This bylaw is a 'consolidated' version and includes amendments as noted below. It is placed on the Internet for convenience only. It is not the official or legal version and should not be used in place of certified copies which can be obtained through the Corporate Services Department. Plans, pictures, other graphics or text in the legal version may be missing or altered in this electronic version.

CONSOLIDATED FOR CONVENIENCE TO INCLUDE
BYLAW NOS. 1195-02, 1195-03, 1195-04, 1195-06, 1195-07, 1195-08, 1195-09, 1195-11, 1195-10, 1195-13, 1195-14, 1195-15, 1195-19, 1195-18, 1195-22, 1195-23, 1195-24, 1195-26, 1195-29, 1587 and 1596

REGIONAL DISTRICT OF CENTRAL OKANAGAN BYLAW NO. 1195, 2007

A Bylaw to adopt the Joe Rich Rural land Use Bylaw

WHEREAS the Regional Board of the Regional District of Central Okanagan wishes to adopt a reviewed and amended rural land use bylaw under the provisions of the Local Government Act;

AND WHEREAS the Regional Board may adopt a rural land use bylaw by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of the Board;

AND WHEREAS before the Regional Board gives second reading to the bylaw, the Regional Board shall hold a public hearing on the proposed official community plan in accordance with the Local Government Act;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan has complied with all requirements of the Local Government Act prior to adoption of this rural land use bylaw including all of the foregoing;

AND WHEREAS after the bylaw adopting the Joe Rich Rural Land Use Bylaw has received final reading; the plan is a rural land use bylaw of the Regional District of Central Okanagan;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. ,Joe Rich Rural Land Use Bylaw attached hereto as Schedules 'A', **'B', 'C', 'D',** and **'E'** and forming part of this bylaw is adopted as a rural land use bylaw of the Regional District and this bylaw may be cited as the Joe Rich Rural Land **Use** Bylaw No.1195, 2007.

2. The bylaw shall apply only to that portion of the Regional District of Central Okanagan shown outlined in "Schedule A •• Boundary of the ,Joe Rich Rural Land Use Bylaw."

3. If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw and official community plan.

4. Joe Rich Rural Land Use Bylaw No. 730 together with all amendments is hereby repealed.

This bylaw may be cited for all purposes as the Regional District of Central Okanagan Joe Rich Rural Land Use Bylaw No.1195, 2007.

READ A FIRST TIME this 26 day of March, 2007.

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this 30 day of May 2007.

READ A SECOND TIME this 25 day of June, 2007.

READ A THIRD TIME this 25 day of June, 2007.

APPROVED BY THE MINISTER OF COMMNITY SERVICES this 14 day of September, 200.

RECONSIDERED AND ADOPTED this 1 day of October, 2007

Joe Rich Rural Land Use Bylaw

BYLAW NO. 1195, 2007

Schedule 'A'

Adopted October 1, 2007

REVISED May 14, 2026

Regional District of Central Okanagan

TABLE OF CONTENTS

SECTION 1 INTRODUCTION

Part 1 – Introduction ..... 1 – 1
Part 2 – What is the Joe Rich Rural Land Use Bylaw (RLUB) ..... 1 – 1
Part 3 – Location and Boundaries of the Rural Land Use Bylaw ..... 1 – 3
Part 4 – Applications to change Land Use Designations ..... 1 – 4
Part 5 – Applications to change a specific regulation ..... 1 – 4
Part 6 – Notification of applications ..... 1 – 4
Part 7 – Other Regional District bylaws affect the Joe Rich area ..... 1 – 5

SECTION 2 REGULATIONS

Part 1 – Definitions ..... 2 – 1
Part 2 – Administration ..... 2 – 8
Part 3 – General Requirements ..... 2 – 9
3.1 Floodplain 2 – 9
3.2 Panhandle Lots 2 – 10
3.3 Off-Street Loading 2 – 11
3.4 Off-Street Parking 2 – 11
3.5 Home Occupation 2 – 11
3.6 Fences 2 – 12
3.7 Portable Saw Mills and Portable Shake Mills 2 – 13
3.8 Prohibited Vehicle Storage 2 – 13
3.9 Short Term Rental Accommodation 2 – 14
3.10 Agricultural Land Reserve 2 – 14
3.11 Buildings Sheltering Animals 2 – 14
3.12 Livestock Keeping 2 – 14
3.13 Additional Dwelling Unit 2 – 15
3.14 Prohibited Uses 2 – 15
3.15 Agri Tourist Accommodation 2 – 15
3.16 Secondary Suites 2 – 16
3.17 Cannabis Production Facility 2 – 17

Part 4 – General Operative Clauses ..... 2 – 18
Part 5 – Land Use Designations ..... 2 – 20
Large Holdings (LH) ..... 2 – 21
Rural Acreage (RA) ..... 2 – 22
Small Holdings 2 (SH-2) ..... 2 – 23
Small Holdings 1 (SH-1) ..... 2 – 24
Country Residential (CR) ..... 2 – 25
Recreation Commercial (C-101) ..... 2 – 26
Rural Tourist Commercial (RTC) (Eight Mile Ranch) ..... 2 – 27
Service Commercial (C-102) ..... 2 – 29
Park and Open space (P-101) ..... 2 – 31
Institutional and Assembly (P-102) ..... 2 – 32
Part 6 – Subdivision Requirements and Administration ..... 2 – 33

SECTION 3 DEVELOPMENT PERMITS

Part 1 – Development Permits ..... 3 – 1
Appendix A-1 Landscape Development Permit Design Guidelines
Appendix A-2 Commercial Building Development Permit Design Guidelines
Appendix A-3 Fencing and Street Interface Development Permit Design Guidelines
Appendix A-4 Aquatic Ecosystems Development Permit Design Guidelines
Appendix A-5 Slope Stability and Rural Hillside Development Permit Design Guidelines
Appendix A-6 Wildfire Interface Development Permit Design Guidelines
Appendix A-7 Sensitive Terrestrial Ecosystem Development Permit Design Guidelines

SECTION 4 FUTURE OBJECTIVES AND POLICIES

Part 1 – Objectives and Policies for the Future ..... 4 – 1
Part 2 – General Future Form and Character ..... 4 – 7
Part 3 – Rural lands for Residential Use ..... 4 – 8
Part 4 – Agriculture ..... 4 – 9
Part 5 – Environmental Protection ..... 4 – 11
Part 6 – Hazards ..... 4 – 13
Part 7 – Business and Home Occupations ..... 4 – 15
Part 8 – Parks and Recreation ..... 4 – 17
Part 9 – Roads and Services ..... 4 – 22
Part 10 – Resource and Crown Lands ..... 4 – 25
Part 11 – Future Land Use Designations ..... 4 – 29
Part 12 – Greenhouse Gas (GHG) Emission Reduction 4–30

Schedule A – Boundary of Joe Rich rural Land Use Bylaw (located on Page 1 – 3)
Schedule B – Land Use Designations
Schedule C – Aquatic Ecosystem Development Permit Area
– Sensitive Terrestrial Ecosystem Development Permit Area
Schedule D – Geotechnical Hazard and Rural Hillside Development Permit Area
Schedule E – Wildfire Interface Construction Development Permit Area

SECTION 5 SUMMARY OF AMENDMENTS

Section 1
Introduction

Joe Rich
Rural Land Use Bylaw

Part 1 - Introduction

The information in this Introduction is a summary of a general nature intended to allow for a broad understanding. The Introduction is not detailed nor does it contain complete information. Questions should be resolved, or more information obtained, by reference to the other sections of the Rural Land Use Bylaw, other official bylaws, provincial legislation, or other official documents.

Part 2 - What is the Joe Rich Rural Land Use Bylaw (RLUB)



The Joe Rich area generally lies in the Mission Creek valley to the east of the City of Kelowna in the vicinity of Highway 33. The actual boundaries of the RLUB are defined by a map that forms part of this bylaw. The Joe Rich area is an unincorporated part of the Regional District of Central Okanagan and lies within Electoral Area "Central Okanagan East".

An RLUB is developed and used in accordance with the requirements of the legislation of the Province of British Columbia. It contains some of the elements of a zoning bylaw, subdivision bylaw, as well as an official community plan. An RLUB is intended to be a simple, comprehensive document for a rural area. The RLUB is intended to acknowledge the unique rural character of the area and provide direction for future growth.

2.1 The Joe Rich Rural Land Use Bylaw (RLUB) contains:

2.1.1 A section of current land use regulations.

There is a map that divides the area within the RLUB into separate land use designations. Each land use designation has land use regulations such as the uses permitted, setbacks from property lines, height, density and any special conditions for specific uses (like home occupations or Short Term Rental Accommodation).

Bylaw 1587

2.1.2 A section about subdivision requirements.

The RLUB contains a summary of subdivision requirements. The subdivision and infrastructure requirements in the area of the RLUB relate to the land use designation of the property and outline the requirements that need to be met in order for an application for subdivision or development to be approved.

2.1.3 A section on development permits.

Development permits ensure that how a development or land use occurs responds to a set of guidelines to meet specific community goals. There are development permits for a variety of goals such as ensuring construction respects the environment and stream habitat, or ensuring land uses do not result in geotechnical instability. An application for a development permit is necessary when a development or land use is proposed in an area where development permits are required. The conditions for each kind of development permit outlines

certain types of development or land uses that do not require a development permit. When issued, a development permit will contain the requirements that a particular development or land use must conform to (using text, maps and drawings).

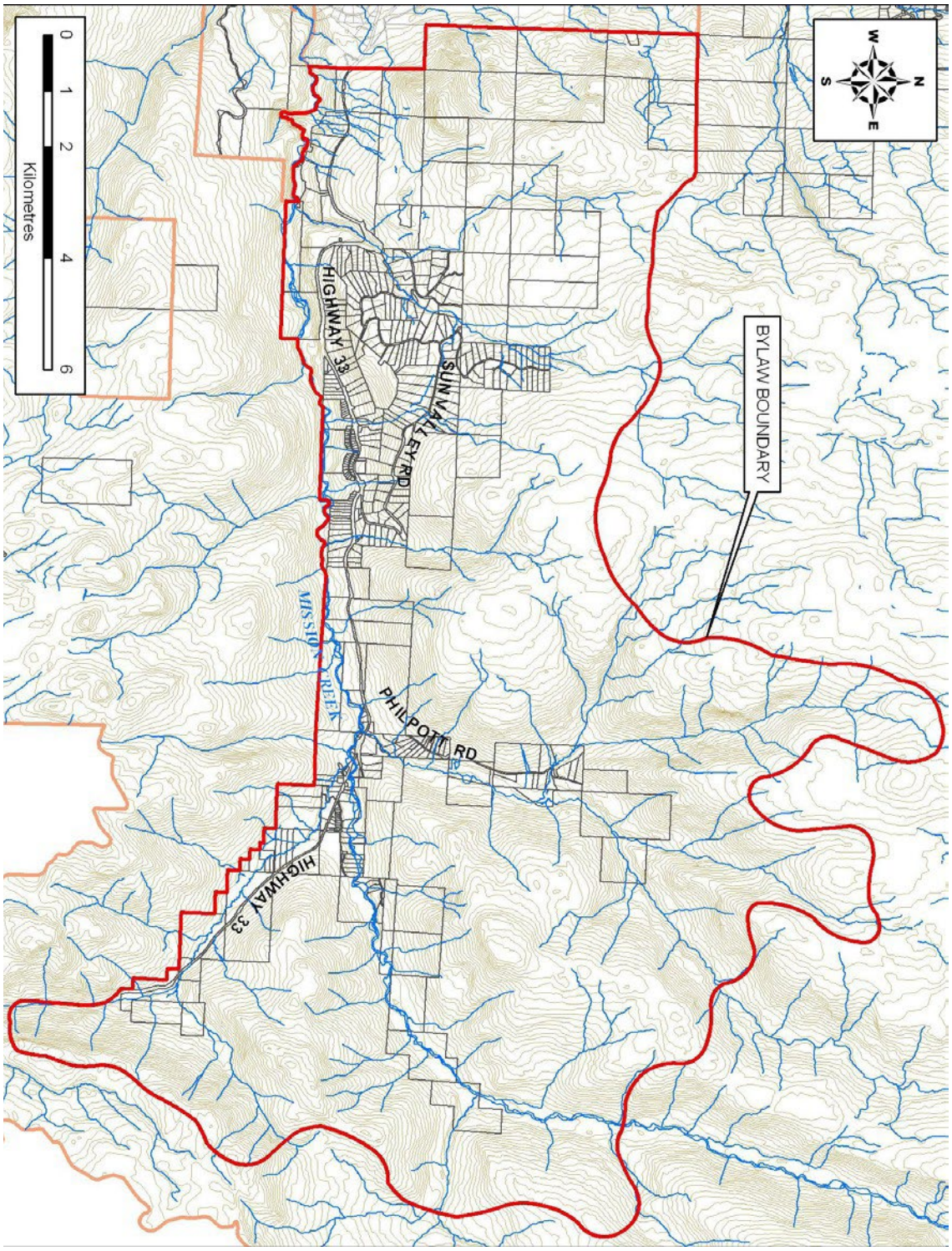
2.1.4 A section on future actions and future land use policy.

This section contains two types of policies; policies that indicate topics or actions for further investigation or implementation, as well as policies that outline the goals and principles about future land use such as where land uses should be located, the forms of housing, and the protection of the environment etc. The Regional Board, Regional District staff, other agencies and the community use these policies to guide land use decisions and help determine future activities.

2.2 The policies and regulations of the RLUB apply to the development and use of private property under the Planning jurisdiction of the Regional District of Central Okanagan and are only advisory in the consideration of crown land management, road, and tenure decisions. Some land uses on Crown land, or uses permitted by but not managed by the Crown, may fall under the jurisdiction of some parts of the Rural Land Use Bylaw such as (but not limited to) development permits.

Part 3 – Location of Rural Land Use Bylaw

Schedule A Boundary of the Joe Rich Rural Land Use Bylaw



Part 4 - Applications to change Land Use Designations

Proposed amendments must follow a specific procedure of evaluation as required by provincial legislation. Applications to amend the RLUB, including changes to land use designations, are made to the Regional Board. Applications to the Regional Board are considered as an amending bylaw to the RLUB. Consideration of an amending bylaw follows a process required by the legislation of the Province of BC and includes first reading by the Regional Board, an advertised public hearing, followed by second, third and fourth readings by the Regional Board.

A variety of information may be required with an application depending upon the type of application being made. Information that is necessary to make an informed decision in light of objectives and policies may include (but is not limited to) plans and drawings of the proposal, evaluation of infrastructure servicing and availability, and, professional reports on issues such as geotechnical stability. Applications are referred out to government authourities, utilities, etc. that may have jurisdiction in the area. There is an application fee required in order to cover the costs of processing.

Applications to change land use designations must consider all the objectives and policies of the RLUB, as well as the policies and other bylaws that may apply such as the Growth Management Strategy of the Regional District. Because of the importance of both an adequate water supply and suitable areas for sewage disposal, assurance about long term water supply and sewage disposal is required prior to the designation of land for more intensive uses.

Part 5 - Applications to change a specific regulation

Occasionally there are circumstances where a property owner feels a specific regulation doesn't work well or cannot be accommodated on a particular site. A development variance permit application allows consideration of granting a permit that would "vary" or change those specific regulations for a given property. A development variance permit cannot be used to vary the use or density (such as the number of dwelling units or minimum lot size) for a property. Typically a development variance permit can be used to consider varying regulations such as the maximum height of a building, or the setback from a property line required for buildings.

Part 6 - Notification of applications

All properties within 500 metres of land that is the subject of an application to change land use designations or an application for a development variance permit will be provided with notification in accordance with provincial legislation.

Part 7 - Other Regional District bylaws affect the Joe Rich area

The Joe Rich Rural Land Use Bylaw is one type of bylaw. It has a certain purpose but does not encompass all issues or regulations. There are other bylaws of the Regional District intended for other purposes. The following is a partial list of the Regional District of Central Okanagan bylaws which apply to all or part of the area covered the RLUB. The names on the list may vary from the legal name of the bylaw. This is not an all inclusive list and is intended for general information purposes only.

Falconridge Water System Bylaw(s)
Garbage Collection Bylaw(s)
Fire Protection and Local Service Area Bylaw(s)
Building Bylaw(s)
Unsightly Premises and Visual Nuisances Bylaw(s)
Ticket Information Utilization Bylaw(s)
Dog Regulation and Impounding Bylaw(s)
Business Licensing and Regulation Bylaw(s)
Noise Control Bylaw(s)
Fireworks Bylaw(s)
Regional Parks Bylaw(s)
Eastside Community Park Bylaw(s)
Joe Rich Community Park Bylaw(s)
Solid Waste Management Bylaw(s)
Freedom of Information Bylaw(s)
Noxious Insect and Pest Infestation Bylaw(s)
Noxious Weeds Bylaw(s)
Smoke Control Bylaw(s)

Section 2
Regulations

Joe Rich
Rural Land Use Bylaw

Part 1 - Definitions

In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

Accessory Building means a non-residential detached building which is accessory to the principal building situated on the same lot.

Accessory Use or Structure means a use or structure which is accessory to the principal use of building situated on the same lot or accessory to the principal use being made of the land upon which it is located.

Act means the Local Government Act of British Columbia, as amended to date, and from time to time.

Agriculture includes farming, apiaries, horticulture, silviculture, dairying, rearing and husbandry of livestock, fowl and fur bearing animals, cultivation of plants, nurseries, greenhouses and commercial stables and all buildings, structures and accessory uses connected therewith.

Agricultural Land Reserve means land designated Agricultural Land Reserve in the Agricultural Land Commission Act of British Columbia.

Bylaw 1195-04

Agri Tourism means land, buildings and structures for the purpose of providing tourist facilities and activities directly associated with working farms and ranches. Agri tourism does not occupy a combined gross floor area of more than 200 m^2 nor provide gathering or seating areas for more than 100 people. Where land is within the Agricultural Land Reserve additional approvals and requirements may be necessary.

Agri Tourist Accommodation means accommodation for tourists on a working farm or ranch which is located within the single family dwelling and is accessory to the Principal Use, but also related to the Principal Use. Agri Tourist Accommodation has a maximum of ten (10) Bedrooms. Agri Tourist Accommodation units are rented for rental periods of less than one (1) month. Where land is within the Agricultural land Reserve, additional approvals and requirements may be necessary.

Bylaw 1587

Animal, Large - horses, cattle, bison, elk, deer, goats, sheep, pigs, llama, alpaca, emu and ostrich or similar creatures in size and weight.

Animal, Small - poultry, rabbit or similar creatures in size and weight.

Bylaw 1587

Bedroom means a room used for sleeping and does not include a kitchen.

Bylaw 1587

Board or Board of Directors means the duly elected Board of Directors of the Regional District of Central Okanagan.

Breezeway means a connection between buildings that is not heated or insulated and is not restricted by intervening doors.

Bylaw 1195-22

Building means any structure intended or used for the shelter, housing or enclosure of persons, animals or chattels but does not include a fence.

Building Area means the greatest horizontal area of a building above the building grade within the outside surface of exterior walls.

Campground means premises in which campground spaces have been developed and maintained for temporary accommodation of transients in trailers, tents or recreation vehicles. It does not include a Mobile Home Park, Hotel or Motel.

Campground Space means a designated area within a campground used or intended to be used or rented for occupancy to transient campers or for occupancy by transient trailers, tents or recreation vehicles.

Cannabis means as defined under the Cannabis Act, or subsequent regulations or acts which may be acted in substitution by the Federal Government.

Bylaw 1195-19

Cannabis Production means the use of any land, building or structure for the growing, production, manufacturing, processing, packaging, storing, shipping and/or destroying of cannabis. Does not include Cannabis Sales Facility.

Cannabis Production Facility means a facility licensed by the Federal Government used solely for cannabis production. This use is prohibited in all land use designations except as explicitly permitted under the provisions in this Bylaw.

Bylaw 1195-19

Cannabis Sales Facility means premises used for the retail sale of cannabis and includes premises used for the service of providing referrals or facilitating access to cannabis not physically sold on the premises, but does not include sales by a pharmacist at a full-service pharmacy licenced under the Pharmacy Operations and Drug Scheduling Act. Does not include Cannabis Production Facility. This use is prohibited in all land use designations under the provisions in this Bylaw.

Carport means a roofed structure free standing or attached to the principal building which is not enclosed on the front and at least one side, used by the building occupants to shelter parked vehicles.

Bylaw 1195-22

Church means a building primarily devoted to religious worship.

Club or Lodge means a building or establishment used by a fraternal or service association or organization for social, recreation or cultural purposes.

Community Sewer System means the construction of a sanitary sewer collection system and connection to a sanitary sewer system or a system of sewage disposal works that is owned, operated and maintained by the Regional District.

Community Water System means the construction of a system of works for the distribution of water and connection to a system of water works owned, operated and maintained by the Regional District or an Improvement District in accordance with the Subdivision and Development Servicing Bylaw of the Regional District of Central Okanagan and provincial legislation such as the Water Utilities Act.

Bylaw 1587

Director of Planning means the Director of Development and Engineering Services, or designate, of the Regional District.

Bylaw 1195-06

Dwelling means one or more rooms used for the residential accommodation of only one household when such room or rooms contain or provide for the installation of only one kitchen. Does not include such facilities located in a hotel, motel, tent or recreational vehicle.

Dwelling, Single-Family means a detached building consisting of one dwelling, including a manufactured home.

Bylaw 1596

Dwelling, Two-Family means a building divided into two dwellings placed one above the other, under one roof or placed side by side under one roof. A secondary suite is not permitted within a two-family dwelling.

Eating Establishment means a premise where food is prepared and sold to the public for immediate consumption, and may include the sale of beer, wine or liquor in conjunction with food.

Existing means existing at the date of adoption of this Bylaw.

Family means persons related by blood, marriage or adoption all living together and using common cooking facilities in one kitchen area, or 5 or fewer persons, not necessarily related by blood or marriage all living together and using common cooking facilities in one kitchen area.

Fence means, subject to Section 2, Part 3, a structure used as an enclosure, screening or barrier, placed about all or part of a lot.

Fence - Closed means a fence fabricated in such a manner as to act as a visual barrier.

First Storey means the uppermost storey having its floor level not more than 2 metres (6.6 feet) above grade.

Flood Level or Flood Construction Level means a designated flood level plus freeboard, or where a designated flood level cannot be determined, a specified height above a natural boundary, natural ground elevation, or any obstruction that could cause ponding.

Floodplain means an area which is susceptible to flooding from an adjoining watercourse, lake or other body of water.

Floodplain Setback means the required minimum distance from the natural boundary of a water course, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the flood construction level, so as to maintain a floodway and allow for potential land erosion.

Bylaw 1587

Fire Protection Boundary means a specified area created under a service establishment bylaw of the Regional District to provide fire protection.

Freeboard means a vertical distance added to a designated flood level, used to establish a flood level.

Frontage means the width of a parcel or lot measured along the shortest parcel or lot boundary which immediately adjoins a highway other than a lane or walkway.

Grade means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

Bylaw 1587

Height of a building or structure means the greatest vertical distance from the finished grade to the highest point of a building or structure, but does not include church spires, fire towers, monuments, chimneys, flag poles, radio and television masts, elevator and stairwell housing and mechanical appurtenances.

Highway means a highway as defined in the Local Government Act as amended from time to time, and a common access in a Bare Land Strata Subdivision.

Home Occupation means any occupation or profession which provides a service or product to the public and the occupation or profession is incidental and secondary to the land and premises for residential purposes, but does not include a kennel.

Horse Racing Track means a lot or area set aside for the development of a track for the purpose of horse racing together with accessory and incidental uses associated with the horse racing track including stables, grand stands, concessions and pari-mutuel betting.

Hospital means an institution whether private or public which is approved by the British Columbia Ministry of Health for the reception and care of sick, wounded, infirm and aged persons.

Inspector means the Building Inspector or Chief Building Inspector, Bylaw Enforcement Officer or Regional District Engineer.

Kennel, Hobby means a facility where 3 to 20 dogs may be kept for breeding or hobby purposes. (See Regional District of Central Okanagan Dog Control Bylaw)

Kennel, Service means a kennel where an unlimited number of dogs may be kept for breeding or boarding purposes. (See Regional District of Central Okanagan Dog Control Bylaw)

Landscape means to enhance the natural features of a lot including the adding of lawns, trees, shrubs, ornamental plantings, fencing, walls, and other structures and materials.

Lane or Public Lane means a public thoroughfare other than a street which provides a secondary means of access to a lot or lots.

Legal Description with reference to the description of a lot in the Regional District means the description or the abbreviation of a description of the lot which is recorded in the Land Title Office.

Bylaw 1195-03

Licensed in relation to cars, trucks, recreational vehicles, or commercial vehicles, means insurance required for operation on a highway except where the operation of such is not required under the Motor Vehicle Act for operation on a highway.

Livestock Keeping means raising and/or maintaining large or small animals.

Loading Bay means a space, as required by the Bylaw, located on a lot used for the temporary parking of any commercial vehicle while loading or unloading.

