STEAMBOAT – JUBILEE MOUNTAIN OFFICIAL COMMUNITY PLAN BYLAW No. 3022, 2021

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

February 13, 2026

BYLAW AMENDMENTS

Bylaw	Amend / Yr	Adopted	Short Citing	Legal / Zone
3084	01/2022	Feb. 17/23	Miscellaneous Amendment / RDEK	Text Amendments
3376	02/2025	Feb. 13/26	Wilmer / Corbo & Johnson	Designation of Parcel C (see XJ33556) Block 23 DL 377 KD Plan 692 **R-SF to C**
3407	03/2025	Sept. 12/25	Wilmer / Peterson	Designation of Lot 1 DL 377 KD Plan EPP5920 **SH to R-SF**

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3022

A bylaw to adopt an Official Community Plan for the Steamboat – Jubilee Mountain 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 Steamboat – Jubilee Mountain 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 – Steamboat – Jubilee Mountain Official Community Plan Bylaw No. 3022, 2021."

2. Application

This Bylaw is applicable to all land within the boundaries of the Steamboat – Jubilee Mountain Official Community 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 Overview
(c) Schedule C – Agricultural Land Reserve
(d) Schedule D – Land Use Overview
(e) Schedule D1 – Wilmer
(f) Schedule D2 – Dry Gulch
(g) Schedule D3 – Edgewater
(h) Schedule D4 – Luxor/Spur Valley
(i) Schedule D5 – Brisco
(j) Schedule D6 – Spillimacheen
(k) Schedule E – Ungulate Winter Range and Corridors
(l) Schedule F – Badger Habitat and Connectivity
(m) Schedule G – Flood & Torrent Hazard
(n) Schedule H – Slope Analysis
(o) Schedule I1 – Wilmer – Development Permit Area #2
(p) Schedule I2 – Dry Gulch – Development Permit Area #2
(q) Schedule I3 – Edgewater – Development Permit Area #2
(r) Schedule I4 – Luxor / Spur Valley – Development Permit Area #2
(s) Schedule I5 – Brisco – Development Permit Area #2
(t) Schedule I6 – Spillimacheen – Development Permit Area #2
(u) Schedule J1 – Wilmer - ALR Exclusion Areas
(v) Schedule J2 – Radium Resort/Dry Gulch - ALR Exclusion Areas
(w) Schedule J3 – Edgewater - ALR Exclusion Areas
(x) Schedule J4 – Spur Valley - ALR Exclusion Areas
(y) Schedule J5 – Spillimacheen - ALR Exclusion Areas

4. Severability and Enactment

(a) 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 is invalid shall not affect the validity of the remainder.

(b) The Development Services Manager, Compliance Officer, and any other person authorized to assist the aforementioned persons are authorized to administer and enforce this Bylaw.

(c) A Compliance Officer may, at all reasonable times, enter on and into Property in the plan area as shown on **Schedule B** to ascertain whether the regulations and requirements of this Bylaw are being observed.

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

(e) Bylaw No. 1926, cited as the "Regional District of East Kootenay – Steamboat – Jubilee Mountain Official Community Plan Bylaw No. 1926, 2006" is hereby repealed.

READ A FIRST TIME the 5th day of March, 2021
READ A SECOND TIME the 5th day of March, 2021.

READ A THIRD TIME the 9th day of April, 2021.

ADOPTED the 9th day of April, 2021.

"Rob Gay"	*"Tina Hlushak"*
CHAIR	CORPORATE OFFICER

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SCHEDULE A – POLICIES

1. INTRODUCTION

1.1 Administration

The Steamboat - Jubilee Mountain Official Community Plan (OCP) is a long term strategic planning document intended to:

- reflect the collective vision of the plan area 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 plan area land base.

This OCP will be used and administered by the Board of Directors and Staff of the Regional District of East Kootenay (Regional District) to evaluate all future development proposals and changes in land use within the plan area. This OCP 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 this OCP.

This 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, this 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.

Once this OCP is adopted it will provide the Board with a planning framework and guideline to promote certainty in land use decision making. In approving this 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

This OCP is adopted pursuant to the provisions of Part 14 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, institutional and other types of land uses;
- location and area of sand and gravel deposits suitable for future extraction;
- restrictions on the use of environmentally sensitive and hazardous lands;
- approximate location and phasing of any major road and infrastructure systems;
- location and type of present and proposed public facilities;
- affordable housing, rental housing and special needs housing; 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 local, provincial and federal legislation and regulations.

1.3 Plan Policies and Map Designations

This 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 vision within the plan area. The policies are utilized to address the issues and implement the

identified vision. Policy statements are developed based on the consideration of balancing private and public interests. The policies contained within this OCP become the official position of the Regional District.

Schedules attached to this OCP 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 goal of the planning process is to update the current Steamboat – Jubilee Mountain - Jubilee Mountain Official Community Plan (OCP) with the current views of the community, include development permits for environmentally sensitive areas and to re-visit the community's vision for the commercial core in Edgewater. The Regional District Board authorized the planning process in April 2019.

An information newsletter was mailed to area property owners and introductory meetings were held in Edgewater, Wilmer and Brisco in July 2019. The introductory meetings provided an overview of the planning process for residents and property owners. Those in attendance were asked to comment on existing policies, highlight the important features and assets within their communities and to voice their land use concerns and vision for the community in the next five to ten years.

Between August and November, consultations with Provincial Ministries, the Ktunaxa Nation Council, public and private interests occurred and OCP drafting commenced. An online survey was made available and a second newsletter was mailed in January 2020. A third newsletter was mailed in August and community meetings were held over two days in September. The meetings provided an overview of survey results and the draft OCP, followed by a month long comment period and the formal bylaw adoption process.

1.5 Relationship to the Zoning Bylaw

The land use designations contained within the OCP were assigned based on the goals, objectives 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. 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 Plan Area

The plan area is located in the Rocky Mountain Trench of south-eastern British Columbia. It is bordered by the Purcell Mountains to the west and the Rocky Mountains to the east. The Columbia Wetlands, a designated "Wetland of International Importance", form a significant portion of the plan area. The plan area is delimited on the north by the boundary of the Regional District and extends south around the Village of Radium Hot Springs and ends at the Shuswap Indian Reserve and the south side of Wilmer. The boundary of the plan area is shown on **Schedule B**. The plan area has been divided into subareas shown on **Schedules D1** to **D6.**

(1) Spur Valley

Spur Valley is located approximately 9 km north of Edgewater. Spur Valley is a community comprised of a nine hole golf course, recreational vehicle park and a residential subdivision.

(2) Edgewater

Edgewater is located approximately 11 km north of Radium Hot Springs and is the largest of the rural communities within the plan area.

Most of the community of Edgewater is situated on the west side of Highway 95 and has three access points from the highway. The portion of Edgewater to the east of Highway 95 consists primarily of large rural acreages, with the exception of one large industrial site containing an inactive sawmill.

The west side of Edgewater consists of a mixed use community with a variety of services for residents. From the highway the parcel sizes gradually decrease into the village core, which has standard town sized parcels. Edgewater has an elementary school, community hall, church and cemetery, post office, general store and gas station and several community parks, including a ball diamond.

Baptiste Lake is located approximately two kilometres southeast of Edgewater and is the source water intake for the Edgewater Water System.

(3) Brisco / Spillimacheen

Brisco is primarily an agricultural community with a large lot rural character. Brisco is home to a community hall, general store, church and wood products processing facility.

Spillimacheen is a small rural community consisting of small residential lots, a campground, rental cabins, seasonal café and a general store specializing in honey products. Spillimacheen is surrounded by large rural properties.

(4) Wilmer

Wilmer is located approximately 3 km north of Invermere. Wilmer is a residential community comprised of single family dwellings on smaller parcels. Wilmer is home to the Wilmer Community Hall, Delphine Lodge and Conrad Kain Memorial Park.

(5) Dry Gulch

The Dry Gulch area encompasses a mix of land uses including residential parcels, mobile home parks, campgrounds and zip-line facility

Dry Gulch Provincial Park is approximately twenty-nine hectares and contains twenty-seven campground sites.

(6) Radium Resort

Radium Resort is a destination golf resort which encompasses recreational amenities, commercial accommodation and residential properties.

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2. AREA HISTORY AND BACKGROUND

2.1 History

The plan area has a long history of occupation by First Nations people. Both the Ktunaxa and the Shuswap people extensively used the valley. The area was of particular importance for the salmon that spawned in the Columbia River.

Settlers first came to Wilmer in 1896 during a BC mining boom. Most of the people in Peterborough, as it was first called, were single men who had come to work the Paradise and Ptarmigan Mines. A settlement plan was devised by the newly organized Columbia Valley Irrigated Fruitlands Co. Ltd. in 1907 and signaled the start of a large influx of settlers. By 1913 Wilmer was a busy logging and mining community with more than three hundred residents.

Settled in the 1880's, Edgewater was originally a farming community that has turned its focus to the forest industry. The community has a population of approximately four hundred and thirty-seven and provides basic amenities to its residents. One of the historical highlights of the community is the agricultural irrigation flume, which was built in 1912 and still operates today.

Spillimacheen and Brisco were first established in the mid 1800's by settlers to the area. The original mining focus has changed primarily to agriculture.

Spur Valley was established in the early 1970's and contains a residential subdivision along with a RV resort and golf course.

2.2 Previous Plans

Steamboat – Jubilee Mountain Official Community Plan Bylaw No. 1926, 2006
In 2007, the Steamboat – Jubilee Mountain Official Community Plan Bylaw No. 1926 replaced the Edgewater Official Settlement Plan which had been adopted in 1981. In June 2013, the Regional District Board amended the boundaries of the Steamboat-Jubilee Mountain OCP to encompass the Wilmer and Dry Gulch areas.

Regional Sustainability Strategy
The Regional Sustainability Strategy (RSS) was adopted in October 2014. The strategy provides the Regional District with a wide ranging, long term planning tool. It equips the region with a "sustainability lens" to guide and evaluate operations and decision-making. It also provides the Regional District with a single overarching reference point for its activities, including future planning and priority setting processes.

RDEK Agricultural Plan
In 2014, the East Kootenay Agricultural Plan was developed as a collaborative process involving consultation with local residents, government agencies and local stakeholders. The initial phase involved a comprehensive Agricultural Land Use Inventory of land use and land cover within the ALR utilizing the Ministry of Agriculture, Strengthening Farming Program protocol. The second phase included consultation and engagement activities, development of the Regional District Agricultural Plan Background Report and creation of the Agricultural Plan. The Agricultural Plan contains strategies to foster, adapt and sustain the long term viability of farming in the region.

Community Wildfire Protection Plan
In 2012, the Regional District hired B.A. Blackwell & Associates to develop a region-wide Community Wildfire Protection Plan (CWPP). The intent of the CWPP was to provide the Regional District with a high-level overview of wildfire risk in the region, which would also be used as a guiding document for any proposed wildfire risk mitigation or prevention efforts. The CWPP is comprised of a Regional Summary and Implementation Plan, supplemented with more specific plans for each Electoral Area in the regional district.

2.3 Recent Development

The Steamboat – Jubilee Mountain Official Community Plan has been amended fourteen times since its adoption in 2007. Between 2007 and 2011, one hundred and seventy five new lots were created in the plan area, with one hundred and fifty-three of those lots located in Valley's Edge Resort. Since 2011, twenty-three new lots have been created.

One hundred and sixteen new dwelling units have been constructed in the plan area since 2007. Sixty-seven of the new dwelling units were located in the Edgewater area including thirty-seven located in Valley's Edge Resort. Brisco and Dry Gulch both had eleven new housing starts and Wilmer had thirteen.

3. GOALS OF THE OFFICIAL COMMUNITY PLAN

This OCP is a comprehensive land use document that establishes land use policies for future development in the Steamboat Jubilee Mountain area. The goals and policies of this OCP have been developed in consultation with area residents, provincial government agencies and First Nations. The goals of this OCP are:

1. Promote development that maintains the rural character of the plan area and that reflects a diversity of lifestyles, economic and recreational activities while recognizing the unique characteristics of the plan area and the desire to mitigate incompatible forms of development.

2. Support the agricultural base in the plan area through protection of agricultural resources and the promotion of opportunities for local food production, diversification and value added agricultural activities.

3. Recognize the existing commercial, light industrial and institutional uses within the area and establish criteria where new applications may be supported by the Regional District.

4. Protect the integrity and quality of Columbia River, Columbia Wetlands, Macaulay Creek Community Watershed, Forster Creek Community Watershed, Luxor Community watershed and all other groundwater and surface water resources.

5. Promote Provincial management of Crown land that respects social, environmental and economic sustainability principles.

6. Recognize and conserve cultural resources and archaeological sites located within the plan area, both recorded and unrecorded. Development activities will comply with heritage conservation legislation.

7. 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.

8. Encourage the reduction of greenhouse gas emissions created within the plan area.

9. Recognize the risk of interface fire hazards within the rural area and establish Development Permit guidelines to mitigate the risk.

4. RESIDENTIAL LAND USE

4.1 Background

The plan area is characterised by rural development nodes with larger acreage and farming development in the periphery. The six distinct communities within the plan area provide primarily single family housing options with some multi-family and manufactured home developments.

Residents have voiced their support for maintaining the rural character of the plan area along with concern regarding housing affordability for young families, low income earners and seniors. The communities have some capacity for infill development; expansion of small acreages was not supported outside of the identified community nodes.

Wilmer residents expressed a desire for the community to retain its current character, and for future development to reflect existing parcel sizes. Strong opposition to any multi-family development within Wilmer was heard during the planning process.

Residents of Dry Gulch would like to see the provision of affordable water and sewer servicing to the community. Residents generally support additional residential development and increased density within the plan area in order to broadly distribute the associated costs and improve the economic viability of a community water system and community sewer system. However, residents in Dry Gulch also expressed concern regarding multi-family development in the Dry Gulch area, future rezoning applications to enable multi-family development will be considered in relation to the concerns expressed regarding this style of development. The intention is to acknowledge the contribution multi-family development can make in the Dry Gulch corridor to achieve the community objective of sufficient density to support community servicing while mitigating the potential impacts of multi-family development.

