- (u) Schedule H6 – Development Permit Area #1 – ESA (Joseph Creek)

BL 2516
04 July 14

4. Severability and Enactment

If any section, subsection, sentence, clause, phrase, map or schedule of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

The Manager of Planning & Development Services, Manager of Building & Protective Services and Bylaw Enforcement Officer, and any other person authorized to assist the aforementioned persons are authorized to administer this Bylaw and to enter any premises at any reasonable time to determine whether the regulations in this Bylaw are being complied with.

This Bylaw shall come into full force and effect on the final adoption thereof.

Bylaw No. 320, cited as the “Regional District of East Kootenay Cranbrook (Rural) Official Community Plan By-Law 1981” is hereby repealed.

READ A FIRST TIME the 8th day of October 2010.

READ A SECOND TIME the 8th day of October 2010.

READ A THIRD TIME the 5th day of November 2010.

ADOPTED the 1st day of April 2011.

“Scott Manjak”
CHAIR

“L.V. Crane”
CORPORATE OFFICER

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| BYLAW AMENDMENTS | | | | |
|------------------|------------------|-------------------------|--|--|
| Bylaw No. | Amend. No. / Yr. | Adopted | Short Citing | Legal Description Zoning |
| 2305 | 01/11 | 03 Feb 12 | Jim Smith / Goat Holdings Ltd. | Lot A, DL 7794, Plan NEP89487 outlined on the attached Schedule A, is amended from R-RES to SH Lot 5, DL 7794, Plan NEP89484 outlined on the attached Schedule A, is amended from MH to SH ; Lot 1, DL 7794, Plan NEP89484 outlined on the attached Schedule A, is amended from MH to SH |
| 2311 | 02/11 | 02 Sep 11 | Gold Creek / 078044 BC Ltd. | Part of Sublot 26, DL 4591, Plan X29 except part included in Plan 13075 and part included in SRW Plan 16059, outlined on the attached Schedule A LH to RR Part of DL 12982, outlined on the attached Schedule A RR to LH Part of Sublot 1, DL 4591, Plan X29 except part included in Plan 13075 outlined on the attached Schedule A RR to LH |
| 2346 | 04/11 | 06 Jan 12 | Jim Smith / Bird | Lot 23, DL 3575, Plan 882 outlined on the attached Schedule A, is amended from MH to SH |
| 2351 | 05/11 | 02 Mar 12 | Jim Smith / Campbell & Moreau | Lot A, DL 2873, Plan NEP91405 is amended from INST to SH |
| 2425 | 06/12 | 04 Jan 13 | Development Permit Areas / RDEK | Text Amendments |
| 2486 | 08/13 | 06 Dec 13 | Jim Smith / Daprocida | The south half of the east half of DL 7794 is amended from RR to MH and OSRT |
| 2506 | 10/14 | NPW 10 Mar 14 | Jim Smith / Durning | NPW |
| 2516 | 11/14 | 04 July 14 | ESA DPA / RDEK | Text & Schedule |
| 2544 | 12/14 | 03 Oct 14 | Medical Marihuana / RDEK | Text Amendment |
| 2570 | 13/14 | 04 Dec 15 | Miscellaneous / RDEK | Text Amendment |
| 2594 | 14/15 | 07 Aug 15 | Jim Smith Lake Rd. / 1009891 BC Ltd. | Part of DL 5249, Except (1) Parcel A (Ref. Plan 83926-l) and (2) Parts included in Plans 11421 & 14823 R-RES to MH |
| 2663 | 15/15 | 12 Feb 16 | New Lake Rd. / Wilson | Parcel 1 (Reference Plan 5038-l) of DL 8914 KD RR to MH and LH |
| 2668 | 16/15 | 10 June 16 | Cranbrook South / Pelton | Lot 29, DL 7225, Plan 1094 MH to SH |
| 2683 | 18/16 | 08 Jul 16 | Cranbrook South / Savage | Lot 2, DL 4836, Plan 15027 RR to MH |
| 2725 | 19/16 | 07 April 17 | Mission / JJAR Holdings Ltd. | Block A, DL 27, KD, Plan 1566 RR to LH |
| 2793 | 20/17 | 03 Nov 17 | Cranbrook West / TJF Investments Ltd. | Designation of Lot 2, DL 4842, Plan NEP19361 Except Part in Plan NEP21341 R-RES to SH |
| 2871 | 21/18 | 09 Nov 18 | Cranbrook West / Hildebrandt | Designation of Lot 25, DL 3575, KD, Plan 882 MH to SH |
| 2875 | 22/18 | 09 Nov 18 | Cranbrook West / van der Velden & Warren | Designation of Part of Lots 1 & 2, DL 4837, KD, Plan NEP83093, part of Lot B, DL 4837, KD, Plan NEP22882, and Part of Lot 2, DL 4837, KD, Plan 11702, Except Part in Plan 16732 MH to SH |
| 2919 | 24/19 | 06 Dec 19 | Cranbrook West / 1009891 BC Ltd | Designation of that Part of DL 5249 KD Except (1) Parcel A (reference Plan83926i) and (2) Parts included in Plans 11421, 14823 and EPP55835 R-RES to MH |
| 2981 | 25/20 | 03 Jul 20 | Cranbrook North / Hill | Designation of the northwest quarter of the northwest quarter of the west half of DL 3070 KD LH to MH |

SCHEDULE A – POLICIES

1. Introduction

1.1 Administration

The Rockyview Official Community Plan (OCP) is a long term strategic planning document intended to:

- reflect the collective vision of the community for the future;
- guide and direct land use decision making with respect to the change or conservation of land uses; and
- help create the conditions necessary for the orderly and efficient use of the community land base.

The OCP will be used and administered by the Board of Directors and Staff of the Regional District of East Kootenay (RDEK) to evaluate all future development proposals and changes in land use within the plan area. The plan does not commit the Regional District to specific projects or courses of action, however, all decisions made by the Regional District must be consistent with the plan.

The OCP is intended to provide guidance on land use and development issues within the plan area for a five to fifteen year period. During that time, however, the OCP may be amended to respond to a change in the needs of the community. Amendments may be initiated either by a property owner or the Regional District. All proposed amendments are subject to an application process, public hearing and approval by the Regional District Board and appropriate Provincial Ministries.

Once the OCP is adopted it will provide the Board with a planning framework and guideline to promote certainty in land use decision making. In approving the OCP, the Regional District Board has considered the interests of the individual landowners and residents within the plan area and balanced those interests with the needs of the community and region as a whole.

1.2 Legal Framework

The OCP is adopted pursuant to the provisions of Part 26 of the *Local Government Act*, which states:

An official community plan is a statement of the objectives and policies to guide decisions on land use planning and land use management, within the area covered by the plan, respecting the purposes of local government.

In addition, an OCP must contain policy statements and map designations respecting the following:

- Residential development and housing needs over a period of at least five years;
- Commercial, industrial, and institutional and other types of land uses;
- The location and area of sand and gravel deposits suitable for future extraction;
- Restrictions on the use of environmentally sensitive and hazardous lands;
- The approximate location and phasing of any major road and infrastructure systems;
- The location and type of present and proposed public facilities; and
- Targets, policies and actions for the reduction of greenhouse gas emissions.

Land use and development within the plan area is also subject to all relevant provincial and federal legislation and regulations.

1.3 Plan Policies and Map Designations

The OCP contains goals, objectives and policies to provide direction for how the plan area should develop over time. The goals and objectives identify the land use issues and community vision. The policies address the issues and implement the vision. Policy statements are developed based on the consideration of balancing private and public interests. The policies within the OCP become the official position of the Regional District.

Schedules attached to the OCP map the community's land use values and contain the map designations. The map designations apply the goals and policies identified within the plan area to each parcel to depict the desired range and pattern of future land use.

1.4 Plan Process

The intent of the planning process was to replace the current Cranbrook Rural Official Community Plan and the Wycliffe Land Use Bylaw. Two independent documents were developed concurrently within the planning process. The development of the Rockyview OCP and Wycliffe Zoning Bylaw was authorized by the Board in February 2009.

An introductory meeting was held in March to provide an opportunity for residents and property owners to learn about the planning process. An information newsletter and questionnaire was mailed to area property owners in May. An advisory group of 12 plan area residents was struck in June. Meetings were held throughout the planning process to assist in guiding the development of the documents. Five participatory workshops were held in September and October to provide an opportunity for residents and property owners to identify the community assets and future vision for the area. After the workshops, drafting of the OCP commenced. The draft policies were reviewed by the Advisory Group in April.

The draft OCP was presented to Cranbrook City Council and at a public open house in June 2010.

1.5 Relationship to the Zoning Bylaws

The land use designations contained within the OCP were assigned based on the goals and policies outlined within the OCP and in consideration of the current land uses. However, the land use designations may not match a parcel's zoning within the Cranbrook Rural Zoning Bylaw or the Wycliffe Zoning Bylaw. This is because the OCP is a long range strategic planning document that identifies the preferred future land use, while the zoning bylaw usually recognizes the current land use. Development of the parcel may continue in accordance with the zoning of the property, however, any amendment to the zoning must be in conformity with the land use designation in the OCP.

1.6 Relationship to the Ktunaxa First Nation

The preparation of the OCP included consultation with the Ktunaxa Nation Council and the St. Mary's Band in recognition of the land uses occurring and proposed in proximity to Kootenay Reserves #1 and #1A. The plan area is part of the traditional territory of the Ktunaxa Nation and Crown land within the plan area is under consideration within the on-going treaty process. In the future, these lands may be administered by the Ktunaxa Nation. The OCP contains policies to recognize the archaeological resources that are contained within the plan area and the need to conserve and mitigate any impacts on these resources.

1.7 Relationship to the City of Cranbrook

The preparation of the OCP included consultation with the City of Cranbrook staff and Council and consideration of the City's OCP. Land use for parcels in the fringe area surrounding the City is of common interest and should be considered in the regional context. In particular, the City of Cranbrook has an interest in the

community watersheds to ensure the long term sustainability of their community water supply. The OCP also establishes policies that recognize potential opportunities for boundary expansion by the City of Cranbrook.

1.8 Plan Area

The plan area is located in southeastern British Columbia in the Rocky Mountain Trench, surrounds the City of Cranbrook and abuts Kootenay Indian Reserve #1 and #1A. The plan area extends to the south and includes the Joseph Creek and Gold Creek Watersheds. The boundary of the plan area is shown on **Schedule B**. The plan area has also been divided into subareas:

(1) Wycliffe

The Wycliffe subarea contains the portion of the plan area north of the St. Mary River. The majority of the subarea is located within the Provincial Agricultural Land Reserve (ALR). Residential development is focused at nodes along Clearview and Sommerfeldt Roads and in close proximity to the Four Corners. The subarea contains large agricultural parcels that are still utilized for production. Commercial development in the subarea is limited to home based businesses and Way-Lyn Ranch Golf Course.

(2) Mission

The Mission subarea abuts the Kootenay Indian Reserve #1 and #1A to the north and is east of the City of Cranbrook. The majority of the subarea is located within the ALR. Residential development is focused in the Standard Hill area and along Mission Road. The Standard Hill area also contains some limited commercial development and the Standard Hill Manufactured Home Park.

(3) Cranbrook North

The Cranbrook North subarea extends along the western boundary of the City of Cranbrook and south of the St. Mary River and contains a number of distinct residential nodes: King Street, Wilks-Kahn, Spruceland, Booth Creek, Six Mile, New Lake, and Wycliffe Park Road. Residential parcel sizes, with the exception of the King Street area, are generally a minimum of 2.0 ha. Land uses within the subarea include Wycliffe Regional Park, agricultural, and forest management.

(4) Cranbrook West

The Cranbrook West subarea is located north of Highway 3/95, west of the City of Cranbrook boundary and south of the New Lake community. Existing residential development is represented by various parcel sizes ranging from small urban sized parcels in close proximity to the City and Jim Smith Lake to five acre parcels. A number of larger private land holdings are currently undeveloped but are zoned for development ranging from 1.0 to 8.0 hectare parcels. Recreational day use and camping facilities are available at Jimsmith Lake Provincial Park.

(5) Cranbrook East

The Cranbrook East subarea extends along the eastern boundary of the City of Cranbrook and south of Highway 3/95. Residential development in the subarea is currently limited to the Thibeault Ranch. A significant portion of the private land holdings are currently under the ownership of a few landowners. The subarea also contains the majority of the Cranbrook Community Forest which was established in 1987 and provides recreational and demonstration forest opportunities.