Lot means any area of lands designated as a separate and distinct parcel on a legally recorded subdivision plan or description deposited in the Land Title Office but does not include a highway or portion thereof, a right-of-way or portion thereof, or a strata lot save and except a strata lot contained within a bare land strata plan, created under the provisions of the legislation of the Province of BC.

Lot Area means the minimum area of a lot created by subdivision, as required by this Bylaw.

Lot, Corner means a lot at the intersection of two or more public streets.

Lot Coverage means the maximum area of all buildings or structures upon the lot, but excludes open terraces, patios, decks within 0.6 metres (2 feet) of adjacent ground level, swimming pools, steps, cornices, eaves and similar projections or greenhouses in rural zones.
Lot, Interior means a lot which is bounded by one street, other than a lane.

Lot Line means the limits of a lot as shown in the records of the Registrar of Land Titles.

Lot Line, Front means the boundary between a lot and the street on which the lot abuts. In the case of a corner lot, or all lots other than an interior lot, the shortest lot line abutting a public street shall be considered the front lot line. Where the boundary between a street and a lot consists of a series of tangents and/or arcs, the tangents and/or arcs oriented towards one direction will be considered together as one lot line.

Lot Line, Rear means the lot line furthest from, and opposite to the front lot line. If a lot has fewer than four lot lines, there shall be deemed to be no rear lot line.

Lot Line, Side means the lot line other than a front or rear lot line.

Manufactured Home means a factory built dwelling, intended to be occupied in a place other than of its manufacture and conforming to the CSA Z240 or CSA A277 certified standard.

Marihuana means all parts of the genus cannabis whether growing or not and the seed or clone of such plants.

Bylaw 1195-09

Motel means a building or group of buildings divided into self-contained sleeping units which may contain limited cooking facilities, each with a separate exterior entrance and convenient access to on-site parking, provided as short term occupancy for owners or occupiers for periods of less than one month. The floor area for motel use shall be not more than 100m^2 (1,076 sq. ft.) within each unit.

Natural Boundary means the visible high-water mark of the water of any lake, river, stream, or other body of water where the presence and action are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, 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.

No Disturb Zone means a strip of undisturbed land extending inland from the natural boundary of a watercourse, and may include wetlands, ponds, swampy areas or other intermittently wetted areas which may not flow throughout the entire year.

On-Site Sewage Disposal means means a system for treating domestic sewage that uses one or more treatment methods and a discharge area, but does not include a holding tank or a privy, and is consistent with the British Columbia Ministry of Health (Health Protection Branch) Sewerage Standard Practices Manual.

Bylaw 1195-22

Parking Space means a space within a building or parking area for the parking of one motor vehicle, excluding driveways, ramps, columns, office and work areas.

Portable Sawmill means equipment used to process logs into timbers, rough lumber or commercial firewood.

Potable Water means water meeting the water source requirements of the Subdivision and Development Servicing Bylaw of the Regional District.

Principal Building means the building containing a principal use.

Principal Use means the main purpose for which a building or lot is ordinarily used.

Bylaw 1195-22

Private Water Source means a water supply from a well or a surface water, not from a community water system, that serves a single parcel of land.

Provincial Highway means a Highway, as defined by the Highway Act of British Columbia.

Public Utility Building means a building which houses telephone equipment, electrical equipment, pump, valves or other such equipment utilized to service the public with utility services.

Recreation Vehicle means a vehicle which provides sleeping and other living facilities while travelling or vacationing, designed to be carried on a motor vehicle, towed behind a motor vehicle, or self propelled, and includes such things as travel trailers, campers, motor homes, or other similar vehicles.

Regional District or District means the geographic area of the Regional District of Central Okanagan as described by Letters Patent and amendments thereto excluding there from the geographic area of the City of Kelowna, the District of Peachland, and the District of Lake Country.

Residential means the use of a lot for activities normally and usually carried out by persons in their regular place of living, such as sleeping, eating, cooking, bathing, personal worship, personal recreation, family gathering, gardening and keeping of pets, except for the limits placed on such uses by the bylaws of the Regional District, and the statutes of British Columbia and Canada.

Retail Store means a premise where new or used goods are sold directly to the consumer.

Road Access means a direct access from a highway or street to a lot.

Rural Land Use Bylaw, Joe Rich Rural Land Use Bylaw, RLUB, JRRULB means the Joe Rich Rural Land Use Bylaw of the Regional District of Central Okanagan as amended from time to time.

Bylaw 1596

Secondary Suite means a self-contained, accessory dwelling unit that provides living accommodation. The secondary suite is located within a single detached house that has its own separate kitchen, sleeping and bathing facilities.

Bylaw 1587

Short Term Rental Accommodation means a use within a single detached dwelling, whether a Bedroom, Secondary Suite or the main dwelling unit, that provides temporary lodging for tourists and visitors for rental periods of less than ninety (90) days.

Standing Body of Water means a lake, pond, slough or other such related water body.

Storage Yard or Area means a part of a lot which is used for the storage of materials.

Street means a highway as defined in the Local Government Act as amended from time to time, and a common access in a Bare Land Strata Subdivision.

Structure means any construction fixed to, supported by or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a lot, retaining walls, fences and poles.

Subdivision or Subdivided means a subdivision as defined in the Land Title Act or under the Condominium Act.

Subdivision and Development Bylaw means the Subdivision and Development Servicing Bylaw of the Regional District of Central Okanagan as amended from time to time.

Suite means a single room or series of rooms occupied as a unit.

Swimming Pool means a structure capable of being filled with water, used or intended to be used for swimming, bathing or wading, having a surface area exceeding 14 m² (150 ft²) or a depth of more than 0.6 metres (2 feet), but does not include a hot tub which is equipped with a rigid removable cover.Use or Development means the carrying on of any construction or excavation or other operation in, on, over or under land or water or the making of any use or change in use or intensity of use of any land, water, building or structure.

Utility, Public or Private means a system, works, plant, equipment or service owned and operated by or for the Regional District or by a corporation under agreement with or under a franchise from the Regional District or under a Federal or Provincial Statute, which furnishes services and facilities available for the use of the inhabitants of the Regional District including but not limited to:

- public transportation by bus or other vehicles,
- transmission, delivery or furnishing of water, gas, electricity or communication to the public at large,
- collection and disposal of sewage, garbage and other waste.

Watercourse means a place that perennially or intermittently contains surface water, including a lake, river, creek, canal, spring, ravine, swamp or bog.

Water Source means a water supply located on each parcel or connection to a community water system.

Water Supply means a supply of water that conforms to the provisions of the Subdivision and Development Bylaw of the Regional District.

Yard, Front means that minimum required portion of the lot extending across the full width of the lot from the front lot line of the site to the nearest wall or supporting member of any building or structures and shall be measured the minimum distance to the lot line.

Yard, Rear means that minimum required portion of the lot extending across the full width of the lot from the rear lot line to the nearest wall or supporting member of any building or structures and shall be measured the minimum distance to the lot line.

Yard, Side means that minimum required portion of the lot extending from the front yard to the rear yard and lying between the side lot line of the lot and the nearest wall or supporting member to any building or structures and shall be the minimum distance to the lot line.

Unless otherwise defined herein, all works or expressions used in this bylaw must have the same meaning assigned to them as like words or expressions used in the Local Government Act of British Columbia, the Subdivision and Development Servicing Bylaw of the Regional District of Central Okanagan or the Zoning Bylaw of the Regional District of Central Okanagan.

Part 2 - Administration

2.1 Violations

Any person who:

2.1.1 violates bylaw provisions,
2.1.2 causes or allows any act in contravention or violation of bylaw provisions,
2.1.3 neglects or omits bylaw requirements,
2.1.4 carries out, causes, or permits to be carried out any subdivision in a manner prohibited by or contrary to bylaw provisions,
2.1.5 fails to comply with bylaw orders, directions, or notices, or,
2.1.6 prevents, obstructs, or attempts to prevent or obstruct the authorized entry of any officer authorized under Section 6 of this Division to enter upon the lands,

will be guilty upon summary conviction of an offence under this bylaw.

2.2 Offence

Each day's continuance of an offence under 2.1 of this Part constitutes a new and distinct offence.

2.3 Penalty

Any person who violates bylaw provisions may, on summary conviction, be liable to the maximum penalty in accordance with the legislation of the Province of BC, plus the cost of prosecution, for each offence. The penalties imposed under this Section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.

2.4 Severability

If any section, sub-section, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portions shall be severed and the decision that is invalid shall not affect the validity of the remaining portions of this bylaw.

2.5 Duty of Care and Cause of Action

This bylaw does not create any duty at law on the part of the Regional District, its Board, officers, employees or other representatives concerning anything contained in this bylaw. All works, improvements, and all matters required pursuant to this bylaw are the responsibility of the owner and applicant and all persons acting on their behalf. No approval of any kind, certificate, permit review, inspection, or other act or omission by the Regional District or any of its representatives, including any enforcement or lack of enforcement of the provisions of this bylaw, shall relieve the owner and applicant and all persons acting on their behalf from this duty pursuant to this bylaw and shall not create any cause of action in favour of any person.

2.6 Bylaw Enforcement Right of Inspection

Duly appointed bylaw enforcement officers of the Regional District are authorized to enter at all reasonable times on any property to ascertain if the requirements of this bylaw are being met, or the regulations are being observed.

Part 3 – General Requirements

The regulations set forth in "Part 3 – General Requirements" shall apply to every development and parcel in all land use designated areas established by this bylaw.

3.1 **Floodplain**

The underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business, or the storage of goods, which are susceptible to damage by floodwater must be above the applicable flood construction level specified herein:

3.1.1 Flood Construction Levels

The following elevations are specified as flood construction levels, except that where more than one flood construction level is applicable, the higher elevation shall be the flood construction level:

3.1.1.1 3.0 metres (9.8 feet) above the natural boundary of Mission Creek, or

3.1.1.2 1.5 metres (4.9 feet) above the natural boundary of any other watercourse.

3.1.2 Exceptions from the Flood Construction Level

The specified flood construction level shall not apply to:

3.1.2.1 That portion of a building or structure use exclusively as a carport, garage or entrance foyer,

3.1.2.2 Farm building excluding dwelling units and buildings for the keeping of animals,

3.1.2.3 Hot water tanks and furnaces behind standard dykes,

3.1.2.4 Building for the keeping of animals behind standard dykes.

3.1.2.5 Heavy industry behind standard dykes, and

3.1.2.6 On-loading and off-loading facilities associated with water-oriented industry and portable sawmills;

Except that all main electrical switchgear for any of the uses listed above shall be no lower that the flood construction level.

3.1.3 Floodplain Setbacks

Any landfill required to support a floor system or pad must not extend within any applicable floodplain setback specified herein. The following distances are specified as floodplain setbacks, except that where more than one floodplain setback is applicable, the greater distance shall be the floodplain setback:

3.1.3.1 7.5 metres (24.6 feet) from the natural boundary of a lake, swamp or pond,

3.1.3.2 30.0 metres (98.4 feet) from the natural boundary of Mission Creek,

3.1.3.3 15.0 metres (49.2 feet) from the natural boundary of any other nearby watercourse,

3.1.3.4 7.5 metres (24.6 feet) from the natural boundary of any standard dyke right-of-way, or structure for flood protection or seepage control.

3.1.4 Exemption

Pursuant to the Local Government Act, and subject to the Provincial regulations or a local government plan or program developed under those regulations; the Regional District may exempt types of development form the requirements of flood construction levels and floodplain setbacks in relation to a specific parcel of land or a permitted use, building or other structure on the parcel of land, if the Regional District considers it advisable; and,

3.1.4.1 Considers that the exemption is consistent with the Provincial guidelines; or,

3.1.4.2 Has received a report that the land may be used safely for the use intended, which report is certified by a person who is:

- A professional engineer or geoscientist and experienced in geotechnical engineering, or,
- A person in a class prescribed by the minister charged with the administration of the Environmental Management Act.

3.1.5 Conditions Apply to Exemptions

The granting of the exemption, and the exemption, may be made subject to the terms and conditions that the Regional District considers necessary or advisable, including, without limitation:

3.1.5.1 Imposing any terms or condition contemplated by the Provincial guidelines in relation to an exemption,

3.1.5.2 Requiring that a person submit a report described in Section 3.1.4 above, and,

3.1.5.3 Requiring that a person enter into a covenant under Section 219 of the Land Title Act.

3.1.6 Damage by Flooding

By the enactment, administration or enforcement of this bylaw the Regional District of Central Okanagan does not represent to any person that any building or structure, including a manufactured home, located, constructed, sited or used in accordance with the provisions of this bylaw, or in accordance with any advice, information, direction or guidance provided by the Regional District of Central Okanagan in the course of the administration of this bylaw will not be damaged by flooding.

3.2 **Panhandle Lots**

Where a lot is a panhandle lot, the panhandle shall conform to the following requirements:

3.2.1 a minimum width of 20 metres (65.6 feet), or the width to the top of the cut and/or the toe of the fill required to contain a 6 metre driveway, whichever is greater, and

3.2.2 a maximum grade for the driveway of 8%, and

3.2.3 an area adequate for two vehicles to turn at the end with a maximum slope of 8%, either in the form of:

- a circular area with a radius of 15 metres, or
- a hammerhead, with the hammer 6 metres (19.7 feet) wide, 9 metres (29.5 feet) in depth, and the access road 6 metres (19.7 feet) wide for the width of the hammer and for a distance of 6 metres (19.7 feet) in either direction.

3.3 Off-Street Loading

When any building or structure other than a single family dwelling is being erected, enlarged or put to a new use, off-street loading facilities shall be provided in accordance with the applicable requirements of the Ministry of Transportation.

3.4 Off-Street Parking

When a building or structure other than a single family dwelling or mobile home is being erected, enlarged, or put to a new use, off-street parking shall be provided in accordance with the requirements of the Ministry of Transportation. For single family dwellings or mobile homes two parking spaces per unit shall be provided. A minimum of one (1) off-street Parking Space shall be provided where a Short Term Rental Accommodation unit is licensed on the property.

Bylaw 1587

3.5 Home Occupation

A home occupation shall comply with the following:

3.5.1 General Conditions

The home occupation is to be secondary to the residential use of the property, and shall not change the character of the site, nor give any exterior appearance of the home occupation.

3.5.2 Conduct of Home Occupation

The home occupation shall be conducted wholly within the principal building and/or another building on the site.

3.5.3 Offensive Conditions

The home occupation shall not;

3.5.3.1 Create a hazardous or dangerous condition for the neighbourhood or the environment;

3.5.3.2 Generate sound in excess of 55dBA at a parcel line of the parcel on which the home based business is located;

3.5.3.3 Produce light in excess of 4 Lux outside the parcel on which the home occupation is located;

3.5.3.4 Produce odour, smoke or dust;

3.5.3.5 Produce interference with radio, television, telephone or other electronic or communications device, where the interference is detectable on such a electronic or communications device located beyond the parcel line of the parcel on which the home occupation is located.

3.5.4 Prohibited Uses

The uses shall not include:

3.5.4.1 retail sale of goods except for:

- agricultural products produced on the premises,
- mail order sales,
- telephone sales,
- products incidental to the service being provided as a Home Occupation, or
- direct distributorships where customers do not enter the premises to inspect, purchase or take possession of the goods, or

- products produced on site.

3.5.4.2 on parcels less than 5000 m² in area:

- repair or painting of vehicles, trailers, boats or agricultural, industrial or construction machinery,
- cabinet making, or
- welding or machining operations.

3.5.4.3 Cannabis Production Facility. Bylaw 1195-09 & 1195-19

3.5.5 Parking

Parking of more than three vehicles related to a home occupation is prohibited.

3.5.6 Day Care Facility

A family day care facility licensed pursuant to the "Community Care and Assisted Living Act" shall be permitted.

3.5.7 Area of Home Occupation

The area occupied by the home occupation shall not exceed 100 m² (1076 ft²) of floor area and 50 m² (539 ft²) is permitted for storage only.

3.5.8 Employees

Only persons residing in the dwelling unit associated with the home occupation shall be involved in the home occupation plus two additional persons who are not residents of the premises at any one time.

3.5.9 Signs

Signs for home occupations shall be limited to:

3.5.9.1 one free standing sign, maximum area of 1 m² (10.8 ft²), sited on the property on which the home occupation is located, and

3.5.9.2 one sign, maximum area of 1 m² (10.8 ft²), placed flat against the building which houses the home occupation.

3.6 **Fences**

3.6.1 Corner Lot

In the case of a corner lot in any land use designation, the maximum height of a fence shall be one metre (3.3 feet) within a distance of 5 metres (16.4 feet) of the corner of the lot at the street intersection. The height shall be measured from the adjoining shoulder of the road.

3.6.2 Fence Material

No fence in a lot in an area designated equal to or less than 5000 m² when the lot abuts another lot designated equal to or less than 5000 m² shall be constructed of or contain barbed wire, sheet metal, corrugated metal or similar material, nor shall it be electrified.

3.6.3 Swimming Pools

A fence of not less than 1.2 metres (4 feet) in height shall be provided around all swimming pools. Such fence shall be constructed of chain link type material, solid construction with an even surface or vertically oriented material all intended to limit climb ability. All openings through such fence shall have a size so as to prevent the passage of a spherical object having a diameter of 10 centimetres (4 inches) or greater. All pedestrian gates or doors through the fence shall be provided with self closing devices and latches located on the pool side of the fence. Vehicle and

service gates through the fence shall be closed and locked at all times when not in use.

3.7 Portable Saw Mills and Portable Shake Mills

Portable Saw Mills and Portable Shake Mills shall be required to have:

3.7.1 a minimum lot area of 8 hectares (19.8 acres),

3.7.2 capability of being transported to the site on wheels or skids,

3.7.3 a capacity of not more than 50 cubic metres (21,180 board feet) of lumber per day,

3.7.4 no accumulation of sawdust, wood chips or other wood products with height exceeding 10 metres (32.8 feet),

3.7.5 approval of the Agricultural Land Commission when the mill is to be located in the Agricultural Land Reserve,

3.7.6 a clear fire guard 15 metres (49.2 feet) wide around the mill, logs or debris; and the fire guard is to be measured from the property line or the forest, whichever is closer to the mill, logs or debris; and all slash is to be disposed of in advance of operation of the mill,

3.7.7 all debris, slash, mill waste, timbers and skids removed, and all wells and pits filled upon cessation of operation, and

3.7.8 only logs from the property upon which the mill is located shall be utilized by that mill.

3.8 Prohibited Vehicle Storage

3.8.1 Unlicensed Vehicles

Subject to the Farm Practices Protection Act, exterior storage or parking of more than four unlicensed vehicles is prohibited.

3.8.2 Logging, Industrial or Construction Equipment

Exterior storage or parking of not more than 4 pieces of logging, industrial or construction equipment is permitted on lots of 4 hectares or larger.

Exterior storage or parking of not more than two pieces of logging, industrial or construction equipment is permitted on lots 5000 m² (53,820 ft²) or greater in area.

No such storage is permitted on lots less than 5000 m² in area.

3.8.3 Storage Exterior to a Building

Where logging, industrial or construction equipment is stored or parked exterior to a building, it shall be sited not less than 15 metres (49.2 feet) from a side or rear property line, or from a creek, watercourse or other body of water.

3.9 Short Term Rental Accommodation

Bylaw 1587

Short Term Rental Accommodation uses shall conform with the following:

3.9.1 A maximum of 1 (one) Short Term Rental Accommodation use is permitted per property.

3.9.2 A Short Term Rental Accommodation may be operated in whole or part of the single family dwelling, or within a Secondary Suite (if zoned appropriately). In the case of a property containing a single family dwelling and a Secondary Suite, only one (1) dwelling unit may be used for the purpose of a Short Term Rental Accommodation.

3.9.3 A Short Term Rental Accommodation is not permitted in an additional dwelling unit, other than the Secondary Suite or single family dwelling.

3.9.4 A Short Term Rental Accommodation use shall only be permitted on a property located within an established Fire Protection Area.

3.9.5 A Short Term Rental Accommodation shall be an Accessory Use.

3.9.6 A maximum of four (4) Bedrooms, and a maximum of eight (8) people in overnight stay, are permitted in a Short Term Rental Accommodation use.

3.9.7 No exterior evidence of the Short Term Rental Accommodation shall be visible from outside the parcel on which the Short Term Rental Accommodation is located, except for a permitted signage as authorized in this Bylaw or the Regional District's Business Licensing and Regulation Bylaw, and the required parking for the Short Term Rental Accommodation use.

3.9.8 A Short Term Rental Accommodation is permitted to have no more than one (1) sign to a maximum size of 3000 cm^2 (465 sq. in.), located on the single detached house or at least 1.5 m (4.9 ft.) from any parcel line.

3.9.9 One (1) Parking Space from the existing residential use is required to be allocated to the Short Term Rental Accommodation use.

3.10 Agricultural Land Reserve

All uses and subdivision of land within the Agricultural Land Reserve shall be in accordance with the provisions of the Agricultural Land Commission Act, the regulations thereto, and by orders of the Agricultural Land Commission.

3.11 Buildings Sheltering Animals

Any building used for sheltering animals overnight shall be not less than 15 metres (49.2 feet) from any property line, or any creek, watercourse or other body of water. (Note: Certain agricultural uses or sheltering of animals above a certain density may require additional setbacks in accordance with farm practices standards of the Province of B.C.)

3.12 Livestock Keeping

Bylaw 1195-06

Livestock Keeping shall conform with the following:

3.12.1 Lots less than 2500 m²

On lots less than 2500 m² (26,910 ft²) in area, livestock keeping shall be limited to 10 small animals.

3.12.2 Lots between 2500 m² and less than 5000 m²

On lots 2500 m² (26,910 ft²) or greater and less than 5000 m² (53,820 ft²) in area, livestock keeping shall be limited to 30 small animals.

3.12.3 Lots between 5000 m² and less than 1 hectare

On lots 5000 m² (53,820 ft²) or greater and less than 1 hectare (107,639 ft²) in area, livestock keeping shall be limited to: 2 large animals and 30 small animals

3.12.4 Lots between 1 hectare and less than 2 hectares

On lots 1 hectare (2.471 acres) or greater and less than 2 hectares (4.942 acres) in area, livestock keeping shall be limited to: 6 large animals and 60 small animals.

3.12.5 Lots greater than 2 hectares (4.942 acres)

On lots 2.00 hectares (4.942 acres) or greater in area, the amount of livestock shall be unlimited.

3.12.6 Feedlots and hog farms

Feedlots and hog farms are not allowed on lots less than 30 hectares in size. This does not include properties within the ALR, which are subject to the Farm Practices Protection Act.

3.13 **Additional Dwelling Unit**

Where the land use designation permits an additional dwelling unit, that dwelling unit is subject to the following regulations:

3.13.1 The additional dwelling unit shall be used for the accommodation of the household of an agricultural worker or caretaker

3.13.2 The additional unit's gross floor area shall not exceed the lesser of 140 square metres gross floor area or 75% of the gross floor area of the principal single detached dwelling unit

3.14 **Prohibited Uses**

3.14.1 The following use is prohibited on parcels that do not contain a dwelling, and are located in SH-2, SH-1 or CR land use designations:

a) Outdoor storage yard.

Bylaw 1195-03 & 1195-06

3.14.1 The following uses are prohibited on a parcel that contains a dwelling in LH, RTC, RA, SH-2, SH-1, or CR land use designations:

a) Occupancy of a recreational vehicle for more than 10 days in one month.
b) Storage of materials, except permitted vehicles, in a required front setback or required corner side setback.

3.14.2 The parking of recreational vehicles is prohibited on parcels that do not contain a dwelling and are located in LH, RTC, RA, SH-1, SH-2, or CR land use designations.

Bylaw 1195-19

3.14.3 The following use is prohibited in all land use designations: Cannabis Sales Facility.

3.14.4 Cannabis Production Facility is prohibited on parcels within the Agricultural Land Reserve and/or any parcel that has any portion of land within the Agricultural Land Reserve unless the following growing requirements are achieved:

Bylaw 1195-19

1. in an open field;
2. in a structure that has a soil base;
3. in a structure that was either fully constructed or under construction, with required permits in place, prior to July 13, 2018; or
4. in an existing operation licensed by the Federal Government.

3.15 Agri Tourist Accommodation

Agri tourist accommodation is subject to the following regulations:

3.15.1 Agri tourist accommodation shall be an accessory use.

3.15.2 An Agri Tourist Accommodation use is only permitted on a parcel with an approved Agri-Tourism activity.

Bylaw 1587

3.15.3 No more than ten (10) Bedrooms for Agri Tourist Accommodation uses are permitted on parcels 3.8 ha (9.4 acres) or larger.

3.15.4 No more than four (4) Bedrooms for an Agri-Tourist Accommodation use are permitted on parcels smaller than 3.8 ha (9.4 acres).

3.15.5 One (1) Parking Space per Bedroom used for Agri Tourist Accommodation is required in addition to those required for the single family dwelling.