The Radium Resort Development Node identified on **Schedule D2** is highlighted as a suitable location for additional resort recreational, commercial and residential development. Concern was expressed related to increased development at Radium Resort; however it was recognized that there is a need for increased density in the area to improve the economic viability of a community water system and community sewer system and to support an established destination golf resort.

The Regional District owns three residential parcels in Edgewater. During the consultation process, residents of Edgewater were asked to comment on their vision for the future of these parcels. Residents voiced their support for the sale of Regional District owned lots: Lots 15-17 Block 7 Plan NEP1185 DL 353, Kootenay District. The rezoning of these lots from residential to commercial was also supported.

The property owner of Lots 7-10 Block 8 Plan 1185 DL 353 and Lots 7-10 Block 9 Plan 1185 DL 353 approached the Regional District during the consultation process with a proposal to rezone these properties to a senior's housing/affordable living complex and asked that this proposal be part of the community consultation. As the Regional District does not regulate the cost of accommodation or the user, only the use, the policy proposed is to support multi-family units on these lots.

Policies stating support for subdivision of land within the Agricultural Land Reserve are the policy of the Regional District only and do not reflect support from the Agricultural Land Commission.

4.2 Objectives

(1) Support residential development that provides a variety of housing needs without compromising the rural character, agricultural nature, environmental sensitivities and heritage of the plan area.

(2) Identify development nodes for future residential development and direct development to these areas.

(3) Support high quality and sustainable development in the plan area and encourage recreational amenities such as walking trails.

4.3 Policies

(1) General

(a) Multi–family development within the plan area is directed to the communities of Edgewater, Radium Resort and Spur Valley.

(b) High density development is directed to municipalities outside of the plan area, such as the District of Invermere or the Village of Radium Hot Springs.

(c) In order to maintain a compact footprint new development is directed to the existing development nodes of Wilmer, Dry Gulch, Edgewater, Radium Resort, Brisco, Spur Valley and Spillimacheen as shown in **Schedules D** to **D6**.

(d) Parcels outside of existing development nodes that have not been designated for expansion of such nodes are not supported for subdivision below the minimum parcels size permitted by the current zoning.

(e) Notwithstanding the minimum parcel area requirements of the zoning bylaw, subdivision on the west side of the Columbia River to a parcel size smaller than two hundred and forty two hectares is generally not supported.

(f) Additional subdivision along the Highway 95 corridor is generally not supported.

(g) Except as identified in section 4.3 (6)(a), bylaw amendment applications for residential development should address the following:

(i) compatibility of proposed development with surrounding land uses and parcel sizes;

(ii) access to the development and proposed road networks;

(iii) integration of Conservation Subdivision Design principles by utilizing a compact neighbourhood design and identifying and protecting wetlands, steep slopes, woodlands and wildlife corridors;

(iv) identifying and establishing buffers from features such as riparian areas, wetlands, Class 1 ungulate winter range, wildlife corridors, wildlife habitat areas, natural hazard areas and woodlands;

(v) capability of the natural environment to support the proposed development, and its impact on important habitat areas;

(vi) identification of trail connectivity within the area under application and adjacent developments;

(vii) consideration of water conservation measures for the residential development, including buildings and landscapes;

(viii) consideration of building envelopes to maximize viewscapes and passive solar orientation;

(ix) mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas;

(x) integration of FireSmart principles;

(xi) consideration of the potential impacts on groundwater;

(xii) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;

(xiii) suitability of the parcels for groundwater wells and septic systems if onsite services are proposed; and

(xiv) consideration of vegetated buffers to minimize potential conflicts adjacent to agricultural, commercial or industrial operations.

(2) Spur Valley

(a) Amendments to the current land use or zoning designations not consistent with the current land use designations may be considered in conjunction with the development of a comprehensive plan for the overall development of District Lots 7574 and 10717. The development of District Lot 10717 prior to District Lot 7574 is encouraged.

(3) Edgewater

(a) Rezoning applications or ALR exclusion applications that provide for single family or multifamily residential development on parcels designated R-SF within the Edgewater Development Node will generally be supported.

(b) Upon the Edgewater Development Node reaching infill capacity, the outer R-SF designated land may generally be supported for rezoning to single family or multifamily residential development to a density similar to the Edgewater Development Node.

(c) New residential development within the R-SF designated lands must be serviced by community sewer and water, subject to section 13.3 (10) of this Plan.

(d) Parcels to the east of Highway 95 are not generally supported for further subdivision.

(e) Parcels designated RR and not within the ALR which are bound by Columbia Road, South Edgewater Road and Highway 95 are generally supported for re-designation to SH, Small Holdings or LH, Large Holdings.

(f) The rezoning of Lots 7-10 Block 8 Plan 1185 DL 353 and Lots 7-10 Block 9 Plan 1185 DL 353 to multi-family for senior's housing or an affordable living complex is generally supported.

(4) Brisco / Spillimacheen

(a) Development is to be contained within the existing community footprint and compatible with surrounding parcel size and density.

(b) The maximum extent of infill development and small parcel creation is as designated on **Schedules D5** and **D6** Land Use Designations.

(c) The potential impact of additional users on the groundwater supply should be considered when development is planned.

(5) Wilmer

(a) In order to maintain a compact footprint, new development that provides for single family residential infill within the Wilmer Development Node identified on **Schedule D1** is generally supported.

(b) Parcels outside the Wilmer Development Node identified on **Schedule D1** are not supported for subdivision below the minimum parcel size permitted by the current zoning.

(c) Multi–family development is not supported within the Wilmer Development Node identified on **Schedule D1,** or in the surrounding rural area.

(d) Rezoning applications to enable additional subdivision opportunities on the north side of Horsethief Road as per **Figure 1** beyond what is permitted by the existing zoning are not supported.

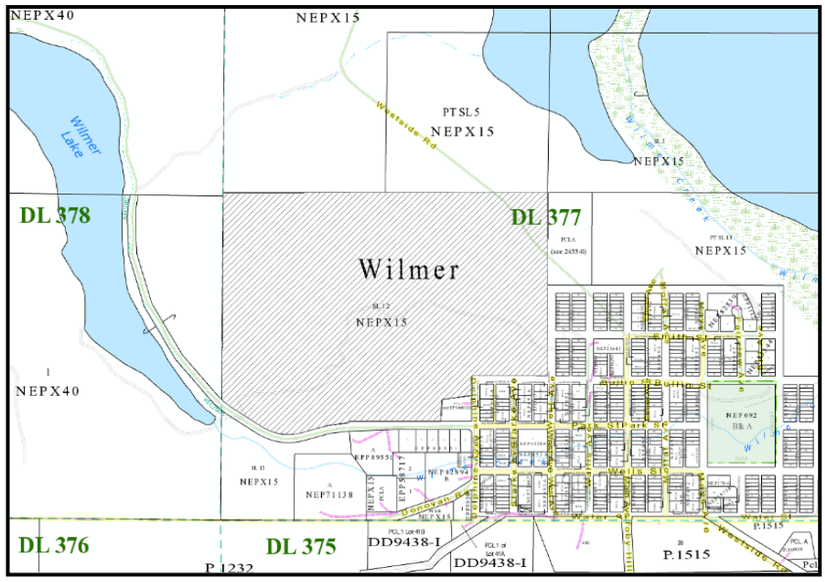

Figure 1: Horsethief Road Property

(e) The potential impact to the Wilmer Waterworks District groundwater supply should be considered when development is planned.

(f) Residential development within the Wilmer Development Node identified on **Schedule D1** is encouraged to maintain the hamlet character of community.

(g) The development of attainable housing within the Wilmer Development Node identified on **Schedule D1** is supported.

(6) Dry Gulch

(a) In recognition of the need for increased density to improve the economic viability of a community water system and community sewer system, parcels designated as R-SF, Residential Low Density in the Dry Gulch Development Nodes identified on **Schedule D2** are recognized as having the potential for subdivision. Rezoning applications for these parcels will be reviewed in relation to the following criteria:

(i) Proposed parcel sizes should be 555 m^2 or larger;

(ii) Compatibility of the proposed development with surrounding land uses;

(iii) The availability of community servicing for water supply and sewage disposal;

(iv) Mitigation of potential negative impacts on the adjacent environmentally sensitive Wildlife Management Areas due to increased residential density, including control of access to adjacent Wildlife Management Areas from the area under application by limiting access to concentrated points;

(v) Recognition and integration of opportunities to retain and maximize the viewscapes of the Columbia Wetlands and surrounding mountains;

(vi) Trail connectivity within the area under application and connectivity with adjacent developments and trail networks;

(vii) Dedication and provision of green space and open space for conservation and/or recreation purposes;

(viii) Integration of Conservation Subdivision Design principles through identification and protection of environmentally sensitive features as recommended by a Qualified Environmental Professional in an Environmental Impact Assessment Report and the use of a compact neighbourhood design. 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;

(ix) Integration of a range of housing options and levels of affordability;

(x) Integration of FireSmart principles in the development; and

(xi) The provisions outlined in section 10.5 (3)(j);

(b) Notwithstanding section 4.3(1)(a) and 4.3(1)(b), rezoning applications to enable multi-family development in the Dry Gulch Development Nodes identified on **Schedule D2** will be reviewed in relation to the following criteria:

(i) Location and design of multi-family units to minimize the visual distraction of development. To the greatest extent possible, multi-family development should not be visible to the travelling public along the Highway 93/95 corridor;

(ii) Integration of underground parking or garage parking into the development in order to maximize opportunities for green space and open space; and

(iii) the provisions outlined in section 4.3(6)(a).

(c) In the event that Crown land in the Dry Gulch corridor is acquired by the Shuswap Indian Band and remains subject to Regional District bylaws, those parcels may be considered for inclusion in the Dry Gulch Development Node identified on **Schedule D2**. Applications for amendment of land use designations and zoning for those parcels will be reviewed in relation to the following criteria:

(i) the provisions outlined in section 4.3(6)(a); and

(ii) the provisions outlined in section 4.3(6)(b).

In the event that Crown land in the Dry Gulch corridor is acquired by the Shuswap Indian Band and is not subject to Regional District bylaws, the Shuswap Indian Band is encouraged to apply the policies contained within this plan to the development of those lands.

(d) Enforcement of the "Regional District of East Kootenay – Nuisances and Unsightly Premises Regulation Bylaw No. 2750, 2016" along the Highway 93/95 corridor is supported.

(e) Historically the Dry Gulch Development Nodes identified on **Schedule D2** have included attainable housing options. Redevelopment applications for this area should ensure attainable housing remain available within the development node.

(7) Radium Resort

(a) Notwithstanding section 4.3(1)(a) and 4.3(1)(b), Radium Resort is recognized as having the potential for subdivision to a range of parcel sizes of 555 m^2 or larger. Rezoning applications for the Radium Resort development will be reviewed in relation to 4.3 (1)(g) as well as the following criteria:

(i) Provision of signage to inform resort residents and guests about adjacent private property boundaries, and to minimize trespass on neighbouring private properties by providing directions to appropriate recreational destinations;

(ii) Compliance with *Transportation Act* requirements regarding public rights of way through Radium Resort, in order to facilitate safe use of the road network by neighbouring property owners; and

(iii) The availability of community servicing for water and sewer systems.

(b) Notwithstanding section 4.3(1)(a) and 4.3(1)(b), rezoning applications to enable multi-family development in the Radium Resort Development Node identified on **Schedule D2** will be reviewed in relation to 4.3 (1)(g), 4.3(7)(a) and the following criteria:

(i) location and design of multi-family units to minimize the visual distraction of development. To the greatest extent possible, multi-family development should not be visible to the travelling public along the Highway 93/95 corridor; and

(ii) integration of underground parking or garage parking into the development in order to maximize opportunities for green space and open space.

(c) The maximum number of dwelling units permitted within the boundaries of the Radium Resort development node, identified on **Schedule D2**, shall be no greater than 1000 dwelling units as defined by the zoning bylaw..

(d) The land use designations identified within the Radium Resort Development Node on **Schedule D2** represent the development vision as discussed with the Radium Resort during this planning process. In order to allow the location, nature, sequence and timing of resort development to respond to market conditions, amendments to the land use designations which involve the exchange of the locations and size of areas designated as Residential Low Density for areas designated as Residential Multi-Family are generally supported subject to the criteria outlined in section 4.3(7)(b) and 4.3(7)(c).

(e) A variety of accommodation types and tenure including hotel, condo, pension, apartment, lodge, campground, multi-family and single family land uses and occupancies are supported within Radium Resort in order to provide a range of choices with respect to ownership and accommodation for destination golf resort residents and guests.

(f) The provision of a range of attainable housing types within the Radium Resort Development Node on **Schedule D2** in order to meet the needs of full-time and seasonal resort employees is supported.

5. COMMERCIAL LAND USE

5.1 Background

Commercial activities within the plan area are currently limited to local services such as gas stations, grocery stores and post offices. Through the planning process general support was demonstrated for additional local services within all the community nodes. There was however, no desire expressed for commercial activities of a large scale nature; these were encouraged to be directed to the larger centers such as Radium or Invermere. There was also concern that development should be directed to existing developed nodes and not be encouraged along the highway corridor.

Residents within the plan area have recognized the need to find a sustainable way to move into the future. The diversity of the vegetation communities, wildlife high scenic values and proximity to a strong tourism market, constitute major draws for tourism, hunting, fishing and other recreation activities. In recognition of this, tourism and eco-tourism were raised as a means to provide additional income to the communities while recognizing and protecting the natural features within the plan area.

In 2010, the Regional District partnered with Columbia Basin Trust to conduct a community consultation process regarding the revitalization of the Regional District owned commercial property in Edgewater. The community provided input on what commercial services would be preferred and a list of options that could be pursued to address the two aging buildings. One of the goals of this planning process was to determine the current preference for the future of these buildings. The supported uses for the building has not changed since the 2010 process. Supported uses include a post office, café, library, day care, business centre and tourism centre. Edgewater residents indicated they preferred a community “barn-raising” to construct a new building. Removal of the buildings to create a greenspace and continuing to have the buildings deteriorate were the least preferred options. Residents voiced support for a minimal increase in taxes to support any new construction or renovation of the commercial buildings.

The Regional District owns three residential parcels in Edgewater. During the consultation process, residents of Edgewater were asked to comment on their vision for the future of these parcels. Residents voiced their support for the sale of or the rezoning of these parcels from residential to commercial.