(6) Cranbrook South

The Cranbrook South subarea is located on the southwestern boundary of the City of Cranbrook and extends south to abut the northern boundary of the Moyie Land Use Bylaw. The land in the ALR is limited to a strip of parcels along the south side of Highway 3/95. The subarea includes Elizabeth Lake Bird Sanctuary and three distinct residential communities: South Hill, Silver Spring, and Hidden Valley. South Hill was subdivided in

1912 as a development known as Buena Vista Gardens. The community of Silver Spring was created through a series of subdivisions in the 1960s and 1970s and Hidden Valley was subdivided in 1979. The land between the development nodes is primarily Crown.

(7) **Gold Creek**

The Gold Creek subarea is adjacent to the southeast boundary of the City of Cranbrook and is primarily characterized by five acre parcels that were developed between 1907 and 1915. The majority of the private land within the subarea is located within the ALR. There is limited commercial development within the subarea mainly focused on home based businesses. Recreational opportunities within the subarea include South Star recreation trails and Idlewild Park.

(8) **Gold Creek and Joseph Creek Watersheds**

The Gold Creek and Joseph Creek watersheds are located to the south of the Gold Creek subarea. The City of Cranbrook utilizes the watersheds for municipal water purposes through the Phillips Reservoir which was created in 1974 and is located approximately 4.5 km from the City boundary. A small development node of private land accessed by Gold Creek Road is located east of the watersheds.

2. Area History and Background

2.1 History

The Ktunaxa Nation has inhabited the plan area for more than 10,000 years. European settlement in the late 1800's led to the establishment of the current Indian Bands. The Aq'am First Nation or St. Mary's Band currently reside in the northern portion of the plan area on the Kootenay Indian Reserve #1. In the 1860's the East Kootenay region experienced a gold rush when gold was discovered on the Wild Horse River. In response to the rush in 1865 the provincial government constructed the Dewdney Trail from Hope to Fisherville, located on the Wild Horse. The trail was intended to provide a transportation route for gold to prevent it from being transported south through the United States. In 1884 Colonel James Baker arrived in Skookumchuck and in 1886 purchased a piece of property known as Joseph's Prairie, now Cranbrook, which was used as a camping spot and pasture by Chief Isadore of the Ktunaxa. Shortly after the purchase, Baker ignored Chief Isadore's claims to Joseph's Prairie and fenced the lands, increasing tensions between the Ktunaxa and the incoming miners and traders. These rising tensions resulted in the arrival of Superintendent Sam Steele in 1887. Steele established negotiations between Baker and the Ktunaxa resulting in replacement of the grazing lands and compensation for work done on Baker's estate.

After the resolution Colonel Baker began subdividing the lands to create a townsite which he named "Cranbrook" after his ancestral home in Kent, England. The railway arrived in Cranbrook in 1898 and in 1905 Cranbrook was officially incorporated. Subdivision in and around Cranbrook continued with areas such as Gold Creek and South Hill being subdivided in approximately 1912. The outlying areas have not been incorporated into the City and remain in the RDEK.

2.2 Previous Plans and Studies

In 1981, the **Cranbrook Rural Official Settlement Plan (OSP)** was adopted by the Regional District. The OSP was developed to provide direction to future residential development in a development pattern that minimized constraints on the City of Cranbrook's urban expansion, transportation energy costs and conflicts with resource uses and management. In addition, as much as possible, the OSP sought to mitigate the urban-rural conflicts that are a barrier to recognition of the greater Cranbrook area as one community regardless of jurisdiction.

In 1987, the **Westhill Study** was completed as a result of increasing subdivision pressures in the 1980's. The purpose of the report was to determine how the Westhill area could be incorporated into the City of Cranbrook without creating severe road location and servicing problems if the area were to transition from rural to urban densities. Specifically the report addressed the concerns of making that transition and provided a growth management plan.

The **Wycliffe Land Use Bylaw** was adopted by the Regional District in 1990. The land use bylaw is a combination of land use policies and zoning regulations. Direction for future land use conservation and change within the Wycliffe area was provided by the policies within the bylaw. The zoning regulations provided certainty to land use and assisted in limiting incompatible land uses.

The **Regional Growth Strategy (RGS)** was adopted by the Regional District in 2004. The RGS is a policy document that establishes principles for evaluating land use changes and developing community plans throughout the Regional District. The RGS vision statement encourages growth where it is socially, environmentally and economically sustainable and respects the character of each subregion. The RGS contains two types of policies: those that apply to the whole Regional District and those that reflect subregional planning objectives. The plan area is located within the Central Subregion.

2.3 Recent Development

Since the adoption of the Cranbrook Rural OSP in 1981 it has been amended 44 times. The plan area has also been amended to recognize numerous municipal boundary expansions by the City of Cranbrook. Most recently, the City of Cranbrook incorporated lands west of the City and adjacent to the St. Mary River comprising 28 parcels totalling approximately 625.5 ha. Since 2001, approximately 60 lots have been created in the Cranbrook Rural area and 20 in the Wycliffe area. The majority of the Wycliffe subarea is within the ALR which has resulted in 19 applications for subdivision and non-farm use in the subarea.

Although the plan area has seen rural residential development in recent years, there has been limited commercial, industrial and institutional development pressure. The majority of the new commercial development has been directed to the City of Cranbrook. In 2009, the RDEK approved a long term lease of a portion of the Wycliffe Regional Park to the Girl Guides of Canada for a new Girl Guide camp.

3. Policy Development

3.1 Rural Growth Management

Growth management is generally considered to be the management of the timing, location, amount and density of new development and its supporting infrastructure by local government. Within the rural context of this plan the growth management opportunities are primarily limited to the attributes associated with the development itself as there is limited supporting infrastructure. However, as the plan area surrounds the City of Cranbrook the future pattern and timing of development has implications on the options available to the City in planning for the City's future growth management strategies.

The planning process utilized for the development of the OCP revealed support for a managed growth scenario that directed growth to established nodes and enabled the rural character of the plan area to be maintained. A recurring theme during consultation was the need to synchronize the policy directions within this plan and the City of Cranbrook's OCP to provide a clear direction to rural landowners and City residents about future growth within the plan area. Other themes that were prominent in the consultation process were the need to identify where smaller parcel sizes would be permitted within the plan area and the importance of developing a rural community that is intended for and primarily comprised of permanent full-time residents.

3.2 Urban Fringe

The policies and direction of this plan have been significantly influenced by the location of the plan area in relation to the City of Cranbrook. Many plan area residents that reside in the Cranbrook rural area have a sense of identity that is closely connected to the City of Cranbrook as the place they work, recreate, shop and educate their children. The choice to live beyond the boundaries of the City in surrounding areas is often a conscious decision and the desire to protect the rural character of the plan area was prevalent during the planning process.

The form and character of the land uses that are adjacent to the City boundary are generally more urban in nature, particularly in those areas that are well established. During the planning process the need to establish urban and rural containment boundaries was identified as an important component of this plan. However, during the development of this plan those boundaries were not specifically identified on a map schedule but rather, this plan establishes general policy guidelines for potential future boundary expansions by the City of Cranbrook and provides direction for the future development of rural lands in the fringe area by establishing the R-RES designation which recognizes certain parcels as having potential for rural infill development on the periphery of the City boundaries. The policy directions have been drafted in order to ensure that potential concerns the City may have are addressed at the time of a land use amendment application.

4.0 Goals of the Official Community Plan

The OCP is a comprehensive land use document that establishes land use policies for the plan area. The goals and objectives of the OCP have been developed through the plan process. The major goals of the OCP are:

1. Encourage development to occur on private land within established or designated development nodes.
2. Establish criteria under which applications for exclusion or subdivision of land in the Agricultural Land Reserve (ALR) may be supported by the Regional District.
3. Support existing agricultural operations through the protection of agricultural resources and the promotion of opportunities for local food production, diversification and value added agricultural activities.
4. Recognize and conserve the archaeological and cultural heritage resources contained within the plan area.
5. Establish rural containment areas within the plan area where residential infill development would be supported.
6. Promote the integration of alternative rural subdivision design to maximize the development potential of lands designated for future development while retaining the rural character and protecting the environmental resources of the plan area.
7. Designate areas for future residential development and establish policies related to the timing and form of approvals for Greenfield development.
8. Mitigate the impacts of rural development on City of Cranbrook infrastructure and services.
9. Facilitate an appropriate range of rural residential housing options that fit with the rural character of the area and respect the rural containment policies of the plan.
10. Recognize the existing commercial and institutional uses within the area, but generally encourage similar uses to be accommodated within the City of Cranbrook.
11. Consider the availability of water resources when determining appropriate locations for future development so as to not compromise existing water sources.
12. Promote opportunities for connectivity between the rural area and the City of Cranbrook through the creation of a pedestrian friendly environment and the development of non-motorized trail networks.
13. Encourage opportunities for improvements to the road network and the integration of alternative modes of transportation.
14. Work with the City of Cranbrook, Ktunaxa Nation Council and St. Mary's Indian Band to facilitate cooperative and comprehensive land use planning within the plan area.
15. Develop land use policies that will assist in preserving or enhancing the ecological integrity of the plan area.
16. Encourage the management of Crown land to fully consider a range of environmental, resource, cultural and recreational interests.
17. Recognize environmentally sensitive areas and the animal and plant species that rely on these ecosystems and establish Development Permit guidelines to protect the natural environment.
18. Recognize the risk of interface fire hazards within the rural area and along the urban fringe and establish Development Permit guidelines to mitigate the risk.
19. Encourage the reduction of greenhouse gas (GHG) emissions in the plan area.

5. Residential Land Use

5.1 Background

The Cranbrook Rural and Wycliffe areas provide a rural environment for those choosing to reside outside of the City of Cranbrook. Single family housing options are available throughout the plan area, ranging from urban sized lots in the Jim Smith and West Hill areas, small holdings primarily 2.0 ha in size, and larger agricultural and resource holdings. The area has the highest rate of permanent resident occupancy in the Regional District.

Three types of residential development are anticipated to be proposed within the plan area: rural infill, subdivision consistent with existing zoning approvals and Greenfield development. Rural infill development may or may not require rezoning to accommodate the desired parcel size. Approximately 250 parcels ranging from 1.0 to 8.0 ha could currently be developed based on the current zoning within the plan area. The development of the plan provides an opportunity to assess the zoning and provide direction as to future alternative land uses that may be more appropriate and/or desirable. Support for Greenfield development was not generally supported during the public consultation process, however, it was recognized that there may be limited opportunities within some subareas for new or expanded residential development nodes. For the purposes of the development of this OCP, Greenfield development is considered to be new proposals for development on land that has not previously been developed nor designated for development in this plan.

Limited support for residential development was expressed during the public consultation process. Concerns expressed related to the ability of the rural areas to accommodate and absorb future demand for residential uses while maintaining the rural character of the plan area. In addition there was a strong sentiment expressed that rural residential development must be for the purpose of permanent residential populations and not for second home or recreational ownership.

5.2 Objectives

- (1) Contain future residential development within established residential areas and areas zoned for development.
- (2) Support residential development on a range of rural parcel sizes.
- (3) Establish criteria related to the form of future approvals for rezoning of parcels currently zoned for development.
- (4) Establish criteria to evaluate the potential for future approvals for development of Greenfield sites within the plan area.
- (5) Ensure that development that occurs within the established urban overlay area integrates principles that will facilitate future development of urban parcel sizes and infrastructure.
- (6) Maintain minimum parcel sizes that reflect the rural character of the individual subareas.

5.3 Policies

(1) General

- (a) Home based businesses will be permitted within residential areas through the zoning bylaw. However, the business must remain accessory to the residential use and must not disrupt the residential character of the neighbourhood.
- (b) Multi-family development (triplexes and larger) is not generally supported within the plan area.
- (c) The sale or other alienation of Crown land for residential purposes is not generally supported.