3.16 Secondary Suites Bylaw 1596

A Secondary Suite is subject to the following regulations:

3.16.1 The Secondary Suite shall be located within a single family dwelling.

.1 The Secondary Suite shall not be connected to a single family dwelling by a breezeway or carport.

3.16.2 No more than one (1) Secondary Suite is permitted per parcel.

3.16.3 A Secondary Suite shall not exceed 100 square meters in gross floor area.

3.16.4 A Secondary Suite is not permitted if an additional Dwelling unit exists.

3.16.5 A home occupation is permitted within a Secondary Suite.

3.16.6 A Secondary Suite shall not be stratified.

3.16.7 The Secondary Suite must be serviced by a community water system or a private water source, subject to the following:

.1 For community water system, written authorization permitting the Secondary Suite from the service provider is required.

.2 For a private water source, a copy of the Water License, if applicable under the *Water Sustainability Act*, is required.

3.16.8 The Secondary Suite must be connected to a community sewer system or serviced by an on-site sewage disposal system, subject to the following:

.1 For community sewer system, written authorization permitting the Secondary Suite from a service provider is required.

.2 For on-site sewage disposal, written confirmation is required by an Authorized Person under the *Public Health Act Sewerage System Regulation*, which includes:

(a) For Lots with an existing on-site sewage disposal system, a Compliance Inspection report must indicate that the existing system is capable of processing the daily domestic sewerage flow for both Dwelling units and demonstrates the existing system meets current standards and can be expanded for the new Daily Design Flow and room on the property for back-up type 1 trench system.

(b) For Lots without an existing on-site sewerage disposal system, a primary and reserve area for type 1 trench disposal for intended Daily Design Flow.

3.17 Cannabis Production Facility

Bylaw 1195-09 & 1195-19

A Cannabis Production Facility shall only be permitted on lands outlined within the defined zones in Section 2 of this Bylaw or lands within the Agricultural Land Reserve and shall be subject to the following regulations:

3.17.1 The site must be licensed by the Federal Government;

3.17.2 The use must be located on a parcel having a minimum area of 8.0 ha (19.7 acres);

3.17.3 All buildings used for a Cannabis Production Facility shall be setback a minimum of 30.0 m (98.4 ft.) from all parcel lines and 15.0 m (49.2 ft.) from all watercourses. *E*xcept when the subject property is located in a Development Permit Area or Floodplain, minimum setback from watercourses will be subject to Development Permit Guidelines and/or section 3.1 Floodplain Regulations; and,

3.17.4 The buildings used for a Cannabis Production Facility do not discharge or emit odorous, toxic or noxious matter or vapour; heat, glare or radiation; recurrently generated ground vibration; noise in excess of ambient noise at the property boundary; electrical interference; or any other health or safety hazards.

Part 4 – General Operative Clauses

4.1 Compliance

4.1.1 Application

The provisions of this bylaw apply to that part of Electoral Area Central Okanagan East of the Regional District of Central Okanagan shown on **Schedule A** of this bylaw.

4.1.2 Use of Land, Water, Buildings or Structures

No person shall use land, the surface of water, buildings or structures in any land use designation area for uses other than those specifically permitted.

4.1.3 Construction or Moving of Buildings and Structures

No person shall construct, reconstruct, alter, move or extend a building or structure so that it contravenes the requirements of the land use designation area in which it is located.

4.1.4 Off-Street Parking and Loading

No owner shall allow the use of the land, the surface of water, building or structure for any use unless the off-street parking and the off-street loading requirements for the uses have been provided in accordance with Section 2, Part 3.

4.1.5 Permitted Number of Buildings

No person shall construct or place upon any lot a greater number of buildings or structures of any kind than the number permitted in the land use designation area in which it is located, as set out in Section 2, Part 5.

4.1.6 Subdivision

No lot shall be created in any land use designation area so that it contravenes the requirements of the area in which it is located as set out in Section 2, Parts 5 and 6.

4.2 Lots Not Meeting Area Or Frontage Requirements

Where a lot exists prior to the effective date of this bylaw and the area or frontage of the lot does not meet the provisions of this bylaw, the lot may be developed in accordance with the provisions and regulations of the land use designation area in which it is located on the land use designation maps contained in this bylaw.

4.3 General Exemptions

The following uses are allowed in any land use designation area:

4.3.1 Temporary construction and project sales offices provided they are removed within 20 days of the completion of the project.

4.3.2 Storage of construction materials on a site for which construction has been authorized by the appropriate jurisdictions, provided they are removed within 20 days of the completion of the project.

4.3.3 Irrigation ditches, conduits and flumes.

4.3.4 Pipelines, lift stations, pressure reducing stations, water reservoirs and appurtenances.

4.3.5 Electrical and communication transmission and distribution lines and appurtenances.

4.3.6 Street lighting systems.

4.3.7 Public streets and lanes.

4.3.8 Telephone booths.

4.3.9 Public Mail Boxes.

4.3.10 The temporary use of a building or part thereof as a polling station for government elections or referenda, provided that the period of use does not exceed 60 days.

4.3.11 The temporary use of a building or part thereof as campaign headquarters for political candidates or for census purposes providing that the period of use does not exceed 90 days.

4.4 Continued Conformance If Land Is Taken For Public Purposes

Where a lot is reduced in size as a result of a taking for public use by the Regional District, Provincial or Federal Government, an Improvement or Irrigation District, the Board of School Trustees or a Public Utility, through purchase or expropriation, and that lot and the buildings and structures located thereon were, prior to the taking, in conformity with the requirements of this bylaw as to lot area, siting, size and shape of buildings, the structures on the lot, and the permitted uses, the lot and the buildings and structures thereon shall be deemed to conform with the provisions of this bylaw and the lot shall be considered to exist as it did prior to the taking for the purpose of further development pursuant to the regulations of the zone in which the lot was located at the time of taking.

Applies only where the taking for public use;

4.4.1 does not exceed 20% of the lot area, and,

4.4.2 does not reduce a front, side or rear yard below 1.5 metres (4.9 feet), unless the bylaw does not require such yard, and,

4.4.3 does not include dedication of roads and does not include roads required under the highway provision and widening sections of the Local Government Act.

4.5 Subdivision For A Relative

The minimum lot size for a lot created for the purpose of providing a separate residence for a relative under the Local Government Act shall be 8 hectares (19.77 acres).

Part 5 – Land Use Designations

5.1 Categories

For the purpose of this bylaw all of that part of Electoral Area Central Okanagan East shown on Schedule B is divided into the following land use designations:

Rural Land Use Designations:

Large Holdings (LH)	Minimum lot area 30 hectares (74.1 acres)
Rural Acreage (RA)	Minimum lot area 4 hectares (9.88 acres)
Rural Tourist Commercial (RTC)	Minimum lot area 30 hectares (74.1 acres)
Small Holdings 2 (SH-2)	Minimum lot area 2 hectares (4.94 acres)
Small Holdings 1 (SH-1)	Minimum lot area 1 hectare (2.47 acres)
Country Residential (CR)	Minimum lot area 5000 m² (53,820 ft²)

Commercial Land Use Designations:

Recreation Commercial (C-101)	Minimum Lot Area 2 hectares (4.94 acres)
Service Commercial (C-102)	Minimum Lot Area 1 hectare (2.47 acres)

Institutional Land Use Designations:

Park and Open Space (P-101)	Minimum Lot Area 5000 m² (53,820 ft²)
Institutional and Assembly (P-102)	Minimum Lot Area 5000 m² (53,820 ft²)

5.2 Official Maps

The location of the land use designations established by this bylaw are as shown on the Official Land Use Designation Maps of the Regional District, attached hereto as **Schedule B**, which form an integral part of this bylaw.

5.3 Interpretation Of Boundaries

The precise boundaries of any land use designation area are shown on the Official Land Use Designation Maps (Schedule B) as follows:

5.3.1 The centre line of a road allowance, creek, or railway right-of-way.

5.3.2 The Regional District boundaries or the city boundaries of the City of Kelowna.

5.3.3 The boundary of a lot.

5.3.4 The natural boundary of a lake, pond or similar standing body of water, unless the lot is below the natural boundary in which case the lot line shall apply.

Where the distances are not specifically indicated, the location of the land use designation area boundary shall be determined by the scale of the Official Land Use Designation Map.

5.4 Undesignated Areas

Any area not designated on the Official Land Use Designation Maps is designated Large Holdings (LH).

5.5 LARGE HOLDINGS (LH)

PERMITTED USES TABLE FOR LARGE HOLDINGS (LH) DESIGNATION

5.5.1 The following uses and no others shall be permitted in the Large Holdings Land Use Designations:

.1 Residential
.2 Agriculture
.3 Portable Saw Mill and Portable Shake Mill
4 Service Kennels, Veterinaries and Animal Hospitals provided such facilities are located a minimum of 100 metres (328.1 feet) from any property line, subject to the approval of the Provincial Agricultural Land Commission, where applicable, and accessory to the residential use of the property
.5 Hobby Kennels accessory to the residential use of the property, subject to the approval of the Provincial Agricultural Land Commission where applicable
.6 Home Occupation
.7 Short Term Rental Accommodation (Bylaw 1587)
.8 Agri Tourism (Bylaw 1195-04)
.9 Agri Tourist Accommodation (Bylaw 1195-09 & 1195-19)
.10 Cannabis Production Facility (see Section 3.17)
.11 Secondary Suite (see Section 3.16) (Bylaw 1596)

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR LH DESIGNATION

	Column 1	Column 2
5.5.2	**Minimum** parcel area	30 hectares (74.1 acres)
5.5.3	**Maximum** number of buildings	
	▪ Single family dwelling	One (1) per parcel; except where the lot area equals or exceeds 8 hectares, in which case one additional dwelling unit shall be allowed (subject to further regulations contained in Section 2, Part 3 of the RLUB)
	▪ Public Utility building.....	One (1) per parcel (maximum size of 46.5 m^2 (500 ft^2)
	▪ Accessory buildings and structures.....	Unrestricted number to house allowable uses
5.5.4	**Minimum** floor area (single family)	60m^2 (645.8 ft^2)
5.5.5	**Minimum** front yard setback	8 metres (26.2 ft.)
5.5.6	**Minimum** side and rear setback	8 metres (26.2 ft.)
5.5.7	**Maximum** lot coverage	20% of the parcel area
5.5.8	**Maximum** Building Height:	
	.1 Principle Buildings……..	12.0 m (39.4 ft.)
	.2 Accessory buildings and structures.	8.0 m (26.2 ft.)

5.6 RURAL ACREAGE (RA)

PERMITTED USES TABLE FOR RA DESIGNATION

5.6.1 The following uses and no others shall be permitted in the Rural Acreage Land Use Designations:

.1 Residential
.2 Agriculture
.3 Portable Saw Mill and Portable Shake Mill
.4 Service Kennels, Veterinaries and Animal Hospitals provided such facilities are located a minimum of 100 metres (328.1 feet) from any property line, subject to the approval of the Provincial Agricultural Land Commission, where applicable, and accessory to the residential use of the property
.5 Hobby Kennels accessory to the residential use of the property, subject to the approval of the Provincial Agricultural Land Commission where applicable,
.6 Home Occupation
.7 Short Term Rental Accommodation (Bylaw 1587; Bylaw 1195-04)
.8 Agri Tourism
.9 Agri Tourist Accommodation
.10 Cannabis Production Facility (see Section 3.17) (Bylaw 1195-09 & 1195-19)
.11 Secondary Suite (see Section 3.16) (Bylaw 1596)

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR RA DESIGNATION

	Column 1	Column 2
5.6.2	**Minimum** parcel area	4 hectares (9.88 acres)
5.6.3	**Maximum** number of buildings	
	▪ Single family dwelling	One (1) per parcel; except where the lot area equals or exceeds 8 hectares, in which case one (1) additional dwelling unit shall be allowed (subject to further regulations contained in Section 2, Part 3 of the RLUB)
	▪ Public Utility building.....	One (1) per parcel (maximum size of 46.5 m^2 (500 ft^2)
	▪ Accessory buildings and structures.....	Unrestricted number to house allowable uses
5.6.4	**Minimum** floor area (single family)	60m^2 (645.8 ft^2)
5.6.5	**Minimum** front yard setback	8 metres (26.2 ft.)
5.6.6	**Minimum** side and rear setback	8 metres (26.2 ft.)
5.6.7	**Maximum** lot coverage	10% of the parcel area
5.6.8	**Maximum** Building Height:	
	.1 Principle Buildings……..	12.0 m (39.4 ft.)
	.2 Accessory buildings and structures.	8.0 m (26.2 ft.)

5.7 SMALL HOLDINGS 2 (SH-2)

PERMITTED USES TABLE FOR SH-2 DESIGNATION

5.7.1 The following uses and no others shall be permitted in the Small Holdings (SH-2) Land Use Designations:

.1 Residential
.2 Hobby Kennels accessory to the residential use of the property, subject to the approval of the Provincial Agricultural Land Commission where applicable.
.3 Horticulture accessory to the residential use of the property
.4 Silviculture accessory to the residential use of the property
.5 Greenhouses accessory to the residential use of the property
.6 Plants and nurseries accessory to the residential use of the property
.7 Livestock Keeping accessory to the residential use of the property,
.8 Agriculture, where the property is located within the Agricultural land Reserve
.9 Short Term Rental Accommodation (Bylaw 1587)
.10 Home Occupation
.11 Agri Tourism (Bylaw 1195-04)
.12 Agri Tourist Accommodation
.13 Secondary Suite (See Section 3.16) (Bylaw 1596)

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR SH-2 DESIGNATION

	Column 1	Column 2
5.7.2	**Minimum** parcel area	2 hectares (4.94 acres)
5.7.3	**Maximum** number of buildings	
	▪ Single family dwelling	One (1) per parcel
	▪ Public Utility building.....	One (1) per parcel (maximum size of 46.5 m^2 (500 ft^2)
	▪ Accessory buildings and structures.....	Unrestricted number to house allowable uses
5.7.4	**Minimum** floor area (single family)	60m^2 (645.8 ft^2)
5.7.5	**Minimum** front yard setback	8 metres (26.2 ft.)
5.7.6	**Minimum** side and rear setback……....	6 metres (19.7 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.7.7	**Maximum** lot coverage	10% of the parcel area
5.7.8	**Maximum** Building Height:	
	.1 Principle Buildings……	3 storeys to a maximum of 9.0 m (29.5 ft.)
	.2 Accessory buildings and structures.	5.0 m (16.4 ft.)

5.8 SMALL HOLDINGS 1 (SH-1)

PERMITTED USES TABLE FOR SH-1 DESIGNATION

5.8.1 The following uses and no others shall be permitted in the Small Holdings (SH-1) Land Use Designations:

.1 Residential
.2 Agriculture, where the property is located within the Agricultural Land Reserve
.3 Livestock keeping accessory to the residential use of the property
.4 Horticulture accessory to the residential use of the property
.5 Home Occupation
Bylaw 1587 .6 Short Term Rental Accommodation
.7 Agri Tourism
Bylaw 1596 .8 Agri Tourist Accommodation
.9 Secondary Suite (see Section 3.16)

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR SH-1 DESIGNATION

	Column 1	Column 2
5.8.2	**Minimum** parcel area	1 hectare (2.47 acres)
5.8.3	**Maximum** number of buildings ▪ Single family dwelling ..... ▪ Public Utility building..... ▪ Accessory buildings and structures.....	 One (1) per parcel One (1) per parcel (maximum size of 46.5 m^2 (500 ft^2) Four (4) per parcel
5.8.4	**Minimum** floor area (single family)	60m^2 (645.8 ft^2)
5.8.5	**Minimum** front yard setback	6 metres (19.7 ft.)
5.8.6	**Minimum** side and rear yard setback……..	3 metres (9.8 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.8.7	**Maximum** lot coverage	10% of the parcel area
5.8.8	**Maximum** Building Height: .1 Principle Buildings…….. .2 Accessory buildings and structures.	 3 storeys to a maximum of 9.0 m (29.5 ft.) 5.0 m (16.4 ft.)

5.9 COUNTRY RESIDENTIAL (CR)

PERMITTED USES TABLE FOR CR DESIGNATION

5.9.1 The following uses and no others shall be permitted in the Country Residential (CR) Land Use Designations:

.1 Residential
.2 Livestock Keeping accessory to the residential use of the property
.3 Horticulture accessory to the residential use of the property
.4 Home Occupation
.5 Short Term Rental Accommodation (Bylaw 1587)
.6 Secondary Suite (see Section 3.16) (Bylaw 1596)

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR CR DESIGNATION

	Column 1	Column 2
5.9.2	**Minimum** parcel area	5,000 m^2 (53,820 $ft.^2$)
5.9.3	**Maximum** number of buildings ▪ Single family dwelling..... ▪ Accessory buildings ..... ▪ Accessory structures.....	 One (1) per parcel Three (3) per parcel Three (3) per parcel
5.9.4	**Minimum** floor area (single family)	60m^2 (645.8 ft^2)
5.9.5	**Minimum** front yard setback	6 metres (19.7 ft.)
5.9.6	**Minimum** side and rear setback……	3 metres (9.8 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.9.7	**Maximum** lot coverage	20% of the parcel area
5.9.8	**Maximum** Building Height: .1 Principle Buildings…….. .2 Accessory buildings and structures.	 3 storeys to a maximum of 9.0 m (29.5 ft.) 5.0 m (16.4 ft.)

5.10 Recreation Commercial (C-101)

PERMITTED USES TABLE FOR C-101 DESIGNATION

5.10.1 The following uses and no others shall be permitted in the Recreation Commercial (C-101) Land Use Designation:

.1 Agriculture
.2 Campground
.3 Rifle range, fairground, outdoor recreation and sporting facility including associated clubhouse, sport and gift stand, and eating establishment
.4 Riding Stables
.5 Horse racing tracks, rodeo and gymkhana grounds
.6 Residential
.7 Secondary Suite (see Section 3.16) Bylaw 1596

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR (C-101) DESIGNATION

	Column 1	Column 2
5.10.2	**Minimum** parcel area	2 hectares (4.94 acres)
5.10.3	**Maximum** number of buildings ▪ Single family dwelling..... ▪ Accessory buildings and structures	 One (1) per parcel Unrestricted number to house allowable uses
5.10.4	**Minimum** front yard setback	6 metres (19.7 ft.)
5.10.5	**Minimum** side and rear yard setback…..	3 metres (9.8 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.10.6	Off Street Loading	Permitted provided if in accordance with Section 2, Part 3
5.10.7	**Minimum** Screening	1.8 metres (5.9 ft) fence and 3 metre (9.8 ft.) wide planted strip located on the C-101 property where the lot abuts another lot with a different designation, or a lot in the Agricultural Land Reserve
5.10.8	Storage	No storage of toxic material or toxic waste on the property
5.10.9	**Maximum** Building Height: .1 Principle Buildings……. .2 Accessory buildings and structures.	 3 storeys to a maximum of 9.0 m (29.5 ft.) 5.0 m (16.4 ft.)

5.11 RURAL TOURIST COMMERCIAL (RTC) (Eight Mile Ranch)

Purpose: To allow a complementary mixture of agri-tourism and guest ranch accommodation uses in association with a working ranch.

PERMITTED USES TABLE FOR RTC DESIGNATION

5.11.1 The following uses and no others shall be permitted in the (RTC) Land Use Designation:

. .1 Agriculture and open land recreational uses;
.2 Horse riding stadiums, arenas, boarding stables & petting zoo;
.3 A guest lodge with ancillary commercial activities; dining room, conference centre, spa and gymnasium;
.4 Swimming pool;
.5 Recreational cabins containing rental lock-off units and bathrooms;
.6 Barbeque shelters;
.7 Recreational vehicle sites/campsites and washroom facilities;
.8 Unserviced shelter sites;
.9 Restaurant, Laundromat, curio shop and convenience store;
.10 Accessory buildings and structures.

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR LH DESIGNATION

	Column 1	Column 2
5.11.2	**Minimum** parcel area	30 hectares (74.1 acres)
5.11.3	**Maximum** number of buildings allowed on site	▪ 4 single family dwellings for caretaker/agricultural workers; ▪ 1 guest ranch lodge with ancillary uses; ▪ 25 guest cabins with 4 rental lock-off units and 4 bathrooms; ▪ 2 washroom facilities; ▪ Unrestricted number of other buildings and structures to house allowable uses.
5.11.4	**Maximum** density……	▪ 24 campsites ▪ 24 recreational vehicle sites ▪ Guest Lodge – 16 rental units with 2 lock-off units ▪ 25 recreational cabins containing 4 rental lock-off units & 4 bathrooms
5.11.5	**Maximum** floor area Convenience store ..... Curio shop ..... Laundromat..... Lodge..... Recreational cabin	 ▪ 90 sq. metres (969 sq. ft.) ▪ 70 sq. metres (753 sq. ft.) ▪ 46 sq. metres (500 sq. ft.) ▪ 2200 sq. metres (23,336 sq. ft.) ▪ 170 sq. metres (1800 sq. ft.)

5.11.6	**Maximum** building heights Recreational rental cabin ..... Single family dwelling..... Lodge & accessory buildings	 ▪ 7.6 metres (24.93 feet) ▪ 10 metres (32.8 feet) ▪ 13 metres (42.7 feet)
5.11.7	**Minimum** front yard setback	6 metres (19.7 ft.)
5.11.8	**Minimum** side and rear setback	3 metres (9.8 ft.)

5.12 SERVICE COMMERCIAL (C-102)

PERMITTED USES TABLE FOR C-102 DESIGNATION

5.12.1 The following uses and no others shall be permitted in the Service Commercial (C-102) Land Use Designations:

.1 Trailer and Mobile Home Storage
.2 Outdoor Storage
.3 Home Occupation
.4 Retail agricultural markets, nurseries and garden shops
.5 Auctions and used goods sales, discount and wholesale sales (excluding heavy equipment, livestock and bulk chemicals)
.6 Building and hardware sales and trade offices
.7 Printers
.8 Household and office equipment, repair, sales and service
.9 Frozen food lockers, warehouses, lockers and storage facilities (except storage facilities for heavy equipment, livestock and bulk chemicals)
.10 Sign painting and fabricating
.11 Taxi, bus and transport departments and office (excluding the storage and dispensing of fuel)
.12 Repairs of all forms of equipment with the exception of automobiles and heavy equipment
.13 Veterinarians and animal hospitals
Bylaw 1587 .14 Short Term Rental Accommodation

(Some of the permitted uses may be subject to further regulations contained in Section 2, Part 3 of the RLUB)

REGULATIONS TABLE FOR (C-102) DESIGNATION

	Column 1	Column 2
5.12.2	**Minimum** parcel area	1 hectares (2.47 acres)
5.12.3	**Maximum** number of buildings ▪ Single family dwelling..... ▪ Accessory buildings and structures	 One (1) per parcel unlimited
5.12.4	**Minimum** frontage	50 metres (164 ft.)
5.12.5	**Maximum** height	12 metres (39.4 ft.)
5.12.6	**Minimum** front yard setback	10 metres (32.8 ft.)
5.12.7	**Minimum** side and rear setback……..	5 metres (16.4 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.12.8	Off Street Loading	Permitted provided it is in accordance with Section 2, Part 3
5.12.9	Storage yard surface requirements	The surface shall be of permanent and dust free material
5.12.10	Storage yard screening	By a closed fence 2.5 metres (8.2 ft.) in height

5.12.11	Storage of petroleum products, toxic, noxious, explosive, odorous or radioactive material	No storage of these materials within 15 metres of the natural boundary of an watercourse or body of water
5.12.12	Prohibited storage	The storage of dilapidated machinery, dilapidated equipment, dilapidated vehicles or dilapidated components is prohibited
5.12.12	Illumination	No production of light in excess of 4 Lux falling outside the C-102 parcel.
5.12.13	**Minimum** Screening	1.8 metres (5.9 ft) fence and 3 metre (9.8 ft.) wide planted strip on the C-102 property where the lot abuts another lot with a different designation, or a lot in the Agricultural Land Reserve

5.13 PARK AND OPEN SPACE (P-101)

PERMITTED USES TABLE FOR P-101 DESIGNATION
5.13.1 Permitted uses, buildings and structures: .1 Conservation area, ecological reserves .2 Parks, linear trails, playgrounds, play fields, washroom and change room facilities .3 Eating establishments

REGULATIONS TABLE FOR P-101 DESIGNATION		
Column 1		Column 2
5.13.2	**Minimum** parcel area	5000 m^2 (53,820 $ft.^2$)
5.13.3	**Maximum** number of buildings ▪ One dwelling for caretaker ▪ Public utility building ▪ Accessory buildings and structures	Maximum size - 46.5 m^2 (500 $ft.^2$)
5.13.4	**Minimum** frontage	40 metres (131.2 ft.)
5.13.5	**Maximum** height	12 metres (39.4 ft.)
5.13.6	**Minimum** front yard setback	10 metres (32,8 ft.)
5.13.7	**Minimum** side and rear setback……..	5 metres (16.4 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)

5.14 INSTITUTIONAL AND ASSEMBLY (P- 102)

PERMITTED USES TABLE FOR P-102 DESIGNATION
5.14.1 Permitted uses, buildings and structures: .1 Art Galleries, Museums, Libraries, Cultural and Recreational facilities .2 Community and Assembly Halls and Public Buildings .3 Government Offices, Fire halls .4 Personal Care Homes and Intermediate Care Homes .5 Clubs and Lodges .6 Cemeteries and Crematoriums .7 Utility – public or private .8 Schools, Convents and Seminaries .9 Nurseries, Kindergartens and Day Care Centres .10 Churches .11 Residential

REGULATIONS TABLE FOR P-102 DESIGNATION		
	Column 1	Column 2
5.14.2	**Minimum** parcel area	5000 m^2 (53,820 $ft.^2$)
5.14.3	**Maximum** number of buildings ▪ Single family dwelling..... ▪ Accessory Buildings & Structures……..	 One (1) per parcel unlimited
5.14.4	**Minimum** frontage	40 metres (131.2 ft.)
5.14.5	**Maximum** height	12 metres (39.4 ft.)
5.14.6	**Minimum** front yard setback	10 metres (32.8 ft.)
5.14.7	**Minimum** side and rear setback…….	5 metres (16.4 ft.) ▪ Except where the lot abuts the Agricultural Land Reserve the minimum is 9 metres (29.5 ft.)
5.14.8	**Maximum** lot coverage	30% of the parcel area
5.14.9	**Maximum** screening……	▪ 1.8 metres (5.9 ft) fence shall be constructed on the P-102 property where the lot abuts another lot with a different designation, or a lot in the Agricultural Land Reserve
5.14.10	Off Street Loading and Parking	Permitted provided if in accordance with Section 2, Part 3

Part 6 – Subdivision Requirements and Administration

The information in this Section is intended to allow for a broad understanding of subdivision. The information may not be complete and may require further reference to other bylaws, regulations and legislation. Questions should be resolved, or more information obtained, by reference to the other sections of the Rural Land Use Bylaw, the Subdivision and Development Bylaw of the Regional District, other official bylaws, provincial legislation, or other official documents.