This OCP does not identify specific parcels for new commercial development. Amendments to the OCP land use designations and zoning bylaw will be necessary in order to facilitate such development.

5.2 Objectives

(1) Direct large scale commercial development to the Village of Radium Hot Springs and District of Invermere.

(2) Encourage the revitalization and maintenance of existing commercial development within the core of the communities.

(3) Ensure that small scale commercial development is located within existing community nodes.

(4) Support land uses for commercial recreation and tourism, ecotourism and cultural tourism where compatible with adjacent land uses.

5.3 Policies

(1) General

(a) Development of small scale retail and commercial services that serve the day to day needs of area residents and visitors within the existing development nodes and as designated on **Schedules D** to **D6** is generally supported.

(b) Commercial development outside of community nodes and along the highway corridor is not generally supported.

(c) Large scale commercial development is encouraged to be located within nearby municipalities.

(d) Commercial development should be compatible with the rural form, character and density of the surrounding area.

(e) Ecotourism activities that provide economic diversification and have limited impacts to the environment, agriculture and heritage resources are encouraged.

(f) New commercial developments adjacent to agricultural, residential or industrial operations are encouraged to employ adequate buffering, screening and setbacks to minimize the potential for conflicts.

(g) Existing commercial and business developments are encouraged to consider impacts to neighbouring uses or properties and to work with stakeholders to mitigate such impacts and minimize noise and traffic outside of normal business hours.

(h) New commercial development along the Highway 93/95 corridor should be adequately screened and landscaped to provide a buffer for the travelling public.

(2) Wilmer

(a) Commercial development in the rural area surrounding the Wilmer town site, outside of the Wilmer Development Node identified on **Schedule D1**, is generally not supported.

(3) Dry Gulch

(a) Development of campgrounds on lands designated as CR, Commercial – Recreation in the Dry Gulch Development Node identified on **Schedule D2** is generally supported. Rezoning applications to enable campground development must comply with the Regional District Campground Bylaw. Applications will be considered in relation to the following considerations, which should be addressed as part of a comprehensive development plan submitted with the rezoning application:

(i) Compatibility of the proposed development with surrounding land uses;

(ii) Suitability of access to the development, proposed internal road networks and impacts on external road network;

(iii) Confirmation of capability to provide community water and sewer servicing;

(iv) Proposed density;

(v) Provision and dedication of open and green space, buffers and screening;

(vi) Identification and mitigation of potential hazards (geotechnical, wildfire);

(vii) Identification and mitigation measures for ecologically sensitive areas including riparian areas and wildlife habitats;

(viii) Recognition and integration of opportunities to protect viewscapes;

(ix) Provision of overnight and short-term camping opportunities;

(x) Provisions to support solid waste management associated with the campground development; and

(xi) identification and mitigation of development impacts on environmentally sensitive areas including grasslands, connectivity corridors, wetlands and riparian areas and old growth forests, in accordance with section 18 of this OCP concerning environmental considerations;

(xi) susceptibility to natural and geotechnical hazards and integration of hazard mitigation strategies, in accordance with section 11 of this OCP concerning development constraints; and

(xii) the policy outlined in section 5.3 (3)(b).

(b) The development of new campgrounds within the Dry Gulch Development Node identified on **Schedule D2** which are visible from Highway 93/95 should integrate screening and landscaping that forms an opaque barrier between the campground and the highway. The intention is to provide a visual buffer between the campground and the travelling public. Native, drought tolerant, coniferous trees and other plant species are preferred over fencing for screening. Where solid fencing is used, the fencing should be made of natural materials and colours. In addition, trees and other plant species should be used in order to break up the image of a wall of fencing.

(c) On Lots A and B, Plan EPP22126, DL 10114 the development of a seniors home or commercial tourist facilities such as a lodge, cabins, or tea house is supported.

(4) Radium Resort

(a) Development of a campground facility within the Radium Resort Development Node identified on **Schedule D2** is generally supported. Rezoning applications to enable campground development must comply with the Regional District Campground Bylaw. Applications will be considered in relation to the following considerations, which should be addressed as part of a comprehensive development plan submitted with the rezoning application:

(i) Confirmation of capability to provide sewer and water servicing;

(ii) Provision and dedication of open and green space, buffers and screening;

(iii) identification and mitigation of development impacts on environmentally sensitive areas including grasslands, connectivity corridors, wetlands and riparian areas and old growth forests, in

accordance with section 18 of this OCP concerning environmental considerations;

(iv) susceptibility to natural and geotechnical hazards and integration of hazard mitigation strategies, in accordance with section 11 of this OCP concerning development constraints; and

(v) Recognition and integration of opportunities to protect viewscapes;

(vi) Provision of overnight and short-term camping opportunities; and

(vii) The policy outlined in section 5.3(4)(b).

(b) The development of new campground facilities within the Radium Resort Development Node identified on **Schedule D2** which are visible from Highway 93/95 should integrate screening and landscaping that forms an opaque barrier between the campground and the highway. The intention is to provide a visual buffer between the campground and the travelling public. Native, drought tolerant, coniferous trees and other plant species are preferred over fencing for screening. Where solid fencing is used, the fencing should be made of natural materials and colours. In addition, trees and other plant species should be used in order to break up the image of a wall of fencing.

(5) Edgewater

(b) The revitalization of the Regional District owned commercial buildings is supported. In order to facilitate the process, the creation of a community group dedicated to advancing the revitalization is encouraged. Regional District participation in the revitalization process is supported subject to the allocation of available resources, funding and staff capacity.

(c) The rezoning of Lots 15-17 Block 7 Plan NEP1185 District Lot 353, Kootenay District to a commercial use is supported.

(6) Spillimacheen

(a) The rezoning of Lots A, B and C, Block 1, DL 2566, Plan 1139 and Lots A and B, Block 2, DL 2566, Plan 1139 as per **Figure 2** to include a honey and mead production facility, café, retail store and employee housing is generally supported.

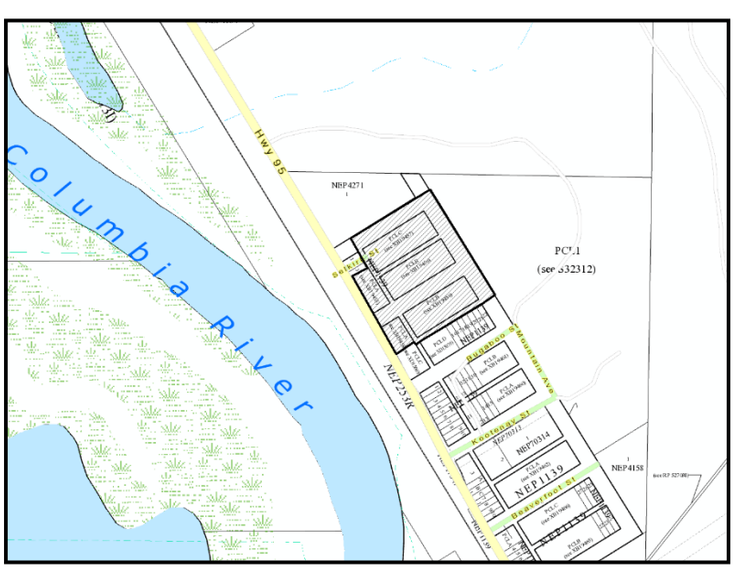

Figure 2: Spillimacheen Property

6 AGRICULTURAL LAND USE

6.1 Background

Since the settlement of the valley by homesteaders in the 1880's, agriculture has been the core of the rural communities within the plan area. Some of the agricultural products of the area include livestock, vegetables, fruit, dairy and Christmas trees.

There are still many parcels which are actively farmed and ranched. Residents have raised concerns regarding the need to diversify their revenue generation to supplement farming income with income from activities such as home based businesses.

The majority of the agricultural parcels within Edgewater are serviced by the Vermillion Irrigation District which provides water through the use of a historic flume. The flume was constructed between 1911 and 1914. The Irrigation District has been in existence since 1947. It is an important piece of the history of Edgewater and it is anticipated that it will continue to play a vital role in supporting agriculture in the future.

The Agricultural Land Reserve (ALR) is a provincial land use designation intended to protect farming and agriculture as the primary land use. Subdivision, non-farm uses, exclusion, inclusion, soil or fill uses, and non-adhering residential uses within the ALR must meet provincial regulations and be approved by the ALC. Over 22,700 ha of land within the boundaries of the plan area are within the provincial ALR as shown on **Schedule C**.

(1) Subdivision Applications within the ALR

Applicants wishing to subdivide land within the ALR should be aware that the Agricultural Land Commission (ALC) is not subject to the subdivision for a relative provision contained in Section 514 of the *Local Government Act*, nor does the ALC believe that encouraging small lot subdivision is supportive of agriculture and consistent with the ALC mandate to preserve agriculture and encourage farming. Policies stating support for subdivision of land within the ALR, with the exception of those applications that qualify under the ALC's Homesite Severance Policy, are the policy of the Regional District only.

(2) Exclusion Applications within the ALR

As of September 30, 2020, the ALC enacted Bill 15-2019 that states landowners will no longer be able to apply to exclude their land from the ALR and the requirement for owner consent for exclusions will no longer be required. In response to Bill 15-2019 and as the Regional District can now make applications on behalf of landowners, the Regional District adopted the ALR Private Landowner Request for Exclusion Application Policy. The new policy recognizes changes in the *Agricultural Land Commission Act* that limits who may make ALR exclusion applications and establishes criteria which exclusion applications must meet in order to be considered for support by the Regional District. One of these criteria is that the Regional District would support exclusion of ALR parcels identified as the result of a broader land use planning process such as an OCP. The parcels identified within **Schedules J1** to **J5** shall be considered to be consistent with this exclusion policy criteria.

In November 2020, the draft plan was referred to the ALC for their review and to facilitate consideration of agricultural and future exclusion policies within the plan area. The plan contains policies where exclusion was supported by both the Regional District and the ALC and policies where the Regional District may support exclusion however the ALC does not. The OCP policies include identification of the parcels supported for exclusion by the Regional District, however, they are not included in **Schedule J1** to **J5** as they were not endorsed for exclusion by the ALC due to their parcel size, fragmentation of the ALR or potential for loss of contiguous ALR boundaries (Resolution #2662/2020). These parcels will not be considered

to be consistent with the exclusion policy criteria but may be considered in the future based on community vision and future land use planning processes.

The parcels that were supported by the ALC are identified in **Schedules J1** to **J5**. It should be noted that Regional District support or ALC endorsement for exclusion of parcels does not constitute a decision but provides a framework for decision making for exclusion applications.

6.2 Objectives

(1) Support a working landscape by preserving contiguous areas of agricultural and range land.

(2) Outline conditions under which subdivision within the ALR will generally be supported and discourage ALR subdivision that does not meet these conditions.

(3) Outline where ALR exclusion applications in the plan area will generally be supported.

(4) Minimize conflicts between agriculture and other potentially incompatible land uses on adjacent lands.

(4) Support local food production, local distribution of food products, and diversification of agricultural uses.

(5) Preserve and encourage the use of agricultural land for present and future production of food and related products.

(6) Support continued operation of the historic flume.

6.3 Policies

(1) General

(a) Preservation and continued use of agricultural land for present and future food production is supported.

(b) Agricultural land generally takes place on large rural parcels within the plan area. These large parcels support opportunities for a working landscape that provides economic and environmental services. Fragmentation or parcelization of agricultural lands in the plan area is generally not supported.

(c) Land in the ALR is generally designated and supported for agricultural use.

(d) Reconfiguration of existing parcels, when no new parcels are created, in order to support or enhance agricultural operations is supported.

(e) ALR applications for non-farm use, subdivision, or exclusion should identify opportunities to improve the agricultural capability and provide a net benefit to agriculture for the lands that remain within the ALR.

(f) In order to support opportunities to diversify income sources on agricultural lands, home occupations that are complimentary to agricultural operations and do not limit the future agricultural potential of the land are supported within the ALR.

(g) Residents with membership currently within the Vermillion Irrigation District are encouraged to maintain membership, if parcels are subdivided; all new owners are also encouraged to participate in the Vermillion Irrigation District.

(h) Residential, commercial or industrial operations adjacent to land in the ALR are encouraged to utilize adequate buffering, screening and setbacks to minimize the potential for conflicts.

(i) The implementation of applicable recommendations from the Regional District Agricultural Plan is supported.

(2) Dry Gulch and Radium Resort

(a) ALR applications for exclusion within the Dry Gulch Development Node and Radium Resort Development Node identified on **Schedule D2** are generally supported. The ALC considered exclusion of 53 properties within the Dry Gulch Development Node and 49 of those properties were endorsed for exclusion as identified on **Schedule J2.** Exclusion of 33 properties within the Radium Resort Development Node were endorsed by the ALC and are identified on **Schedule J2**.

(3) Edgewater

(a) An ALR block exclusion of land designated R-SF in Edgewater is generally supported. The ALC considered exclusion of 47 properties within the Edgewater area and 30 of those properties were endorsed for exclusion as identified on **Schedule J3.**

(4) Spillimacheen

(a) An ALR block exclusion as per **Figure 3** is generally supported. The ALC endorsed exclusion of 70 properties within the Spillimacheen area as identified on **Schedule J5.**

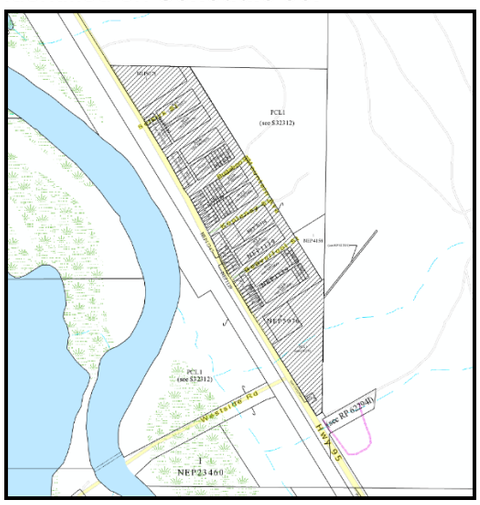

Figure 3: Spillimacheen Proposed ALR Exclusion Area

(5) Wilmer

(a) An ALR block exclusion within the Wilmer Development Node identified on **Schedule D1** is generally supported. The ALC endorsed exclusion of 8 properties within the Wilmer Development Node as identified on **Schedule J1.**

(6) Spur Valley

(a) Exclusion of DL 9047 and 7574 was not endorsed by the ALC. The ALC previously supported exclusion of a 23 ha portion of DL 10717 (Resolution #498/2004) as identified on **Schedule J4**.