- (d) Residential developments are encouraged to be designed to meet the needs of permanent full-time residents.
- (e) It was determined that the OCP planning process was not the appropriate time to pre-designate significant land use changes for properties in the plan area. The preferred course of action is that specific amendments and changes to land use that could have a significant impact on the community be reviewed on an individual basis through the regular amendment process. The amendment process will allow the specific details and impacts of the proposed land use change to be reviewed by the Regional District and the public on a site specific basis.
- (f) The integration of the R-RES, Residential Reserve land use designation applies to parcels currently zoned to accommodate subdivision. The designation does not commit the Regional District to a specific course of action but rather identifies those properties as having potential for rural infill development and establishes criteria against which applications to amend the zoning and land use designation will be reviewed. The R-RES designation may result in higher densities than can currently be accommodated in exchange for implementation of alternative development standards while still maintaining the rural character of the subareas. Applications for bylaw amendments should address the following:
 - (i) compatibility of proposed development with surrounding land uses and parcel sizes;
 - (ii) projections for estimated timelines for phasing and completion of development;
 - (iii) compatibility of proposed development with the permanent home ownership objectives of this plan;
 - (iv) access to the development and proposed road networks;
 - (v) integration of Conservation Subdivision Design principles by:
 - (1) identifying and protecting conservation areas such as riparian areas, wetlands, steep slopes, woodlands, wildlife corridors and habitats and buffers;
 - (2) compact neighbourhood design;
 - (vi) development contributions to assist in mitigating the impacts of the proposed development, including contributions to assist with road or transportation upgrades within the City of Cranbrook. Development Contributions are not in lieu of any Development Cost Charges or other fees that may be required as a result of future development within the RDEK or City of Cranbrook;
 - (vii) consideration of the establishment of a service to ensure the long term preservation and maintenance of the dedicated green space;
 - (viii) water and sewer servicing options;
 - (ix) identification of opportunities for trail connectivity within the area under application and adjacent developments;
 - (x) consideration for water reduction measures for buildings and landscaping;
 - (xi) consideration of building envelopes to maximize viewscales and passive solar orientation;
 - (xii) integration of FireSmart principles in the development;
 - (xiii) consideration to the potential impacts on groundwater.

- (g) In addition to the R-RES designated lands, this plan also recognizes there may be potential for Greenfield development during the period of applicability of this plan. Proposals to amend the designation of Greenfield parcels will be reviewed in relation to the following criteria:
 - (i) Timing of the proposed development in consideration of the existing development potential in the plan area either by subdividing parcels currently zoned for development or by re-designation of the R-RES properties;
 - (ii) The provisions outlined in section 5.3(1)(f);
 - (iii) Where necessary, pre-application public consultation at the expense of the applicant;
 - (iv) In consultation with the City of Cranbrook, inclusion of the following urban overlay provisions where a parcel(s) directly abuts the City or for properties with the potential for inclusion into the City:
 - (1) Sewer and water corridors;
 - (2) Other servicing corridors;
 - (3) Building location envelopes;
 - (4) Transportation corridors;
 - (5) Trail networks, open spaces and parks.
- (h) Secondary suites in detached garages are generally supported in the plan area. As resources allow, the RDEK will consider a bylaw amendment to permit the use in the Cranbrook Rural Zoning Bylaw.

(2) **Wycliffe Subarea**

- (a) Applications to rezone parcels from the commercial designation to a residential designation in the Wycliffe Village Core will generally be supported.
- (b) New residential subdivision with proposed parcel sizes of 1.0 - 2.0 ha shall be directed to the Wycliffe Village Core as identified on **Schedule D7**.
- (c) Subdivision of parcels North of Highway 95A to parcel sizes below the existing minimum requirements established within the zoning bylaw is generally not supported with the exception of subdivision for a relative as per the provisions in the zoning bylaw and the *Local Government Act*.

(3) **Mission Subarea**

Subdivision is generally not supported within the Mission subarea, with the exception of subdivision for a relative as per the provisions of the zoning bylaw and the *Local Government Act*.

(4) **Cranbrook North**

- (a) Subdivision is generally not supported within the Cranbrook North subarea, with the exception of those parcels currently zoned for subdivision, parcels designated R-RES or subdivision for a relative as per the provisions of the zoning bylaw and the *Local Government Act*.
- (b) Residential development on the RR-2 zoned Crown land adjacent to the Six Mile subdivision is generally not supported unless the demand for new residential properties within the plan area is not being met by private sector development.

(5) **Cranbrook West**

Subdivision is generally not supported within the Cranbrook West subarea, with the exception of those parcels currently zoned for subdivision, parcels designated R-RES or subdivision for a relative as per the provisions of the zoning bylaw and the *Local Government Act*.

(6) **Cranbrook East**

Subdivision is generally not supported in the Cranbrook East subarea; however, applications for subdivision and development will be reviewed on an individual basis in relation to the criteria established for Greenfield development in section 5.3(1)(g).

(7) **Cranbrook South**

Subdivision is generally not supported within the Cranbrook South subarea; however, limited infill development is supported within the area known as the South Hill for parcels designated as R-RES provided that no more than one additional parcel per subdivision application is created and a minimum parcel size of 1 hectare is maintained.

(8) **Gold Creek**

Maintenance of the existing zoning designations and residential land use patterns within the Gold Creek subarea is supported. Additional subdivision to parcel sizes below the minimum requirements established within the zoning bylaw is generally not supported.

(9) **Gold Creek and Joseph Creek Watersheds**

To protect the integrity of the City of Cranbrook water source, subdivision in Gold Creek and Joseph Creek Watersheds is generally not supported. However, applications for rezoning of Sublot 26 District Lot 4591 Kootenay District Plan X29 Except (1) Part included in Plan 13075 and (2) Part included in SRW Plan 16059 to accommodate a higher density than what is currently permitted by the zoning and approved by Agricultural Land Commission Resolution #216/2009 will be considered in relation to the criteria for Greenfield development in section 5.3(1)(g) and the following:

- (a) Measures for the protection of the City of Cranbrook's interests for lands lying west of Gold Creek Road;
- (b) Protection and enhancement of the agricultural values on the parcel; and
- (c) Opportunities for the long term preservation of lands not proposed for residential development.

6. Commercial Land Use

6.1 Background

Commercial development in the plan area is currently limited as the majority of commercial uses are accommodated within the City of Cranbrook. The existing commercial uses were recognized during the public consultation process and were generally supported to be continued. The integration of new commercial development in the plan area was generally not supported by area residents. The preference was to retain the existing neighbourhood commercial nodes and the City of Cranbrook as the commercial centre.

6.2 Objectives

- (1) Direct new commercial development to the City of Cranbrook when feasible.
- (2) Support a range of opportunities for economic diversification through home based businesses.
- (3) Support limited local commercial development in the Wycliffe Village Core.

6.3 Policies

(1) General

- (a) Home based businesses that are compatible with the character of the plan area are generally supported provided that they comply with the zoning bylaw and operate on a scale that is accessory to the residential use.
- (b) Existing commercial land uses are recognized and their continued use is generally supported. However, new commercial development is generally encouraged to locate within the City of Cranbrook where there is the necessary infrastructure and support services.
- (c) Signage for commercial uses is encouraged to be placed so that scenic views are preserved.
- (d) Way-Lyn Ranch Golf Course is recognized as an existing commercial recreation use within this plan and the Wycliffe Zoning Bylaw. Additional commercial recreation land uses such as golf courses and recreational vehicle parks are not generally supported within the plan area. However, applications for proposed commercial recreation developments will be reviewed on an individual basis and applicants are encouraged to submit a comprehensive development plan that includes or identifies the following information or services:
 - (i) Proximity of the proposed development to existing developed nodes;
 - (ii) Access to the development and proposed road networks;
 - (iii) Sewer and water servicing options;
 - (iv) Proposed density;
 - (v) Compatibility of proposed development with surrounding land uses;
 - (vi) Provision and dedication of open and green space and buffers;
 - (vii) Identification and mitigation of potential hazards (avulsion, flooding, geotechnical and wildfire);
 - (viii) Identification and mitigation measures for ecologically sensitive areas including riparian areas, wildlife habitats and fish habitats;

- (ix) Recognition and integration of opportunities to protect viewscales;
- (e) Commercial development is encouraged to sustain a high aesthetic standard that compliments the character and natural landscape of the plan area.

(2) **Wycliffe Subarea**

Commercial development on lands zoned for commercial land uses in the Wycliffe Village Core is supported provided that the uses are intended to service the needs of local residents.

7. Industrial Land Use and Aggregate Resources

7.1 Background

Industrial development and aggregate resource extraction activities are limited within the plan area. The integration of further industrial activities was generally not supported during the consultation process. New industrial uses were considered to be more suitable to be accommodated within the City of Cranbrook light industrial park or the Lumberton area due to their close proximity to the plan area.

In April 2014, the production of medical marihuana shifted from a licenced access system to a licenced commercial producer system. The federal Marihuana for Medical Purposes Regulations require that licenced commercial producers comply with applicable local government regulations. In consideration of the new federal regulations, the Regional District considered the current land use designations and zoning to determine appropriate locations within the plan area for the accommodation of medical marihuana production facilities.

BL 2544
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7.2 Objectives

- (1) Encourage new light industrial land uses to be accommodated within the City of Cranbrook or in the Lumberton area.
- (2) Provide sufficient opportunity for sand and gravel extraction to service local needs.

7.3 Policies

- (1) To minimize the impacts of sand and gravel activities, the optimization of current extraction sites is encouraged.
- (2) Proposed new sand and gravel extraction sites should be located in areas that are compatible with adjacent land uses.
- (3) The siting of sand, gravel and mineral resource extraction activities in close proximity to residential areas is discouraged; however, applications to the Province will be adjudicated fairly and with full public input into decision making. Appropriate mitigation measures will be applied in order to minimize impact on adjacent uses if an application is approved.
- (4) Potential new aggregate resources have been identified on Sublot 26 District Lot 4591 Kootenay District Plan X29 Except (1) Part included in Plan 13075 and (2) Part included in SRW Plan 16059. Extraction of the resources is supported subject to compliance with other applicable policies in this plan.
- (5) The rehabilitation and reclamation of industrial and aggregate resource extraction sites upon cessation of the activity is encouraged.
- (6) New industrial land uses are generally not supported unless no appropriate sites can be located within designated industrial nodes outside of the plan area or within the City of Cranbrook. Proposed industrial activities must occur on a scale that does not disrupt the rural character of the plan area.
- (7) The cultivation, processing and direct marketing of medical marihuana by a licenced producer under the federal Marihuana for Medical Purposes Regulations is considered a light industrial use within the plan area. In accordance with the Agricultural Land Commission Act and Agricultural Land Reserve Use, Subdivision and Procedure Regulation licenced producers may operate within the Agricultural Land Reserve (ALR) as identified within the zoning bylaws and section 13.3 (p) of this plan.

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- (8) The production, processing and distribution of medical marihuana by a medical marihuana production facility is anticipated to occur on an intensive agricultural scale in conjunction with required security measures, such as intrusion detection systems, 24 hour site monitoring, access restrictions and perimeter video recording. In consideration of these characteristics, which would not generally be associated with non-federally regulated or licenced agricultural commodities, the zoning bylaws identify regulations specific to medical marihuana production facilities.

- (9) Applications to rezone to accommodate a medical marihuana production facility shall be considered on an individual basis in relation to the following criteria:
 - (a) existing land use;
 - (b) surrounding land uses;
 - (c) proposed servicing for water and sewage disposal; and
 - (d) proposed mitigation of potential impacts on adjacent properties resulting from the security measure requirements of the federal Marihuana for Medical Purposes Regulations.

8. Temporary Land Use

8.1 Background

Within the plan area there may be a need to accommodate a temporary land use on a parcel not zoned for that purpose.

8.2 Objectives

- (1) Provide an opportunity for temporary land use applications to be considered within the plan area.
- (2) Ensure that temporary land uses are compatible with adjacent land uses.

8.3 Policies

- (1) Temporary Land Use Permits will be considered throughout the plan area.
- (2) An application for a Temporary Land Use Permit will be considered in relation to:
 - (a) demonstration that the use is temporary or seasonal in nature;
 - (b) compatibility with the existing land use;
 - (c) compatibility with surrounding land use;
 - (d) potential conflict with agricultural or resource based activities;
 - (e) potential conflict with residential land uses;
 - (f) potential impact on fish or wildlife habitat;
 - (g) provision of adequate servicing for water and sewage disposal;
 - (h) duration of the proposed temporary land use; and
 - (i) relevant policies within other sections of this plan.
- (3) The permit may be issued subject to conditions such as, but not limited to:
 - (a) the buildings, structures, or area of land that may be used for the temporary use;
 - (b) the period of applicability of the permit;
 - (c) required site rehabilitation upon cessation of the use;
 - (d) other business or operating conditions to mitigate the impacts of the temporary use.

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9. Institutional and Community Land Use

9.1 Background

The plan area includes a number of institutional and community land uses including the College of the Rockies Gold Creek Campus, the Colombo Lodge, the Girl Guide Camp and the United Pentecostal Church in Wycliffe. These types of land uses are limited due to the close proximity to the City of Cranbrook where the majority of these uses are accommodated. It is anticipated that an application by the City of Cranbrook for boundary expansion to bring the College of the Rockies campus into the City will be forthcoming in the near future.

9.2 Objectives

Facilitate the identification of lands for required community and institutional land uses such as fire halls, community centres, parks, public utilities and other similar uses.