6.1 Approving Authority

The approving authority for subdivision within the boundaries of the Regional District of Central Okanagan is the provincial Approving Officer of the Ministry of Transportation. Applications for subdivision are made with the Ministry of Transportation. All applicable bylaws, policies and jurisdictions are considered in determining the requirements for subdivision, including the minimum lot size as specified in the land use designation of the Rural Land Use Bylaw that applies to the property under application.

6.2 Subdivision and Development Servicing Bylaw

The regulations and requirements of the Subdivision and Development Servicing Bylaw of the Regional District of Central Okanagan, all or in part, whether specifically referred to in the Rural Land Use Bylaw or not, apply within the boundaries of the Joe Rich Rural Land Use Bylaw of the Regional District of Central Okanagan. Hereafter the Subdivision and Development Servicing Bylaw of the Regional District of Central Okanagan is referred to as the Subdivision and Development Bylaw.

6.3 Subdivision Processing Fee

An applicant applying for subdivision approval must submit to the Regional District a subdivision processing fee in accordance with the Subdivision and Development Bylaw. The processing fee schedule was developed with the goal of covering the costs of the processing and referral of the application by Regional District staff.

6.4 Administration Fee

An applicant applying for development or subdivision approval must submit to the Regional District an administration fee in accordance with the Subdivision and Development Bylaw. The administration fee was developed with the goal of covering the costs of the administration of the subdivision by Regional District staff.

6.5 Authorization to Enter on Lands Being Subdivided or Developed

To determine if the provisions and regulations for subdivision are being met, Regional District officers, or their designates, are authorized to enter the lands for which a subdivision application has been made.

6.6 Completion

Should any person fail to construct or install any works required under this bylaw or the Subdivision and Development Bylaw, the Regional District, its agents or servants may construct or install the works at the expense of the Owner in default and the expense recovered from a security held by the Regional District.

6.7 Stop Work Order

The Regional District Engineer or the Building Inspector may order a person who contravenes this Bylaw, or the Subdivision and Development Bylaw, to comply with the bylaw within a time limit specified in the order, or, to stop work or construction, in whole or in part, if such work is proceeding in contravention of the Bylaw(s).

6.8 Certification of Materials, Equipment and Procedures

The Regional District Engineer or the Building Inspector may direct that tests of materials, equipment, devices, construction methods, assemblies, or soil conditions be made or sufficient evidence or proof be submitted, at the expense of the Owner, to ensure that the requirements of this Bylaw, or, the Subdivision and Development Bylaw, are met.

6.9 Quality Assurance

Prior to the Issuance of a Certificate of Total Performance by the Regional District Engineer, the Owner must deposit a set of site servicing drawings with the Regional District in accordance with the Subdivision and Development Bylaw of the Regional District.

Upon Substantial Performance of the subdivision but prior to the issuance of a Certificate of Total Performance by the Regional District Engineer, the Owner must enter into a Maintenance Security Agreement in accordance with the provisions of the Subdivision and Development Bylaw. A Maintenance Security Agreement may not be required where there are no works required by this Bylaw, or the Subdivision and Development Bylaw, or where the Regional Board has granted a development variance permit exempting the Owner from all required works.

6.10 Final Inspection

Upon Substantial Performance and after submission of a Certificate of Bylaw Compliance, the Owner must arrange and conduct a final inspection with the Regional District Engineer in order for the Regional District Engineer to ascertain compliance with the provisions of this Bylaw, or the Subdivision and Development Bylaw.

6.11 Certificate of Total Performance

A Certificate of Total performance will be issued by the Regional District Engineer once the Applicant has complied with the provisions of this Bylaw, and the Subdivision and Development Bylaw. The required provisions include, but are not limited to; site servicing drawings, a maintenance security agreement (if required), copies of the plan of subdivision, copies of any statutory right of way plans and agreements, payment of all fees and charges, final inspection, proof of the required infrastructure and servicing, total performance of the work. The Applicant must comply with all the provisions of this bylaw and the Subdivision and Development Bylaw.

6.12 Type and Extent of Servicing

The type and extent of Servicing must comply with Schedule “C.2 Servicing Requirements”, “Section 1 Minimum Parcel Area and Minimum Frontage” and “Section 2 “Type and Extent of Servicing”, of the Subdivision and Development Bylaw of the Regional District . In summary, all development and subdivision for land in any land use designation in the Rural Land Use Bylaw must provide the following required servicing in accordance with the Subdivision and Development Bylaw:

Subdivision and Development Bylaw Reference Section	Required Servicing*
6.02	Highways
6.05	Water Source
6.07	Onsite Disposal
6.09	Drainage Sediment & Erosion Control Plan
6.10	Slope Stability
6.12	Overhead Wiring
6.13	Walkways & Fencing

* For the P101 land use designation (other than for restaurants) a water source is not required. For parcels 30 hectares or larger no servicing requirements apply.

6.13 Highways and Walkways

All highways including highway widening, boulevards, walkways, bicycle lanes, bicycle trails, or other trails required under this Bylaw, the provincial Ministry of Transportation or the Subdivision and Development Bylaw must be constructed and installed in accordance with prescribed standards and requirements. Only highways meeting such standards shall be shown on a plan of subdivision.

Walkways must be provided and designed in accordance with the standards and specifications of the Subdivision and Development Bylaw. There are two classifications of walkway; urban and non urban, with the acceptable classification and location to be determined by the Regional District Engineer. Walkways are provided in order to provide access to; schools, parks and recreation sites, shopping and entertainment areas, conservation areas, public use destinations, from one road segment to another.

Storm drainage will be required to be designed and installed in accordance with the requirements of the Ministry of Transportation.

The design and construction of highways and walkways must meet the requirements of the Ministry of Transportation and the Subdivision and Development Bylaw.

6.14 Cul-de-Sac

The length of cul-de-sac streets must not exceed the maximum length indicated in the Subdivision and Development Bylaw. There are provisions in the Subdivision and Development Bylaw for an increase in length provided safety considerations are met.

6.15 Water Source

Water must be provided to a subdivision or development as indicated in the Subdivision and Development Bylaw.

If a water source is required, the subdivision will not be approved until each parcel in the subdivision is provided with its own water supply in accordance with the Subdivision and Development Bylaw. For land use designations representing a certain lot size or density a fully regulated community water supply is required prior to subdivision.

The use of any surface water will require a domestic water license issued by the provincial authority for an amount specified in the Subdivision and Development Bylaw. All water sources must meet the requirements of the Subdivision and Development Bylaw. For wells this will include mapping well locations and meeting well construction requirements. For both wells and surface water sources approval will include meeting water quantity and quality requirements. If a community water system is available to service the subdivision, the community water system must be used as the water source.

6.16 On-site Sewage Disposal

When required, on-site sewage disposal for a subdivision will be required to meet provincial standards for sewage disposal.

6.17 Drainage, Sediment and Erosion Control

A Drainage, Sediment and Erosion Control Plan and documentation that will be used during the development or subdivision of the parcel is required in accordance with the Subdivision and Development Bylaw of the Regional District.

6.18 Electrical Power

The Owner of the land being subdivided or developed must provide each parcel with electrical power within the proposed subdivision in accordance with the requirements of the Subdivision and Development Bylaw of the Regional District.

6.19 Development Permits

The issuance of one or more development permits may be required prior to approval of the development or subdivision. Development permits are for a variety of reasons including, but not limited to, slope stability and protection of the environment. Each development permit area in the Rural Land Use Bylaw specifies the terms and conditions under which a development permit would not be required.

Section 3
Development Permits

Joe Rich
Rural Land Use Bylaw

Part 1 - Development Permits



There are specific community goals for issues such as respect for the environment; dealing with potential hazards such as wildfire and geotechnical instability; and the appearance, form and character of certain land uses like commercial activities. It is important that these goals are considered when certain types of development or buildings are proposed. Development permits are one of the key methods made available to the Regional District through the provincial legislation to accomplish this evaluation.

Each development permit has specific objectives and guidelines that have been developed to achieve certain community goals. The location and circumstances where the objectives and guidelines for each development permit apply is indicated using text and maps. When a proposal is located in those areas and fits those circumstances, applications for development permits are required so that the proposal can be evaluated.

There are several types of development permits that achieve a variety of different community goals. A certain proposal may be required to consider just one set of guidelines, or several sets of guidelines, depending upon the type of proposal being made and its location.

1. Policies

1.1 Development within designated Development Permit Areas will be reviewed by the Regional District in consideration of the objectives and guidelines identified in this Section. Conditions or restrictions may be imposed on the development accordingly.

1.2 In accordance with the legislation of the Province of BC, the Regional District will require funding to ensure the completion of landscaping, environmental rehabilitation, or other conditions for which security may be held.

1.3 Development Permit Areas are designated and Development Permits are required in accordance with the conditions, objectives and guidelines indicated.

1.4 The development permit types and locations may be reviewed and revised should future comprehensive urban subdivision and residential development be considered for the Joe Rich area either in addition to the policies and land use designations currently in this Rural Land Use Bylaw, or, for large multiple lot developments. The development permit types and guidelines of this Rural Land Use Bylaw are premised on the objective of limited future urban growth designations and may not be adequate for substantial developments. An update of the development permit section should include (but not be limited to) consideration for the inclusion of complete and detailed hillside development guidelines, multiple unit housing guidelines, and revised environmental guidelines.

2. Commercial Development Permit Area

2.1 The Commercial Development Permit Area is designated in accordance with provincial legislation for purpose of establishing objectives for the form and character of commercial development. All land uses require an approved Development Permit.



Rationale: While the Rural Land Use Bylaw allows for only limited commercial development, the form, character, appearance and landscaping of commercial properties is an important part of what makes a place attractive and livable. Commercial properties currently in the Rural Land Use Bylaw, or as a potential outcome of some policies, can be in highly visible locations. The design of a commercial development deals with the creation of an attractive development that fits and contributes to the fabric of the rural area.

2.2 Commercial Development Permit Areas include all areas of land that are designated in the Joe Rich Rural Land Use Bylaw of the Regional District of Central Okanagan as one of the following land use designations; Recreation Commercial (C-101), Service Commercial (C-102).

2.3 A Development Permit must be approved before construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where;

2.3.1 Changes to a building or structure are internal alterations that do not affect the exterior of a building, the repair or replacement of roofing, or, signs that comply with the RDCO sign bylaw.

2.3.2 The construction, alterations or additions of building are:

2.3.2.1 Additions up to 200 square meters in areas where the addition results in less than a 10% increase in floor area,

2.3.2.2 Minor external alterations that do not alter or affect parking requirements, required landscaping, access to the site, or the building footprint or have any significant impact on the character of the building,

2.3.2.3 The construction or alterations in accessory buildings or structures are not in excess of 40 square meters where the total floor area is no more than 10% of the main building, and, provided parking requirements, required landscaping, required environmental measures, access to the site, and the character of the site are not affected.

2.4 Development Permits issued in this area will be in accordance with the following objectives and guidelines:

2.4.1 Landscape Development Permit Design Guidelines (*Appendix A-1)*

2.4.2 Rural Commercial Development Permit Design Guidelines *(Appendix A-2)*

2.4.3 Fencing and Street Interface Development Permit Design Guidelines *(Appendix A-3)*

3. Aquatic Ecosystem Development Permit Area

3.1 The Aquatic Ecosystem Development Permit Area is designated in accordance with provincial legislation for purpose of protection of the natural environment, its ecosystems and biological diversity and, protection of development from hazardous conditions.

Rationale: Aquatic ecosystem development permits are for the protection of watercourses such as but not limited to streams, ponds, and wetlands and the critical habitat and biodiversity in their riparian areas. Such ecosystems are important not only in their own right but form a backbone of corridors between ecosystems that create a healthy diversity and better support the needs of a variety of species. These connections avoid the creation of isolated “islands” and increase ecosystem sustainability for the future.



Aquatic ecosystems are protected not only because of their great importance to the ecology of the Okanagan but also because legislation of the Province of BC (the *Fish Protection Act*, the *Riparian Area Regulation*, and the *Water Act*) and Federal legislation (such as the *Fisheries Act*) all require that the Regional District ensure the protection of the aquatic ecosystem. The *Growth Management Act* of the Regional District contains a *Regional Environmental Protection Paper* that identifies some key aquatic values for protection.

The *Trepanier Water Management Plan* completed in 2004 covered several major watersheds on the west side of Lake Okanagan in the Regional District. The report concludes that climate change will reduce water flows from current levels. Coupled with increasing demand there will be with future impacts on water quality, water availability, and changes to the natural environment. Likely the upcoming similar study on the east side of the lake will reach similar conclusions.

The development permit area was established through a combination of the identification of riparian areas, wetlands and broadleaf woodlands utilizing a global

positioning system, interpretation of available topographic mapping, field surveys and documentation of riparian locations.

3.2 Aquatic Ecosystem Development Permit Areas include areas of land designated on Schedule 'C'.

3.3 In Aquatic Ecosystem Development Permit Areas, a Development Permit must be approved before land is altered or subdivided (including but not limited to land clearing, preparation for the construction of services or roads, and blasting); and, before construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where;

3.3.1 The activity involves timber harvest, forest road construction, open livestock range, grazing enhancement, forest recreation or other forest management activity on Crown Land that is conducted under the auspices of the District Forest Manager, or,

3.3.2 A development permit of this type has already been issued or a covenant dealing with aquatic ecosystem issues is registered on property title for the area in the past that protects the entire riparian area, and the conditions in the development permit or covenant have all been met, and the conditions addressed in the previous development permit or covenant will not be affected, or,

3.3.3 Where the Development Permit Area is fenced in a way acceptable to the Director of Planning Services in order to prevent any accidental disturbance, and, there is a permanent protection of the DP area by means such as a restrictive covenant, return to Crown Land, provided as public park, or similar method acceptable to the Director of Planning Services, or,

3.3.4 Where, upon specific inspection of the site and to the satisfaction of the Director of Planning Services, the actual location of the aquatic ecosystem is not located upon the subject property, or,

3.3.5 The land is located within the Agricultural Land Reserve of the Province of BC and the activities are responsible, normal agricultural practices in accordance with the *Farm Practice in BC Reference Guide* (located at; *http://www.agf.gov.bc.ca/resmgmt/fppa/refguide/intro.htm)* in accordance with the *Farm Practices Protection Act*. Interpretation or disagreements will be resolved through the provisions of the Act. Activities not covered by the Act or Guide will require a development permit, or,

3.3.6 There is change of use or renovation of a building in which the building "footprint" is not altered or increased, or,

3.3.7 There is placement of temporary construction and project sales offices, or storage of construction materials on a site provided that the use is removed within 20 days of completion of the project, or,

3.3.8 The activity involves water management works conducted under the auspices of the Regional Water Manager, or,

3.3.9 The activity involves replanting or replacement of agricultural crops on areas of a site that are currently in crop production, or,

3.3.10 The activity involves the environmentally sensitive removal of trees and shrubs designated as hazardous by a professional forester registered in BC in accordance with provincial "*Firesmart*" standards in a wildfire hazard report, or,

3.3.11 The activity involves the environmentally sensitive removal of trees and shrubs designated as host trees by the Sterile Insect Release Program as indicated in a report by an arborist certified in BC and experienced in standard agricultural practices, or,

3.3.12 The activity involves the environmentally sensitive removal of infested, diseased, or dangerous trees as indicated in a report by a qualified professional forester registered in BC or an arborist certified in BC, or,

3.3.13 The activity is conducted under direction of the Provincial Emergency Program.

3.3 Development Permits issued in this area will be in accordance with the following objectives and guidelines:

3.3.1 Aquatic Ecosystems Development Permit Design Guidelines *(Appendix A-4)*

4. Slope Stability and Rural Hillside Development Permit Area

4.1 The Slope Stability and Rural Hillside Development Permit Area is designated in accordance with the Local Government Act for purpose of protection of the natural environment, its ecosystems and biological diversity; and protection of development from hazardous conditions.

Rationale; Parts of Joe Rich have a history of landslip, surface movement, and instability. There are landforms that have been identified as having potential to be unstable. It is important that construction and land alteration in those areas does not contribute to land instability either on the property or the surrounding area. Hillside development is more difficult to construct and can have more prominent environmental, physical and visual impact than on flatter areas. All these factors mean that hillside development must be carefully designed and sensitive to its location.



4.2 Slope Stability and Rural Hillside Development Permit Areas include areas of land designated on Schedule "D".

4.3 In Slope Stability and Rural Hillside Development Permit Areas a Development Permit must be approved; before land contained in a legal parcel is altered, or, land is subdivided (including but not limited to land clearing, preparation for the construction of services or roads, and blasting), or, prior to any cut or fill on the land, or, before construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where;

4.3.1 It is shown, to the satisfaction of the Director of Inspection Services, that any proposed alteration or change to the land is not in a geotechnically sensitive area and will not affect geotechnical stability. A report prepared by a professional engineer experienced in geotechnical evaluation licensed in the province of BC may be required at the discretion of the Director of Inspection Services, or,

4.3.2 For the construction of fences, solid screens less than two (2) meters in height, or

4.3.3 A development permit of this type has been issued or a covenant has been registered on property title identifying geotechnically unstable areas and the requirements for safe construction or development, and, the conditions in that previous development permit or covenant have all been met, and, the conditions addressed in the previous development permit or covenant will not be affected by the proposal, or

4.3.4 Wildfire hazard abatement provided that it is sensitive to the environment and takes into consideration geotechnical stability. Methods for wildfire hazard abatement are methods indicated in "*Fire smart; Protecting Your Community from Wildfire"* done sensitively such as spacing trees so that branch tips are no closer than 3 metres apart rather than clearing, limiting soil disturbance, removing dead debris from the ground, and low hanging branches from trees. Vegetation alteration with the intention to remove trees and vegetation beyond that necessary for reasonable wildfire hazard reduction and protection of structures from wildfire hazard will require the issuance of a development permit, or,

4.3.5 There is change of use or renovation of a building in which the building "footprint" is not altered or increased, or

4.3.6 The activity involves timber harvest, forest road construction, open livestock range, grazing enhancement, forest recreation or other forest management activity on Crown Land that is conducted under the auspices of the District Forest Manager where the District Forest Manager will consider the impact of geotechnical stability and impose any conditions required to ensure geotechnical stability, or

4.3.6 The activity involves water management works conducted under the auspices of the Regional Water Manager, or,

4.3.7 The activity involves replanting or replacement of agricultural crops on areas of a site that are currently in crop production, or,

4.3.8 On a lot 2 hectares or larger in size, the activity involves the removal of vegetative cover resulting in less that 5000 square metres of disturbed vegetative cover on the property, or,

4.3.9 The activity involves the environmentally sensitive removal of trees and shrubs designated as host trees by the Sterile Insect Release Program as indicated in a report by an arborist experienced in standard agricultural practices, or,

4.3.10 The activity is conducted under direction of the Provincial Emergency Program.

4.4 Development Permits issued in this area will be in accordance with the following objectives and guidelines:

4.4.1 Slope Stability and Rural Hillside Development Permit Design Guidelines (*Appendix A-5)*

5. Wildfire Development Permit Area

5.1 The Wildfire Interface Construction Development Permit Area is designated pursuant to Section 919.1 (1) of the Local Government Act for purpose of protection of development from hazardous conditions. All habitable land uses require a Development Permit.



The Okanagan has a naturally dry climate and a community interface with large forested areas. Wildfire will be an ever-present threat.

Reducing wildfire hazard involves a multi-layered approach including education, larger community prevention activities, requirements at the time of rezoning or subdivision for new development, and changes in how residents build homes. These development permit guidelines are considered a minimum and relate only to the construction of new homes, large additions and their immediate vicinity. Other community protection requirements may be determined and required through other development approval processes.

An important part of reducing wildfire hazard involves modifying how individual homes are constructed near the provincial forest interface area or large forested parks. The accumulation of small choices such as siding material, building material, screening of soffits, screening the tops of chimneys, using noncombustible landscape mulch, and choosing plant material, can add up to either saving or losing a home to wildfire.

The development permit area has been established for properties within 30 meters of the provincial forest interface and large forested parks as indicated on maps in this Rural Land Use Bylaw.

5.2 Wildfire Interface Construction Development Permit Areas include areas of land designated on Schedule ‘E’.

5.3 A Development Permit must be approved before construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where:

5.3.1 The construction or alterations in accessory buildings or structures are not in excess of 40 square meters, or

5.3.2 Where plans for construction are submitted for a building permit, and the plans show compliance with the guidelines "Wildfire Interface Development Permit Design Guidelines"; and, a restrictive covenant is registered on the title of the property in order to ensure that future property owners are aware of and obligated to the wildfire hazard reduction measures, or

5.3.3 A development permit of this type or a covenant registered on property title has already been issued for the area in the past, and the conditions in the development permit or covenant have all been met, and the conditions addressed in the previous development permit or covenant will not be affected.

5.4 Development Permits issued in this area will be in accordance with the following guidelines:

5.4.1 The "Wildfire Interface Development Permit Design Guidelines" *(Appendix A-6).*

6. Sensitive Terrestrial Ecosystem Development Permit Area

6.1 The Sensitive Terrestrial Ecosystem Development Permit Area is designated in accordance with the provincial legislation for the purpose of protecting the natural environment, its ecosystems and biological diversity and, protection of development from hazardous conditions.



The Central Okanagan basin of British Columbia is an area of great ecological significance within both the province of B.C. and Canada as a whole. It is an area with high biodiversity values, and many rare and endangered ecosystems, plant and animal species.

A 'sensitive' ecosystem is one that is ecologically fragile and/or is recognized as rare in the provincial landscape. Rare ecosystems are those that are considered to be provincially rare either because of limited distribution or because disturbance has significantly limited their distribution.

The Regional District of Central Okanagan is committed to the protection of identified areas of high ecological and natural value. Terrestrial ecosystems in the Central Okanagan support a number of red and blue-listed (rare and endangered) species and are a critical component to the health, vitality and economy of the local community. Sensitive ecosystems may be severely influenced by development unless there is effective community stewardship and land use planning.

There are essentially two objectives, both with the overriding goal of conserving important natural environments for current and future generations. One objective is to ensure that sensitive environments are identified and protected in areas that may be subject to future rural subdivision (as shown in the future land use designations and map of this OCP). The second objective is to encourage and support the current rural use of land in a way that best conserves important and vanishing environments.

The Development Permit Area is established to include Coniferous Woodland, Grassland (including disturbed), Sparsely Vegetated, Old Forest, and Mature Forest Ecosystems identified in the Sensitive Ecosystem Inventory of the Regional District of Central Okanagan for Joe Rich, 2006. Copies of the inventory are available upon request to Regional District of Central Okanagan.