7. LIGHT INDUSTRIAL

7.1 Background

Existing industrial activities within the plan area include wood preservers, mining, gravel, logging, and Christmas tree harvesting. There is general support for these activities, as they allow residents to live and work close to their communities. There is concern, however, that industrial activity should be compatible with existing uses and the rural character of the plan area. Concerns have been raised regarding residential development in proximity to existing industrial activities.

7.2 Objectives

(1) Encourage that industrial development within the plan area to be conducted in a manner that ensures compatibility with adjacent uses and the rural character of the plan.

(2) Ensure that industrial development within the plan area does not have the potential to cause environmental damage.

(3) Outline conditions under which light industrial uses may be supported.

7.3 Policies

(1) General

(a) As industrial activities are completed, operators are encouraged to ensure that reclamation of the sites is completed, with particular attention to the re-establishment of native plants, addressing drainage and erosion issues and proper disposal of any waste materials.

(b) New industrial developments adjacent to agricultural, commercial or residential operations are encouraged to employ adequate buffering, screening and setbacks to minimize the potential for conflicts.

(c) Existing industrial developments are encouraged to consider impacts to neighbouring uses or properties and to work with stakeholders to mitigate such impacts and minimize noise and traffic outside of normal business hours.

(d) Light industrial land uses that will generally be supported are limited to those which occur on a scale that does not disrupt the rural residential nature of the plan area. Applications for light industrial use should also address the following:

(i) compatibility of the proposed development with surrounding land uses;

(ii) water and sewer servicing options;

(iii) road access;

(iv) potential impacts to road infrastructure;

(v) impacts to the natural environment, with particular concern for the Columbia Wetlands;

(vi) aesthetic mitigation measures such as screening, fencing, buffers and responsible outdoor lighting; and

(vii) safety considerations such as wildfire hazards.

(e) New non-source dependent light industrial land uses in the Wilmer, Dry Gulch and Radium Resort Development Nodes are generally not supported.

8. INSTITUTIONAL AND COMMUNITY LAND USE

8.1 Background

The plan area contains many institutional and community facilities such as churches, community halls and cemeteries. These facilities include the Edgewater Elementary School, Wilmer Community Hall and Edgewater Fire Hall.

8.2 Objectives

(1) Support existing institutional and community land uses.

(2) Facilitate the identification of lands for required community and institutional land uses such as fire halls, community centers, public utilities and other similar uses.

8.3 Policies

(1) General

(a) Institutional uses of a local nature that are compatible with adjacent land uses are generally supported within the plan area.

(b) Institutional use areas have been identified on **Schedules D** to **D6**. These areas are encouraged to maintain their institutional status and zoning as they are key elements of the rural community.

(c) New school facilities are not anticipated within the projected 5 to 15 year time line considered within this OCP; therefore, no additional school sites have been identified.

9. OPEN SPACE, RECREATION AND TRAILS

9.1 Background

The plan area is recognized for its natural beauty and access to recreation opportunities. It consists of mountainous terrain and a wide valley bottom, with the Columbia River and wetlands flowing through the valley. The natural beauty of the plan area is not only appreciated for its aesthetic and intrinsic qualities, it is the key to development of the area and one of the main features that attracts residents and tourists.

Through the planning process residents of the area expressed an interest in protecting the natural environment, as it is an integral part of the rural lifestyle of the plan area. Residents also expressed a desire to encourage ecotourism activities and to diversify their economy to include low impact green activities.

The plan area contains three Regional District recreational amenities. Wilmer Community Park, commonly known as Selkirk Park and the Edgewater School Path. Wilmer Park is located off Bullin Street and May Avenue and contains a hiking trail. Edgewater School Path, created in 2015, is located in the road right of way adjacent to the north bound lane of Sinclair Street. The 250 m path is the main path to the Edgewater Elementary School. The Old Coach Greenway is a 9 km trail that follows the historic Old Coach Road from Dry Gulch north to the Village of Radium Hot Springs. Open for non-motorized use only, the trail winds its way through dry fir forests and along grassland benches. The trail boasts many spectacular viewpoints overlooking the Columbia River Wetlands and has interpretive stops of interest along the way.

In response to environmental impacts and conflicts among user groups, a Columbia Valley Recreation Access Management Committee has been formed with the goal of creating a comprehensive recreation management plan for the Columbia Valley. At the time of drafting this plan, the management plan was not yet completed but the Regional District Board had voiced support for the management plan.

Schedules D to **D6** outline OSRT designated areas, many of which are along watercourses, open spaces and the Columbia Wetlands Wildlife Management Area.

9.2 Objectives

(1) Provide local parks, trails, and other outdoor recreational opportunities in locations and in sufficient quantity to be available and accessible, where possible, to all members of the community.

(2) Ensure recreational activities are compatible with the rural character of the plan area.

(3) Recognize and protect recreational features with tourism potential.

(4) Promote a natural environment where clean water and air are the pillars of the community.

(5) Promote development of trails in the plan area consistent with Provincial guidelines and the Columbia Valley Recreation Access Management Plan.

9.3 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) The protection of existing green space is encouraged in order to contribute to a vibrant and healthy community.

(c) The provision of a broad spectrum of outdoor recreation opportunities that are compatible with the adjacent residential development, suitable for both residents and tourists and that respects the need to protect resource values is supported.

(d) The development of intercommunity non-motorized trail connections linking the rural area to municipalities for foot and cycle commuting is supported.

(e) Residents and visitors to the area must comply with the *Off-Road Vehicle Act* which provides specific rules governing the off-road sector and helps ensure these vehicles are driven in a safe and environmentally responsible manner.

(f) Development within the community watersheds is to be in accordance with the Watershed Protection zoning and avoid impacts to the quality and quantity of water in the watershed.

(g) Consideration of referrals for commercial recreation tenures will include balancing economic growth, human settlement and impacts to the environment and agriculture.

(h) At the request of area residents, the Regional District may investigate the establishment of a service area to provide a parks and recreation function to support the establishment and ongoing maintenance of local and regional recreational amenities.

(i) Efforts by the Columbia Valley Recreation Access Management Committee and policies within the Columbia Valley Recreation Management Plan will generally be supported.

(2) Spur Valley

(a) As additional subdivisions within Spur Valley are developed, pathways and green spaces are encouraged to be incorporated as integral design features.

(3) Wilmer

(a) The development of a non-motorized trail connecting Wilmer and Invermere as an Area F and G regional trail is supported.

(b) Wilmer (Munn) Lake is an important community recreation area due to its proximity to the Wilmer town site and the undeveloped surrounding landscape. The Crown land adjacent to Wilmer (Munn) Lake along Horsethief Road is encouraged to be retained for community recreation purposes. The intent is to maintain the undeveloped character of the lake as a recreational amenity.

(c) The continued operation of Wilmer Park for recreational use is supported.

(4) Dry Gulch

(a) The development of high quality recreation infrastructure that supports tourism opportunities within the Dry Gulch area is supported.

(b) The expansion and maintenance of integrated cycling and hiking trails in the Dry Gulch area is supported.

(c) As additional subdivisions within the Dry Gulch area are developed, pathways and green spaces are encouraged to be incorporated as integral design features.

(d) Recreational use of the grassland and open forest Wildlife Management Area between the Shuswap Indian Reserve and the Village of Radium Hot Springs should be restricted to non-motorized use on designated trails.

(e) Construction of new trails or enhancement of existing trails, other than the Old Coach Trail, in the Wildlife Management Area between the Shuswap Indian Reserve and the Village of Radium Hot Springs is not supported.

10. ENVIRONMENTAL CONSIDERATIONS

10.1 Background

The natural environment is an important consideration in any planning process. Within this plan area, the presence of the Columbia Wetlands, and the prominence of the natural environment make the environment a primary consideration.

The most prominent natural features within the plan area are the Columbia Wetlands, an internationally recognized wetland, and the Steamboat and Jubilee Mountains. Adjacent to the plan area Kootenay National Park forms a natural boundary to the east and Bugaboo Provincial Park to the west. The plan area lies in the valley bottom between the Rocky and the Purcell mountains. Important features that were identified within the plan area were numerous and include Templeton Falls, Twin Lakes and Bugaboo Falls.

The environment of the plan area is characterized by grasslands, riparian areas and coniferous forests. Agriculture, forestry and fire suppression have altered the habitat from its original form. Efforts are being made to reverse some of these changes to enhance habitat and range as well as to reduce the risk of major fire events.

Connectivity corridors act as linkages between habitats. 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 are ecologically-isolated fragments. Connectivity corridors within the plan area provide important linkages between fragmented habitat for many species.

A number of red and blue listed species can be found within the plan area. Red listed species are extirpated, endangered or threatened. Extirpated species no longer exist in the wild in BC but do occur elsewhere. Endangered species are facing imminent extinction. Threatened species are likely to become endangered if the causes leading to their population decrease are not reversed. Blue listed species are considered to be of special concern and are at risk because of characteristics that make them sensitive to human activities or natural events.

The red listed Northern Leopard Frog lives in the vicinity of streams, marshes, meadows, wetlands and fields. The loss, fragmentation and alteration of wetland habitat is the primary threat to the Northern Leopard Frog.

The red listed American Badger habitat is generally grassland, rangeland and open forest and is concentrated on the east side of the Columbia River. Subdivision and development, particularly in valley bottom grassland habitat is a significant threat to the Badger. Increasing number of roads and traffic density also put the Badger at risk.

The scarcity of suitable breeding habitat and disruption of existing nesting areas is the primary threat to the red listed Western Grebe. The floating nests are located in shallows along the edges of lakes. Excessive noise, shoreline development and disturbance by boat activity causes the Western Grebe to abandon their nests.

The plan area contains critical habitat for the blue listed Bighorn Sheep, which are of importance not only for their intrinsic value but also as a genetic source for other herds throughout the province. Primary threats are habitat loss, degradation and fragmentation, increasing number of roads and traffic density, fire suppression efforts and livestock ranching.

Grizzly Bears are also on the provincial Blue List in British Columbia. Historic reductions in Grizzly Bear populations were a result of extensive agricultural land conversion, extermination campaigns often related to livestock protection, and unrestricted killing. Today, the primary limiting factors for Grizzly Bears appear to be human-caused mortality from a variety of factors such as hunting, poaching and controlled kills associated with inadequate garbage management and other types of human-bear encounters. Threats to

Grizzly Bear habitat include habitat loss, the displacement from otherwise suitable habitat, and the separation of previously continuous habitat into one or more disconnected pieces. This occurs on a broad scale as a result of expanding human settlement, increased access for forestry and other extraction industries, and forestry and fire suppression.

The blue listed Great Blue Heron prefer to nest in high trees. They are adaptable and have also been known to nest in swamps, sagebrush and bulrushes. Great Blue Herons, their nests and their eggs are all protected by the *BC Wildlife Act* and by the Federal *Migratory Birds Convention Act*. Their nest trees are also protected year round on both private and public lands. Feeding areas such as marshes, estuaries and fields near heron colonies should be protected.

The blue listed American Bittern prefers marshes and wetlands with thick extensive stands of bulrushes, cattails or sedges. They build concealed nests in these areas and occasionally nest in fields outside the periphery of the marshy vegetation. Bitterns forage mainly in aquatic habitats but also in moist meadows or drier grasslands near the wetlands. Threats to the Bittern are draining and filling of marshes and wetlands, livestock damage to wetlands and shorelines and pollution such as pesticides.

The Tundra Swan is blue listed species that frequents pastures, lakes and wetland areas. Disturbance of staging and wintering areas, as well as, environmental degradation of water and food quality are threats to the Tundra Swan.

The Bobolink is a blue listed species whose breeding sites are mainly in hayfields and riparian meadows. The Bobolink is moderately threatened by habitat loss. Hay-cropping during incubation and early nesting stage results in 100% loss of offspring and application of insecticides to breeding areas both reduces and contaminates their primary food source, impacting both juvenile and adult birds.

Lewis Woodpecker is a blue listed species whose populations have declined over the years due to logging and clearing of the land for intensive agricultural and development uses. Open ponderosa pine forests, old cottonwood stands, Douglas fir stands, mixed conifer, deciduous woodlands or grasslands with scattered decaying trees are the major breeding and nesting habitat of the woodpecker.

In recognition of the importance of an integrated and comprehensive approach to the protection of natural features within the plan area, the plan process involved discussions with various agencies to identify concerns regarding the sensitive environment of the plan area and discuss appropriate policies.

Ungulate winter range and connectivity corridors for the plan area are identified on **Schedule E**.

10.2 Objectives

(1) Ensure that development causes minimal degradation of soil, air and water systems, and is compatible with maintaining and enhancing wildlife habitat.

(2) Ensure that wildlife corridors and habitat connectivity are not impaired by future development.

(3) Recognize the importance of containing and controlling noxious / invasive plants and preventing their establishment.

(4) Retain critical wildlife habitat, wildlife corridors, and ungulate winter range.

(5) Foster an awareness of the natural environment and protect environmentally sensitive areas.

(6) Support rehabilitation, restoration and enhancement of environmentally sensitive areas.

10.3 Columbia River Wetlands

In 2005, the 15,000 hectare Columbia Wetlands wildlife management area was recognized as a “Wetland of International Importance” through the Convention on Wetlands known as the Ramsar Convention. The Ramsar Convention is an intergovernmental treaty that provides the framework for international cooperation for conservation of the world’s wetlands. The Columbia Wetlands include 16 habitat types and 216 different species. The wetlands are an important nesting and rearing area for over 180 species of birds.

Beyond their natural significance, the wetlands are a topic of key consideration for the residents of the plan area. Through the public participation process it was very clearly articulated that the protection and wise use of the wetlands was one of the most important issues to be addressed in the plan. Concerns were raised regarding motorized use in the wetlands and a desire for increased pedestrian infrastructure to protect the wetlands and to improve accessibility. The wetlands are the core of the plan area in both geographic location and importance. Any development that occurs within the plan area must be sensitive to the needs of the wetlands.