9.3 Policies

- (1) New community land uses of a local nature that are compatible with the adjacent land uses may be supported within the plan area.
- (2) New institutional land uses that service a regional client base are encouraged to be accommodated within the City of Cranbrook. If suitable land is not available within the City boundaries the use must be compatible with adjacent land uses and the rural character of the plan area.
- (3) No additional school facilities are anticipated within the projected 5 to 10 year horizon considered within this plan.
- (4) The expansion of the Cranbrook Rural Fire Protection Service may require the development of a new fire hall. A specific location for the fire hall has not been identified within the plan area, as it may be accommodated with the City of Cranbrook boundary. The Regional District commits to working with the area residents and the City of Cranbrook to identify an appropriate site if required.
- (5) The Girl Guide camp at the Wycliffe Regional Park is supported.

10. Open Space, Recreation and Trails

10.1 Background

A significant number of recreational opportunities for area residents and visitors are provided within the plan area. The ability to readily access these recreational opportunities was identified by area residents as an essential part of living in the plan area. Recreational opportunities are provided year round and seasonally within the plan area at Jimsmith Lake Provincial Park, Wycliffe Regional Park, Idlewild Park, Elizabeth Lake Bird Sanctuary, and the Cranbrook Community Forest. Extensive trail networks exist within the plan area, including those within and adjacent to the Cranbrook Community Forest, the South Star Recreation Area, a portion of the Isadore Canyon Trail and the Rails to Trail connecting the City of Kimberley to the City of Cranbrook.

The Cranbrook Community Forest was established in 1987 and was intended to provide recreational, educational and economic benefits. The forest lies within the Kootenay Boundary Land Use Plan and is managed in consultation with the Cranbrook Community Forest Management Plan. The importance of the continued protection of the Cranbrook Community Forest as a recreational, educational and ecological asset for area residents and visitors was identified during the development of this plan.

The close relationship between the rural areas within the plan area and City of Cranbrook was noted during the public consultation. The lack of non-motorized linkages between the outlying areas and the City was identified as an important recreation and transportation component that is currently missing from the area. Opportunities for future trail networks between established development nodes in the rural area and funnelling to the City of Cranbrook were identified within the plan process.

The retention of open space was also identified as being very important during the consultation process as it is a critical attribute contributing to maintaining the rural character of the plan area.

10.2 Objectives

- (1) Provide local parks, trails, and other recreational opportunities in locations and in sufficient quantity to be available and accessible, where possible, to all members of the community.
- (2) Ensure that recreational activities are compatible with the rural character of the plan area.
- (3) Identify potential future opportunities for non-vehicular access routes and linkages into the City of Cranbrook.
- (3) Promote the protection of the Cranbrook Community Forest for recreational and educational purposes.
- (4) Promote and enhance Wycliffe Regional Park.

10.3 Policies

(1) General

- (a) Future consideration of regional parks and trails must be in compliance with the goals and policies of the RDEK Regional Parks Plan. The expansion of existing parks or creation of new park services may require an amendment to the Parks Plan.

- (b) At the request of area residents or as part of a comprehensive development proposal, the establishment of a service to facilitate the creation of conservation areas, open spaces and trail corridors is supported.
- (c) The establishment of a park service should include the ability for the Regional District to accept cash-in-lieu of parkland at the time of subdivision. Any monies raised from subdivision within a park service area would only be used for that service.
- (d) The integration of open space and greenways to provide connectivity between communities in the bylaw area and provide corridors for wildlife movement are strongly encouraged within all developments. In conjunction with the establishment of a parks and trail service for the plan area, the development of a greenways plan showing the trail network, open space and future opportunities for connectivity within the plan area is supported.
- (e) Users of recreational facilities such as cross-country skiing, biking and hiking trails are encouraged to use them in a socially and environmentally responsible manner.
- (f) The Cranbrook West Recreation Management Strategy is recognized in this plan. Commercial recreation tenure applications to the province should be consistent with the strategic direction of the Management Strategy.
- (g) The enforcement of regulations for the licensing of off-road motorized vehicles by the Province is encouraged.
- (h) The Rails to Trail corridor providing a multi-use, non-motorized trail linkage between the City of Cranbrook and City of Kimberley through the plan area is supported.
- (i) Proposed trail corridors within the ALR should not negatively impact agriculture. Development and management of trails in the ALR should take into consideration the guidelines outlined in the Ministry of Agriculture and Lands "A Guide to Using and Developing Trails in Farm and Ranch Areas."

(2) **Cranbrook East**

- (a) At the time of application for a land use designation amendment, the identification and establishment of buffers adjacent to the Cranbrook Community Forest boundaries and the protection of overlapping recreational opportunities is encouraged.
- (b) Management of the Cranbrook Community Forest consistent with the Kootenay Boundary Land Use Plan, Cranbrook West Recreation Management Strategy and the Cranbrook Community Forest Management Plan, as may be amended from time to time, is supported. In addition, a review and update of the Cranbrook Community Forest Management Plan to address stakeholder interests is supported.
- (c) Motorized use in the Cranbrook Community Forest is restricted to the designated road.

(3) **Wycliffe**

Establishment of public access points to the St. Mary River in the Wycliffe subarea is supported.

(4) **Gold Creek**

The utilization of undeveloped road right-of-ways in the Gold Creek area for the establishment of multi-purpose non-motorized trail networks is supported.

(5) Cranbrook North - Wycliffe Regional Park

- (a) As resources allow, the continued development and implementation of a Park Management Plan for Wycliffe Regional Park is supported.
- (b) Park infrastructure such as information kiosks and signage that promote education, awareness and enhance the recreational experience within the park is encouraged.
- (c) Fuel management activities that reduce the risk of wildfire and enhance the aesthetics, public safety, and visitor experiences in the park are supported.
- (d) Invasive plant management within the park is encouraged.
- (e) Ecosystem restoration efforts within the park to maintain and improve the ecological health of the park's natural environment are encouraged.
- (f) Development of a management plan for the Wycliffe Exhibition grounds is supported.

11. Environmental Considerations

11.1 Background

The plan area is located in the Rocky Mountain trench and contains a range of physical landscape types. The ecosystem is generally characterized as being in the Interior Douglas Fir biogeoclimatic zone with pockets of native grasslands and open forest. The grassland ecosystems such as that found within the plan area are considered one of the most endangered ecosystems in Canada. The range of habitat types provided within the plan area results in a wide range of species diversity, including both red and blue listed plants and animals including the red listed American Badger and Lewis's Woodpecker.

The water resources within the plan area provide potable water for both residents in the rural areas and the City of Cranbrook. While the majority of the rural residents rely on groundwater to meet their potable water needs, the Gold Creek and Joseph Creek Watersheds provide water resources used by the City of Cranbrook. The watersheds are approximately 17,145 hectares in size and represent 41.7% of the plan area.

Elizabeth Lake Bird Sanctuary is a 100 hectare urban wetland that was established in 1972 by the City of Cranbrook, Ministry of Environment and Ducks Unlimited. The conserved wetland is part of the Pacific Flyway and provides important nesting and staging areas for migratory birds. The wetland provides habitat for geese, ducks, songbirds, and the Western Painted Turtle. The Western Painted Turtle is blue listed and is British Columbia's only indigenous turtle species. Protective measures have been undertaken adjacent to Highway 3 to reduce turtle mortality resulting from highway crossings.

The consultation process indicated that protection of environmentally sensitive areas and endangered species were considered of high importance. As a result of these concerns, Development Permit guidelines for the protection of the natural environment for identified Environmentally Sensitive Areas (ESA) are found within section 20.2 of this plan. The criteria used for designating the ESA's included identification creeks, riparian areas, sensitive ecosystems and wildlife habitats.

BL 2425
04 Jan 13

11.2 Environmentally Sensitive Areas (ESA)

(1) Objectives

- (a) Foster an awareness of the natural environment and protect environmentally sensitive areas.
- (b) Support rehabilitation, restoration and enhancement of environmentally sensitive areas which were subject to negative impacts in the past.
- (c) Recognize the importance of containing and controlling invasive plants and prevent their establishment.

(2) Policies

- (a) Ecosystem restoration and reclamation initiatives by environmental organizations, local citizens or the responsible Provincial Ministry that restore and enhance disturbed environmentally sensitive areas to a more natural condition are supported.
- (b) Property owners and occupiers are required to control and manage invasive plants as required by the RDEK invasive plant control and enforcement bylaw and the *Weed Control Act* through prevention and control initiatives.
- (c) Recreation users within the plan area are encouraged to inspect their ATVs, mountain bikes, boats and vehicles for invasive plants to assist in prevention of the spread and establishment of these plants.

- (d) Property owners are encouraged to maintain and upgrade onsite septic systems in order to decrease potential nutrient loadings and bacteriology inputs to both groundwater and surface water in the plan area.
- (e) Trading of Crown land for private land may be suitable where there is clear public benefit, such as habitat protection or enhancement.
- (f) Property owners should preserve wetlands, riparian areas, wildlife habitat, native vegetation and trees through consideration of the co-location of infrastructure and utilities, concentration of development and minimization of site grading. All activities undertaken must comply with the applicable Provincial and Federal legislation and regulations.
- (g) In order to ensure that private land in environmentally sensitive areas is conserved and protected, designation within comprehensive developments of land as OSRT, Open Space, Recreation and Trails is encouraged. Opportunities within an area designated OSRT would include passive uses with a minimal impact on the area, such as non-motorized recreation trails and non-land altering recreation activities.
- (h) The Regional District encourages management of Crown land in an environmentally responsible manner which:
 - (i) protects surface and groundwater sources;
 - (ii) manages forest ingrowth;
 - (iii) minimizes risk of interface fire and wildfire;
 - (iv) enhances wildlife habitat;
 - (v) protects viewscales and scenery;
 - (vi) protects watershed ecological values, including waterfowl and fish and their corresponding habitat; and
 - (vii) maintains diverse plant communities by managing invasive plants.
- (i) Property owners are encouraged to utilize clean burning and smart burning techniques for wood burning appliances in order to minimize the impact of these appliances on air quality within the plan area.
- (j) Development within the environmentally sensitive areas identified on **Schedule H** will be managed through the Development Permit process. Prior to undertaking any works within an ESA, an applicant must receive an approved Development Permit in accordance with section 20.2 of this plan.

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11.3 Wildlife Habitat and Corridors

(1) Objectives

- (a) Maintain habitat connectivity through undisturbed open space and wildlife corridors to support the movement of various wildlife species and access to foraging and nesting areas.
- (b) Encourage the protection of natural ecosystems unique to the plan area.

(2) Policies

- (a) Future land uses should promote connectivity and discourage fragmentation of contiguous ecosystems and ecosystem components to preserve landscape diversity and allow wildlife and waterfowl use, movement and dispersal.
- (b) Development that considers and promotes connectivity of wildlife movement corridors is encouraged.

- (c) Residents are encouraged to minimize the potential disturbance of wildlife and waterfowl by pets and domestic animals.
- (d) Future land uses should not compromise the integrity of badger habitat, Class 1 winter range shown on **Schedule E**, sensitive grasslands or species at risk.
- (e) Property owners considering the use of wildlife fencing are encouraged to consider wildlife movement, habitat and access to water when determining fence placement.
- (f) BC grasslands are characterized as one of the most endangered ecosystems in Canada. The grasslands of Wycliffe contain a number of red and blue listed plant species as well as provide habitat for a number of endangered wildlife species. In addition, the grasslands act as a wildlife corridor and provide forage for local deer and elk populations. Recognition must be given to the sensitivity of this ecosystem and particular attention must be paid to proposed developments that could adversely affect these grasslands.
- (g) Habitat connectivity, sensitive ecosystems, vulnerable plant communities and movement of endangered animal species shall be considered at the time of applications for rezoning or OCP amendment. Notwithstanding the development permit requirements of section 20.2 of this plan, additional development approval information may be required by the Regional District as part of the development approval process. For example, submission of a report by a qualified professional that includes, but is not limited to the following:
 - (a) Identification of any endangered or vulnerable species that utilize the area under consideration;
 - (b) Identification of opportunities for mitigation of the proposed development on wildlife movement corridors through development design or other compensation;
 - (c) Identification of areas, as appropriate, to be dedicated as conservation areas;
 - (d) Site specific additional information requirements identified by the Regional District at the time of application.
- (h) The rehabilitation, protection and enhancement of the Elizabeth Lake Bird Sanctuary is supported.
- (i) The continued preservation and enhancement of sensitive wildlife corridors and habitats in the Wycliffe area is supported.