6.2 Sensitive Terrestrial Ecosystem Development Permit Areas include areas of land designated on Schedule 'C'.

6.3 In Sensitive Terrestrial Ecosystem Development Permit Areas, a Development Permit must be approved; before land is subdivided (including but not limited to land clearing, preparation for the construction of services or roads, and blasting), or, before construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where;

6.3.1 A development permit of this type has already been issued or a covenant dealing with sensitive terrestrial ecosystem issues is registered on property title for the area in the past, and the conditions in the development permit or covenant have all been met, and the conditions addressed in the previous development permit or covenant will not be affected, or,

6.3.2 Where there is a permanent protection of the Development Permit area by means such as a restrictive covenant, return to Crown Land, provided as public park, or similar method acceptable to the Director of Planning Services, (the Director of Planning Services may require fencing to a standard satisfactory to the Regional District in order to prevent any accidental disturbance), or,

6.3.3 Where, upon site specific review the identification and location of the sensitive terrestrial ecosystem within the development permit area is more precisely determined by a registered biologist to the satisfaction of the Director of Planning, and, there is a permanent protection of the identified area by means such as a restrictive covenant, return to Crown Land, provided as public park, or similar method acceptable to the Director of Planning Services (the Director of Planning Services may require fencing to a standard satisfactory to the Regional District in order to prevent any accidental disturbance), or,

6.3.4 There is change of use or renovation of a building in which the building "footprint" is not altered or increased, or,

6.3.5 There is placement of temporary construction and project sales offices, or storage of construction materials on a site provided that the use is removed within 20 days of completion of the project, or,

6.3.6 The activity involves timber harvest, forest road construction, open livestock range, grazing enhancement, forest recreation or other forest management activity on Crown Land that is conducted under the auspices of the District Forest Manager, or,

6.3.7 The activity involves water management works conducted under the auspices of the Regional Water Manager, or

6.3.8 The activity is conducted under direction of the Provincial Emergency Program.

6.4 Development Permits issued in this area will be in accordance with the following objectives and guidelines:

6.4.1 Sensitive Terrestrial Ecosystems Development Permit Design Guidelines (*Appendix A-7*)

Appendix A-1

Landscape Development Permit Design Guidelines

The quality of design, character and appearance is important to the experience both residents and visitors have of their community. Good design, including the incorporation of good quality landscaping, is important to the aesthetics of a place. The “Landscape Design Guidelines” are based upon community design goals for the landscaping and site planning developments.

These Design Guidelines will be used in reviewing Development Permit applications as set out in this Official Community Plan. It is important that any plan submitted for a Development Permit demonstrate consideration of the Objectives and Design Guidelines.

1. Landscape Design Objectives

1.1 Water is a limited commodity in the Okanagan valley. It is important that we use water resources judiciously. The use of water conservation measures is important.

1.2 Plants fulfill a multitude of purposes such as visually improving and softening the impact of buildings and parking, screening unsightly land uses, moderating the temperature, and improving air quality. People feel an innate connection to the world around us and living plants contribute to our physical and mental wellbeing. Landscaping is seen as a positive and desired contribution to the community in the urban environment.

1.3 Landscaping must consist of a variety of trees and shrubs in a cohesive design.

1.4 Landscape plans must respect and improve the views from public areas. The view of any development from the street is important. It creates the initial impression of the development and contributes to the overall character of the area.

1.5 Landscape plans must respect and improve the views from neighbouring residential properties. It is important that any development adjacent to residential areas be a “friendly” neighbour. Neighbouring residential uses should be buffered and screened with landscaping and fencing.

1.6 Trees filter air, moderate the temperature and are of great visual and environmental value. The planting of trees must be incorporated into landscape plans.

2. Landscape Design Guidelines

All landscape plans should be developed based upon the Landscape Design Goals, in consideration of the following landscape design guidelines.

2.1 Water Economy

2.1.1 All planted areas are to be covered with landscape fabric and mulched.

2.1.2 All landscaped areas must be irrigated. Low volume irrigation methods are encouraged. Even a Xeric (dry land) landscape design must still have an irrigation

system to ensure survival during the initial years and to provide some water if required after the landscape is established.

2.1.3 Irrigated lawns use considerably more water than mulched shrubs. Lawns should be used only for a specific effect such as around main entrances or where the lawn will be used as a gathering or play area.

2.1.4 The use of drought tolerant plant material is encouraged.

2.1.5 The use of man-made water features and fountains is discouraged.

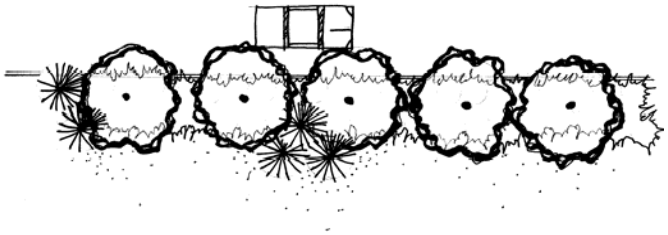
2.2 Views from public areas (such as roads, schools and parks)

2.2.1 Landscaping should be provided:

2.2.1.1 along property lines that are next to public areas.
2.2.1.2 along the base of buildings that are seen from the public areas.
2.2.1.3 between parking areas and public roads.

2.2.2 All front yard setbacks should be landscaped.

2.2.3 Within any landscaped area fronting a public road street trees (several regularly spaced trees of one species) are to be provided at no more than 9 meter intervals and are to be at least 2.5 meters tall. The planting of other trees in addition to the street trees is strongly encouraged.



Street trees are required along roads.

2.3 Views from residential areas

2.3.1 Landscaping and buffering are to be provided next to any adjacent residential area. The entire setback should be landscaped in trees and shrubs.

2.3.2 Landscaped berms create a visual buffer. Even a small elevation change in the ground has an impact. Berms are encouraged especially where the creation of a visual screening effect is desired.

2.4 Parking, vehicular traffic, and waste collection areas

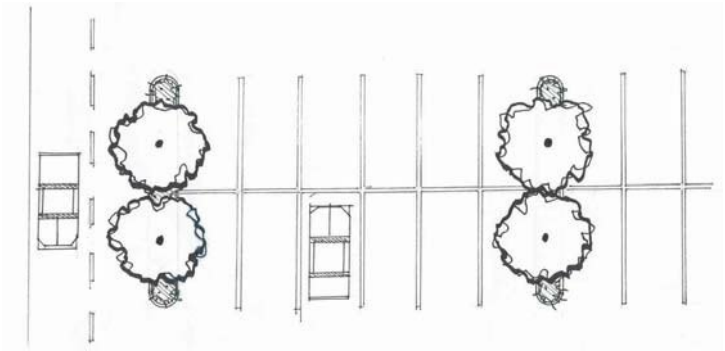
2.4.1 Outdoor storage or waste collection areas should be screened by fencing, hedging or landscaping.

2.4.2 Where landscaping is adjacent to parking or vehicular traffic there should be a concrete curb to protect the landscaping from damage.

2.4.3 In parking areas, landscape islands of trees and shrubs should be used to visually break up large expanses of parking. They are encouraged:

2.4.3.1 Between internal collectors (not used for direct access to parking stalls) and aisles that provide direct access to parking stalls,

2.4.3.2 At the end of aisles.
2.4.3.3 In mid-aisle to interrupt long aisles of parking stalls.



Trees and landscaping improve the parking environment for people and visually softens the impact of asphalt.

2.5 Existing landscaping

2.5.1 Integration with, or augmentation of, any existing landscaping is encouraged.

2.5.2 Retention of existing trees and integrating them into the proposed site and landscape design is encouraged.

2.6 Cohesiveness

2.6.1 To create visual cohesiveness, choose a few types of plants and use them repeatedly in groups throughout the site. This creates overall visual continuity as opposed to a hodge-podge of “one of everything”.

2.6.2 It is best to use a particular type of plant in odd number groupings (7, 9, 11 etc).

2.7 Focus

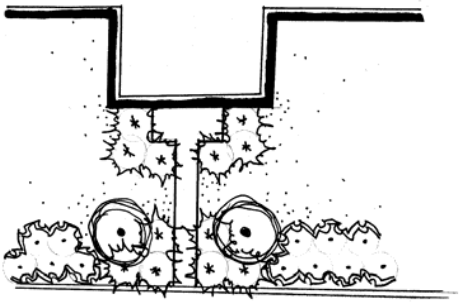
2.7.1 A change in the type or number of plants can be used to create a focus. That focus is important:

2.7.1.1 At entrances onto the site for either cars (driveways) or people (sidewalks).

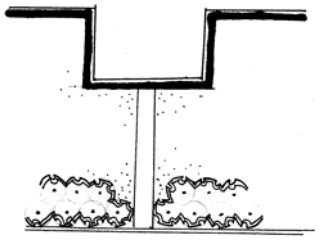
2.7.1.2 Near important entrances and doors into buildings.

2.7.1.3 To emphasize changes in architecture.

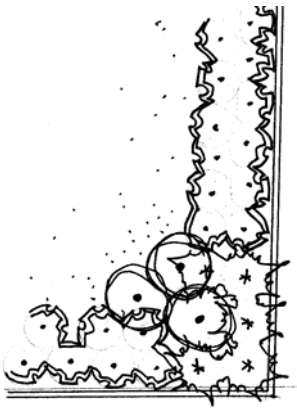
2.7.1.4 At intersections, if the property is on a street corner.



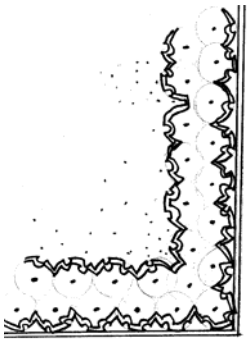
Focus created by the use of landscape material



No focus



Focus



No focus

Landscaping can create a focus at a street corner or where cars access the site.

2.7.2 A focus is created by

2.7.2.1 Changing the shape of the landscaped bed.

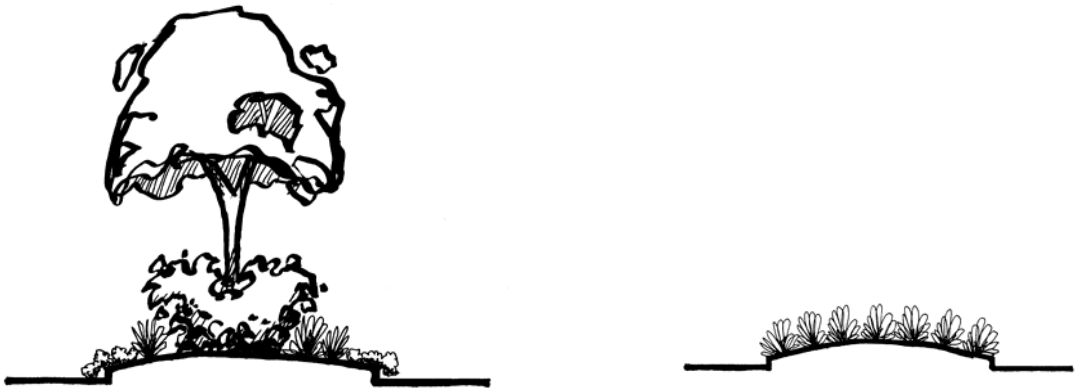
2.7.2.2 Using more landscaping at the focus.

2.7.2.3 Using a certain type of plant(s) or a specimen plant only at a focus.

2.8 Depth and Variety

2.8.1 Plant types should be selected such that there is interest provided in all four seasons. The use of at least one type of evergreen tree or shrub is encouraged.

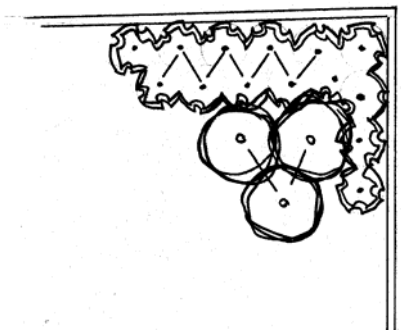
2.8.2 To increase variety and interest, choose different types of plants that will grow to be various heights. Include a combination of groundcovers, shrubs of various heights and trees.



Groundcovers, shrubs and trees create variety. One height is visually monotonous.

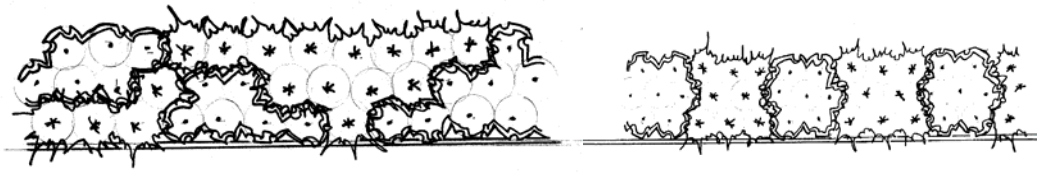
2.8.3 Visual depth is produced by:

2.8.3.1 Staggering plant material. Each plant is slightly offset from the next.



Staggered plants create visual depth and a natural appearance.

2.8.3.2 Layering plant material in a landscaped bed from one side to the other. Rather than one species across the entire depth of the bed, a few species are placed one behind the other to create a visual layering affect. Different plants are weaved in front and behind each other rather than placed in a linear series of regimented groups.



Layering creates depth and visual variety … *versus no layering*

2.9 Safety

A good landscape design can enhance the safety of both public areas and private property. It is important to ensure that a landscape plan considers some key principles of safety.

2.9.1 Landscaping should not create blind spots or potential hiding places.

2.9.2 There may be a need to screen storage yards or noxious land uses. In other cases though, landscaping should allow for the natural surveillance of the public areas by

those on private property and vice versa … a natural surveillance of the private property by those on the street.

2.9.3 Landscaping can be used along a property line to create a sense of; care and attention, use of the space, and ownership. This definition of space avoids the creation of an empty area that seems uncared for and becomes a visual “no man’s land” that does not seem part of either the public or private realm.

2.10 Plant spacing

The distance between plants is called “on-centre spacing” and is measured from the centre of one plant to the centre of the neighbouring plant. The distance is based upon ensuring the plants fill in a reasonable amount of time, yet are far enough apart to avoid overcrowding. Areas that require a development permit often have a relatively high public profile, therefore adequate plant density is important.

2.10.1 An acceptable “on centre” spacing will result in the landscape completely filling in about 5 years time. On-centre spacing is very species dependant and typically varies as follows:

2.10.1.1 Groundcovers (such as arctostaphylos, cotoneaster, paxistima canbyi) – 6 inches to 2 feet on centre.

2.10.1.2 Small shrubs (such as spiraea, japonica, potentilla fruticosa) – 2 to 3 feet on centre.

2.10.1.3 Medium shrubs and junipers (such as many hardy shrub roses, spiraea bumalda, cornus alba, pinus mugo) – 3 to 4 feet on centre.

2.10.1.4 Large shrubs (such as forsythia intermedia, many syringa, amabilis, cotinus coggygria – 4 to 5 feet on centre.

(The plants mentioned as examples of shrub size are not a complete list and are only general examples. Some species may have varieties that are larger or smaller, for example winged-burning bush, euonymous alatus, is a large shrub whereas euonymous alatus “compactus” is a medium sized shrub.)

2.11 Shrub size

It is important that there be a good initial appearance and that landscaping not take too many years to fill in. Planting very small plants will reduce and delay the intended visual effect.

2.11.1 Unless a groundcover, all shrub material must be at least 2 gallon (#2) size.

If the landscaping covers a particularly large area, a reduction in size may be considered by the Regional District for one or more plant types. This would be contingent on plants in areas of high visual impact (such as at areas of focus discussed previously) being of an adequate container size to visually compensate for the other plants being less than a #2 pot size.

2.12 Standards

2.12.1 Plant material in the specified container size must meet the BC Landscape Standard for size and leaf density. (The BC Landscape Standard is published jointly by the BC Society of Landscape Architects and the BC Landscape and Nursery Association).

2.12.2 All trees shall be staked in accordance with the BC Landscape Standards. (The BC Landscape Standard is published jointly by the BC Society of Landscape Architects and the BC Landscape and Nursery Association).

2.12.3 All planted areas are to be covered with landscape fabric and mulched.

2.12.4 All landscaped areas must be irrigated. Low volume irrigation methods are encouraged. A Xeric (dry land) landscape design must still have an irrigation system to ensure survival during the initial years and to provide some water if required after the landscape is established. A low volume irrigation method is encouraged.

2.13 Plant material that is prohibited

2.13.1 There are certain plants that may harbour damaging diseases that can be transmitted to commercial orchards and vineyards in the Okanagan. The following types of plants are not permitted as part of planting plans;

2.13.1.1 All trees of the genus MALUS (apples or crabapples, including all ornamental or flowering crabapples).

2.13.1.2 All trees of the genus PYRUS (pears, including asian and ornamental pears).

2.13.1.3 All trees of the genus PRUNUS (flowering cherries and flowering plum).

2.13.1.4 All plants of the genus CYDONIA (quince).

2.13.1.5 All plants of the genus CHAENOMELES (flowering quince or japonica).

Appendix A-2

Commercial Building Development Permit Design Guidelines

The form, character, appearance and landscaping of commercial and industrial properties is an important part of what makes a place attractive and livable. The community has identified a livable and pleasant environment as an important issue for Joe Rich. Although commercial activity is limited in the area, it is important that the community have the tools available to ensure good design. The “Commercial Building Design Guidelines” are based upon design goals for the urban design of Commercial developments and their appropriate fit into the community.

These Design Guidelines will be used in reviewing Development Permit applications as set out in this Rural Land Use Bylaw. It is important that any plan submitted for a Development Permit demonstrate consideration of the Objectives and Design Guidelines.

1. Design Objectives

Commercial building design should create a good neighbour and provide a positive contribution to the fabric of the community and its rural atmosphere. The design of commercial buildings should achieve the following objectives;

1.1 The support of good urban design principles

1.2 Integrate agricultural and traditional (historical) concepts and styles in design

1.3 Ensure a focus on the human scale and experience

1.4 Ensure increased variety and attention to detail in design

1.5 Ensure cohesiveness (within the building design and with the surroundings)

1.6 Provide for a unified community of harmonious and pleasant design

2. Summary of Design Guidelines

The following is a summary of the design guidelines. These guidelines are further illustrated and discussed in this document.



2.1 There is a focus on the pedestrian and the experiences of the individual. Detail and variety is important. There is:

- Increased attention to the building design (detail and variety) on the first floor.
- Overall stronger detailing and trim of windows, doors, corners and edges.
- No large expanses of blank wall.
- Localized lighting and benches for pedestrian comfort.
- Awnings of a traditional shape

2. 2 Building design increases the interaction between activities inside and outside of the building. Some methods include:

- A large window area on the first floor. Glass is transparent, not mirrored.
- A design focus on doorways (e.g.: recessing, changing architectural form, using colour and detail.)
- Exterior spaces that encourage use by both businesses and the public such as outdoor cafes or merchandise displays.
- Trim and details that frame significant edges such as doors, windows, the first storey, building corners.





2.3 Windows are distinct “windows” set into walls (as opposed to large curtain windows) and usually are multi-paned (using mullions). Windows are usually taller than they are wide. The multi-paned detailing may be confined to the upper part of the window, especially on large first floor windows.

2.4 There are frequent changes in architecture as one walks along. Many vertical breaks in the façade (setting the building form forward or back vertically and/or horizontally), colour, materials, changing window type, details etc.) make for a more interesting experience. Strive for some type of change in building form at least every 7.5 metres.

2.5 There is a good use of colour. Colour is freely used to emphasize building forms, trim, and, architectural detail. To maintain cohesion, however, usually there are about two main colours plus one trim colour and perhaps an accent colour. Colours should be of the earth and rural countryside.



2.6 There is a hierarchy of forms that compose the building. These forms often focus on entries and corners. They may also be used to create rhythmic repetition and a feeling of balance.

2.7 There is a horizontal balance from floor to floor. There is a unique pedestrian oriented first floor with a high level of detail and variety; distinct upper storey (often with a rhythmic repetition of windows and detail); topped by a visually significant and pronounced roof.

2.8 Buildings take great advantage of view from roads and at intersections. The building has a prominent and postive orientation. Intersections and street corners are an opportunity to be taken advantage of using architectural forms, doorways, and windows can create a focus at street corners.



2.9 The design of buildings can increase safety and the sense of security. The following guidelines should be considered

2.9.1 There should be no blind spots or potential hiding places especially in areas such as entrances, loading docks, or stairwells. Windows and entrances are encouraged in areas fronting or overlooking public spaces, sidewalks or areas used by the public such as parking

2.9.2 Lighting is important. Entries should be well lit. Adjacent sidewalks and paths should also be lit. A series of low wattage lights placed along the exterior of the building at intervals is better than a few high wattage lights. Glare, especially as seen from off the property, is not necessary and should be avoided.

2.9.3 There should be definition of private space from public areas through paving details, landscaping, low, visually permeable fencing and, entry or architectural features.

2.9.4 Where there is housing located in the same building as commercial uses, the entry to the housing units should be separate from commercial entries, be well lit and visible.







Appendix A-3

Fencing and Street Interface Development Permit Design Guidelines

Commercial development of property should have a pleasant and positive interface with the community. While such land uses are limited in the Joe Rich area it is important that the community have the tools to ensure good design. The “Fencing and Street Interface Design Guidelines” are based upon community design goals for urban design.

These Design Guidelines will be used in reviewing Development Permit applications as set out in this Official Community Plan. It is important that any plan submitted for a Development Permit demonstrate consideration of the Objectives and Design Guidelines.

1. Objective

The objective is that fencing, berming and landscaping achieve the goal of privacy where necessary, and the demarcation of private and public property; yet provide for a transition and interaction between development and the community.

2. Guidelines

Guideline 1

Fences in commercial or industrial areas should be used to screen storage areas and unsightly land uses from view. Fences intended to form a visual barrier should be constructed of solid but attractive materials such as wood or vinyl, not chain link, barbed wire or adhoc materials.

Guideline 2

Where fences border a public road, the fences should be set back form the property line and landscaping provided on the public side of the fence.

Guideline 3

Fences are actually architecture. They can create the effect of a wall and so should have similar design consideration. Fences should have detailing and a design treatment that creates variety and interest yet has an overall cohesive appearance. Attention to the details of design and the skillful use of multiple materials and multiple but harmonized colours is encouraged.

Guideline 4

Fencing, while important to privacy, can create a barrier between a development and the larger community. It is important that design options that provide privacy yet create a softer interface with the neighbourhood be investigated and incorporated.
Edge preferences:

- Landscaping and berms or a combination of the two is preferred to fences and walls,
- Low fences with landscaping and/or berms are preferred to high fences,
- Transparent fencing is preferred to solid fencing or walls

Guideline 5

It is important that developments maintain a strong orientation to the street and the community that they are a part of. The good design of fencing and landscaping can maintain safety and identify property yet also create a pleasing integration with the neighbourhood.

- Fences or walls along a property line should be discontinuous… jog in and out.
- Fences or walls should have landscaping (on the development property) located on the public side of the fence,
- Fences or walls should be visually transparent … have breaks or the addition of lengths of material such as wrought iron that allow for visual continuity between the development and public areas
- Landscaping and fencing should change and create a focus at entries and key transition areas such as corners, gates, etc.

Guideline 6

Rather than the wall effect of a single solid fence, there should be a combination of fencing, architecture and landscaping that "layer" between the public and private space across the site. This creates visual interest, creates a sense of ownership and continuity of the private area, and separates public from private.

Guideline 7

Major vehicle entrances are important features and should not be abrupt transitions with the community. Fencing should set back or end entirely while additional landscaping and entry features dominate.

Guideline 8

The design of the interaction between the public and private realm can have an effect upon safety. There are some key principles

- Natural surveillance and observation. The sense of safety improves when people can see others and be seen.
- Necessary emergency access should be accommodated.
- The creation of territorial control. Landscaping, berms and fencing can be used to create a sense of ownership and indicate that there are people that care about what is happening in that space. This avoids the creation of "no man's lands" of empty space that has no sense of territory or ownership between the buildings and the public realm.
- Access control. Access should be clearly defined in design.
- The design should not create blind spots and potential hiding places

Appendix A - 4

Aquatic Ecosystems
Development Permit Design Guidelines



Characteristics – Aquatic ecosystems are wet ecosystems including and surrounding watercourses, lakes, streams, ponds, broadleaf woodlands and wetlands. Some of these ecosystems may be dry during the summer or frozen in winter. The geography and vegetation that surrounds, protects and interacts with the aquatic environment is called the riparian area. Together, the water and the riparian area form an aquatic ecosystem.

Aquatic ecosystems are protected not only because of their great importance to the ecology of the Okanagan but also because legislation of the Province of BC (the *Fish Protection Act*, the *Riparian Area Regulation* and the *Water Act*) and Federal legislation (such as the *Fisheries Act*) all require that the Regional District ensure the protection of the aquatic ecosystem.

Importance – The importance of aquatic ecosystems is far reaching and is only briefly summarized here. In the dry ecology of the Okanagan aquatic habitats are critical for the survival of wildlife and form necessary travel corridors between habitats. Water is an important part of maintaining biodiversity and is essential for many species. Many rare species in the Okanagan are associated with aquatic environments.

The Okanagan also has a limited water supply and the water quality of surface water and aquifers (both below ground and in surface recharge areas) is important. The riparian habitat is a natural water purifier and pollution filtration system. A healthy riparian area also helps slow water flow, supports the infiltration of water into aquifers, and prevents erosion.

The entire water system is highly interconnected and fragile. A change in one part of a stream or wetland can have downstream consequences on wildlife, people and property. The quality of the aquatic environment will affect fish habitat and fish population numbers and have significant impact upon the quality and quantity of water.