The Columbia Wetlands within the plan area are part of the Columbia Wetlands Wildlife Management Area and are subject to Provincial management plans. The wildlife management area is discussed further in section 10.4 Wildlife Habitat and Corridors.

(1) **Objectives**

(a) Protection of sensitive wetland habitat.

(b) To encourage non-consumptive and non-intrusive opportunities for the public to interact with and learn about the wetlands.

(2) **Policies**

(a) Development which has the potential for negative impacts to the Columbia Wetlands is discouraged.

(b) Efforts to enhance existing access points to mitigate impacts to the wetlands and to carry out public education opportunities surrounding the wetlands are encouraged.

(c) Efforts to enhance and maintain the natural vegetation community within the wetlands are encouraged.

(d) Agricultural operations adjacent to the wetlands are encouraged to employ the principles of Environmental Farm Planning to minimize impacts to the wetlands.

10.4 Wildlife Corridors and Habitat

(1) **Background**

Throughout the plan area there are areas of key importance for wildlife movement, habitat and winter range. These areas have been defined on **Schedule E** and need to have careful consideration before development occurs within them. Preservation of corridors and habitat must be done in conjunction with multiple stakeholders. The defined corridors have been provided to outline areas of high use and provide some direction to those wishing to carry out activities within these areas.

Highway 95 creates one of the most significant barriers to wildlife movement and is also one of the greatest anthropogenic mortality risks to wildlife. Wildlife signage warning drivers of high impact areas has been posted within the plan area, however this cannot replace the need for caution and care as the number of wildlife within the plan area is significant. The highway, along with the Canadian Pacific Railway and agricultural high fencing cumulatively pose a threat to wildlife habitat connectivity.

Within Kootenay National Park corridors for wildlife movement have been defined. These corridors end at the boundary of the park, and some lead into the plan area. It is important to maintain habitat connectivity and continuity of these corridors outside of the Park.

The Columbia Wetlands Wildlife Management Area is subject to a management plan that describes goals for the protection of wildlife and habitat within the management area. It also recognizes recreation, heritage and cultural values and agriculture as important uses within the wetlands. The wildlife management area extends for a length of approximately 180 kilometres and encompasses 13,800 hectares between Canal Flats and Donald. The management plan recognizes that the wetlands were subject to extensive modification historically, but works to maintain the current condition of the wetlands in a sustainable manner.

The wetlands are an important area for the wildlife. While the contiguous corridor of the Columbia Wetlands Wildlife Management Area is already protected, it is important to maintain access points for the wildlife to enter the wetlands and to connect with upland habitat.

Winter habitat within the plan area is composed primarily of the wetlands and the low elevation benchlands adjacent to them. Agricultural parcels within the plan area provide important habitat both for ungulate species and the red listed badger.

(2) **Objectives**

(a) Maintain connectivity from Kootenay National Park to the Columbia Wetlands and further to the Purcell Range.

(b) Retain designated wildlife corridors and undisturbed wildlife habitat.

(c) Recognize and protect areas of critical wildlife habitat, wildlife corridors and ungulate winter range.

(d) Provide support for the Columbia Wetlands Wildlife Management Area management plan.

(3) **Policies**

(a) Preservation and restoration of wildlife connectivity corridors is encouraged and supported by the following:

(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.

(iii) Extensive development within connectivity corridors that restricts the opportunity for wildlife movement should be avoided.

(iv) Extensive pruning of underbrush within connectivity corridors should be avoided.

(v) Forest cover should be maintained to encourage the use of connectivity corridors by wildlife.

(vi) Native vegetation within connectivity corridors should be maintained. Conversion of vegetation within corridors to non-native species should be avoided.

(vii) Snags, downed logs, stumps and other forest features should be preserved unless they present a danger to personal or public safety.

(b) The Columbia Wetlands Wildlife Management Area is designated as a CEL policy area, development is encouraged to follow the goals and policies of the provincial management plan.

(c) Investigations and implementation of opportunities to facilitate safe wildlife movement across Highway 95, including crossing structures, highway design and education, are encouraged.

(d) Agricultural operations involving the rearing of domestic sheep are encouraged to minimize the risk of disease transfer to wild sheep through the use of buffer zones, guardian dogs, fencing or grazing restrictions.

(e) Agricultural operations considering the use of wildlife friendly fencing are encouraged to consider wildlife movement, habitat and access to water when determining fence placement.

(f) The Mile Hill, located between the southern boundary of the Village of Radium of Radium Hot Springs and the entrance to Radium Resort is a major crossing area for Rocky Mountain Bighorn Sheep and is associated with vehicle related mortality of numerous animals each year. The establishment of exclusionary highway fencing and a wildlife underpass in this area is supported in order to reduce wildlife mortality and ensure public safety.

(g) The installation of open-span wildlife underpass structures at Dry Gulch Creek and Stoddart Creek during future highway upgrading projects is supported in order to mitigate the risk of vehicle collisions with wildlife.

10.5 American Badgers

(1) Background

North-south American Badger (badger) movement is critical to encouraging reproduction, genetic diversity and re-colonization of areas where badger populations have declined. Badger habitat and movement routes located between Highway 93/95 and the Columbia River are integral to the continued existence of the Upper Columbia population and protection of these area will benefit both the badger population as well as a range of other wildlife species in the area. Future development in the Dry Gulch corridor could create significant “bottlenecks” for badger movement that would increase the risk of local extirpation.

Schedule F identifies both identified and hypothetical badger movement routes. Identified routes indicate specific travel corridors or frequent use areas that have been determined through field research. One such example is the Stoddart Creek Road area, which acts as a linkage between Crown land to the north and the Shuswap Indian Reserve to the south. Hypothetical routes indicate routes that are known to exist, though the specific location of the routes and frequency of use has not been determined.

(2) Objectives

(a) Recognize and protect areas of critical badger habitat and movement routes.

(3) Policies

(a) Future land uses and development should not compromise the integrity of badger movement routes identified on **Schedule F**, particularly those routes that connect land identified on **Schedule F** as having high and very high badger habitat quality. Development activities that could impact badger movement routes should mitigate the impact by maintaining travel corridors for badger movement. Objectives for travel corridors within developed areas include:

(i) Retention of native grassland composition or equivalent;

(ii) Creation of continuous corridors at least 30 m wide, with a length to width ratio of the corridor less than 10:1, and preferably less than 5:1;

(iii) Connection of travel corridors with underpasses or culverts under roads to link to natural grassland areas;

(iv) Coordination of corridor planning over time to ensure identified routes remain continuous and enable badger movement through the landscape; and

(v) Assurance of safe passage through developed areas using fencing where appropriate to prevent wildlife from accessing developed areas along travel corridors.

10.6 Fish and Wildlife Habitat

(1) Objectives

(a) Maintain habitat connectivity through undisturbed open space and 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) Conservation and/or enhancement of fish and wildlife habitat values within the plan area by local citizens, environmental organizations, and Provincial and Federal jurisdictions is encouraged.

(b) Residents are encouraged to minimize the potential disturbance of wildlife by pets and domestic animals.

(c) Education programs such as WildSafe BC and Wildlife Collision Awareness Program to reduce wildlife mortality are encouraged.

(d) Residents within the plan area are encouraged to employ bear smart principles paying particular attention to removal of attractants such as garbage and fallen fruit. Fencing of back yard chicken coops, vegetable gardens and fruit trees is encouraged as is responsible disposal of deadstock.

(e) Area residents and visitors should be aware of and comply with Provincial regulations that prohibit the introduction of non-native fish species to lakes and rivers.

(f) Habitat connectivity, sensitive ecosystems, vulnerable plant communities and movement of endangered animal species shall be considered at the time of rezoning or OCP amendment applications. 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:

(i) identification of any endangered or vulnerable species that utilize the area under consideration;

(ii) identification of opportunities for mitigation of the proposed development on wildlife movement corridors through development design or other compensation;

(iii) identification of areas, as appropriate, to be dedicated as conservation areas;

(iv) site specific additional requirements identified by the Regional District at the time of application.

(g) In addition to development permit area guidelines for environmentally sensitive areas found in section 18.3, landowners clearing vegetation, particularly during the migratory breeding bird window between April and August, should be aware of the regulations contained under the federal *Migratory Birds Convention Act* (1994).

10.7 Water Resources

(1) Background

Residents should be aware of the variety of regulations that govern water use, protection, conservation and sustainability. Federal agencies, Provincial agencies and local governments work toward ensuring that water is managed and the supply is protected for use by people and the environment. When conducting projects near water, residents are responsible to ensure they are complying with applicable legislation.

(2) Objectives

(a) Encourage the responsible use of water resources and protect the water quality within the plan area.

(b) Support the protection, rehabilitation and enhancement of wetland and riparian areas.

(c) Protect ground water, surface water sources and community watersheds for domestic water and irrigation use in order to ensure sustainable water supplies.

(3) Policies

(a) Development is encouraged to avoid streams, wetlands and riparian areas and to provide appropriate development setbacks and buffer areas.

(b) Approved development and associated management activities such as dredging within or adjacent to water bodies, wetlands, or riparian areas should be conducted following appropriate best management practices and in accordance with the required approvals.

(c) Within riparian areas use of established access points and trails is encouraged to minimize the level of impact within these sensitive ecological areas.

(d) Ecosystem restoration of wetlands and riparian areas is encouraged, subject to appropriate approvals by Provincial and Federal agencies.

(e) Water conservation is encouraged through the use of low volume fixtures, the use of commonly accepted lawn watering practices and the utilization of native vegetation in landscaping.

(f) Encourage the relevant Provincial agencies to ensure that forest practices within community watersheds are conducted in accordance with the *BC Forest and Ranges Practices Act* and relevant provincial guidelines.

(g) Encourage the relevant Provincial agencies to consider the importance of protecting water resources when considering tenures and licences of occupation within lands designated WP, Watershed Protection.

10.8 Environmentally Sensitive Areas

(1) Background

During consultation for this plan, the protection of environmental values was identified as a high priority. Development permit guidelines for the protection of the natural environment for identified environmentally sensitive areas are found within section 18.3 of this plan.

(2) Objectives

(a) Foster awareness of the natural environment and conservation of Environmentally Sensitive Areas (ESAs).

(b) Support the protection, rehabilitation and enhancement of ESAs.

(3) Policies

(a) Future development should minimize disturbance to the integrity of ESAs. ESAs within the plan area include, but are not limited to, areas identified on **Schedules I1 to I6** such as wetlands and riparian areas, grassland ecosystems, habitat of red and blue listed species, old growth forests, and Big Horn Sheep habitat.

(b) In order to ensure that private land in ESAs is conserved and protected, designation of land as OSRT, Open Space, Recreation and Trails within comprehensive developments is encouraged. Opportunities within an area designated OSRT would include passive and active uses with minimal impact such as non-motorized recreation trails and non-land altering recreation activities.

10.9 Invasive Species

(1) Background

Invasive species include terrestrial plants and animals, as well as aquatic plants, fish and invertebrates which have been introduced or occur outside of their natural range. Invasive species are a concern from environmental, economic and social perspectives. After habitat loss, invasive species are the second largest threat to global biodiversity. They can interfere with agriculture, recreation and forestry and can reduce the quality of recreation and subsistence activities such as hunting and fishing.

(2) Objectives

(a) Recognize the importance of containing and controlling invasive species.

(b) Support initiatives that prevent the spread and establishment of invasive species.

(3) Policies

(a) Property owners and occupiers are required to control and manage invasive plants in accordance with applicable Regional District bylaws and Provincial acts and regulations.

(b) Recreation users within the plan area are encouraged to inspect their ORVs, mountain bikes, boats and vehicles for invasive plants and animals to assist in the prevention of the spread and establishment of these species.

(c) Installation of interpretive signage at public and private boat launches and lake access points to educate the public about the impact of invasive aquatic species is supported.

(d) Boat inspections and cleaning stations aimed at reducing or eliminating the spread of invasive species are supported. These stations should not slow or disrupt highway travel.

10.10 Air Quality

(1) Policies

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.

10.11 Conservation Lands

(1) Background

The plan area include the Columbia Wetlands Wildlife Management Area as well as conservation lands privately held by The Nature Trust of BC and The Nature Conservancy of Canada. The primary management focus for conservation lands is to conserve and manage important habitat for the benefit of regionally or internationally significant fish and wildlife species and habitat. Other specific uses or activities may occasionally be accommodated on conservation lands if they are compatible with the conservation objectives for a site or represent pre-existing rights such as a utility right of way.

(2) Objectives

(a) Encourage the conservation of private lands in order to support ecological, cultural and recreational values within a working landscape.

(b) Recognize the contribution that the natural environment and wildlife make to the quality of life in the plan area.

(3) Policies

(a) The designation of properties purchased by conservation groups to CEL in order to protect ecological, cultural and resource values as well as opportunities for passive and active recreation where appropriate is supported.

(b) Partnerships between conservation groups, land owners and the Province in order to expand ecosystem restoration projects on Crown land to include private conservation properties is supported.

(c) Public access to, and appropriate use of, private conservation properties is supported. Public access should adhere to any management protocols by agencies such as The Nature Trust of BC or The Nature Conservancy of Canada.

11. DEVELOPMENT CONSTRAINTS

11.1 Floodplains, Alluvial and Debris Flow Fans, and Geotechnical Hazards

(1) Background

Development in proximity to the many water bodies and watercourses within the plan area requires careful consideration. An abundance of creeks and watercourses are found throughout the plan area and may be subject to flooding or terrain stability issues. Development in areas that may be subject to flooding should be avoided.

The plan area contains a number of topographic features with potential for geotechnical hazards as well as areas within alluvial fans subject to debris torrent hazards. Development in areas that may be subject to these hazards should be avoided. If development is proposed in these hazard areas it should be undertaken in a safe manner under the direction of a qualified professional.

The plan area is comprised of parcels that encompass varied topographical features. Slopes can lead to geotechnical hazards and should be considered as part of the development approval process. Steep slope areas are identified on **Schedule H**.