BL 2425
04 Jan 13

11.4 Water Resource

(1) Objectives

- (a) Encourage the responsible use and protection of water resources and water quality within the plan area.
- (b) Support the protection, rehabilitation and enhancement of wetland and riparian areas.
- (c) Protect the groundwater and surface water sources of domestic water utilized by the rural residents, City of Cranbrook and St. Mary's Indian Band.

(2) Policies

- (a) Within riparian areas the use of established access points and trails is encouraged to minimize the level of impact within these sensitive ecological areas. The creation of new access points is generally discouraged.

- (b) Development adjacent to waterbodies or watercourses should consider permeable surfaces for stormwater management options to mitigate the impact of stormwater run-off on riparian and environmentally sensitive areas.
- (c) Ecosystem restoration of wetlands and riparian areas is encouraged, subject to appropriate approvals by Provincial and Federal authorities.
- (d) Riparian areas should be retained in an undisturbed and natural state throughout and after the development process to promote slope stabilization, vegetation retention and preservation of fish and wildlife habitat.
- (e) Resource extraction or any other use or development of land within watersheds must not compromise the ability to utilize the water sources for domestic purposes, harm fish and wildlife habitat or negatively impact water quality.
- (f) Within the plan area, all proposed development must consider the impact of the development and its corresponding water usage requirements on groundwater resources.
- (g) Water conservation is encouraged through the use of low volume fixtures, use of commonly accepted efficient lawn watering practices and the utilization of native vegetation in landscaping.
- (h) Land designated WP, Watershed Protection should remain undeveloped. Activities within these areas shall be limited to those that do not compromise the water quality of the water resources. The Integrated Land Management Bureau is encouraged to consider the importance of protecting water resources when considering tenures and licenses of occupation within these areas.

12. Greenhouse Gas (GHG) Emissions Reduction and Climate Change

12.1 Background

Local governments are required to establish targets and identify specific policies and actions for the reduction of greenhouse gas emissions. Specific policies that address the targets will provide an opportunity to promote reductions in the consumption of energy and emission of greenhouse gases within the development through proactive land use, solid waste and transportation planning.

The policies contained within this plan attempt to reflect the rural nature and character of the plan area. Residential, commercial and light industrial policies were drafted in consideration for maintaining the rural atmosphere of each of the subareas and to reflect the desires of the residents. New policies and actions that are appropriate to the plan area have been developed to try and achieve the established target outlined in the next section.

12.2 Greenhouse Gas Reduction Target

The RDEK has established a greenhouse gas reduction target of 17% below 2007 levels by 2020.

12.3 Objectives

- (1) To recognize the need to plan for the reduction of greenhouse gas emissions and climate change.
- (2) To support policies and actions that will contribute to the RDEK's commitment for a 17% reduction in greenhouse gas emissions.

12.4 Policies

- (1) Use of the Rails to Trails corridor for non-motorized transportation opportunities between the City of Cranbrook and City of Kimberley is supported.
- (2) Establishment of additional non-motorized trail networks providing linkages between developed nodes and the City of Cranbrook are supported.
- (3) The protection of existing forested areas, green spaces and grasslands is supported.
- (4) Initiatives to protect air quality in the plan area such as the conversion of inefficient wood burning appliances to high efficiency models and the implementation of smart burning practices are supported.
- (5) The reduction of carbon dioxide emissions generated from solid waste landfills through the diversion and reduction of solid waste is strongly encouraged.
- (6) All development should consider opportunities to minimize the energy and resource requirements of buildings, structures and landscaping by considering:
 - (a) utilization of passive solar energy use through solar orientation;
 - (b) integration of permeable or semi-permeable surfacing;
 - (c) integration of landscape features such as xeriscaping and use of native vegetation; and
 - (d) utilization of alternative storm water management features.
- (7) The reduction of carbon emissions through the construction of energy efficient buildings that will maintain reduced emission levels and provide opportunities for technological upgrades throughout a building's lifespan is encouraged.

- (8) The integration of energy efficient and renewable energy infrastructure and utilities into existing and new development is strongly encouraged.
- (9) The establishment of public transit opportunities between City of Cranbrook and City of Kimberley are supported.

13. Agriculture

13.1 Background

A significant portion of the plan area is located within the Agricultural Land Reserve (ALR). The use of the land within the ALR must comply with the *Agricultural Land Commission Act* and regulations.

The majority of the agricultural use in the plan area is focused in the Wycliffe area and south of the St. Mary River. It is important to ensure that future development types and densities are compatible with these agricultural lands. Consultation during the development of the plan highlighted the importance of maintaining the potential for agricultural operations within the plan area. The desire to protect the agricultural land base was particularly strong in areas where agricultural use is currently occurring. In order to protect this land base the preferred option is to limit the support for subdivision or exclusion within the plan area, however; it is recognized that some land within the ALR may be appropriate for development, subdivision or exclusion based on parcel specific circumstances.

13.2 Objectives

- (1) Preserve land with agricultural potential and protect this land from uses which are inconsistent with agricultural uses.
- (2) Minimize conflicts between agriculture and other land uses.
- (3) Identify areas that may be suitable for exclusion from the ALR due to low agricultural potential or because agricultural considerations are outweighed by community or development needs; provided there is no negative impact on lands remaining within the ALR.
- (4) Outline the conditions under which subdivision within the ALR will generally be supported and discourage subdivision elsewhere.
- (5) Protect the local production and distribution of food products.

13.3 Policies

(1) General

- (a) Land in the ALR is generally designated and supported for agricultural use.
- (b) The consolidation or boundary adjustment of legal parcels that support more efficient agricultural operations is supported.
- (c) Applications for subdivision in the ALR will not generally be supported except under the following conditions:
 - (i) the parcel to be created is a home site for a retiring farmer and the parcel being created is equal to or less than 2.0 ha and the proposal is in compliance with the Agricultural Land Commission Homesite Severance Policy
 - (ii) subdivision for a relative as per the provisions in the zoning bylaw and the *Local Government Act* and where the proposed parcel is kept as small as possible and is located in an areas which has the least impact on agriculture; or
 - (iii) to improve agricultural capacity.
- (d) Based on current land use and parcelization, ALR lands indicated on **Schedule C** are supported for a block exclusion from the ALR.
- (e) Support for exclusion of lands adjacent to the City of Cranbrook boundaries identified in (d) is subject to the parcels being incorporated into the City.

- (f) Applications for subdivision, non-farm use or exclusion should identify opportunities to improve the agricultural capacity and provide a net benefit to agriculture for the lands that remain within the ALR.
- (g) Private and Crown land that has been historically, or is currently utilized, for agriculture or leased for agricultural uses is encouraged to be maintained for these purposes.
- (h) Referrals for licenses of occupation for grazing tenures on Crown land will generally be supported. Applications within the Joseph Creek and Gold Creek watersheds will be reviewed to ensure that mitigation will be undertaken to minimize the impact on the domestic water supply.
- (i) Buffers between properties utilized for agricultural purposes and non-agricultural properties are encouraged. Measures such as fencing and screening should be utilized to ensure that farm operations are adequately protected and buffered.
- (j) The diversification of agricultural operations in response to market demands for a range of agricultural items, such as organic vegetables, free range products, exotic foods and niche products is supported.
- (k) The primary commercial uses for land within the ALR should be agricultural production and the processing and marketing of on-farm produce. However, accessory uses that complement agriculture, including, but not limited to agri-tourism and farm gate sales, will generally be supported in the ALR.
- (l) The utilization of land for community gardens, market gardens and nurseries that facilitate the growth, sale and consumption of local produce are supported. The expansion and maintenance of existing market garden and nursery operations is supported where feasible.
- (m) ALR applications for non-farm use, subdivision, or exclusion must be accompanied by a report from a qualified professional with the exception of those identified in section 13.3 (1)(n) or if an exemption from the requirement has been approved by the Regional District Board. The report must include the following:
 - (i) identification of the level of agricultural suitability and opportunity for both soil bound and non-soil bound agricultural uses;
 - (ii) identification of the agricultural capability of the parcel; and
 - (iii) identification of the impact the proposal will have on the agricultural capability of the parcel, the surrounding area and other agricultural operations.

Applications will not be processed by Regional District staff until such time as the report has been submitted or an exemption has been granted.
- (n) ALR applications for non-farm use, subdivision, or exclusion that meet one or more of the following criteria are exempt from the requirement to submit a report by a qualified professional as part of their application to the Regional District.
 - (i) Parcels that are shown in their entirety designated for support for ALR exclusion as shown on **Schedule C**.
 - (ii) The application is for subdivision for a relative as per the provisions in the zoning bylaw and the *Local Government Act* and the parcel proposed is equal to or less than 2.0 hectares in size.
 - (iii) The original parcel size is equal to or less than 4.0 hectares in size.

- (iv) Reconsideration or alteration of a prior approval by the Agricultural Land Commission.

The exemption is a condition of the Regional District review process only and does not exempt the applicant from any conditions imposed by the Agricultural Land Commission as a condition of their consideration of the application or approval. All applications reviewed by the Commission are on an individual basis in regard to the Agricultural Land Commission's mandate and may or may not be approved.

Note: On August 7, 2020, Resolution 49314 was passed by the RDEK Board of Directors to issue a blanket exemption for the requirement to submit a report for all ALR applications. A report from a qualified professional (e.g. Agrologist report) is currently not required unless otherwise identified by RDEK staff.

- (o) As resources allow, the RDEK will pursue an ALR Delegation of Authority Agreement for the plan area.
- (p) The cultivation of medical marihuana by licenced commercial producers is recognized as a potential agricultural use within the plan area. Medical marihuana production facilities licenced under and operated in conformity with the federal Marihuana for Medical Purposes Regulations are generally supported within the ALR and parcels zoned I-1, Light Industrial zone. Uses accessory to a medical marihuana production facility which are not considered to be farm use by the Agricultural Land Commission may require approval of a Non-Farm Use application.

Future applications for rezoning for medical marihuana production facilities outside of the ALR will be considered in relation to the criteria identified in section 7.3 (9) of this plan.

(2) **Gold Creek**

At the request of area residents and as resources allow, the RDEK supports a comprehensive review of the ALR for the Gold Creek subarea.

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14. Development Constraints

14.1 Floodplain Management

(1) Background

Development in close proximity to the St. Mary River, Joseph Creek, Hospital Creek, Mission Creek, Jim Smith Lake, or one of the many other lakes and watercourses within the plan area requires careful consideration. An abundance of watercourses are found within the plan area and may be subject to flooding or terrain stability issues.

(2) Objective

Ensure public safety by discouraging development in flood prone areas.

(3) Policies

- (a) Minimum setbacks and flood construction levels for development near the ordinary high water mark of water bodies and watercourses are established within the Cranbrook Rural Floodplain Management Bylaw and the Wycliffe Zoning and Floodplain Management Bylaw. All floodplain requirements must be met unless a site specific exemption has been granted by the Regional District.
- (b) All development within a floodplain or along a watercourse or water body, or potentially impacted by a site specific hydrologic hazard, such as flooding or channel avulsion, must ensure that adequate protection measures are incorporated into development designs. Specific geotechnical studies may be required as per section 56 of the *Community Charter*.
- (c) The development of land susceptible to flooding is discouraged. Lands susceptible to flooding should be used for parks, open space, recreation or agricultural uses.

14.2 Geotechnical Hazard

(1) Background

The plan area contains a number of topographic features with potential for geotechnical hazards. Potential sites for geotechnical hazard include, but are not limited to, along the St. Mary River and Perry Creek escarpments. Development in areas that may be subject to geotechnical hazard must be undertaken in a safe manner under the direction of a geotechnical engineer or other qualified professional.

(2) Objective

To ensure public safety by discouraging development in areas subject to geotechnical hazards such as slope, erosion and landslip.

(3) Policies

- (a) Applications to vary the minimum usable site area requirements contained within the zoning bylaw will not generally be supported.
- (b) All development with a slope that is equal to or greater than 15% susceptible to surface erosion, gullying, landslides or landslip must ensure that adequate protection measures are incorporated into development designs. Specific geotechnical studies prepared by a qualified professional may be required prior to issuance of a building permit as per section 56 of the *Community Charter*.

- (c) Lands with slopes in excess of 30% are subject to a geotechnical assessment and the registration of a covenant identifying the hazard and remedial requirements as specified in the geotechnical assessment.
- (d) The development of land greater than 15% slope, susceptible to erosion and land slip is discouraged. Land susceptible to erosion and landslip should be used for parks, open space and passive recreation.