1. Objectives

1.1 To protect, restore and enhance aquatic ecosystems (water, wetland, riparian and broadleaf woodland),

1.2 Protect water quality and quantity,

1.3 Protect vital wildlife functions such as (but not limited to) a travel corridor, a place of refuge, water source, fish habitat, and a breeding habitat to ensure future generations.

2. Overall Guidelines

The following guidelines apply to all development permit applications in all Aquatic Ecosystem Development Permit Areas

2.1 A leavestrip for the protection and restoration of the riparian ecosystem is to remain undisturbed near watercourses. The intention is that the leavestrip will be untouched by development and left in its natural condition, or, if damaged by previous use or construction, the ecosystem restored or enhanced.

2.2 The leavestrip should be evaluated, established and monitored by a qualified environmental professional. An environmental assessment should be prepared by a qualified professional biologist together with other professionals of different expertise, as the project warrants. Hydrologists and hydro-geologists should be consulted where wetlands, riparian areas, and broadleaf woodlands exist within the development area to ensure the proper hydrological function is maintained within these ecosystems. A professional geoscientist should be consulted where there are erosion potential or slope stability hazards. The consultant or team of consultants should have an understanding of wildlife biology, especially for species at risk, geomorphology, environmental assessment, and development planning in British Columbia. Specific expertise in Okanagan Valley wildlife species, wildlife habitat, and ecosystems is highly preferred. (*Note – There are provisions where undertaking some initial steps to protect the aquatic ecosystem may mean that a development permit and professional evaluation will not be required. See Section 3 of the Rural Land Use Bylaw for the conditions when an Aquatic Ecosystem Development Permit is not required.*)

2.1.1 The assessment will include (but is not limited to) the consideration of:

2.1.1.1 The Sensitive Ecosystem Inventory of the Regional District, the Sensitive Habitat Inventory and Mapping of the Regional District, Regional District environmental policies, Terms of Reference, and any other environmental information available from the Regional District or provincial legislation (for example the riparian area regulation).

2.1.1.2 Leave strips of sufficient width to accommodate the dynamic nature of the hydrologic system, maintain water quality, base flows and natural drainage patterns. A report prepared by a professional hydrologist may be required in circumstances where the hydrological condition has been or may be significantly disturbed.



2.1.1.3 The drainage, sediment and erosion control measures and the Storm water Management provisions of the Regional District's Subdivision and Development Bylaw.

2.1.1.4 Provincial Best Management Guidelines and assessment methodologies pertaining to aquatic habitats, groundwater management and drinking water protection.

2.1.1.5 An indication of when monitoring of important environmental conditions by the professional will occur.

2.1.1.6 Rare and endangered ecosystems or species occurances.

2.3 Leave strip widths will be determined based on the following factors:

- Whether the watercourse is fish bearing
- Whether the watercourse has downstream water intakes
- What the intended land use is within the property (both within and outside of the Development Permit Area)
- Whether the land use includes livestock storage, on site septic disposal, fuel storage, aggregate extraction, or other sources of potential surface or groundwater contamination
- Proximity to stream or shore spawning areas
- The location of the natural wetland, riparian and broadleaf woodland ecosystem communities
- Concentrations of high quality ecosystems and habitat for rare species as priority conservation areas
- The location of important denning or nesting habitat
- Ecosystem continuity off site and in the larger area
- The extent of land clearing, berming, or removal of vegetation and topsoil
- The timing of site work and rehabilitation and
- The natural slope of the land.
- In consideration of the guidelines of the development permit area

2.2 Leave strips and open spaces should be linked to develop a continuous network of ecosystems.

2.3 Networks of leave strips, open spaces and foreshore may provide for public access where such access is designed in a way that is not detrimental to the natural environment.

2.4 Buffers around sensitive aquatic ecosystems should be delineated. Fencing may be required along some buffers where further adjacent development and activity is anticipated.

2.5 Where impact on the leavestrip may be permitted during construction, provisions should be in place to rehabilitate the leavestrip using native species. Rehabilitation is intended to restore or enhance the ecosystem in the leavestrip.

2.6 Should damage occur to the leavestrip during construction, the Regional District may require a professional assessment of the damage and a report on recommendations for rehabilitation.

2.7 All leave strips may be required to be identified along their perimeter during all phases of construction by means such as brightly coloured snow fencing in order to prevent any accidental disturbance.

2.8 The Wildlife Act of BC prohibits the destruction of a bird nest when occupied. For example heron rookeries (whether occupied or not) are protected by provincial legislation. They are rare and essential habitat for a vulnerable species. Target buffers are 60 metres in urban areas, 200 metres in rural areas and 500 metres in undeveloped areas.

2.9 Avoid the location of road, driveways and utility corridors along, parallel to, or across riparian ecosystems in order to maintain natural connectivity. Where it can be demonstrated that alternatives are not possible, design crossings that are narrow and perpendicular to riparian areas and elevated in order to maintain connections.

2.10 Manage and minimize opportunities for livestock crossings and access to water.

2.11 Maintain hydrologic regimes. Changes to surface and ground water flow can negatively impact aquatic, riparian, wetland and broadleaf woodland ecosystems. Trails, roads, construction and development should be designed to maintain the hydrology of these ecosystems. Inflow and outflow streams should not be dyked or dammed.

2.12 Maintain normal wetland and water processes such as flooding, seasonal drawdown, and groundwater recharge.

2.13 Maintain entire intact ecosystems wherever possible discouraging any disruptive uses. Damage from ATV's, unplanned and unmaintained trails, mountain bikes and vehicles can easily adversely alter this ecosystem and the water quality of the aquifer. Manage access actively with fencing and railings.

2.14 Riparian vegetation should be maintained where intact, or restored where disturbed or where invasive weeds have intruded.

2.15 In general, development design should reflect the objectives and guidelines of the Best Management Practices produced by the province of BC.

3. **Specific Guidelines**

3.1. The following specific objectives and specific guidelines pertain the broadleaf woodland ecosystem as identified by the site-specific assessment or by the Central Okanagan Sensitive Ecosystem Inventory, 2001. They are in addition to the Objectives and Guidelines for aquatic ecosystems and relate to the important characteristics of that particular ecosystem.



Broadleaf woodland ecosystem

Characteristics – Broadleaf woodland ecosystems are where the natural changes in the ecological community over time have resulted in mature broadleaf woodlands as the climax stage of succession (the long term stable ecosystem for the site). Typically these are areas dominated by trembling aspen and other broadleaved trees and shrubs. Broadleaf woodlands are located in broad, moist depressions or areas of subsurface water seepage. This ecosystem can have an understory that is predominantly shrubby with Saskatoon bushes, snowberry bushes, wild rose species, or grassland. Soils tend to be rich due to decomposing leaf litter and nutrients carried to the site by moisture. These sites are very rare and important ground water (aquifer) recharge areas as well as habitat. The tree cavities found in broadleaved woodlands are important nesting habitat.

Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its extreme rarity, high biodiversity, specialized habitat (many species depend on features found only in broadleaf woodlands), fragility (the water seepage makes the soils very vulnerable) as well as social and visual values.

Objectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible;
    - Aspen and other broadleaf trees and their root systems,
    - a single layered high canopy,
    - a complex understory of grasses and shrubs,
    - extensive and thick leaf litter (or other organic matter) surface layer
    - fragile underlying wetlands and seepage areas.
- There is potential that changes may actually help improve and restore this ecosystem by removing the ingrowth of young coniferous trees that natural fires would have normally periodically cleared out.

Specific Guidelines

3.1.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Important features include dens, raptor nest or perch trees, owl roosts, woodpecker cavities and bat roosts. Cavities in aspen trees are an important unique feature of the broadleaf woodland.

3.1.2 Conserve soil leaf litter and fallen debris. The decay of fallen vegetation is an important source of nutrients as well as habitat and protection for animals.

3.1.3 Should the removal of dangerous trees or encroaching coniferous trees be necessary, when choosing trees to thin or remove maintain the high canopy layer of the forest and its filtered sunlight effect. Choose trees carefully in a way that maintains the key characteristics of the broadleaf woodland ecosystem.

3.1.4 Maintain habitat structures such as standing trees, trees with cavities, fallen trees and snags, and leaf litter

4. Definitions

4.1. In applying Aquatic Ecosystem Development Permit guidelines, the Regional District uses the following definitions:

4.2. Development – any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under part 26 of the *Local Government Act:*

4.2.1. removal, alteration, disruption or destruction of vegetation;

4.2.2. disturbance of soil

4.2.3. construction or erection of buildings and structures

4.2.4. creation of nonstructural impervious or semi-impervious surfaces

4.2.5. flood protection works

4.2.6. construction of roads, trails, docks, wharves and bridges

4.2.7. provision of maintenance of sewer and water services

4.2.8. development of drainage systems

4.2.9. development of utility corridors, and

4.2.10. subdivision as defined in the *Local Government Act*

4.3. Ecosystem - a functional unit consisting of all of the living organisms and abiotic (non-living) factors of a unit or portion of the landscape, together with the processes that link them including nutrient cycling and energy flow.

4.4. Fish Habitat – means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes

4.5. Ground water - Water occurring below the surface of the ground.

4.6. Habitat – the natural abode of a plant or animal, including all biotic, climatic, and edaphic factors affecting life.

4.7. Leavestrip – an area adjacent to a water feature intended to preserve the biodiversity of the riparian ecosystem, protect and buffer that ecosystem from surrounding activities, maintain and enhance biodiversity by protecting the diverse riparian ecosystems, and, maintain and enhance corridors between ecosystems thus supporting the diverse needs of various species. This area of land and vegetation should remain undisturbed throughout and after the development process

4.8. Qualified environmental professional - an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

4.8.1. 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,

4.8.2. the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and

4.8.3. the individual is acting within that area of expertise.

4.9. Riparian area – the area of the stream bank, including any side channels and associated banks, which contains upland areas not normally inundated during high water conditions that has a direct influence on aquatic habitat values.

4.10. Watercourse – include any natural depression with visible banks, or wetland with or without visible banks, with contain water at some time; and include any lake, river, stream, creek, spring, swamp, gulch or surface source of water whether containing fish or not; and include intermittent streams; and includes surface drainage works which are inhabited by or provide habitat for fish.

Appendix A - 5

Slope Stability and Rural Hillside Development Permit Design Guidelines



Parts of Joe Rich have a history of landslip, surface movement, and instability. There are landforms that have been identified as having potential to be unstable. It is important that construction and land alteration in those areas does not contribute to land instability. Slope Stability and Rural Hillside Development Permits are for the purpose of protecting the community. Activities related to subdivision and building construction can affect land stability. Other changes to the land such as excessive land clearing, cutting into hillsides, or excessive earth moving can also contribute to instability ranging from erosion or water siltation, to larger land instability.

1. Objectives

1.1 To protect property, neighbouring property and people from the effects of geotechnical instability.

1.2 To support rural subdivision and road building on hillsides in a manner that minimizes damage to property (both the property under application and neighbouring property) from erosion, soil instability, rock fall, or other identified hazard.

1.3 To support rural subdivision and road building on hillsides in a manner that is sensitive to the natural topography and that protects significant landscape features.

1.4 To support rural subdivision and road building on hillsides in a manner that is responsive to the natural environment and drainage patterns.

2. Guidelines

The following guidelines apply within the Slope Stability and Rural Hillside Development Permit area:

2.1 A geotechnical and land stability assessment should be prepared by a qualified engineer experienced in geotechnical assessment registered in the province of BC. (*Note – There are provisions where undertaking some initial steps to show that the proposal is not in an area subject to geotechnical instability may mean that a development permit and detailed*

professional evaluation will not be required. See Section 3, Part 1 of the Rural Land Use Bylaw for the conditions when a Development Permit is not required.)

2.2 The geotechnical report should identify current conditions related to geotechnical stability, outline the proposal, assess and review geotechnical and stability issues and affects, identify safe ways to undertake the proposal, and, identify any works, structures or remediation requirements necessary to ensure stability and safety.

2.3 A topographic and feature survey identifying development opportunities, constraints and conditions of design will be identified. The plan will show the natural slope contours (in 2 to 5 metre contour intervals), spot elevations, swales, knolls, ridgelines, bedrock outcrops, cliffs and slope transitions, seasonal and permanent watercourses, drainage routes, vegetation, top of bank and break lines.



2.4 The topographic survey will include current and future roads (public, strata, and forest), site grading and post development contours (in 2 to 5 meter contour intervals), water intakes on or adjacent to the development site, prominent views, and will identify potential hazards to neighbouring properties from existing or future development.

2.5 A plan of site remediation including but not limited to; sensitive grading, revegetation, erosion control, and soil amelioration, prepared by the appropriate professional (professional geotechnical engineer, registered landscape architect, professional forester) should be provided in advance of any site grading or removal of forest vegetation.

2.6 The pattern of development should be responsive to the varied topography and natural landscape. Changes to existing terrain should be kept to a minimum.

2.7 Roads, access, and driveways should follow topography and avoid excessive cut and fills. Roads are encouraged to incorporate gentle curves and avoid long stretches of straight road.

2.8 A reduction of road widths for local roads in order to reduce construction impact may be considered subject to agreement by the road authority



2.9 The impact of road design on potential road access to neighbouring lands beyond should be considered in accordance with the principles of these guidelines.

2.10 Fill or cut slopes, where necessary, should

be graded to resemble naturally occurring terrain and revegetated using species that will survive well in the local microclimatic and soil conditions.

2.11 Cut and fill slopes and road construction should be safe and not create a hazard of debris torrent or landslide.

2.12 Natural drainage ways should be protected and the natural drainage ways of the land utilized to accommodate drainage where possible.

2.13 Manmade storm drainage and retention ponds should have a natural appearance and restored to the condition of natural environment. Drainage should be designed as natural environmental corridors wherever possible.

2.14 Drainage flow rates offsite should be retained as close as possible to pre-development conditions and drainage retention and detention is encouraged.

2.15 The protection of water quality should be ensured.

Appendix A-6

Wildfire Interface Development Permit Design Guidelines



These Design Guidelines will be used in reviewing Development Permit applications. It is important that construction within the development permit wildfire interface area designated in the Official Community Plan show a consideration of these guidelines. While these guidelines directly apply only to development permit areas, the recommendations for the reduction of wildfire hazard would be wise considerations for many homeowners in the Regional District. Flying embers can ignite structures up to 1.5 kilometers from the fire source.

A detailed set of design guidelines including examples and a more detailed explanation is available from the Regional District. Please obtain the detailed design guidelines prior to making an application.

These Design Guidelines will be used in reviewing Development Permit applications as set out in this Official Community Plan. It is important that any plan submitted for a Development Permit demonstrate consideration of the Objectives and Design Guidelines

A development permit is not required …

Where plans for construction within the development permit wildfire interface area;

- Are submitted for a building permit and;
- The plans show compliance with these guidelines, and,
- An undertaking is provided by the property owner, and
- A restrictive covenant registered to the title of the property, or,

Where a wildfire interface construction development permit previously was issued and the above conditions have previously been met, a development permit will not be required, or, Where the construction, or alterations in accessory buildings or structures, is not in excess of 40 square meters, a development permit will not be required.

Introduction

The Okanagan has a naturally dry climate and a large community interface with forested land. Homes have been lost to wildfire and it will be an ever-present danger in the valley.



An important part of reducing wildfire hazard involves modifying how individual homes are constructed near areas of forested public land such as provincial forest or large forested parks. The accumulation of small choices such as siding material, building material, screening of soffits, screening the tops of chimneys, using noncombustible landscape mulch, and the choice of landscape plants, can add up to either saving or losing a home to wildfire.

The basis for the Guidelines is the document "FireSmart, Protecting Your Community from Wildfire" supported by the Alberta Department of Sustainable Resource Development, the British Columbia Forest Service, Natural Resources Canada, most Canadian provinces and endorsed by the report of the Province of BC "2003 Firestorm Provincial Review".

The design guidelines do not cover all measures for wildfire hazard reduction possible but are minimum standards that focus mainly on new home construction, large additions, and their immediate vicinity. A good source for additional information is www.for.gov.bc.ca/protect/safety/. The Planning Department of the Regional District also has brochures available.

Zones of Fuel Management

The design guidelines are based upon the typical Priority 1 zone of 10 metres from the building established for flat land. While these guidelines represent some minimum requirements, it is advisable to consider a larger Priority 1 zone for properties on a slope, especially on the downhill side. There are three priority areas as outlined in "Fire Smart, Protecting Your Community from Wildfire":

Priority 1 zone is within 10 metres (30 feet) of a building and is the most critical zone. The development permit deals only with this area. While these design guidelines deal with the typical situation, a property owner may wish to consider widening the priority area if located on a slope, especially on the downhill side.

Priority 2 zone begins 10 metres (30 feet) from a building and extends to 30 metres (100 feet) depending upon topography. The more the land slopes, the more the zone should be extended. Radiant heat and burning embers originating from an area this close to a structure may cause it to burn. Vegetation and potential fuels in this area should be managed to reduce fire intensity and rate of spread by methods such as removing dead needles, dead wood and combustible debris from the ground, removing any tree limbs within 2 metres of the ground, and spacing trees so that no tree limb is closer than 3 metres to the next.

Priority 3 zone begins 30 metres from a building and extend to 200 metres or more. High intensity crown fires that occur in this zone may be a potential high source of burning embers.

The guidelines reduce the level of the threat to structures from wildfire but do not eliminate it.

Objective

The objective is to reduce the susceptibility to wildfire of new construction or large additions near the provincial forest interface, or the interface with large forested parks.



Guidelines

1. Roofing – The roof covering shall conform to Class A, B or C fire resistance as defined in the BC Building Code.



Roofs catching fire are the number one cause of building losses during a wildfire event. The roof presents a large, flat area that fire embers can land on and start a new fire. Roofing material has several classifications with Class A being the most fire resistant. Some materials that either fall within the rating system or, can be obtained in forms that meet Class A, B or C requirements, include composite (asphalt and fiberglass) shingles, concrete or clay tile, metal roofing, and factory treated wood shake roofing.

2. **Exterior Wall Finishes – Any material used for exterior wall finishes should be fire resistant such as stucco, metal siding, brick, cement shingles, concrete block, poured concrete, logs or heavy timbers as defined in the BC Building Code, and rock.**

Second only to the roof material, siding material is the part of the building most prone to ignite in a wildfire event. The intense heat of the fire itself, fire embers, and burning vegetation at the base of the wall, can individually or all together cause the side of a building to catch fire.

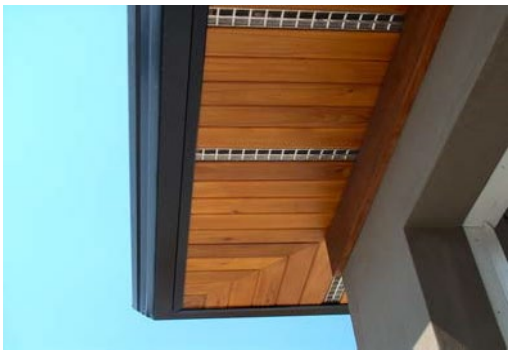


3. Chimneys – All chimneys should have spark arrestors made of 12 gauge (or better) welded or woven wire mesh with mesh openings of less than 12 millimetres.



Chimneys can present a serious hazard as a source of sparks that can start fires, and as a way for burning embers to enter a building.

4. **Eaves, vents, and openings – All eaves, attic and under floor openings should be screened with corrosion-resistant, 3-millimetre noncombustible wire mesh (as a minimum).**



Vents are important for the healthy air exchange and moisture escape required in a building. They also are ready-made accesses into a building. Unprotected eaves can allow burning embers to enter and also allow flames that are spreading up a wall to penetrate into the roof structure.

5. **Windows and glazing – All windows must be double paned or tempered.**

Glass can be shattered by the heat of a fire and create openings for fire and burning debris to enter the building. It is highly unlikely that an interior will ignite from thermal radiation through intact glass.

A single pane thickness of glass is most susceptible to collapse. The larger the pane of glass, the more likely it is to shatter.



6. **Balconies, decks and porches –**

   a. **Decks should be constructed of heavy timber as defined in the BC Building Code, or, with 1-hour fire resistant rated assemblies or noncombustible construction as defined by the BC Building Code.**

   b. **Manufactured homes should be skirted with a fire resistant material as outlined in the previous guideline for exterior wall finishes.**

As with roofs, decks present a large horizontal surface for burning embers to land on and take hold. In addition, decks have an undersurface that also can be a source of fuel for fires. It is important to consider the vulnerability of decks to fire from both above and below.

7. Landscaping on the property within 10 metres (Priority 1 zone) of a building shall not include coniferous evergreen shrubs such as junipers, mugo pines, or coniferous evergreen hedges.



There are three priority zones for the modification of vegetation to reduce wildfire hazard. Priority Zone 1, the most important, is within 10 metres (30 feet) of the building. Without fuel modification in this critical area, the fire intensity and the rate of spread can make firefighting difficult or impossible.

Coniferous evergreen shrubs are resinous and have a large surface area. They are an excellent fuel for fire and can be a source of flames and sparks that can enter a building. Coniferous evergreen shrubs can also be a source of heat that can burn or melt materials and shatter windows.

It is important to choose plants that are less combustible and burn with less intensity. Deciduous shrubs (shrubs that lose their leaves in the winter), broad-leaved evergreen shrubs (such as bearberry, Oregon grape, cotoneaster, rhododendrons, etc.), perennials, annuals and trimmed grass are preferred.

8. No additional or new coniferous evergreen trees are to be planted within 10 metres of the building.

9. It is not advisable to retain previously existing mature coniferous evergreen trees within 10 metres (Priority 1 zone) of the building. Any coniferous evergreen trees that are to be retained on the property that lie within 10 metres (Priority 1 zone) of the building must;

- **a. Have limbs pruned such that they are at least 2 meters above the ground.**
- **b. Be spaced so that they have 3 metres between crowns. (In other words, the tips of the branches of a tree are no closer than 3 meters to the tips of the branches of another).**
- **c. No limbs should be within 3 meters of the building or attachments such as balconies.**



Evergreen trees contain resin, have needles that provide a lot of surface area, and are excellent fuel for fires. Close to a building, they act as a ladder that allows the fire to climb onto the building, under eaves and leap onto roofs. They can also be a source of heat that shatters windows. Deciduous trees are a safer alternative in the Priority 1 area. However, the measures outlined here somewhat limit the hazard should the choice be made to retain pre-existing evergreen trees in the Priority 1 area. White pine,

ponderosa pine and western larch have a medium flammability while most other coniferous evergreens are highly flammability.

10. Landscaping on the property within 10 metres (Priority 1 zone) of a building shall use only noncombustible landscape mulches.



Areas covered with landscape mulches are a large horizontal surface for embers to land on, much like roofs and decks. Some commonly used mulch, such as bark chips, are also highly flammable. The combination of flammability and a large surface area creates a perfect environment for fire. Combustible fuel sources should not be located next to a building.

Various sizes and colours of landscape rock are a common alternative. Another ground covering choice is low-lying plants that are either deciduous (lose their leaves in the fall), or broadleaved evergreen, trimmed grass, annuals or perennials. The use of landscape fabric can reduce the need for a very thick layer of mulch.

Appendix A-7

Sensitive Terrestrial Ecosystem Development Permit Design Guidelines

1. Objectives

1.1 To protect the ecological attributes and socio-economic values that are common to all Sensitive Terrestrial Ecosystems.

1.2 To conserve Sensitive Terrestrial Ecosystems in a relatively natural state while supporting rural land uses.

1.3 To plan land development and new subdivisions carefully in a manner that protects Sensitive Terrestrial Ecosystems.

1.4 To protect Sensitive Terrestrial Ecosystems through the use of buffers.

1.5 To identify feasible habitat corridors connecting core conservation areas.

1.6 Incorporate wildfire management in a way sensitive to the ecosystem that mimics the effect of the natural fire cycles that once occurred in the Okanagan and helped to shape and maintain the natural balance.

2. Overall Guidelines

The following general guidelines apply to all development permit applications in all ecosystems within Sensitive Terrestrial Ecosystem Development Permit Areas:

2.1 An environmental assessment should be prepared by a qualified environmental professional together with other professionals of different expertise, as the project warrants. (*Note – There are provisions where undertaking some initial steps to protect the ecosystem may mean that a development permit and professional report will not be required. See Section 3 of the Rural Land Use Bylaw for the conditions when a Sensitive Terrestrial Ecosystem Development Permit is not required.*) Hydrologists and hydro-geologists should be consulted where wetlands, riparian areas, and broadleaf woodlands exist within the development area to ensure the proper hydrological function is maintained within these ecosystems. A professional geoscientist should be consulted where there are erosion potential or slope stability hazards. The consultant or team of consultants should have an understanding of wildlife biology, especially for species at risk, geomorphology, environmental assessment, and development planning in British Columbia. Specific expertise in Okanagan Valley wildlife species, wildlife habitat, and ecosystems is highly preferred. Discourage settlement, construction, land disturbance, and other development within or directly adjacent to sensitive terrestrial ecosystems.