(2) Objectives

(a) Ensure public safety by discouraging development in unsuitable areas such as floodplains, alluvial fans, debris flow fans and areas subject to geotechnical hazards such as steep slope, erosion and landslip.

(b) Prevent or minimize the expenditure of public money in damage compensation or mitigation resulting from development of lands subject to hazardous events or situations.

(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 Upper Columbia Valley Floodplain 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 site specific hydrologic hazard, such as flooding or channel avulsion, must ensure that adequate protection measures are incorporated into development designs. Specific geotechnical studies prepared by a qualified professional may be required as per section 56 of the *Community Charter* and section 20.5 Development Approval Information.

(c) The development of land susceptible to flooding is discouraged. Lands susceptible to flooding should not contain structures used for habitation. Suitable uses for land susceptible to flooding include but are not limited to parks, open space, recreation or agricultural uses.

(d) Applications to vary the minimum usable site area requirements contained within the zoning bylaw will generally not be supported.

(e) Rezoning applications for any parcels containing an area of torrent or flood concern identified in **Schedule G** must incorporate strategies that ensure the development will not be impacted by the hazards. Examples of suitable strategies include:

(i) completion of a qualified professional engineer's report identifying potential hazards and appropriate hazard mitigation measures;

(ii) registration of a covenant which establishes the area of torrent or flood concern identified in **Schedule G** as a "no-build" area which may be removed or modified following the implementation of recommendations in a report by a qualified professional engineer; and

(iii) registration of a covenant which designates building envelopes outside of the entire torrent or flood concern identified in **Schedule G**.

(f) The development of land greater than 15% slope, susceptible to erosion and landslip is discouraged. Land susceptible to erosion and landslip should be used for open space and passive recreation purposes.

(g) Development activity that occurs on 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. Development of lands with slopes equal to or greater than 30% is discouraged. Specific geotechnical studies prepared by a qualified professional may be required prior to issuance of a building permit or other development approval.

(h) Removal or deposition of soil within the plan area must be carefully reviewed for erosion, drainage or sedimentation concerns.

11.2 Interface Fire Hazard & Public Safety

(1) Background

Decades of forest fire suppression in the East Kootenay have contributed to an altered ecosystem characterized by forest in-growth and the accumulation of forest fire fuels. The result is a change in tree stand structure, a decline in forest health and increased fire severity. Community development and other human activity also continue to push into areas most susceptible to forest fires.

A wildfire's progress is determined by three components: weather, topography and fuels. Fuel is the one component where a community can make a difference.

The Columbia Valley Emergency Response and Recovery Plan guides overall emergency response planning for the area; the plan area is serviced by the Emergency Operations Centre in Radium. Emergency 911 is currently in place within the plan area.

Fire protection is provided to various areas within the plan area by different means. Edgewater has a Volunteer Fire Department which services the core of Edgewater and Spur Valley. Dry Gulch, Radium Resort and Brownsville, a small residential subdivision between Edgewater and Radium are serviced by the Village of Radium Hot Springs Fire Department. The District of Invermere provides fire service to Wilmer.

In addition, police and ambulance services for the Columbia Valley are administered from Invermere, with policing provided from a satellite community policing office located in Radium.

(2) Objectives

(a) Mitigate the risk associated with interface fire hazard to residents and visitors.

(b) Encourage the adoption and implementation of FireSmart principles and wildfire mitigation measures by property owners, occupiers and developers.

(c) Ensure a safe environment for residents and visitors.

(3) Policies

(a) Applications for rezoning of parcels will be considered with respect to the following FireSmart principles, as appropriate to the nature of the application:

(i) ability to integrate fire fuel modified areas including an area of a minimum of 10 m in radius to be maintained clear of combustible material surrounding buildings and structures;

(ii) integration of building materials that minimize the risk of fires starting or spreading;

(iii) provision of a minimum of two vehicular access/egress routes to allow simultaneous access for emergency equipment and evacuation of people;

(iv) availability of sufficient water capacity for firefighting activities;

(v) implementation of phasing or staging of development to minimize the interface fire risk; and

(vi) availability of firefighting equipment and trained personnel as appropriate for the proposed development.

(b) If requested by residents, volunteer capacity and as staff time allows, the expansion of fire protection service areas will be investigated.

(c) Ecosystem restoration initiatives on Crown and private land to mitigate the risk of interface fire hazard are supported.

(d) 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.

(e) The implementation of applicable wildfire risk mitigation or prevention efforts as per the RDEK Community Wildfire Protection Plan is supported.

12. ARCHAEOLOGICAL AND HERITAGE RESOURCES

12.1 Background

The plan area includes archaeological sites—the physical evidence of how and where people lived in the past. This archaeological history extends back thousands of years through habitation and utilization of the land and its resources by First Nation people. For most of the time people have lived in this area, no written records were made. Cultural heritage sites and oral tradition are the only evidence of this rich history. The term "cultural heritage sites" includes, but is not limited to, archaeological/heritage sites and objects, cultural/heritage landscapes, sacred/spiritual sites and sites with cultural value. It encompasses sites and objects regardless of age.

The plan area contains recorded archaeological sites and is also likely to contain many unrecorded archaeological and cultural heritage sites. Recorded sites include precontact sites such as pit depressions, food gathering sites and remnants of cache pits. As well, historical sites such as the remains of cabins, root cellars and features such as the Galena Church and the Edgewater Irrigation Flume still exist. The Provincial Government protects both recorded and unrecorded archaeological sites through the *Heritage Conservation Act*. 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. This protection applies to both private and Crown land and means that the land owner must have a provincial heritage permit to alter or develop land within an archaeological site.

Knowledge of cultural heritage sites is gained through the Provincial database of recorded archaeological sites and consultation with First Nations. Archaeological Overview Assessment (AOA) has not been conducted for the plan area but the completion of such an overview is supported. The archaeological assessment process is comprised of two principal components: assessment and impact management. Assessment is primarily concerned with the location and evaluation of archaeological resources, and the assessment of impacts during the initial stages of project planning. Impact management follows directly from assessment and is primarily concerned with managing unavoidable adverse impacts as well as unanticipated impacts.

The Regional District will notify building permit and rezoning applicants if the subject property overlaps with a recorded protected archaeological site or an area of archaeological potential. The property owner should then contact the Archaeology Branch for further information.

12.2 Objectives

(1) Ensure that heritage values are protected and not impaired by future development.

(2) Ensure that property owners are aware of their responsibilities under the *Heritage Conservation Act* when conducting land-altering activities.

(3) Recognize and communicate the potential for discovery of cultural heritage sites and artifacts during the development process.

(4) Avoid unauthorized damage and minimize authorized damage to protected archaeological sites on private land in accordance with the *Heritage Conservation Act.*

(5) Recognize and support the need for an AOA for private land located within the plan area.

12.3 Policies

(1) At the request of area residents and as resources allow, the Regional District will investigate and develop heritage designations as per the *Local Government Act* to regulate and protect various heritage properties within the plan area.

(2) Undertaking an 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 potential. This schedule should then be incorporated into the Regional District development application process in order to alert applicants to their obligations under Provincial heritage legislation.

(3) Developers are encouraged to engage professional archaeological consultants prior to proceeding with land clearing and site grading to determine if an Archaeological Impact Assessment (AIA) is required to manage and mitigate the impact of the development on any known or unrecorded archaeological sites protected under the *Heritage Conservation Act*.

13. SOLID WASTE AND UTILITIES

13.1 Background

Solid waste in the plan area is managed in accordance with the Regional District's Solid Waste Management Plan. The Solid Waste Management Plan outlines strategies for reducing the amount of waste generated, reuse of items and recycling of as much material as possible. The Regional District recycling program allows for recycling of cardboard, paper, tin, aluminum cans, numbered plastics, and shopping bags through the yellow bin program. There are two rural transfer stations within the plan area, one in Edgewater and one between Brisco and Spillimacheen. The Columbia Valley landfill is located on Windermere Loop Road and services the entire Columbia Valley. The landfill is home to many recycling and reuse opportunities; however, a full Recycle BC Depot is located at the Invermere Transfer Station in the Industrial Park area. This depot is for residential recycling and collects a much wider array of recyclables than the regional yellow bin program.

The majority of the plan area is comprised of unserviced rural parcels; however, the parcels within the core of the community of Edgewater have both water and sewer servicing, and parcels within the Wilmer Waterworks Improvement District have water servicing.

In 2006, the Edgewater Improvement District was dissolved and the Regional District assumed its functions and assets. The water infrastructure, in its current form, is nearing maximum capacity. The system is anticipated to undergo upgrades in combination with water use assessments and design work for the future development of the system. Residents who wish to include their parcels within the water service area must make application to the Regional District, who will review the capacity of the system and the necessary infrastructure improvements that would be required in advance of making a decision on the application.

The Edgewater sewage collection and treatment system is operated by the Regional District. The system consists of the piping and lift stations, a pre-treatment (grinder), and a lagoon system with aeration and UV treatment. The system has the capacity to handle the anticipated growth of Edgewater; however, to service additional parcels an extension of the linear infrastructure and upgrades to the system will be incrementally required. Residents wishing to be included in the sewer service area are required to make application to the Regional District and will be required to contribute to the cost of the system upgrades.

The Wilmer Waterworks Improvement District, incorporated in 1950, provides a domestic water system to residents of Wilmer. In 2012, the Wilmer Waterworks Improvement District requested the Regional District upgrade and manage the water system; however, the petition for this service was unsuccessful. The Wilmer Waterworks Improvement District continues to provide water to area residents.

13.2 Objectives

(1) Promote recycling and responsible solid waste management practices.

(2) Protection of the Forster Creek, McCauley Creek and Vermillion Irrigation District watersheds for community and irrigation water supply. Community and Irrigation District watersheds have been designated on **Schedules D**, **D2** and **D3.**

(3) Promote responsible on-site water and sewer management.

(4) Promote cooperation and co-location between utility and telecommunication companies when locating new services or towers.

13.3 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) Residents and visitors are encouraged to follow the principles contained in the Regional District Solid Waste Management Plan to reduce the amount of solid waste produced by following the 5 R's: reduce, reuse, recycle, recover and residual management.

(3) Property owners and occupiers are encouraged to ensure that maintenance programs for onsite septic systems are followed in accordance with the appropriate Provincial regulations.

(4) Requests for the Regional District to take over the operation and maintenance of existing or proposed community water or sewer systems will only be considered in relation to the requirements of the Regional District Subdivision Servicing Bylaw and the necessary service establishment approvals.

(5) Where onsite sewage disposal is utilized for new or redesigned septic systems the use of Type 1 septic systems as defined by the Sewerage System Regulation under the *Public Health Act* is preferred where site conditions permit their installation. Type 1 systems are generally preferred as they are more reliable over time if the maintenance program is followed.

(6) The cooperation and coordination of utility and telecommunication companies in utilizing existing corridors and sites for multiple uses is encouraged and supported.

(7) Applications for rezoning of land within the WP, Watershed Protection designation are not supported.

(8) Development within the WP, Watershed Protection designation should be limited to those activities that do not have a negative impact on water quality or quantity.

(9) Within the community watersheds, the Regional District Watershed Protection zones within the zoning bylaw are to be maintained.

(10) Existing vacant parcels within the Edgewater water system service area shall be given water service priority. Applications for extensions to the water system that will increase the demand for additional capacity will be reviewed on an individual basis.

(11) The establishment, operation and maintenance of a community sewer and water servicing system for the Dry Gulch corridor is supported provided the proposed system, and an appropriate funding strategy, is supported by area residents.

(12) Development of watershed management plans for Dry Gulch Creek and Palmer Creek is supported.

(13) Development of a groundwater protection plan for the Wilmer area is supported.

(14) Development and management of a community propane network by the owners of Radium Resort within the Radium Resort Development Node is supported.

(15) The extension of existing water systems to service surrounding areas in compliance with the *Drinking Water Protection Act* is encouraged, rather than the creation of new small water systems. Water systems not in compliance with the *Drinking Water Protection Act* must meet the requirements of the Act before expansion occurs.

14. ROAD NETWORK AND TRANSPORTATION

14.1 Background

The main transportation corridor within the plan area begins with Highway 93/95 through Dry Gulch turning into Highway 95 to the extents of the plan area north of Spillimacheen. All of the communities within the plan area have development on both sides of the highway. There are speed zone reductions in place as vehicles approach and move through the communities. Spillimacheen and Brisco have amenities directly adjacent to the highway. Both communities have expressed a desire for improvements such as a frontage road to decrease the risk of incidents for people accessing community amenities from the highway.

The management of the highway, other roads, and undeveloped road right-of-ways 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 of Transportation and Infrastructure's area of responsibility.

14.2 Objective

(1) Consider and maintain road network safety and efficiency for all new development.

14.3 Policies

(1) Communities are encouraged to work with the Ministry of Transportation and Infrastructure to establish safe and attainable active transportation networks (e.g. trails).

(2) New developments are encouraged to consider the impact that they will have on movement through the plan area and mitigate negative impacts through design and speed controls.

(3) Initiatives that reduce the risk of collision with wildlife and minimize the barrier effect of the highway are encouraged.

(4) The development of frontage or backage roads to service Brisco and Spillimacheen is supported.

(5) Strategies to reduce traffic speed through the community of Wilmer and Edgewater, such as lower speed limits, signage, the use of speed reader boards, and additional RCMP patrols, are encouraged.

(6) Expansion of the Columbia Valley Transit System to include a route connecting Wilmer and Invermere is supported.

(7) The Ministry of Transportation and Infrastructure has indicated a long range interest in an upgrade of Highway 93/95 between the Village of Radium Hot Springs and the District of Invermere to a four lane divided rural highway. To facilitate this upgrade, dedication of land to the Ministry of Transportation and Infrastructure as a right of way for the construction of additional highway lanes and frontage roads is supported.

(8) Access management initiatives for Highway 93/95 between the Village of Radium Hot Springs and the District of Invermere, identified by the Ministry of Transportation and Infrastructure, are supported. These include:

(a) limiting direct access to Highway 93/95, in particular direct private and commercial driveways, and

(b) encouraging joint use of driveways.

(9) The future development of an emergency access/egress from Radium Resort Development Node using the former Radium Hill Road is supported. The retention of the existing right of way and gravel road for this purpose is supported.