14.3 Interface Fire Hazard

(1) Background

The expansion of rural development has increased the threat to the community from interface fire hazard. Fire suppression efforts in the plan area to protect developed areas have led to forest in-growth and an increase in fuel load. A proactive approach to mitigating the interface fire hazard has been implemented in some portions of the urban fringe since the forest fires in 2003. Active work has been undertaken within the City of Cranbrook and in the Cranbrook Community Forest to reduce the wildfire risk. The historical pattern of development surrounding the City of Cranbrook to the south and west presents an increased risk of interface fire hazard if fuel management is not maintained within these areas of private land holdings.

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04 Jan 13

Interface fire hazard ratings for the plan area are shown on **Schedule F** Development permit guidelines for areas identified as high risk are found within section 20.3 of this plan.

(2) Objectives

- (a) Support local and regional ecosystem restoration initiatives to mitigate the risk of interface fire hazard.
- (b) Encourage the adoption and implementation of FireSmart principles and wildfire mitigation measures by property owners, occupiers and developers.
- (c) Encourage alternative methods of reducing the fuel load in consideration of the impact on air quality.

(3) Policies

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- (a) Ecosystem restoration initiatives on Crown and private land to mitigate the risk of interface fire hazard are supported.
- (b) Development in high hazard areas may require mitigation measures as prescribed by a Development Permit issued in accordance with the provisions in section 20.3.
- (c) The use of fire rated building materials is strongly encouraged.
- (d) Applications to amend residential and rural land use designations will be considered with respect to the following FireSmart principles, as appropriate to the nature of the application:
 - (i) Provision of a minimum of two vehicular access / egress routes to allow for simultaneous access for emergency equipment and evacuation of residents.
 - (ii) Compatibility of the proposed use in relation to the density and proximity of existing or proposed adjacent uses.
 - (iii) The implementation of phasing or staging of development to minimize the interface fire hazard risk.
 - (iv) Integration and promotion of building materials that minimize the risk of fires starting or spreading.

- (v) Availability of the appropriate firefighting equipment, training and apparatus to service the proposed development.
 - (vi) Recommendations from a qualified professional as part of the Development Permit process.
- (e) Property owners are encouraged to implement FireSmart principles for existing developed properties.
- (f) In an effort to jointly manage interface fire hazards with the City of Cranbrook, this plan has established Development Permit areas for wildfire hazard management. Development Permit guidelines were drafted in consultation with the City to ensure a consistent approach to the application of wildfire management guidelines in the areas surrounding and within the City of Cranbrook.

15. Archaeological and Cultural Resources

15.1 Background

The plan area has a rich archaeological history extending back thousands of years through inhabitation and utilization of the land and its resources by the Ktunaxa. The plan area contains recorded archaeological sites and has the potential to contain many more. The Province protects these sites, whether known or unrecorded, through the *Heritage Conservation Act*. The protection applies to both private and Crown land.

Knowledge of archaeological sites is gained through the Provincial database of recorded archaeological sites and consultation with the Ktunaxa Lands and Resource Agency. An Archaeological Overview Assessment has not been completed for the plan area, but contemplation of such an overview is supported within this plan.

15.2 Objectives

- (1) Help preserve the archaeological and cultural resources of the plan area.
- (2) Recognize the potential for discovery of archaeological sites and artifacts during the development process.
- (3) Recognize the need for an Archaeological Overview Assessment for the plan area.

15.3 Policies

- (1) Archaeological sites dating before 1846 are protected under the *Heritage Conservation Act* and must not be disturbed or altered without a permit from the Archaeology Branch.
- (2) Development in conflict with archaeological sites protected under the *Heritage Conservation Act* may be required to undertake an archaeological impact assessment as a condition of approval.
- (3) Developers are encouraged to engage a professional consulting archaeologist prior to proceeding with land clearing and site grading to determine if an archaeological impact assessment is required to manage and mitigate the impact of the development on any known or unrecorded archaeological sites.
- (4) As part of the site planning and design of future developments the developer or property owner is encouraged to recognize and avoid the disturbance of identified archaeological sites.
- (5) Initiatives that protect archaeological sites and cultural resources within the plan area are supported.
- (6) Undertaking an Archaeological Overview Assessment (AOA) for the plan area is supported. The intent of the AOA is to identify areas with potential to contain archaeological sites and recognize known archaeological sites. Upon completion of the AOA the plan should be amended to integrate a schedule depicting the areas of archaeological distribution and potential.

16. Solid Waste and Utilities

16.1 Background

Solid waste within the plan area is managed in accordance with the Regional District's Solid Waste Management Plan. The solid waste is handled at the Regional District's Central Landfill, Cranbrook Transfer Station and through the Regional District yellow bin recycling program. The recycling program allows for the recycling of cardboard, paper, tin and aluminum cans, numbered plastic and food-grade glass.

Sewer and water services in the plan area are generally provided through on-site servicing by wells and septic systems. There are no significant sewer and water utilities within the plan area and the City of Cranbrook maintains a policy of not servicing lands outside of municipal boundaries.

The continued reliance on on-site groundwater sources for potable water was a concern expressed during the public consultation. In particular, significant concern was identified in relation to the limited information that is available about the groundwater aquifers in the area, their susceptibility to contamination or depletion and the lack of governmental responsibility for groundwater protection. Water quality and quantity were the top community planning issues identified during the consultation process.

16.2 Objectives

- (1) Promote recycling and responsible solid waste management practices.
- (2) Promote responsible on-site water and sewer system management.
- (3) Encourage the study of groundwater resources within the plan area.

16.3 Policies

- (1) To promote and encourage responsible solid waste management practices, the Regional District will continue to provide on-going public education campaigns to increase public knowledge on solid waste reduction.
- (2) Recycling will be encouraged and coordinated through the Regional District recycling program.
- (3) Residents and visitors are encouraged to follow the principles contained within the Solid Waste Management Plan to reduce the amount of solid waste produced in the Regional District by following the 3 Rs: reduce, reuse, and recycle.
- (4) Property owners and occupiers are encouraged to maintain their existing on-site septic systems. For new sewage disposal systems, owners and occupiers are encouraged to follow maintenance contracts in accordance with the appropriate Provincial regulations.
- (5) The continued mapping and assessment of the quality and quantity of groundwater resources within the plan area is encouraged. Cooperative efforts with the responsible Provincial ministries and organizations will be undertaken by the Regional District as resources allow.

17. Road and Transportation Network

17.1 Background

The main transportation corridors within the plan area are Highway 3, which leads to Creston in the west, Fernie and Alberta in the east and Highway 95A leading to Kimberley in the north. A secondary transportation corridor of significance is the old Kimberley highway along King Street. The majority of the roads in close proximity to the City of Cranbrook serve as collector roads directly linking to the highway and funnelling traffic towards the City.

The management of the highway, public roads, and undeveloped road rights-of-way is the responsibility of the Ministry of Transportation and Infrastructure. This section establishes the position of the Regional District with respect to issues related to the Ministry's areas of responsibility.

The major road network plan prepared by the Ministry of Transportation and Infrastructure is shown on **Schedule G**. The road network plan shows existing and proposed road linkages within the plan area. The road network plan has been significantly influenced by proposals for development within the City of Cranbrook. The proposed linkages are theoretical and the actual alignment of roads and intersections would be in consideration of topographical constraints, sightlines, and required land acquisition.

17.2 Objectives

- (1) Ensure that future development patterns and land use objectives recognize and support highway safety and mobility objectives.
- (2) Encourage the consideration of alternative transportation options within the local transportation network.

17.3 Policies

- (1) Land uses adjacent to Highway 3 and 95A should be compatible with the highway noise and traffic speed. The utilization of secondary access roads rather than direct access to Highway 3 and 95A is encouraged.
- (2) Highway mitigation measures to reduce wildlife mortality and the barrier effect, including crossing structures, highway design and public education are supported.
- (3) The retention and on-going maintenance of the Wycliffe Park Road bridge across the St. Mary River as an alternate access route is strongly encouraged.
- (4) Applications for closure of undeveloped road rights of way should not prevent future opportunities for utilization of the right of way for non-motorized access routes, trails or access to water.
- (5) The realignment and creation of new road network components to meet the demand generated by development within the City of Cranbrook is encouraged to consider and minimize the impact on rural residents.

18. Public Safety

18.1 Background

The plan area has public safety measures in place. The Central Subregion Emergency Response and Recovery Plan guides overall emergency response planning for the area. Portions of the plan area are serviced by the Cranbrook Fire Department. The entire plan area is serviced by Enhanced 911. The local RCMP and BC Ambulance Service offices are located in Cranbrook.

18.2 Objective

Ensure a safe environment for visitors and residents.

18.3 Policies

- (1) New residential development should plan for the provision of two access / egress routes for entry and exit.
- (2) The acquisition and utilization of resources and funding for emergency response planning and facilities to manage a range of potential emergency situations is supported.
- (3) Residents are encouraged to ensure that their civic address is clearly posted, in good repair and visible to assist emergency response personnel in locating the property.
- (4) Upon request by residents or initiation by the Regional District the expansion of the fire protection service area is supported.

19. Regional Context

19.1 Background

The plan area surrounds the City of Cranbrook. Land use within the municipal fringe areas is of common concern and should be addressed within the Regional Context. Consultation with the City of Cranbrook staff and Council and consideration of the City's OCP were undertaken as part of the planning process to develop the OCP. As the City has not identified specific opportunities for municipal boundary expansion, the need to consult with the City for development proposals within the fringe area was identified during the development of this plan.

The plan area also borders the Kootenay Indian Reserves #1 and #1a. The need to consider the compatibility of land uses and development policies in proximity and adjacent to each Reserve is of common concern. Consultation with the Ktunaxa Nation Council staff was undertaken as part of the planning process.

19.2 Objectives

- (1) Support cooperative land use planning between the City of Cranbrook and the Regional District.
- (2) Establish an intermunicipal notification zone within which land use proposals and applications will be referred to the City of Cranbrook.
- (3) Support cooperative land use planning between the St. Mary's Indian Band, Ktunaxa Nation Council and the Regional District.

19.3 Policies

(1) General

All development applications will be considered in relation to the principles contained within the Regional Growth Strategy and the more specific land use planning principles contained in this plan.

(2) City of Cranbrook

- (a) To provide opportunities for comprehensive long-term subdivision and servicing planning, municipal boundary expansions should occur on a large parcel or block level rather than on an individual small parcel basis.
- (b) This plan recognizes the potential for all or portions of the lands located in the Cranbrook East subarea to be incorporated into the City of Cranbrook. This is a plausible direction for future urban expansion.
- (c) Applicants requesting incorporation into the City of Cranbrook are responsible for the costs associated with upgrading any necessary infrastructure required as part of the incorporation.
- (d) To provide the City of Cranbrook with an opportunity to comment on specific land use proposals and applications, the Regional District will refer all OCP amendments, except for applications in the Wycliffe area, to the City for comment. If a response or request for extension is not received within 30 days, it will be assumed that the interests of the City of Cranbrook are unaffected. Comments received from the City of Cranbrook will be on an application by application basis and of an advisory nature to the RDEK Board.

(3) **St. Mary's Indian Band and Ktunaxa Nation Council**

- (a) All applications for OCP amendments within the plan area will be referred to the Ktunaxa Nation Council for comment.
- (b) This plan recognizes the ongoing Treaty negotiations taking place for lands contained within the plan area. The RDEK supports the application of the Greenfield development policies in section 5.3(1)(g) by the Ktunaxa Nation Council to any potential treaty settlement lands.

20. Development Permit Areas

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20.1 Background

Pursuant to the *Local Government Act*, it is the policy of the Regional District to designate certain areas within the plan area as Development Permit Areas, and implement special conditions in the form of development guidelines.

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04 JULY 14

20.2 Development Permit Area #1 – Protection of Environmentally Sensitive Areas (ESA)

(1) Area

Development Permit Area #1 applies to all areas designated as ESAs on **Schedule H1 – H6** of this plan.

(2) Purpose

The purpose of Development Permit Area #1 is for the protection of the natural environment, its ecosystems and biological diversity.

(3) Requirements

(a) Within Development Permit Area #1, owners must obtain a Development Permit before:

- (i) Subdivision creating one or more vacant parcel(s) where any portion of the parcel under application is located within Development Permit Area #1;
- (ii) Construction, addition or alteration of a building, structure or fencing within Development Permit Area #1; or
- (iii) Alteration of land, including the removal of vegetation or site grading, within Development Permit Area #1.