2.2 Concentrations of high quality ecosystems and habitat for rare species should be prioritized for conservation.

2.3 Delineate buffers around sensitive terrestrial ecosystems. Fencing may be required along some buffers where further adjacent development and activity is anticipated.

2.4 Avoid the creation of isolated islands of ecosystems. Delineate corridors between sensitive terrestrial ecosystems to create interconnectedness especially for critical wildlife travel routes.

2.5 Conserve snags and standing dead trees where safe to do so. Soft decaying wood is a valuable home and food source for many birds and animals. For some species it is essential. Standing dead trees are typically topped to within 6 metres of the ground in an area that is safe should it eventually fall. It is recognized that dead wood decays over time and the eventual removal of standing dead wood and snags is acceptable. Locate settlements, drives, construction and other development away from existing large, old trees and snags. Artificial snags can be located in safe areas to help improve habitat.

2.6 Plan, design and implement land development and subdivision to protect endangered, threatened, or vulnerable species or plant communities. Avoid disturbance to sites where rare plants are growing and where rare natural plant communities occur, and maintain critical habitat structures such as old trees, snags, trees with cavities, natural grasslands.

2.7 Conserving trees in communities (groups of trees along with their associated understory) rather than isolating individual specimens is preferred. Groups of trees form a larger intact ecosystem and are more likely to maintain the important characteristics of the ecosystem over time than a few scattered trees. However, some ecosystems are characterized by or may contain some isolated trees and their conservation as well is important.

2.8 The conservation of trees should extend beyond the drip line of the tree. The roots of established trees are very sensitive. A trees root system on the surface and below ground may be larger than the part of the tree you see above ground. Damage to the roots (especially in mature trees) can impede the trees ability to obtain water and nutrition and may eventually kill the tree. The drip line is an imaginary line drawn around the tree(s) outside the full extent of the branches.

2.9 Maintain water quality. Water quality can be affected by excessive land alteration, erosion, and the improper use and storage of chemicals and hazardous materials.

2.10 Prevent disturbance of nesting sites and breeding areas. It is important that animals have the habitat that supports their reproduction and so ensures future generations.

2.11 Control invasive species.

2.12 Restore native vegetation where it has been disturbed.

2.13 Carry out erosion and sedimentation control measures to prevent ecosystem degradation.

2.14 Restore the effects of the natural cycle of low intensity fire once common to the Okanagan. The suppression of fire by mankind has dramatically altered the ecology of the valley as well as increased the available fuel for wildfire. Wildfire hazard mitigation can happen in an environmentally sensitive way that restores ecosystems to the natural condition that would be expected if the normal cycle of fire was permitted to affect the environment.

2.15 Identify critical habitat. Where disturbance cannot be mitigated it may be acceptable, at the discretion of the Director of Planning, to do environmental improvements off the property in compensation for loss on-site with the intention of no net loss of critical habitat overall in the Joe Rich area.

2.16 Plan land development carefully.

3. Specific Guidelines

The following specific objectives and specific guidelines pertain the specific ecosystems as identified by the site-specific assessment or by the Central Okanagan Sensitive Ecosystem Inventory for Joe Rich, 2006. They are in addition to the Overall Objectives and Overall Guidelines and relate to the important characteristics of that particular ecosystem.

3.1 Old Forest Ecosystems

Characteristics - Old forest ecosystems are forests that are dominated by large, old trees. Historically, most forests had frequent surface fires that killed most young trees and allowed only a few trees to live in the understory. The big trees were generally multi-aged and had a single layered canopy. Understories were open and dominated by grasses and shrubs. Frequent low intensity fire limited the amount of shrubby growth and dead wood on the ground. The control of natural, frequent, low intensity fires has led to degradation of these ecosystems due to infilling of young trees and plants and excessive ground debris.



Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its extreme rarity, high biodiversity, specialized habitat (many species depend on features found only in old forests), as well as social and visual values.

Objectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible; big old trees and their root systems, a single layered high canopy, as well as an understory of grasses, shrubs or wetland.
- There is potential that changes may actually help improve and restore this ecosystem by removing the ingrowth of young trees, scrub and dead ground debris that natural fires would have normally periodically cleared out.

Specific Guidelines

3.1.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Typically, dens and nests in this ecosystem are found in and around old trees, snags, and the roots of fallen trees.

3.1.2 Manage access to minimize vehicular and livestock access. The root systems of old trees are sensitive to disturbance and the soils in this ecosystem may be dry with sparse vegetation and easily disturbed and eroded.

3.1.3 Design linear corridors such as roads, driveways, or trails to be as narrow as possible, create as little disturbance as possible and configure them to allow for wildlife crossings.

3.1.4 When choosing trees to thin or remove, maintain the high canopy layer of the forest and its filtered sunlight affect. Choose trees carefully in a way that maintains the key characteristics of the old forest ecosystem.

3.2 Grassland Ecosystems



Characteristics – Grasslands are dominated by bunchgrasses with scattered broadleaf perennials and wildflowers. Grasslands are found in dry areas where frequent, low intensity natural fires historically occurred. There are two categories of grassland. "Grassland" ecosystems are open and dominated by grasses and wildflowers with a surface mulch of decaying vegetation, lichens and mosses. "Shrubland" ecosystems are grasslands that contain shrubs such as snowberry, saskatoon berry, and roses. This ecosystem is typically not as dry as the grassland ecosystem and so can sustain some scattered shrubs. The soils of the shrubland ecosystem are typically richer than open grasslands.

Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its extreme rarity, high biodiversity, high sensitivity to disturbance (due to very fragile soils), as well as social and visual values.

Objectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Limit disturbance. Because of the lack of moisture and the poor nature of the soils disturbance in the grassland ecosystem can damage the thin crust of viable soil and recovery is very tenuous and slow.
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible; a predominance of native grasses and perennials (with some scattered shrubs on the moister sites with better soils), conservation of the vital thin active surface soil layer.
- Remove invasive weeds and maintain a healthy ecosystem so that invasive weeds cannot re-establish themselves.

- There is potential that changes may actually help improve and restore this ecosystem by removing the ingrowth of young trees encroaching into the grasslands that natural fires would have normally periodically cleared out.

Specific Guidelines

3.2.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Many grassland birds are ground nesters.

3.2.2 Manage access to and minimize vehicular and livestock access. The root systems and thin soils of grasslands are sensitive to disturbance and rely on a very thin active layer of the soil. This ecosystem is one of the most sensitive to surface disturbance.

3.2.3 Protect large old trees (and their root systems) and snags. Such isolated trees scattered through the grasslands provide shelter, nesting habitat, and food source for wildlife.

3.2.4 Remove encroaching trees. Without the natural cycle of fire in the Okanagan, the forests that neighbour the grasslands eventually encroach and destroy this very rare ecosystem.

3.2.5 Minimize soil disturbance.

3.2.6 Manage livestock use. Overgrazing can seriously damage or destroy native grasslands. Also the poor timing of grazing can mean that native plants cannot reproduce or suffer damage. Excessive or improper grazing can cause enough damage to allow invasive weeds (often detrimental to grazing animals) to colonize an area.

3.2.7 Encourage the maintenance of natural sites and the planting of gardens with native, dry land species. This can actually extend habitat for native birds and animals into the backyard.

3.3 Coniferous Woodland Ecosystems



Characteristics – Coniferous woodland ecosystems have open coniferous tree canopies of scattered ponderosa pine and Douglas fir with an understory of plants such as grasses, saskatoon bushes, and arrow leaf balsam root. They occur on steep sites, south-facing slopes, and rocky knolls where the shallow soils and limited moisture prevent a dense forest from forming. This ecosystem consists of various types of ecological communities depending upon the stage of succession. Succession is the transition of ecosystems from one to another as ecological communities replace each other through time. Those successional stages begin with a shrubby understory and only a few young trees, progressing to a growing young open forest, and finally an open forest with a high canopy

and mature trees. Historically these ecosystems burned frequently and the suppression of natural, frequent, low intensity fires has led to degradation of these ecosystems due to infilling of densely packed young trees and plants, and the accumulation of excessive ground debris.

Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its rarity, high biodiversity, specialized habitat (many species depend on the broad range of habitat features found in coniferous woodland), fragility (due to shallow soils, steep sites and sandy soils), as well as social and visual values.

Objectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Priorize the conservation of mature woodlands over younger successional stages. Younger successional woodlands form a good buffer for mature areas.
- Where there are changes intended, maintain the key characteristics of the ecosystem (given its successional stage) as much as possible; trees and their root systems, as well as an understory of grasses and shrubs associated with the trees.
- Remove invasive weeds and maintain a healthy ecosystem so that invasive weeds cannot re-establish themselves.
- Limit disturbance. Because of the lack of moisture and the poor nature of the soils disturbance in the coniferous woodland ecosystem can damage the thin crust of viable soil and recovery is very tenuous and slow.
- There is potential that changes may actually help improve and restore this ecosystem by removing the in growth of young trees encroaching into the woodlands and the accumulation of ground debris that natural fires would have normally periodically cleared out.

Specific Guidelines

3.3.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Important features include dens, raptor nest or perch trees, owl roosts, woodpecker cavities and bat roosts..

3.3.2 Manage access to minimize vehicular and livestock access. The root systems and thin soils of coniferous woodlands are sensitive to disturbance and rely on a very thin active layer of the soil. This ecosystem is one of the most sensitive to surface disturbance.

3.3.3 Minimize soil disturbance.

3.4 Sparsely Vegetated Cliff and Rock Ecosystems



Characteristics – Sparsely vegetated cliff and rock ecosystems occur on sites where rock, cliffs, or talus slopes only allow for discontinuous vegetation cover interspersed with bedrock or blocks of rock. This ecosystem provides protected shelves and crevices that are important for shelter, breeding, and overwintering for a variety of reptiles, animals and birds. Slopes with a warm orientation are especially important.

Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its extreme rarity, high biodiversity, specialized habitat (a number of species including some threatened or endangered species are dependant on these habitats), as well as social and visual values.

Objectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible;
- Exposed rough rock and its surrounding plant community,
- Talus slopes and debris accumulation at the base of cliffs and rock outcrops
- Access to and from the area for wildlife that needs this as essential habitat,
- Future protection from disturbance.

Specific Guidelines

3.4.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Important features include hibernacula (hibernation chambers) for snakes and reptiles, raptor nests or perch trees, nesting cavities, woodpecker cavities, and bat roosts.

3.4.2 Manage access to minimize vehicular and livestock access. Avoid roads near hibernacula and prevent the disturbance of snake hibernacula. Manage road location to prevent snake mortality.

3.4.3 Minimize soil disturbances and minimize disturbance of rock debris.

3.4.4 Plan, design and implement land development and subdivision to protect endangered, threatened, or vulnerable species or plant communities. Avoid disturbance to sites where rare plants are growing and where rare natural plant communities occur, and maintain

habitat structures such as talus slopes at the base of rock outcrops, steep faces or rock outcrops and cliffs, scattered large old trees and snags.

3.4.5 Protect large old trees (and their root systems) and snags. Such isolated trees scattered through the sparsely vegetated areas provide shelter, nesting habitat, and food source for wildlife.

3.4.6 Discourage rock climbing in areas that have not been assessed for important habitat considerations. Do not allow rock climbing in important nesting, denning and other habitat features when identified.

3.5 Mature Forest Ecosystems

Characteristics – Mature forest ecosystems are forests of multi-aged trees (deciduous, coniferous or both) ; mostly mature with a few large old trees. There is a single-layered canopy of largely older trees with understories dominated by grasses and shrubs. This ecosystem has been greatly altered by the suppression of the natural, low intensity fires that were historically frequent in the Okanagan. The formerly open and park-like forests are infilling with waves of young trees and dead material is accumulating on the ground. Mature forests provide excellent buffers for old forests and have good potential to be restored to their former stand structure. Where sites are wetter and can support more growth, mature forests may be multi-layered with more difference in ages in the trees.



Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its limited extent, potential as a future old growth forest (thus expanding that critical habitat), high biodiversity, as a buffer and for connectivity between other ecosystems, as well as social and visual values.

Ojbectives specific to this ecosystem

- To conserve, intact, as much of the ecosystem as possible
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible;
- A high canopy over a multilayered forest
- Characteristics that support the areas potential to become an old growth forest
- There is potential that changes may actually help improve and restore this ecosystem by removing the ingrowth of young trees, scrub and dead ground debris that natural fires would have normally periodically cleared out.

Specific Guidelines

3.5.1 Protect nesting and denning sites that were identified on site through an initial reconnaissance or in the ecological inventory. It is important for animals and birds to reproduce and ensure future generations. Important features include dens, raptor nest or perch trees, owl roosts, woodpecker cavities and bat roosts..

3.5.2 Manage access to minimize vehicular and livestock access. The root systems and thin soils of coniferous woodlands are sensitive to disturbance and rely on a very thin active layer of the soil. This ecosystem is one of the most sensitive to surface disturbance.

3.5.3 When choosing trees to thin or remove, maintain the high canopy layer of the forest and its filtered sunlight affect. Choose trees carefully in a way that maintains the key characteristics of the mature forest ecosystem.

3.5.4 Minimize soil disturbance.

3.6 Disturbed Grassland Ecosystems

Characteristics – Disturbed grassland ecosystems were once intact grasslands that now contain between 20% and 50% invasive weeds like diffuse knapweed and sulphur cinquefoil. Grasslands that were covered by more than 50% of invasive weeds were not included in the inventory as, sadly, they would be too challenging to restore and save.



Importance – According to the Sensitive Ecosystem Inventory the importance of this ecosystem includes its extreme rarity, high biodiversity, potential to be restored to the rare natural grassland ecosystem, as well as social and visual values.

Objectives specific to this ecosystem

- To restore as much of the ecosystem to the natural grassland ecosystem as possible and conserve it.
- Remove invasive weeds and maintain a healthy ecosystem so that invasive weeds cannot re-establish themselves.
- Limit disturbance. Because of the lack of moisture and the poor nature of the soils disturbance in the grassland ecosystem can damage the thin crust of viable soil and recovery is very tenuous and slow.
- Where there are changes intended, maintain the key characteristics of the ecosystem as much as possible; a predominance of native grasses and perennials with some scattered

shrubs on the moister sites with better soils, conservation of the vital thin active surface soil layer.

- There is potential that changes may actually help improve and restore this ecosystem by removing the ingrowth of young trees encroaching into the grasslands that natural fires would have normally periodically cleared out.

Specific Guidelines

3.6.1 All Specific Guidelines that apply to the Grasslands Ecosystem apply to the Disturbed Grasslands ecosystem.

3.6.2 The removal of invasive weeds and the restoration of the grassland is a priority.

4. Definitions

4.1 In applying Sensitive Terrestrial Ecosystem Development Permit Design Guidelines, the Regional District uses the following definitions:

Development - Any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under part 26 of the Local Government Act:

- removal, alteration, disruption or destruction of vegetation;
- disturbance of soil,
- construction or erection of buildings and structures,
- creation of nonstructural impervious or semi-impervious surfaces,
- flood protection works,
- construction of roads, trails, docks, wharves and bridges,
- provision of maintenance of sewer and water services,
- development of drainage systems,
- development of utility corridors, and,
- subdivision as defined in the Local Government Act

Disturbance - A discrete force that causes significant change in structure or composition through human caused events such as cutting trees, driving vehicles off-road, grazing of domestic animals.

Ecosystem - A functional unit consisting of all of the living organisms and abiotic (non-living) factors of a unit or portion of the landscape, together with the processes that link them including nutrient cycling and energy flow. An ecosystem can be any size, but here we define them as a portion of the landscape with relatively uniform vegetation and soils.

Erosion - The loosening and removal of soil by running water, wind or glaciers. Also can be caused by construction, development and disturbance.

Forest encroachment- The establishment and growth of trees onto areas formerly dominated by grasses (grasslands). This phenomenon is usually associated with the suppression of the natural fire cycle by man.

Habitat - The natural abode of a plant or animal, including all biotic, climatic, and edaphic factors affecting life.

Hibernacula - A refuge (den) from extreme conditions, usually during winter; generally applies to animals that undergo extended dormancy, such as reptiles and bats; these are usually specific sites and are used by countless generations.

Hydrological - Water-related features and processes.

Invasive species - Species that were absent in undisturbed portions of the landscape and will invade or increase, especially following disturbance.

Litter - The uppermost layer of organic debris on the soil surface.

Plant community - A unit of vegetation with relatively uniform species composition. Plant communities also tend to have characteristic environmental features such as soil type, topographic position, and climate.

Qualified Environmental Professional - An applied scientist or technologist, acting alone or together with another qualified environmental professional, if:

- 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,
- the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and,
- the individual is acting within that area of expertise

Riparian - Terrestrial areas adjacent to the banks of a stream or any other water body that are influenced by that stream or water body.

Sensitive ecosystem - Those remaining natural terrestrial ecosystems, which are considered, fragile or rare in the SEI study area: wetlands, riparian, old forest, grassland, broadleaf woodland, coniferous woodland, and sparsely vegetated ecosystems.

Slope stability - Pertains to the susceptibility of slopes to landslides or the rupture and collapse or flow of surficial materials, soil or bedrock.

Talus - Angular rock fragments accumulated at the foot of a steep rock slope and being the product of successive rock falls.

Understory - In a forest or woodland, the plants growing beneath the canopy of other plants (trees).

Weeds - Weeds can be commonly defined as plants growing in where it is unwanted or a plant having a negative value within a given management system. Here we define weeds as plants that do not naturally occur in an area.

Wildlife - Animals, such as invertebrates, amphibians, reptiles, birds and mammals.

Section 4
Future Objectives and Policies

Joe Rich
Rural Land Use Bylaw

Part 1 - Objectives and Policies for the Future

The Big Picture

Planning for the future begins with understanding the goals of the community. Setting the goals means understanding the mosaic of issues that affect land use decisions. At the time that the RLUB was updated in 2006, the following points were considered significant factors that need to be considered in the policies of the Official Community Plan.

- There are about 503 privately and publicly owned lots currently within the boundaries of the Rural Land Use Bylaw (RLUB).



- Based upon the Stats Can Census in 2001 there were 1025 people in the Census area. The next official census is May of 2006.

- The City of Kelowna lies to the east of the RLUB and provides services, recreation and an employment centre. The City of Kelowna is also literally downstream of the Joe Rich area. The Mission Creek watershed and the transportation corridor of Highway 33 run through Joe Rich to the City.

- The 1998 RLUB future land use goals generally support Joe Rich as a rural area largely reflecting current rural lot sizes and uses.

- The Growth Management Strategy, supported by the Regional District and all its member municipalities, focuses urban growth in urban areas with appropriate services and reflecting efficient service expansion. Urban uses and denser forms of housing are encouraged in urban centres. Long-term sustainability is supported.

- The RLUB is bordered by Medicine Creek (Indian Reserve #12) to the southwest under the jurisdiction of the Westbank First Nation. Indian Reserve #11, while not bordering the RLUB, is located on the hillsides to the south.



- All other land surrounding the RLUB, other than the City of Kelowna and Medicine Creek (Indian Reserve #12), is Crown Land under the jurisdiction of the province of BC. A variety of provincial Ministries manage and make decisions about Crown Lands. There are various stakeholders related to the use of Crown Land including timber harvesting, range use, mining, First Nations, and recreation.

- Joe Rich has a variety of diverse ecosystems cut with streams and wetlands. The provincial government has recently required local governments to protect streams, wetlands and riparian areas (ecosystems near streams and wetlands).

- Joe Rich contains some rare hot and dry ecosystems such as grasslands and pine savannah that are home for rare plant and animal species as well as defining features of the Okanagan. The future protection of vanishing ecosystems is important to consider.



- There are other provincial and federal government agencies that make decisions and have jurisdiction in some areas. The RLUB will be limited in how it can affect decisions in these matters. These areas include:
  - The agricultural land reserve,
  - Gravel extraction permits,
  - The protection of streams, riparian areas (neighbouring stream habitat) and water bodies,
  - Maintenance and improvements to roads and highways.

- All public roads, including local roads and Highway 33, are owned by the province and maintained or improved by the Ministry of Transportation. The Regional District does not have a funding mechanism for road improvement. (Unsurveyed roads on Crown Land are forest service roads under the jurisdiction of the Ministry of Forests.)

- The Joe Rich area is rural in nature and has limited infrastructure. While some areas within the RLUB are covered by fire protection and there are some small water utilities, the services and infrastructure available in Joe Rich reflects its rural nature. Most lots get their water through individual private wells.

- The community has two fire halls, a community hall, an outdoor rink and some recreation and park opportunities. Given the rural nature of the area the available funding for parks and recreation will need to be focused on specific priorities. As has occurred elsewhere in the Regional District, should the community desire larger recreation projects beyond the available funding, additional local support and local funding may be required.

- The Regional District has standards for infrastructure for certain lot densities and land uses that apply equally throughout the Regional District. For example (2006); new lots that are 2 hectares (5 acres) or less in size require a community water system, and, new lots of 1 hectare (2.5 acres) or less in size require a community sewer system.



- There is a history of land instability and landslides in the Joe Rich area. Professional reports are required in many areas at the time of building or subdivision.

- The RLUB has a map that designates each lot under a certain designation. The RLUB text lists the land use designations and the uses permitted for each designation. Some uses are further defined in a subsection containing general regulations.

- The 1998 RLUB allows for home occupations within certain defined limits contained in the RLUB. The intention is to allow residents to carry out small businesses such as home offices, light manufacturing, small service establishments and daycare provided the home occupation is secondary to the residential and rural use of the land and fits within certain requirements.

- Short Term Rental Accommodations are supported in the 1998 RLUB limited to four (4) Bedrooms. This is consistent with requirements of the Regional District.

Bylaw 1587

- The 1998 RLUB supports the potential for a neighbourhood commercial outlet near the community hall (creating a central community focus) provided there is local support. Eight Mile Ranch is also permitted a convenience store. Commercial development is focused in the urban centre of Kelowna.

- Limited light industrial uses are permitted in the 1998 RLUB within the regulations of a home occupation.

- There is a site that allows for log home manufacturing on Philpott Road. There are currently no general industrial designations for predominantly industrial use to occur in Joe Rich.

- The provincial government has the jurisdiction to grant gravel extraction permits and set the terms and conditions for those permits.

Community Values and Vision

The update of the Rural Land Use Bylaw in 2006 involved several opportunities for the community to build their understanding of the issues facing the Joe Rich area and provide their ideas and comments. About 25% of property owners in the community responded to the questionnaire and so the questionnaire results are strongly representative of community values overall.

Through the community questionnaire, of 115 respondents, the following were key values held by the community (showing the number who chose that value);

- The prime importance of the natural surroundings and open space - 100
- The privacy - 81
- The remoteness from urban areas - 50
- The proximity to, and protection of, recreational opportunities on Crown Land - 29
- The protection of views and visual qualities - 27
- The rural/agricultural character and activities – 21
- Community and gatherings - 13

119 respondents listed the most important things that should be a priority (showing the number who indicated that point as a priority);

- Improved road safety on Highway 33 - 61
- Protection of important natural areas (streams, wetlands, rare habitat etc.) - 59
- Protect drinking water quality and quantity - 56
- Allow for smaller acreages provided infrastructure requirements are met to ensure long-term sustainability (There were a variety of opinions as to what is sustainable.) - 55
- Provide more commercial/industrial uses provided infrastructure requirements are met to ensure long-term sustainability.- 25
- Develop more employment opportunities - 18



Sustainability

The Regional District of Central Okanagan has made a commitment to sustainable land use and growth. The Regional Board must ensure consideration of long term repercussions and future sustainability when reviewing applications or setting policies for future land use. Consideration of the future sustainability of a decision can vary from considering the amount of water available for use over the long-term, to the need to focus urban growth in serviced urban centres, to avoiding costly and problematic sprawl, to ensuring factors that residents value about the Okanagan are preserved, to conserving rare environments. Sustainability and the consideration of the long term can apply to the small and the local, as well as the region as a whole (as expressed through the Growth Management Strategy of the Regional District for example.) The cumulative effect of decisions can affect the sustainability of an area or region.

Objectives and Policies

The objectives and policies for future decisions and actions are grouped so that the policies related to a certain topic are arranged together. While they are grouped for the sake of convenience the objectives and policies of the RLUB must be considered as a whole. Reviewing or applying only a few policies but not all policies will not accurately reflect the overall intention and direction of the RLUB.

Implementation

Some of the policies are general. They are applied as development occurs and when decisions about land use are being made. Many of the policies, however, are strategic. They indicate an action, plan or review that the Regional District will be undertaking at some point.

There is a certain amount of staffing, funding, and resources available to carry out the strategic actions outlined in this bylaw and in other similar bylaws for other areas of the Regional District. Each action also differs in the time it will take and complexity. The Regional District needs to set priorities from the actions listed in the RLUB, and then balance the obligations in the RLUB with the obligations for other areas in the Regional District and for regional obligations. The following is a list of the key actions in the RLUB. It is not possible to anticipate every future eventuality or opportunity that may mean changing priorities is advantageous, such as the availability of funding through provincial, private or other sources. This list is intended as a general guide.