(10) The intersection between Highway 93/95 and Radium Hill Road at the entrance to Radium Resort was identified during the planning process as a junction with significant safety concerns. Prior to rezoning applications for land within the Radium Resort Development Node identified on **Schedule D2,** consultation with Ministry of Transportation and Infrastructure should be completed to identify appropriate phased intersection improvements commensurate to successive stages of development.

(11) Initiatives to improve the safety of the accesses to the communities from Highway 95 are encouraged.

15. CROWN LAND MANAGEMENT

15.1 Background

The primary purpose of the plan is to provide policy direction for the development of private land; however, the plan area contains a significant amount of Crown land. While the activities on these lands are not the jurisdiction of the Regional District and the enforcement of unauthorized land uses on Crown land is the responsibility of the appropriate Provincial Ministry it is recognized that these activities can have a significant impact on residents of the plan area. In addition, tenured occupants of Crown land must comply with Regional District zoning and land use regulations.

15.2 Objectives

(1) Support the management of Crown land in a manner that considers the social, environmental, agricultural and economic needs of the plan area.

(2) Preservation of public access to Crown land.

(3) Protection of ground and surface water on Crown land within community and irrigation district watersheds.

(4) Protect viewscapes and scenic views on Crown land.

(5) Reconcile competing demands for public and commercial recreation use, and motorized and non-motorized use of Crown land.

15.3 Policies

(1) The Regional District encourages management of Crown land in an environmentally responsible manner that:

(a) protects surface water and groundwater sources;

(b) manages forest ingrowth;

(c) minimizes risk of interface fire and wildfire;

(d) enhances wildlife habitat;

(e) protects agricultural capability;

(f) protects viewscapes and scenery;

(g) protects ecological values, including waterfowl and fish and their corresponding habitat; and

(h) maintains diverse plant communities by managing invasive and noxious plants.

(2) Efforts by the Province to minimize conflicts between motorized and non-motorized recreation users of Crown land within the plan area are supported.

(3) Alienation of Crown land or restriction of access to Crown land will only be supported where it is demonstrated that the proposed development is in accordance with this plan.

(4) Referrals for tenure on Crown land will be supported where it can be demonstrated that the application does not conflict with the existing rural land uses and character and can be demonstrated to mitigate or minimize impacts to wetlands or impediments to important wildlife habitat and movement corridors.

(5) Initiatives on Crown land that reduce the Interface Fire Hazard for existing development nodes are supported.

(6) Development or activities on Crown land are encouraged to employ visual impact mitigation measures.

(7) Residents and visitors accessing Crown land are encouraged to minimize impacts to grazing, habitat and wildlife by restricting motorized use to existing trails, packing out garbage and respecting regulations in place on Crown land.

(8) The use of Crown lands within community and irrigation district watersheds are encouraged to be used in a manner that does not impact the quality or quantity of ground and surface waters.

(9) The Province is encouraged to develop an off-road vehicle management plan to minimize environmental impacts associated with the off-road vehicle recreation by identifying suitable and unsuitable locations for off-road vehicle use.

(10) Within the Wilmer Development Node identified on **Schedule D1**, Crown land parcels designated as Residential Low Density (R-SF) are considered as suitable for future residential development. Crown land parcels in the Wilmer Development Node designated as Open Space, Recreation and Trails (OSRT) are considered as suitable for future community park use.

16. GREENHOUSE GAS (GHG) EMISSIONS REDUCTION AND CLIMATE CHANGE

16.1 Background

Local governments are required to establish targets and identify specific policies and actions for the reduction of greenhouse gas emissions. Consequently, the Regional District had established a greenhouse gas reduction target of 17% below 2007 levels by 2020. Policies were created to promote reductions in the consumption of energy and emission of greenhouse gases through proactive land use, solid waste management and transportation planning. At the time of drafting this plan, the Regional District was revisiting GHG targets.

16.2 Greenhouse Gas Reduction Target

(1) Recognize the need to reduce greenhouse gas emissions and plan for climate change.

(2) Support policies and actions that will contribute to the Regional District's commitment to reduce greenhouse gas emissions.

16.3 Policies

(1) Green building standards, such as consideration of opportunities to minimize the energy and resource requirements of buildings and structures, is encouraged for all development.

(2) The integration of energy efficient and renewable energy infrastructure and utilities is encouraged.

(3) The utilization of passive solar energy through solar orientation is encouraged.

(4) The location of future development within existing development nodes is encouraged.

(5) The use of compact development footprints is encouraged within the plan area.

(6) The reduction of greenhouse gas emissions generated from solid waste landfills through the diversion and reduction of solid waste is encouraged.

(7) The integration of water efficient landscape features such as xeriscaping and the use of native vegetation is encouraged.

(8) The development of intercommunity trail linkages and open spaces is supported.

(9) The protection of existing forested areas, green spaces and grasslands is supported.

(10) New residential dwellings are encouraged to incorporate electrical service suitable for the installation of an electric vehicle charging station.

(11) The reduction targets, objectives and policies within this plan should be reviewed and updated to reflect new targets for reduction once information to inform their development is known.

(12) The integration of publically accessible electric vehicle charging stations and infrastructure in the plan area is encouraged.

17. TEMPORARY USE

17.1 Background

The *Local Government Act* allows for the issuance of temporary use permits in areas designated within an OCP. A temporary use permit may allow a use not permitted by a zoning bylaw. In general, a temporary use permit may be issued for a period of up to three (3) years and renewed, at the discretion of the Regional Board, only once. The Regional Board may impose special conditions under which the temporary use may be carried on and regulate the construction of buildings or structures related to the temporary use.

17.2 Objectives

(1) Provide an opportunity for temporary use applications to be considered within the plan area.

(2) Ensure that temporary uses are compatible with adjacent land uses.

17.3 Policies

(1) Temporary use permits will be considered throughout the plan area.

(2) An application for a temporary 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 adjacent 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 use; and
- (i) relevant policies within other sections of this OCP.

(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; and
- (d) other business or operating conditions to mitigate the impacts of the temporary use.

18. DEVELOPMENT PERMIT AREAS

18.1 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.

18.2 Development Permit Area #1 – Wildfire Hazard

(1) Area

Development Permit Area #1 applies to all properties with all or a portion of the property within the boundary of the plan area as shown on **Schedule B**.

(2) Purpose

The purpose of Development Permit Area #1 is for the protection of development from hazardous conditions.

(3) Requirements

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

(a) 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 the Steamboat – Jubilee Mountain Official Community Bylaw No. 3022, 2021 was adopted.

(4) Exemptions

Development Permits are not required within Development Permit Area #1 under the following conditions:

(a) The proposed activity is limited to internal alterations to buildings or structures.

(b) The land is already subject to a Wildfire Hazard Development Permit or wildfire hazard restrictive covenant.

(5) Justification

In an effort to minimize the risk of damage to property by wildfire, placement or construction of a dwelling unit will be subject to FireSmart construction standards.

(6) Guidelines

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

(a) Dwelling Unit Guidelines

The intention of the guidelines is to ensure the long term maintenance of FireSmart Priority Zone 1. This zone is the area within 10 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.

(b) 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 18.2 (6)(c), 18.2 (6)(d) and 18.2 (6)(e) have been met.

(c) 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.

(d) Property owners must post their civic address in accordance with the Regional District of East Kootenay House Numbering Regulation and Fee Bylaw as may be amended or replaced from time to time.

(e) Occupancy Permit landscaping requirements within the FireSmart 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 3 metres between crowns, thereby ensuring the tips of the branches of a coniferous tree are no closer than 3 metres to the tips of the branches of neighbouring coniferous trees; and
- have no limbs within 3 metres of the dwelling unit or attachments such as balconies; OR
- be managed as recommended in a Wildfire Hazard Assessment Report, in consideration of FireSmart Principles, prepared by an Registered Professional Forester who is a member of the Association of BC Forest Professionals.

18.3 Development Permit Area #2 – Protection of Environmentally Sensitive Areas

(1) Area

Development Permit Area #2 applies to all areas designated as Environmentally Sensitive Areas (ESA) on **Schedules I1** to **I6** of the Steamboat – Jubilee Mountain Official Community Plan.

(2) Purpose

The purpose of Development Permit Area #2 is for the protection of the natural environment, its ecosystems and biological diversity.

(3) Applicable Definitions

Within Development Permit Area #2:

DEVELOPMENT FOOTPRINT means the area affected by development or by project site activity. Hardscapes, 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 20.5 (2)(c) of this plan as amended from time to time. In addition, the scope of the report will either be for the parent parcel or the development footprint in accordance with section 18.3 (4)(a) and consistent with guidelines contained in section 18.3 (7) of this plan.

ENVIRONMENTALLY SENSITIVE AREA means an area with exceptional ecological values that contribute to maintaining healthy and diverse plant and wildlife populations.

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 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 an area of land adjacent to a stream or wetland that is directly influenced by perennial water either at the surface or below the surface in the form of saturated soils (i.e. soils that contain unbound water). Riparian areas are characterized by plants or plant communities that are dependent upon free water. They are areas through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. The riparian area is influenced by, and exerts an influence on, the associated aquatic ecosystem.

STREAM includes any of the following:

a) a watercourse, whether it usually contains water or not;

b) a pond, lake, river, creek or brook; or

c) a ditch, spring or wetland that is connected by surface flow to something referred to in a) or b).

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.

(4) Requirements

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

(i) Subdivision creating one or more vacant parcel(s) where any portion of the parent parcel under application is located within Development Permit Area #2;

(ii) Construction, addition or alteration of a building or structure where any portion of the proposed development footprint is located within Development Permit Area #2; or

(iii) Alteration of land, including the removal of vegetation or site grading, where any portion of the proposed development footprint is location within Development Permit Area #2.

(5) Exemptions

(a) A Development Permit is not required within Development Permit Area #2 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 - Steamboat – Jubilee Mountain Official Community Plan Bylaw No. 3022, 2021 was adopted.

(iii) The proposed activity is limited to the installation, repair or placement of utilities infrastructure within a public road right of way.

(iv) The proposed activity is limited to general road or railway construction or maintenance within a public right of way or railway right of way.

(v) The proposed activity is limited to the removal or pruning of hazardous trees as identified by a qualified hazard tree assessor, ecosystem restoration project approved by a Qualified Environmental Professional (QEP), or supplementing or maintaining natural existing vegetation.

(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 that occur within 30 metres of the natural boundary of the Columbia River and wetlands.

Section 18.3 (5) (vii) is repealed and the following substituted by Bylaw No. 3084 adopted 17 February 2023.

(vii) A QEP conducts a site visit and certifies in a signed letter that the environmentally sensitive area identified on **Schedules I1** to **I6** is not present on the parcel under application or that the proposed development footprint is not within an environmentally sensitive area even though it is in an area identified on **Schedules I1** to **I6.**

(viii) The land and ESA values within Development Permit Area #2 are 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 Development Services. Any reference in section 18.3 to the Regional District accepting a conservation covenant is at the discretion of the Regional District.

(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, or is limited to emergency repairs to buildings or structures where there is a demonstrable and immediate risk to personal or public safety and property.

(xi) 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 #2 identified in **Schedules I1** to **I6** as wetland or riparian ecosystem areas.

(xii) 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 and regulations.

(xiii) The proposed activity is limited to subdivision which solely involves parcel line adjustments.

(xiv) The proposed activity is substantially consistent with a development permit previously issued under section 18.3(4)(a)(i) and the conditions of the previously issued development permit have been met.

(xv) 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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(xvi) With respect to subdivision under section 18.4 (a)(i), RDEK staff conducts a site visit and confirms that the environmentally sensitive area identified in **Schedules I1** to **I6** is not present on the parcel under application. If identifying the presence or absence of the environmentally sensitive area identified in **Schedules I1** to **I6** is beyond the expertise of RDEK staff, then Section 18.3(5)(vii) applies.

(xvii) With respect to development under section 18.4 (a) (ii), RDEK staff conducts a site visit and confirms that the proposed development footprint is not within an environmentally sensitive area identified in **Schedules I1** to **I6**. If identifying the presence or absence of the environmentally sensitive area identified in **Schedules I1** to **I6** is beyond the expertise of RDEK staff, then Section 18.3(5)(vii) applies.

(6) Justification

(a) The 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) Open forest and 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) 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 provide important linkages between fragmented habitat for many species.

(iv) 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.

(v) Habitat for species at risk

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

(vi) Bighorn Sheep habitat

Most Rocky Mountain Bighorn Sheep spend their winters on open, low elevation areas, where there is access to forage such as fescue and bluebunch wheatgrass. In the spring, Bighorn Sheep move to higher elevation summer pastures in the alpine. Primary threats to the Bighorn Sheep are habitat loss, fragmentation and disease.

(b) The objective of Development Permit Area #2 is the protection, preservation, restoration and enhancement of the significant ecosystems, habitats and features identified in 18.3(6)(a)(i)-(vi). 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.

(7) Guidelines

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

(a) General Guidelines

The following guidelines apply to all areas identified as ESAs on **Schedules I1** to **I6** of this plan:

(i) All development proposals are subject to the applicable requirements and approval processes under the federal and provincial legislation and 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:

(1) Variance through the Development Permit to vary setbacks or siting regulations in the zoning bylaw;

(2) Reduction of minimum parcel sizes 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;

(3) Registration of a conservation covenant against the title of the property which requires that the environmentally sensitive area be protected, preserved, conserved, maintained, or kept in its natural or existing 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 a Development Permit application for Development Permit Area #2, an inventory of any habitat that supports species at risk which are identified as extirpated, endangered or threatened by federal or provincial legislation or regulations may be required to be completed as part of the identification of relevant baseline information, depending of the scope of the Report and its Terms of Reference. If habitat that supports species at risk is identified, the Environmental Impact Assessment Report must:

(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 get 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.

(v) When an Environmental Impact Assessment Report by a QEP is prepared as part of a Development Permit application an inventory of old growth forest ecosystem values may be required to be completed as part of the identification of relevant baseline information, depending on the scope of the Report and its Terms of Reference. If the land is identified as having old growth forest ecosystem values, the Environmental Impact Assessment Report must:

(1) document the spatial extent of the old growth forest stand on the subject property;

(2) identify and describe any potential and likely impacts of the activity or development on the old growth forest stand, including any cumulative effects when combined with other projects proposed or under development;

(3) evaluate the impacts in terms of their significance and the extent to which they might be mitigated; and

(4) 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.