(4) Exemptions

(a) A Development Permit is not required within Development Permit Area #1 under the following conditions:

- (i) The proposed activity is limited to internal alterations to buildings or structures.
- (ii) The proposed activity is limited to the reconstruction, renovation, repair of, or addition to existing buildings or structures which increase the development footprint by an amount less than 25% of the area existing at the time Regional District of East Kootenay - Rockyview Official Community Plan Bylaw No. 2255, 2010 was adopted.
- (iii) The proposed activity is limited to the installation, repair or placement of utilities infrastructure within a public right of way.
- (iv) The proposed activity is limited to general road or railway construction or maintenance within a public road right of way or railway right of way.
- (v) The proposed activity is limited to:
 - (A) the removal or pruning of hazardous trees as identified by a qualified hazard tree assessor;
 - (B) ecosystem restoration project approved by a Qualified Environmental Professional (QEP); or
 - (C) supplementing or maintaining natural existing vegetation.

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- (vi) The proposed activities are considered to be normal agricultural practices as defined in the *Farm Practices Protection (Right to Farm) Act* or designated as farm use within the *Agricultural Land Commission Act* and Regulations. This exemption does not apply to those land altering activities that require site grading or extensive removal of vegetation within 15 metres of Hospital Creek, Joseph Creek or Gold Creek.
- (vii) A QEP conducts a site visit and certifies in a signed letter that the environmentally sensitive area indentified in **Schedule H1 – H6** is not present on the parcel under application.
- (viii) The land and ESA values within Development Permit Area #1 have been permanently and adequately protected by means such as a conservation covenant, returned to Crown ownership, provided as public park, or similar method as is acceptable to the Manager of Planning & Development Services. Any reference in Section 20.2 to the RDEK accepting a conservation covenant is at the discretion of the RDEK.
- (ix) The proposed activity is limited to timber harvesting, forest road construction, grazing enhancement, forest recreation or other forest management activities on Crown land that are conducted under the auspices of the District Forest Manager.
- (x) The proposed activity is conducted under the authority of the Provincial Emergency Program, is intended to resolve emergency situations that present an immediate danger to life or property including procedures related to flooding or erosion.
- (xi) The proposed activity is limited to emergency repairs to buildings or structures where there is a demonstrable and immediate risk to personal or public safety and property.
- (xii) The proposed activity is limited to drilling a well, or the siting, construction or installation of a septic tank, drainage field, or sewage treatment system in accordance with provincial regulations. This exemption does not apply within sections of Development Permit Area #1 indentified in **Schedule H1 – H6** as wetland or riparian ecosystem areas.
- (xiii) The proposed activity is limited to the siting, construction or installation of a retaining wall or shoreline/bank protection device in accordance with applicable legislation, regulations and best practices.
- (xiv) The proposed activity is limited to subdivision which solely involves parcel line adjustment where no section of a parcel line being adjusted is located within Development Permit Area #1.
- (xv) The proposed activity is substantially consistent with a development permit previously issued under Section 20.2(3)(a)(i) and the conditions of the previously issued development permit have been met.
- (xvi) The proposed activity involves the development or management of a provincial park; is conducted within the boundaries of a provincial park; and is compliant with the provincial *Park Act*.

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- (xvii) The Regional District is exempt from permit requirements for works within Wycliffe Regional Park.
- (xviii) Installation, repair or placement of utilities infrastructure owned and operated by the City of Cranbrook.

(5) Justification

(a) The Rockyview Official Community Plan area includes a range of significant ecosystems, habitats and features. These include:

(i) Wetland and riparian ecosystems

Wetlands and riparian ecosystems play a critical role in helping maintain biodiversity as they provide habitat and wildlife corridors for many terrestrial and aquatic species. Wetland and riparian ecosystems, including both the wetted area and adjacent supporting land and vegetation, provide productive fish habitat and are important to both aquatic and terrestrial wildlife.

(ii) Grasslands ecosystems

Grasslands are home to more than 30 percent of provincial species at risk and support more threatened or endangered species than any other habitat in the province. Grasslands represent less than one percent of the provincial land base and are recognized as one of BC’s most threatened ecosystems.

(iii) Old growth forests

The range of tree ages and species found in old growth forests results in increased ecological complexity. This complexity contributes to varying habitat and a diversity of species. Some species are highly dependent on attributes found only in older forests. The distribution of old growth forests within the plan area is limited.

(iv) Connectivity corridors

Wildlife populations, communities and ecological processes are more likely to be maintained in landscapes that include an interconnected system of habitats than in landscapes where natural habitats occur as dispersed ecologically-isolated fragments. Connectivity corridors act as linkages between habitats and mitigate fragmentation due to development activities. Connectivity corridors within the plan area provide important linkages between fragmented habitat for many species.

(v) Habitat for species at risk

The area contains a range of habitat for vulnerable and endangered wildlife and plants. Information on species at risk within the plan area can be found in the BC Species and Ecosystems Explorer and BC Conservation Data Centre.

(b) The objective of Development Permit Area #1 is the protection, preservation, restoration and enhancement of the significant ecosystems, habitats and features identified in 20.2(5)(a)(i)-(v) and on **Schedule H1 – H6**. These ecosystems, habitats and features are considered vital to the retention of the character and ecosystem health of the plan area. Activities within these areas must be undertaken in a manner that minimizes the disruption or alteration of its environmental integrity. The intent is not to preclude all development in these areas, but to provide notice that the areas include unique characteristics that warrant special

review and consideration and to ensure appropriate mitigation measures are prescribed where appropriate.

(6) Guidelines

Proposed development must comply with the Guidelines. Development Permits issued shall be in accordance with the following:

(a) General

The following guidelines apply to all areas identified as ESAs on **Schedule H1 – H6** of the Rockyview Official Community Plan:

- (i) All development proposals are subject to the applicable requirements and approval processes under federal or provincial legislation or regulations. Identification of the permits and approvals required must be submitted with the development permit application. Issuance of the development permit will be conditional upon the acquisition of all required permits and approvals from the responsible jurisdictions. It is the responsibility of the applicant to identify and complete the applicable federal and provincial approval processes.
- (ii) Where development is considered in an ESA, the following strategies may be used to meet guideline provisions and direct development away from the ESA:
 - (A) Variance through the Development Permit to vary setbacks or siting regulations in the zoning bylaw;
 - (B) Reduction of the minimum parcel sizes specified in the zoning bylaw in a subdivision application may be considered on the parcel that contains the ESA if the proposed subdivision is based on Conservation Subdivision Design principles and conserves the environmentally sensitive feature or area as recommended by a QEP in an Environmental Impact Assessment Report. Further details on Conservation Subdivision Design can be found in Randall Arendt's *Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks*. Washington, DC: Island Press, 1996;
 - (C) Registration of a conservation covenant against the title of the property which requires that the environmentally sensitive area be protected in its natural, existing, or restored state as recommended in an Environmental Impact Assessment Report prepared by a QEP.
- (iii) The Regional District may require additional information as part of the Development Permit application process, for example, submission of an Environmental Impact Assessment Report prepared by a QEP.
- (iv) When an Environmental Impact Assessment Report by a QEP is prepared as part of an a Development Permit application for Development Permit Area #1, an inventory of any habitat that supports species at risk which are identified as extirpated, endangered or threatened in federal or provincial legislation or regulations must be completed as part of the identification of relevant baseline information. If habitat that supports species at risk is identified, the Environmental Impact Assessment Report must:

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- (A) Document the species at risk and their habitat which may be impacted by the proposed activity or development;
- (B) Identify and describe any potential and likely impacts of the activity or development on the species at risk and their habitat, including any cumulative effects when combined with other projects proposed or under development;
- (C) Evaluate the impacts in terms of their significance and the extent to which they might be mitigated; and
- (D) Make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are mitigated or avoided;

in accordance with accepted impact assessment methodology. All approved development should be completed in accordance with the recommendations of the Environmental Impact Assessment Report.

(b) Wetland and Riparian Ecosystem Guidelines

The following guidelines apply to areas identified as wetland and riparian ecosystem ESAs on **Schedule H1 – H6** of the Rockyview Official Community Plan:

- (i) Human settlement and other land development activities within, or adjacent to wetlands is discouraged.
- (ii) Proposals that offer to register a conservation covenant on the title of the lands in order to permanently protect wetland or riparian ecosystems are encouraged. The covenant should be registered before any development, including subdivision and should be in favour of the Regional District, other public agencies including the Province, or non-governmental organizations, such as a private land trust committed to the management of watercourses or streamside areas.
- (iii) Locating road and utility corridors along or across wetland or riparian ecosystems should be avoided in order to maintain natural connectivity.
- (iv) A riparian buffer for watercourses, lakes, ponds and wetlands must be established within which no development or alteration of land is permitted. The minimum size of the riparian buffer must be equal to or greater than the minimum setback distance as required by the Regional District's floodplain regulations. The riparian buffer adjacent to lakes, marshes, ponds and wetlands should include the bed and area between the natural boundary and a perpendicular line inland a minimum of 15 m from the natural boundary.
- (v) Despite subsection 20.2(6)(b)(iv), development proposals that involve disturbance of watercourses, lakes, ponds, marshes, wetlands or riparian ecosystems may be permitted in compliance with the following guidelines:
 - (A) For development proposals that involve disturbance within the riparian buffer, or the filling in of lakes, ponds, marshes, wetlands or riparian ecosystems, an Environmental Impact Assessment Report by a QEP must be completed to determine appropriate measures to protect wetland hydrology and ecological processes. All approved development should be completed in accordance with the recommendations of the Environmental Impact Assessment Report.
 - (B) All channelization or alterations of creeks must incorporate mitigation measures as determined by a QEP in an Environmental Impact Assessment Report to minimize

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adverse environmental effects and be in compliance with federal or provincial legislation or regulations.

(C) Applications for development activities that will negatively impact wetland or riparian ecosystems should include appropriate compensatory enhancement or restoration measures as determined by a QEP in an Environmental Impact Assessment Report in order minimize the net loss of wetlands and riparian ecosystems.

(vi) When an Environmental Impact Assessment Report by a QEP is prepared to satisfy guidelines in subsection 20.2(6)(b)(i)-(v), the potential for upland development to impact riparian ecosystem areas through increased runoff, sedimentation, loss of shade, or increased watercourse temperature must be considered. Appropriate mitigation strategies should be identified where applicable. All approved development should be completed in accordance with the recommendations of the Environmental Impact Assessment Report.

(c) Grasslands Ecosystem Guidelines

The following guidelines apply to areas identified as grassland ecosystem ESAs on **Schedule H1 – H6** of the Rockyview Official Community Plan:

(i) Reductions in grassland ecosystem areas as the result of development activities should be limited. Where possible, development should be directed outside grassland ecosystem areas.

(ii) If development is proposed within grassland ecosystem areas a compact development footprint should be utilized to minimize negative impacts to existing grasslands.

(iii) Applications for development activities where grasslands ecosystems are temporarily disturbed should include commitments to restore the grassland areas through replanting with native vegetation as determined by a QEP in an Environmental Impact Assessment Report.

(iv) Applications for development activities that will negatively impact grasslands ecosystems should include compensation measures in order to minimize the net loss of grassland ecosystems. Suitable compensation activities include:

(A) Permanent protection of native grasslands of an equivalent size and ecological value to the lands disturbed through the development activity. Protection should occur through the registration of a conservation covenant on the title of the lands. The covenant should be registered before any development activities commence. The covenant should be registered in favour of the Regional District, other public agencies including the Province, or non-governmental organizations, such as a private land trust committed to the management of grassland areas.

(B) Appropriate restoration or enhancement of comparable areas through removal of trees encroaching on grassland ecosystems and reclamation of grassland areas by planting native grass species, as determined by a QEP in an Environmental Impact Assessment Report.

(d) Old Growth Forest Guidelines

The following guidelines apply to areas identified as old growth forest ESAs on **Schedule H1 – H6** of the Rockyview Official Community Plan:

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- (i) Human settlement and other land development activities within, or adjacent to, old growth forests is discouraged.
 - (ii) If development is proposed within old growth forest areas a compact development footprint should be utilized to minimize negative impacts to the old growth forest.
 - (iii) Large diameter trees should be identified and preserved.
 - (iv) Snags, downed logs, stumps and other forest features should be preserved unless they present a danger to personal or public safety.
 - (v) Applications where development within old growth forests is unavoidable should include compensation measures such as restoration of natural old growth forest disturbance zones through thinning or spacing in order to minimize the net ESA loss. Restoration is encouraged through removal and spacing of smaller trees and burning debris piles as determined by a QEP in an Environmental Impact Assessment Report. Restoration should maintain the key characteristics of typical dry ecosystem old growth forests including a spaced open crown closure comprised of large diameter trees. This guideline does not apply to the restoration of higher elevation old growth forests.
- (e) Connectivity Corridor Guidelines

The following guidelines apply to areas identified as connectivity corridor ESAs on **Schedule H1 – H6** of the Rockyview Official Community Plan:

- (i) Contiguous habitat areas should be preserved.
- (ii) Structures and barriers that impede wildlife movement, such as exclusion fencing should be avoided within connectivity corridors. For example, solid walls or fences erected to control wildlife capable of jumping over a fence 2.0 m in height should not be used. Three strand wire fences are acceptable for use within a connectivity corridor.
- (iii) Extensive development within connectivity corridors that restricts the opportunity for wildlife movement should be avoided.
- (iv) If the construction of a structure within a connectivity corridor cannot be avoided, the structure should be located at the periphery of the corridor to limit the impediment of wildlife movement.
- (v) Extensive pruning of underbrush within connectivity corridors should be avoided.
- (vi) Forest cover should be maintained to encourage the use of connectivity corridors by wildlife.
- (vii) Native vegetation within connectivity corridors should be maintained. Conversion of vegetation within corridors to non-native species should be avoided.
- (viii) Snags, downed logs, stumps and other forest features should be preserved unless they present a danger to personal or public safety.