(vi) When an Environmental Impact Assessment Report by a QEP is prepared as part of a Development Permit application, an inventory of any wildlife connectivity corridors may be required to be completed as part of the identification of relevant baseline information, depending on the scope of the Report and its Terms of Reference. If the land is identified as having any wildlife connectivity corridor values, the Environmental Impact Assessment Report must:

(A) document the spatial extent of the wildlife connectivity corridors on the subject property;

(B) identify and describe any potential and likely impacts of the activity or development on the wildlife connectivity corridors, 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 **Schedules I1** to **I6** of this 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 18.3 (7)(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:

(1) 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 or the conditions of the Development Permit.

(2) All channelization or alterations of creeks must incorporate mitigation measures as determined by a QEP in an Environmental Impact Assessment Report to minimize adverse environmental effects and be in compliance with federal or provincial legislation or regulations.

(3) 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 to 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 18.3 (7)(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 **Schedules I1** to **I6** of this plan:

(i) Reductions in grassland ecosystem areas as the result of development activities should be limited. Where possible, development should be directed outside open forest and 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 open forest and 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) Connectivity Corridor Guidelines

The following guidelines apply to areas identified as connectivity corridor ESAs on **Schedules I1** to **I6** of this 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 metres in height should not be used.

(iii) 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.

(iv) Extensive pruning of underbrush within connectivity corridors should be avoided.

(v) Forest cover should be maintained to encourage the use of connectivity corridors by wildlife.

(vi) Native vegetation within connectivity corridors should be maintained. Conversion of vegetation within corridors to non-native species should be avoided.

(vii) Snags, downed logs, stumps and other forest features should be preserved unless they present a danger to personal or public safety.

(e) Old Growth Forest Guidelines

The following guidelines apply to areas identified as old growth forest ESAs on **Schedules I1** to **I6** of this plan:

(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 old growth forest ecosystems 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.

(f) Bighorn Sheep Habitat Guidelines

The following guidelines apply to areas identified as Bighorn Sheep habitat ESAs on **Schedules I1 to I6** of this plan:

(i) Human settlement and other land development activities within Bighorn Sheep habitat is discouraged. When possible development should be directed outside of Bighorn Sheep habitat.

(ii) Applications for development activities within Bighorn Sheep habitat should use compact development footprints and construct roads, utilities and other infrastructure in a location that will have minimal impact on corridors between winter and summer ranges. Development should not fragment travel corridors.

(iii) Applications for development activities within Bighorn Sheep habitat should include compensatory habitat enhancement as determined by a QEP in an Environmental Impact Assessment Report.

19. REGIONAL CONTEXT

19.1 Background

The plan area surrounds the north and west sides of the Village of Radium Hot Springs. Land use within the fringe area is of concern to both the Village and the Regional District. The Village of Radium Hot Springs (Village) OCP clearly expresses a desire to contain urban sprawl and maintain the rural status of the land in the fringe area. The Village's OCP states that boundary expansions will only be considered where they incorporate the Village's planning principles and if the developer can provide pedestrian pathways. The expansion will be evaluated to determine the effect on the Village's servicing infrastructure, servicing capacity, finances and administrative capacity.

The Village's OCP supports working with Parks Canada and the Regional District to maintain functional wildlife corridors surrounding the Village, especially those allowing connectivity between the Purcell and Rocky Mountains, as well as working with Kootenay National Park, First Nations, the Regional District, and neighbouring communities to build pedestrian and bicycle links.

The Village's OCP supports working with adjacent communities, private landowners, Parks Canada, non-profit organizations, First Nations, and the Regional District to develop connecting links for recreational purposes and for commuting between neighbouring communities.

The Village's OCP also states support in working with the Regional District to establish a waste transfer site within municipal boundaries.

19.2 Objectives

(1) To support cooperative land use planning between the Village of Radium Hot Springs and the Regional District.

19.3 Policies

(1) Collaboration with the Village of Radium Hot Springs, First Nations, Kootenay National Park and the Province to allow for a continuation of pedestrian trails from within the Village of Radium Hot Springs into the plan area to provide contiguous linkages between communities is supported.

(2) Collaboration with Parks Canada and the Village of Radium Hot Springs to maintain functional wildlife corridors surrounding the Village is supported.

(3) Collaboration with Parks Canada and the Village of Radium Hot Springs to maintain connectivity between the Purcell and Rocky Mountains is supported.

(4) As per the RDEK Solid Waste Management Plan, a new attended transfer station located in the Village of Radium Hot Springs east of the Canfor sawmill is generally supported..

(5) Within a 2 kilometre radius of the Village of Radium Hot Springs, applications for rezoning or OCP amendments will be referred to the Village for comments.

20. IMPLEMENTATION

20.1 Background

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

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

20.2 Implementation Strategy

The implementation strategy is not meant to commit the Regional District or any other organization to any particular action, rather it is a high level road map to facilitate implementation, inform the Board of Directors annual priority project setting exercise and create a foundation for tracking plan implementation.

The following table uses several acronyms in the 'Lead Organization' and 'Partners' columns. A list of acronyms used in the table is as follows:

CWSP	Columbia Wetlands Stewardship Partners
KNC	Ktunaxa Nation Council
MoTI	Ministry of Transportation and Infrastructure
MFLNRORD	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
RDEK	Regional District of East Kootenay
SIB	Shuswap Indian Band

(1) Strategic Policies

OCP Section	Policy Action	Lead Organization	Partners
5.3 (5)(a)	The creation of a community group dedicated to advancing the revitalization is encouraged. Regional District participation in the revitalization process is supported subject to the allocation of available resources, funding and staff capacity.	Community Group	RDEK
6.3 (1)(i)	The implementation of applicable recommendations from the Regional District Agricultural Plan is supported.	RDEK	
9.3 (1)(h)	At the request of area residents, the RDEK may investigate the establishment of a service area to provide a parks and recreation function to support the establishment and ongoing maintenance of local and regional recreational amenities..	RDEK	
11.2 (3)(b)	At the request of residents, volunteer capacity and as staff time allows, the creation of fire protection service areas will be investigated.	RDEK	
12.3 (1)	At the request of area residents and as resources allow, the Regional District will investigate and develop heritage designations as per the *Local Government Act* to regulate and protect various heritage properties.	RDEK	
12.3 (2)	Undertaking an AOA for the plan area is supported.	RDEK	MFLNRORD KNC, SIB

13.3 (11)	The establishment, operation and maintenance of a community sewer and water servicing system for the Dry Gulch corridor is supported provided the proposed system, and an appropriate funding strategy, is supported by area residents.	RDEK	
13.3 (12)	Development of watershed management plans for Dry Gulch Creek and Palmer Creek is supported.	Community Group	RDEK
13.3 (13)	Development of a groundwater protection plan for the Wilmer area is supported.	RDEK	
14.3 (6)	Expansion of the Columbia Valley Transit System to include a route connecting Wilmer and Invermere is supported.	RDEK	BC Transit

(2) Advocacy Policies

OCP Section	Policy Action	Lead Organization	Partners
10.3 (2)(b)	Efforts to enhance existing access points to mitigate impacts to the wetlands and to carry out public education opportunities surrounding the wetlands are encouraged.	MFLNRORD CWSP	RDEK
10.4 (3)(c)	Investigations and implementation of opportunities to facilitate safe wildlife movement across Highway 95, including crossing structures, highway design and education, are encouraged.	MoTI	RDEK
10.7 (3)(f)	Encourage the relevant Provincial agencies to ensure that forest practices within community watersheds are conducted in accordance with the *BC Forest and Ranges Practices Act* and relevant provincial guidelines.	MFLNRORD	RDEK
10.7 (3)(g)	Encourage the relevant Provincial agencies to consider the importance of protecting water resources when considering tenures and licences of occupation within lands designated WP, Watershed Protection.	MFLNRORD	RDEK
10.9 (3)(c)	Installation of interpretive signage at public and private boat launches and lake access points to educate the public about the impact of invasive aquatic species is supported.	MFLNRORD	RDEK
10.9 (3)(d)	Boat inspections and cleaning stations aimed at reducing or eliminating the spread of invasive species are supported. These stations should not slow or disrupt highway travel.	MFLNRORD	RDEK

20.3 OCP Amendments

(1) In the future, OCP 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 a property owner through submission of an application. All amendments to this OCP require a bylaw amendment as prescribed by the *Local Government Act*.

(2) Upon application to amend this 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 or interface fire.

(3) To ensure that this OCP remains effective, relevant and responsive to the needs of the community, it should be reviewed periodically to determine if the level of development that has occurred in the plan area, or a change in other conditions, necessitates that the OCP be substantially amended or rewritten.

20.4 Zoning Bylaw Amendments

Parcels may be rezoned in conformity with the land use designations contained in **Schedules D** to **D6**. The proposed zoning must also conform to the objectives and policies contained in this OCP.

The subject parcel(s) shall be developable and meet the requirements of the zoning bylaw. 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 or wildfire.

20.5 Development Approval Information

(1) Pursuant to the *Local Government Act* 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.

The procedures for the preparation and review of development approval information are established within “Regional District of East Kootenay – Development Approval Information Bylaw No. 2122, 2008”, as may be amended or replaced from time to time.

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

(a) *Natural Hazards*

Criteria: Applications for amendments to the zoning bylaw, floodplain management provisions or Temporary Use Permits where the subject property is in an hazard identified on **Schedule G** or a steep slope identified on **Schedule H** of this plan.

Rationale: To minimize the impact of the proposed development or activity on minimum usable site area requirements and to meet the objectives and plan policies identified within the following sections of this plan:

4. - Residential
5. - Commercial
7. - Light Industrial
11.1 – Floodplains, Alluvial and Debris Flow Fans, and Geotechnical Hazards

(b) *Agriculture*

Criteria: Applications for amendments to the zoning bylaw or a Temporary Use Permit.

Rationale: To minimize conflict between agriculture and other land uses and meet the objectives and policies identified within section 6, Agricultural Land Use, of this plan.

(c) *Natural Environment*

Criteria: Applications for amendments to the zoning bylaw, Temporary Use Permits or Development Permits under section 18.3, Development Permit Area #2 – Protection of Environmentally Sensitive Areas of this plan.

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

4. - Residential Land Use
10. - Environmental Considerations
18.3 - Development Permit Area #2 – Protection of Environmentally Sensitive Areas

(d) *Wildfire Hazard*

Criteria: Applications for amendments to the zoning bylaw or Development Permits under section 18.2, Development Permit Area #1 – 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.

20.6 Development Permits

The development permit provisions of this plan are in effect upon the date of adoption unless:

(1) A complete building permit application was received prior to the date of adoption of this Bylaw, provided that the building permit is issued within 12 months of the date of adoption of this Bylaw. A complete building application means that all information required to determine compliance with the BC Building Code and applicable RDEK bylaws been received and the permit application fee has been paid.

(2) A subdivision referral from the Ministry of Transportation and Infrastructure referral was received prior to the date of adoption of this Bylaw.

(3) Alteration of land within the applicable development permit area was commenced prior to the date of adoption of this Bylaw and was completed in accordance with any development permit guidelines as required under the previous bylaw.

21. 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. The ranges in parcel sizes are reflective of parcel sizes that currently exist within the land use designation. The referenced minimum parcel sizes do not reflect the perspective of the ALC. For lands within the ALR, it is possible that subdivision into these lot sizes will not be supported by the ALC.

Subject to the zoning bylaw, agricultural use is permitted on all lands located within the ALR. The ALR is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are controlled. Further detail regarding the intent of the land use designations is found below.

The land use designations are shown on **Schedules D** to **D6**. 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.

21.1 Residential and Rural Land Uses

(1) **R-SF, Residential Low Density** supports single family and multi-family residential development.

(2) **R-MF, Residential Multi-Family** supports medium and high density non-commercial residential accommodation such as duplexes, fourplexes, townhouses and apartments.

(3) **SH, Small Holdings** supports parcels that are larger than 0.4 hectares and less than or equal to 2.0 hectares. This designation has been applied to lots that are within proximity to development nodes and recognizes the use of these lands as residential and agricultural in nature.

(4) **LH, Large Holdings** supports agriculture, rural residential development and rural resource land uses with parcel sizes in the range of 2 hectares to 8 hectares.

(5) **RR, Rural Resource** supports rural residential and rural resource land uses with parcel sizes 8 hectares and larger. The RR designation also recognizes the use of these lands for public utility use, agriculture, resource extraction, open space and recreation.

21.2 Commercial and Industrial Land Uses

(1) **C, Commercial** supports the limited range of local, service and commercial land uses as identified in the zoning bylaw.

(2) **CR, Commercial – Recreation** supports commercial recreation uses including campgrounds and golf courses.

(3) **I, Industrial** supports light industrial land uses.

21.3 Institutional Land Uses

(1) **INST, Institutional** supports such land uses as utilities, parks, community centres, educational facilities, churches and similar community oriented developments.

(2) **OSRT, Open Space, Recreation and Trails** supports green spaces, recreational amenities, agricultural uses, local, regional, or provincial parks and other protected areas such as habitat or wildlife corridors and wetlands.

(3) **WP, Watershed Protection** identifies lands that are part of an existing or potential community or irrigation district watershed and require protection from development that may impact water quality or quantity. The WP designation also recognizes the use of these lands for agriculture, timber harvesting, green space and recreation.

(4) **CEL, Cultural and Ecological Landscape** is intended to designate land managed for the conservation and enhancement of significant cultural and environmental values.

21.4 Resort Land Uses

(1) **RES-MU, Resort Mixed Use** supports a variety of land uses including recreation facilities, commercial accommodation, general commercial, and similar types of development.

(2) **RES-R, Resort Recreation** supports golf course development as well as campgrounds and other similar recreation type land uses.

This is Schedule A referred to in Bylaw No. 3022 cited as "Regional District of East Kootenay – Steamboat - Jubilee Mountain Official Community Plan Bylaw No. 3022, 2021".

"Rob Gay"
Chair

"Tina Hlushak"
Corporate Officer

April 9, 2021
Date