(7) Applicable Definitions

Within Development Permit Area #1:

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DEVELOPMENT FOOTPRINT means the area affected by development or by project site activity. Hardscape, access roads, parking lots, non-building facilities, and the building itself are all included in the development footprint.

ENVIRONMENTAL IMPACT ASSESSMENT REPORT means a report prepared in accordance with the terms of reference issued for the land development project in accordance with the “Regional District of East Kootenay – Development Approval Information Bylaw No. 2122, 2008” and section 21.4(2)(i) of this plan. As identified in the Development Approval Information Bylaw, Environmental Impact Assessment Reports must include baseline information, identification of likely impacts and their significance and mitigation recommendations.

NATURAL BOUNDARY means the visible high water mark where the presence and action of water are so common and usual and continued in all ordinary years as to mark upon the soil of the bed of a lake, river or stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself.

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized by their professional organization as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.

RIPARIAN ECOSYSTEM means a terrestrial ecosystem where the vegetation complex and microclimate conditions are the product of combined presence and influence of perennial and/or intermittent water, associated high water tables, and soils that exhibit some wetness characteristics. The riparian ecosystem is influenced by, and exerts an influence on, the associated aquatic system.

WATERCOURSE means any natural or manmade depression with well defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of 2 square kilometres (492.4 acres) or more upstream of the point of consideration.

WETLAND means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

20.3 Development Permit Area #2 – Wildfire Hazard

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(1) **Area**

Development Permit Area #2 applies to all properties with all or a portion of the property designated as having a high fire hazard rating as shown on **Schedule F**.

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(2) **Purpose**

The purpose of Development Permit Area #2 is for the protection of development from hazardous conditions.

(3) **Requirements**

Within the Development Permit Area #2, owners must obtain a Development Permit before:

- (a) subdivision creating one or more vacant parcels;
- (b) placement or construction of a dwelling unit; additions to a dwelling unit which increase the floor area by an amount greater than 25% of the area existing at the time this Bylaw was adopted.

(4) **Exemptions**

Development Permits are not required within Development Permit Area #2 under the following conditions:

- (a) The proposed activity is limited to internal alterations to buildings or structures.
- (b) A Registered Professional Forester (RPF) who is a member of the Association of BC Forest Professionals conducts a site visit and certifies in a signed letter that the parcel of land to be subdivided or the dwelling unit to be constructed or placed is not within a high fire hazard area.
- (c) The land is already subject to a wildfire hazard development permit or restrictive covenant.

(5) **Justification**

In an effort to minimize the risk of damage to property by wildfire, some properties in the plan area have been identified as requiring wildfire hazard management. Subdivision creating one or more vacant parcels and placement or construction of a dwelling unit on these properties will be subject to FireSmart construction standards that aim to reduce the risk of damage by wildfire.

(6) **Guidelines**

Development Permits issued shall be in accordance with the following guidelines:

- (a) Subdivision Guidelines
 - (i) Prior to the Regional District's issuance of final subdivision comments to the Ministry of Transportation and Infrastructure, a development permit will be registered on the property that states all future dwelling units on the property shall be in conformance with section 20.3 (6)(c) of this plan and the results of the report prepared under section 20.3 (6)(a)(ii), if applicable.
 - (ii) In cases of Development Permit Area overlap, the Regional District may require a Wildfire Hazard Assessment Report prepared by an RPF who is a member of the Association of BC Forest Professionals. The reports for wildfire hazard and environmentally sensitive areas should be submitted concurrently.

The Regional District may require written acknowledgment that the professionals involved have read and collaborated on their reports and recommendations. The wildfire hazard assessment shall take into account the findings of the other professional report(s) and recommendations including regard for the cutting or thinning of trees and the need for remediation of disturbed areas to avoid situations that could lead to adverse conditions such as destabilization of slopes or negative effects to other environmentally sensitive areas on the property.

- (b) Dwelling Unit Guidelines

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- (i) The intention of the guidelines is to ensure the long term maintenance of Priority Zone 1. This zone is the area within ten metres of a dwelling unit including, but not limited to, decks, additions and balconies. The development permit will state that future development will comply with the guidelines contained in this section as well as the results of the report prepared under section 20.3 (6)(b)(ii), if applicable.
- (ii) In cases of Development Permit Area overlap, the Regional District may require a Wildfire Hazard Assessment Report prepared by an RPF who is a member of the Association of BC Forest Professionals. The reports for wildfire hazard and environmentally sensitive areas should be submitted concurrently.

The Regional District may require written acknowledgment that the professionals involved have read and collaborated on their reports and recommendations. The wildfire hazard assessment shall take into account the findings of the other professional report(s) and recommendations including regard for the cutting or thinning of trees and the need for remediation of disturbed areas to avoid situations that could lead to adverse conditions such as destabilization of slopes or negative effects to other environmentally sensitive areas on the property.

(c) Occupancy Permit Guidelines

An Occupancy Permit will not be issued by the Regional District until an inspection has been completed and it has been confirmed that the conditions under section 20.3 (6)(d) and 20.3 (6)(e) have been met.

(d) Occupancy Permit requirements for dwelling units:

- (i) All roofing materials of new dwelling units must conform to Class A, B or C fire resistance as defined in the BC Building Code.
- (ii) Buildings and structures used to store wood or other combustible materials must be located a minimum of 10 metres away from the dwelling unit.
- (iii) Property owners must post their civic address in accordance with the applicable Regional District house numbering regulation bylaw.

(e) Occupancy Permit landscaping requirements within the Priority 1 Zone:

- (i) Combustible fuel removal shall take place. Fuel removal includes the removal of ground-level fuels, piled debris, and other combustible debris.
- (ii) Planting of new coniferous species including, but not limited to, juniper, pine and spruce is not permitted.
- (iii) It is not advisable to retain previously existing mature coniferous trees within the Priority 1 zone. If retained, coniferous trees must:
 - have limbs pruned such that they are at least two metres above the ground; and
 - be spaced so that there are three metres between crowns, thereby ensuring the tips of the branches of a coniferous tree are no closer than three metres to the tips of the branches of neighboring coniferous trees; and
 - have no limbs within three metres of the dwelling unit or attachments such as balconies; OR

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- be managed as recommended in a Wildfire Hazard Assessment Report, in consideration of FireSmart Principles, prepared by an RPF who is a member of the Association of BC Forest Professionals.

21. Implementation

21.1 Background

The OCP sets out the broad objectives and policies of the Regional District for the Rural Cranbrook and Wycliffe areas. The plan does not provide all the tools to implement the specific directions contained within it.

Many of the policy statements contained within the plan are not the direct responsibility of the Regional District. In these cases, the OCP represents the Regional District's position with respect to the preferred course of action for other levels of government, public authorities or individuals.

21.2 OCP Amendments

- (1) In the future, plan amendments may occur in response to a change in the needs of the community or the objectives for development or conservation. Amendments may be initiated by the Regional District or by an application by a property owner. All amendments to the plan require a bylaw amendment as prescribed by the *Local Government Act*.
- (2) Upon application to amend the OCP the applicant shall demonstrate that the proposed development site(s) will have adequate access and infrastructure services and that they are able to sufficiently mitigate any hazardous site conditions such as soil erosion, flooding and interface fire.
- (3) To ensure that the OCP remains effective, relevant and responsive to the needs of the community, the OCP should periodically be reviewed to determine if the level of development that has occurred in the plan area, or a change in the other conditions, necessitates that the plan be substantially amended or rewritten.

21.3 Zoning Bylaw Amendments

- (1) Parcels may be rezoned in conformity with the land use designations contained in **Schedules D – D8**. The proposed zoning must also conform to the objectives and policies contained in the OCP.
- (2) The subject parcel(s) shall be developable and meet the requirements of the zoning bylaw.
- (3) The owner shall demonstrate that the proposed development site(s) will have adequate access and infrastructure services and will sufficiently mitigate any hazardous site conditions such as soil erosion, flooding and wildfire.

21.4 Development Approval Information

- (1) The Regional District may require the submission of development approval information to ensure that sufficient supporting documentation is provided, prior to approval, to assess the potential impact of a development or activity. Development approval information may be required in conjunction with applications for:
 - amendments to a zoning bylaw;
 - development permits; and
 - temporary land use permits.

The procedures for the preparation and review of development approval information are established within the Development Approval Information Bylaw.

- (2) Development approval information may be required for the following circumstances and areas:

- (i) *Natural Environment*

Criteria: Applications for amendments to the zoning bylaw, temporary use permits or development permits under section 20.2 Development Permit Area #1 – Protection of Environmentally Sensitive Areas (ESAs), of this plan.

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Rationale: To consider the impact of the proposed activity or development on environmentally sensitive areas, endangered and threatened species, fish habitat, wildlife habitat and corridors or water resources in order to meet the objectives and policies identified within the following sections of this plan:

- 11.2 – Environmentally Sensitive Areas
- 11.3 – Wildlife Habitat and Corridors
- 11.4 – Water Resources; and
- 20.2 – Development Permit Area #1 – Protection of the Natural Environment

(ii) *Wildfire Hazard*

Criteria: Applications for development permits under section 20.3, Development Permit Area #2 – Wildfire Hazard, of this plan.

Rationale: To minimize the risk of damage to property by wildfire and to create a natural environment with a reduced fire risk.

22. Land Use Designations

The land use designations are meant to identify, in general terms, the type of land uses that are appropriate for the designated lands. Agriculture use is generally considered to be an appropriate use on all lands located within the Agricultural Land Reserve. Further detail regarding the intent of the land use designations is found below.

The land use designations are shown on **Schedules D – D8**. Where a land use designation boundary is shown as following a highway or creek, the center line of such highway or creek shall be the land use designation boundary.

22.1 Residential Land Uses

- (1) **R-SF, Residential Low Density** includes single family residential subdivisions, duplexes and manufactured home parks.
- (2) **SH, Small Holdings** supports low density residential development with minimum parcel sizes in the range of 0.2 ha to 2.0 ha.
- (3) **MH, Medium Holdings** supports rural residential development with a parcel size of 2.0 ha.
- (4) **LH, Large Holdings** supports rural residential development and rural resource land uses in the range of 2.0 to 8.0 ha.
- (5) **R-RES, Residential Reserve** has been utilized for parcels that are currently zoned for subdivision while recognizing their potential for maximizing rural infill opportunities. The parcels have not been pre-designated so that flexibility in assigning the appropriate designation(s) in response to the needs of the community, market demands and site specific conditions can occur. Re-designation to applicable land use designations will be required at the time of rezoning. Any criteria established in **Schedule A** of the plan that applies to the specific parcels must be satisfied prior to, or in conjunction with, a rezoning application.

22.2 Rural Land Uses

- (1) **RR, Rural Resource** includes agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

22.3 Commercial Land Uses

- (1) **C, Commercial** supports the limited range of local, service and commercial recreation land uses identified in the Zoning Bylaws.

22.4 Industrial Land Uses

- (1) **I, Industrial** supports industrial land uses.

22.5 Institutional Land Uses

- (1) **INST, Institutional** includes such land uses as utilities, parks and playing fields, educational facilities, churches or places of assembly, and similar developments.
- (2) **OSRT, Open Space, Recreation and Trails** supports greenspaces, recreational amenities, agricultural uses, local, regional and provincial parks and other protected areas, such as wildlife corridors.

- (3) **WP, Watershed Protection** identifies lands that are part of an existing or potential community watershed and that require protection from development that could impair the quality of the domestic water supply obtainable from the watershed.

This is Schedule A referred to in Bylaw No. 2255 cited as
"Regional District of East Kootenay – Rockyview Official
Community Plan Bylaw No. 2255, 2010."

"Scott Manjak"

Chair

"L. V. Crane"

Corporate Officer

April 1, 2011

Date