<u>Immediate</u> (During the next six months)

1.1 Encourage and support implementation of RLUB policies related to the use of Crown Land through the LRMP (Okanagan/Shuswap Land and Resource Management Plan) update process underway in 2006/2007 including, but not limited to, policies related to trails and trailheads, preservation of access, recreation, and road layouts that reduce cul-de-sac length, and the quality of views in the valley.

1.2 Support policies related to transportation by meeting with Ministry of Transportation officials and informing them of the policies and encouraging implementation where they have jurisdiction.

1.3 Support funding and partnerships (including provincial resources) and initiation of a Mission Landscape Unit Water Management Plan as indicated in policies. (Note that the date of initiation of this project will be dependant upon the success of obtaining funding partnerships.)

<u>On going</u> (Activities that are either continuous or represent timeframes that may be affected by other jurisdictions).

1.4 Support all policies and development permits that apply to or involve other jurisdictions (Ministry of Transportation, Ministry of Forests etc) as the opportunity arises through application referrals, other processes, or plan development.

1.5 Support and bring forward all RLUB policies that pertain to activities on Crown Lands for any major review of the provincial Okanagan/Shuswap Land and Resource Management Plan (LRMP),

1.6 Support and review all related RLUB policies when considering referrals of applications from the province.

1.7 Support interests for conservation or regional park status in the vicinity of Black Knight Mountain in accordance with policies.

1.8 Work with jurisdictions on Crown Land (such as LRMP) to support the development of an interface policy area that applies to Crown Lands in the vicinity of Joe Rich and reflects the goals and values of provincial interests and the policies in the RLUB.

Part 2 - General Future Form and Character

2.1 General Objectives

To preserve and enhance the rural character of the study the Regional District shall;

2.1.1 Recognize that it is a distinct area, with a widespread population, containing a diversity of uses,

2.1.2 Preserve land and water in its natural state because of its importance to the community and its scenic and environmental qualities.

2.1.3 Ensure that all development has an adequate water supply that does not adversely affect water supplies of existing lands, and that suitable means of sewage disposal are available that does not adversely affect adjoining lands,

2.1.4 Set aside land for rural residential use, provided that the natural character is maintained, and provided that overall water supplies and sewage disposal are adequate, and site conditions are respected,

2.1.5 Identify, protect and preserve land with good quality for agriculture,

2.1.6 Accommodate and regulate commercial, business, agricultural, private recreation and resource development uses, which do not interfere with the use and enjoyment of adjoining properties, and which do not overtax services,

2.1.7 Provide for a variety of recreation needs for existing and future conditions in this rural area,

2.1.8 Encourage and support the provision of safe, effective and efficient road and highway systems that will accommodate through traffic, local vehicular and non-vehicular needs, and that will provide access to adjacent properties,

2.1.9 Require infrastructure sufficient for a basic level of rural services, and

2.1.10 Support the preservation and conservation of significant heritage features,

2.1.11 Consider the context of the overall community values and vision as expressed in this Rural Land Use Bylaw in making land use decisions.



Part 3 - Rural Lands for Residential Use

Joe Rich is a rural area and residents value the natural surroundings, privacy, and rural nature of Joe Rich. Any future additional residential uses must meet some basic rural infrastructure requirements and ensure long term sustainability without negative effects on neighbouring areas. Lot sizes must meet both infrastructure levels and ensure that the rural nature of Joe Rich is maintained.



3.1 General Objectives

3.1.1 To protect the character of existing residential areas

3.1.2 To set aside land for new rural residential use providing that the rural character in maintained and provided that overall water supplies and sewage disposal are adequate, and with respect to site conditions.

3.2 Policies

3.2.1 Consider slope, soil stability, natural hazards, water supply, sewage disposal capability and road access in designating rural lands for residential use

3.2.2 Base new rural lands for residential use on a minimum parcel size of four hectares. Consider an allowance for a reduced lot size where amenities such as pathways, environmental features or stream corridors are dedicated for public ownership.

3.2.3 The area west of Daves Creek shall be considered as a single development enclave requiring a comprehensive plan that will include an overall road layout, a community water system and other infrastructure and services, and protection of grasslands and regional viewscape.

3.2.4 Subdivision elsewhere shall be in conformance with the existing designations. Change in designation for subdivision purposes is not supported.

3.2.5 Require, for rural lands for residential use, the development of water supplies and sewage disposal adequate for the long term, which will not adversely affect neighbouring lands or community water supplies.

3.2.6 Support the implementation of guidelines to reduce the risk of wildfires in the wildland/urban interface, encourage wildfire prevention, hazard abatement, and public awareness programs.

3.2.7 Support measures to reduce the conflict between residential and agricultural uses including buffering and fencing.

3.2.8 Support fencing between private and Crown Lands in order to protect cattle grazing and reduce conflicts between public agricultural uses and private lands.

3.2.9 Investigate the requirements for housing with relatives for family members within the study area.

3.2.10 Require panhandle lots to have practicable access adequate for emergency vehicles and future subdivision.

Part 4 - Agriculture

The Joe Rich area has a significant agricultural history and its rural nature is an important positive factor for many residents. Most agricultural activities traditionally have been range activities and associated crop production with more recent added variety in the agricultural activities such as horticultural plant production.



Farming is an industry, and farmers individually must be resourceful and creative much as in any other business. More often this is starting to involve secondary farming activities such as produce stands, secondary processing, retail sales of products produced on the farm and agri-tourism. Farmers are looking for new ways to expand the income derived from their land.

Many of the ranches and range activities in Joe Rich are associated with Crown Land in the vicinity. The Crown Land ranges are used (and have been used for decades) as summer forage. As other uses compete for Crown Land resources there is a need to ensure access to this valuable rangeland and find a balance with other uses.

Much of the agricultural land in the Okanagan in within the Agricultural Land Reserve (ALR) of the Province of BC. Land in the ALR cannot be used for non-agricultural purposes or subdivided without the permission of the provincial Agricultural Land Commission. In Joe Rich, for the most part the land in the ALR is located on the more level land in the valley bottom.

4.1 Objective

Identify, protect and preserve land of good agricultural quality.

4.2 Policy

4.2.1 Protect and preserve lands of good quality for agriculture and support those uses

4.2.2 Support full and part-time farming, crop production and ranching as well as secondary activities that contribute to farming income such as secondary processing and farm sales.

4.2.3 Consider the impact of any proposed development on non-farm lands upon the farmland and farm activities in the vicinity.

4.2.4 Encourage the Crown to consider the compatibility (or incompatibility) of agriculture versus recreational use of Crown Land and attempt to mitigate possible adverse effects.

4.2.5 Support the Agricultural Land Commission in maintaining the integrity of suitable agricultural land.

4.2.6 Support the homesite severances for retiring farmers who owned their land prior to 1972 in accordance with the regulations of the Agricultural Land Commission.

4.2.7 Support the polices and activities of the Regional District of Central Okanagan in support of farming as an activity and a business such as the Regional District Agricultural Plan and the recommendations it contains, the Regional District Agricultural Advisory Committee, and the Regional District Agricultural Support Officer.

4.2.8 Consider support for applications for exemption or exclusion from the ALR where the land is of very poor agricultural quality or where surrounding conflicting, non-ALR land uses permanently prevent the reasonable agricultural use of that land in the long term. The final decision for exemption or exclusion from the ALR rests with the Agricultural Land Commission. Typically, an application will involve including a professional evaluation of agricultural capability.

Part 5 - Environmental Protection

Joe Rich consists of steep or rolling valley sides leading from the valley rim to more level areas in the Mission Creek valley bottom. With the changes in topography and elevation, Joe Rich has a mosaic of diverse ecosystems. The natural landscape and environment were key features that residents find an important aspect to the quality of life in Joe Rich and the community identified the conservation of the natural environment as an important priority.



Environmentally, Joe Rich represents a transitional linkage between the hot dry ecosystems of the Okanagan and the higher elevation cooler and moister ecosystems to the east. Lands in Joe Rich drain either directly or through tributaries into Mission Creek, the Okanagan's largest river system. Mission Creek runs through Medicine Creek (Indian Reserve #12) and the City of Kelowna down to Okanagan Lake.

The Regional District completed a map in 2006 of the rare and sensitive ecosystems in Joe Rich using the Sensitive Ecosystem Inventory (SEI) method that has already been applied to most of the Regional District. This detailed ecosystem mapping forms the basis for developing policies to protect important and rare environments.

Provincial legislation now requires local governments to ensure the protection of stream, aquatic and riparian habitat. Construction or changes to streams and riparian areas will be limited and will require professional assessment and rehabilitation plans. To help fulfill that obligation, all streams and water bodies in the Joe Rich area have been mapped using global positioning system (GPS) as well as a riparian and stream ecosystem identification system called Sensitive Habitat Inventory Mapping (SHIM).



Many of the most rare and sensitive plant and animal communities in the Okanagan and Canada are associated with some of the ecosystems found in Joe Rich such as dry grasslands, pine savannah and dry rocky areas. These ecosystems are not only important biologically but are the defining natural landscape of the Okanagan. Development permits can require certain types of development, construction or subdivision within a defined area to obtain a permit containing requirements based upon a set of design guidelines that help to protect that particular ecosystem. Development permits have been used elsewhere in the Regional District to help support rare and vanishing ecosystems.

The Regional District was a key organizer and participant in the multi-stakeholder ecosystem protection and ongoing recovery project for Joe Rich Creek that saw a cooperative effort, including the property owner and several organizations, which led to the restoration and protection of a significant local stream.

5.1 General Objectives

5.1.1 Recognize the prime importance of the natural surroundings of Joe Rich to the community for its scenic, environmental and inherent qualities.

5.1.2 Identify, protect and restore environmentally significant areas.

5.2 Policies

5.2.1 Identify and support the retention of important, rare, or wetland ecosystems as mapped through the Regional District Sensitive Ecosystem Inventory (SEI), the Joe Rich Aquatic Inventory (SHIM) and any future updates to that information.

5.2.2 Consider all mechanisms to encourage or regulate the retention of soils and trees including vegetated setbacks from streams and riparian areas, the protection of drainage patterns, the protection of water quality, the protection of wildlife corridors,

5.2.3 Support and encourage the protection of the environment based upon an ecosystem approach, biodiversity, ecosystem connectivity and natural linkages.

5.2.4 Recognize the environmental significance of Black Knight Mountain grasslands and encourage and support their protection.

5.2.5 Support the evaluation of water quality and encourage improvement of water quality related to agricultural effects. Support the standards of the Farm Practices Protection Act as it relates to water quality.

5.2.6 Protect streams, watercourses and riparian areas in recognition of their significance environmentally, to the water supply, and in accordance with the requirements of provincial and federal legislation.

5.2.7 Support the development of a Mission Landscape Unit Water Management Plan to include a review of the entire eastern area of the Regional District from Okanagan Mountain Park to the Postill Lake area inclusive of the Mission Creek watershed. The Plan will review the entire watershed in the area and assess water availability, water allocation, and make recommendations on conservation measures.

5.2.8 Require that applications for a change in land use designation include a detailed environmental review that considers conditions and future environmental impacts both on the property under application and the surrounding area. Development should avoid sensitive areas and be designed to retain important ecosystem feature and functions. Responsiveness to this information will be a very important consideration in the approval of an application.

5.2.9 Encourage and support an active role for the Regional District in environmental stewardship, environmental education, partnership agreements, and environmental restoration.

5.2.10 Support Regional District Environmental Advisory Commission appointed to provide input to the Regional Board to applications and policies in the Joe Rich area as they relate to environmental topics.

Part 6 - Hazards

There are several hazards that may be affected by human activities such as landslip, flooding, or wildfire. It is important when people alter the lands surface that they do so in a way that does not contribute to or create a hazardous condition.



The hazards that are identified on a particular site are factors that need to be considered in site planning for any proposed development. It is important to know when to consider hazards and what level of detail is necessary.

Parts of Joe Rich have a history of landslip, surface movement, and instability. Two previous professional reports have reviewed land stability and identified some areas of Joe Rich as having the potential to be unstable. It is important that construction and land alteration in those areas does not contribute to instability. Geotechnical stability can be affected at the time of subdivision or when a building permit is applied for. In addition to construction activities, excessive land clearing, cutting into hillsides or excessive earth moving can also contribute to instability ranging from erosion or water siltation, to larger land instability.

Development permits can require certain types of development, construction or subdivision within a defined area to obtain a permit. A development permit contains requirements based upon a set of design guidelines that help to identify and moderate a particular hazard. Subdivision or development proposals may be required to be modified to respond to geotechnical issues. There may be limitations on potential future subdivision and development in areas of high geotechnical hazard.

6.1 Objective

To reduce the risk of damage to life and property from flooding, wildfires, erosion etc. by adopting suitable protective measures.

6.2 Policies

6.2.1 Preparation for any studies and reports required in connection with a proposed development will be responsibility of the developer.

6.2.2 Require appropriate studies prepared by the appropriate professional to assess any apparent hazardous conditions prior to consideration of applications for a change in land use designation or development. Such studies may include but are not limited to geotechnical hazard, wildfire hazard, and flooding hazard.

6.2.3 Encourage and support the consideration of the reduction of wildfire, flood and geotechnical hazard to the Joe Rich area in provincial forest management, harvesting and other Crown Land use decisions.

6.2.4 Encourage wildfire hazard reduction in a way that is supportive of restoring the natural environment. Such hazard reduction mimics the natural effects of localized ground fires that once were common but that human settlement has removed from the environment. Typical methods include thinning and spacing trees and vegetation, removal of debris and dead material from the ground, and removal of tree branches hanging within 2 metres of the grounds. Wildfire hazard reduction, done responsibly, can be compatible with habitat conservation and restoration and restore an environment once shaped by fire.

Part 7 - Business and Home Occupations

Within the context of a rural area and the natural surroundings, residents of Joe Rich also value a community with the opportunity to make a living through a diversity of small commercial and industrial activities. Local opportunities for small home based businesses need to be secondary to and not detract from the residential and rural qualities. The RLUB must set a reasonable limit given the important rural and natural factors that the community finds important. Where industrial or commercial development is proposed that is more intensive than that limit, businesses might be expected to relocate to other areas of the Regional District that support more intensive commercial or industrial activity.

The Regional District, together with its member municipalities, has supported a Growth Management Strategy. That Strategy outlines goals for the long term sustainability of the region. One of those goals is to support the commercial and industrial centres of the Regional District with their infrastructure and employment base. Another point related to long term sustainability is to ensure that there is adequate infrastructure to support any activities anticipated in an area and protect the environment.

7.1 Objectives

To accommodate and regulate commercial, business, agricultural and private recreation uses that have low impact and do not interfere with the use and enjoyment of adjoining properties and do not overtax services.

7.2 Policies

7.2.1 Identify, provided there is strong public support, a neighbourhood commercial outlet in the vicinity of the Joe Rich Community Hall (in addition to the retail commercial activities permitted in association with Eight Mile Ranch) subject to the following guidelines:

- 7.2.1.1 Meet the local commercial needs
- 7.2.1.2 Have a maximum building area appropriate for a neighbourhood commercial outlet
- 7.2.1.3 No potential for further subdivision or expanded development beyond that originally considered
- 7.2.1.4 Adequate water supply and soil sewage disposal capacity
- 7.2.1.5 A traffic hazard is not created
- 7.2.1.6 An attractive appearance for the grounds and building in harmony with the rural area.
- 7.2.1.7 Unsightly outdoor storage is not permitted such as machinery, automobiles, equipment or garbage.
- 7.2.1.8 Well landscaped and screened from adjoining property
- 7.2.1.9 Surfaced offstreet parking and adequate drainage
- 7.2.1.10 The protection of significant environmental features

7.2.2 Support home occupations provided regulations ensure that they are secondary to the residential or agricultural use of the property and maintain the rural atmosphere of the overall area, are within a building, are not offensive to adjoining properties, and do not adversely impact the water supply or waste disposal. Support

appropriate signage for home occupations, agricultural uses and home based businesses or other uses carried out on that property. The sign area and lighting for signs as it relates to the use should be considered. Third party signs are not supported.

7.2.3 Temporary commercial or industrial use permits are short term permits that may be considered by the Regional Board, in any land use designation in the RLUB, to allow a use to continue while a more suitable location for the use is determined, or, to allow an short duration, one time only activity. The following should be considered in the review of an application for a temporary commercial or industrial use permit:

7.2.3.1 The use must be temporary or seasonal in nature,
7.2.3.2 The temporary use should not create an unacceptable level of negative impact on surrounding permanent uses,
7.2.3.3 In the case of the discovery of a use already underway that does not conform with the regulations of the RLUB, there is an outline provided of when and how the temporary use in that location will be concluded,
7.2.3.4 The temporary permit may include conditions such as but not limited to; the buildings to be used, the area of use, the hours of use, appearance, site rehabilitation, and the holding of a security by the Regional District to ensure compliance.

Part 8 - Parks and Recreation



The system of accessible trails and community parks in Joe Rich are a valued amenity for the residents of area. Resident surveys conducted at the time of the 2006 review of the Rural Land Use Bylaw showed strong support in protecting natural areas and open spaces, and in the maintenance and improvement of existing recreation facilities and recreational access to Crown Land.

There was general satisfaction with the current level of developed parks and limited interest in the additional cost for highly developed parks and recreation facilities, sports fields or additional park acquisition. The community goals included focusing on natural trails and trailheads, and improving current parks and recreation facilities and protecting open space and recreation opportunities on Crown Land.

Community Parks and Recreation Facilities Community parks and recreation facilities are intended to provide for the needs of the local community. Three Forks Park is 5.4 ha. in size and is located near the confluence of Mission and Belgo Creeks.

The Regional District owns and operates the Joe Rich Community and Fire Halls and Grounds. As of December 2005, the Fire Hall and Community Halls are managed as separate community facilities, with their own bylaws, budgets and operating agreements.



Linear Parks Linear parks largely function as trails and recreation corridors. The The Daves Creek Linear Park is located adjacent to the hairpin on Highway 33 and along the northern banks of Mission Creek. As of 2006 this linear park was unconstructed and closed to the public. The Philpott Trail Linear Park is located on part of the historic Black Mountain Irrigation District Flume and access is from Philpott Road. This trail is open to the general public.

Regional Parks Regional Parks play an important role in the protection of regionally significant natural habitats and the provision of outdoor recreation opportunities for residents of the entire Regional District of Central Okanagan. Some of the objectives contained in the Official Regional Park Plan (2000) are: *'to establish new regional parks that highlight regionally significant recreational features in proximity of natural lakes and watercourses'* and to *'collaborate with municipal and provincial park systems in the development of a regional trails system that provides both recreational and habitat links to provincial, regional or major municipal parks'.*

One of the most significant regional parks in the area is the Mission Creek Greenway. The Greenway is a linear regional park along Mission Creek from Lake Okanagan up to the boundary of Medicine Creek (Indian Reserve #12). The long-term goal (supported by the Provincial Okanagan-Shuswap Land and Resource Management Plan) is to establish a 60km long recreational link from Lake Okanagan to Greystokes Provincial Park, through the Joe Rich area.

There are several trails that traverse Crown Land through the Joe Rich RLUB area. These trails are not funded or maintained by the Regional District. One of these trails is the Okanagan High Rim Trail, a 50km trail on the east side of the Okanagan valley. The trail can be accessed at the trailhead located near the intersection of Highway 33 and Philpott Road and the trailhead on Goudie Road.

The Regional District also owns and operates McCulloch Station Regional Park to the north of McCulloch Lake, and has an agreement with the Ministry of Forests to operate the McCulloch Lake Forest Recreation Site as a campsite.



In the current Joe Rich RLUB, there are six crown-owned district lots identified due to their recreation, park and conservation interest. Their protection will be pursued through a variety of methods such as Crown lease, or the protection of a particular value such as the environment, public access to Crown Lands beyond, or public access to Mission Creek.

Parkland acquisition Parkland acquisition and development is commonly associated with urban development, taxation, or land donation. In rural areas it is often necessary to focus available funding on specific park priorities. The Regional District can undertake additional parks and recreation projects where there is considerable community interest and local additional funding or volunteer support for that project.

Relationship to Crown Lands There are trails and recreational opportunities on Crown Land in the Joe Rich area. The Regional District policies in the Rural Land Use Bylaw have limited jurisdiction related to the activities of provincial authorities, as well there are limited resources that the Regional District can apply to park and recreation activities on Crown Land. However, policies can outline and encourage consideration of certain recreation and trail values on Crown land. Those policies provide input about Regional District and community interests to provincial decision-making processes. Policies also provide support for provincial plans that incorporate Regional District input such as the Okanagan Shuswap Land and Resource Management Plan.

8.1 Objectives

8.1.1 Provide for a variety of parks and recreation needs for now and in the future while enhancing the rural and natural characteristics of the area.

8.1.2 Recognize the rural nature of Joe Rich and the limited available resources and funding. Focus on the improvement of existing facilities and parks while allowing for the consideration of additional projects should additional funding, broad community interest, and opportunity arise.

8.1.3 Focus on the establishment of trail heads, the establishment and protection of trails, and the provision of access to Crown Land.

8.2 Policies

General

8.2.1 Consult with the Governance and Services Committee of the Regional Board with regard to all matters related to parks and recreation in the area of the Joe Rich Rural Land Use Bylaw

8.2.2 Pursue with the Province of BC the potential for park reserve designation or regional park status of Black Knight Mountain (SE ¼ of Section 17, SW ¼ of Section 21, S ½ of DL4508) for recreation and environmental purposes, including protection of vegetation and wildlife habitat

8.2.3 Encourage the protection by the Province of BC opportunities and potential for the following values at Highway 33 and Philpott Road (District Lots 3906, 4048 and 4049): the values of recreation, trailheads, and public access to Mission Creek and the Crown Lands beyond,

8.2.4 Encourage the protection of a 10 hectare area of Crown Land around the fire hall site at Goudie and Sun Valley Roads for the potential future recreational needs of the community.

8.2.5 Acquire land for neighbourhood parks and play areas where the opportunity arises such as donation or through park dedication at the time of rezoning and/or subdivision in accordance with provincial legislation.

8.2.6 Consider additional local park improvements or acquisition provided there is demonstrated overall community support, and additional funding is provided. The improvement of existing parks will depend upon the available funding.

8.2.7 Encourage and support Crown agencies engaging with the community regarding recreation and access when those agencies are planning and managing activities on Crown Land

8.2.8 Determine the size, location, and nature of future parks and recreation facilities through consideration of available opportunities, existing parks and recreation facilities, and projected future active and passive park needs, community goals, as well as comprehensive planning studies.

8.2.9 Ensure that parks are clearly part of the public realm and evidently available for public use. Parks and recreation facilities should provide (where possible) for physical access for all members of the public.

8.2.10 Support and encourage efforts by community organizations to partner in the maintenance or management of publicly-owned spaces including parks, Highway 33 boulevards and future facilities such as heritage sites, etc. Explore mechanisms for providing group insurance coverage to groups involved in partnership agreements.

8.2.11 Review Regional District policies regarding the acceptance of conservation areas and open space in order to support and encourage their preservation and public acquisition. Policies include addressing wildfire management, security and operational budget considerations.

8.2.12 Access a range of tools for open space and conservation area management, including the use of covenants, land trusts, purchase by conservation organizations and regional park acquisition.

8.2.13 Situate public recreation facilities, including community halls, in areas of close proximity to other community services and facilities, and parkland (where compatible).

8.2.14 Promote joint uses of sites for schools, community recreation facilities and parkland (where compatible).

8.2.15 Protect, establish, or acquire a future trail network in the RLUB area in order to connect to Crown Lands and established trails beyond. Funding is limited and, if not already protected, these trails will be protected as the opportunity arises. The potential trail locations are the Philpott trail linear park (the old Black Mountain Irrigation District Flume) including the current park and future potential connection westward across the hillside, and the Daves Creek Linear Park.

8.2.16 Require that new areas of subdivision or development adjacent to crown land consider and incorporate public routes of access to crown land for outdoor recreation purposes.

8.2.17 Protect access to and support the establishment of trails on Crown Land in the region as indicated in the Okanagan Shuswap Land and Resource Management Plan (LRMP) including the Okanagan High Rim Trail, the Kettle Valley Railway, and the Mission Creek Greenway from Lake Okanagan to Greystokes Provincial Park.

8.2.18 Protect and establish trailheads in strategic locations as the opportunity arises that provide:

8.2.18.1 Access to trails on Crown Land identified in the Okanagan Shuswap Land and Resource Management Plan (LRMP) including the Okanagan High Rim Trail, the Kettle Valley Railway, and the Mission Creek Greenway,

8.2.18.2 Strategic access to Crown Land

8.2.19 Encourage the identification and preservation of a recreation corridor on Crown Land and associated trailheads through a special recreation management zone, centred on the James Lake Trail and extending from Jackpine or Goudie Roads to Farmers Drive. Topics to be considered include protection of the timber supply area and the rights of existing licensees, provision for the outdoor recreation needs of a growing population, the need for recreation in rural/natural settings, views, visual impact of forest activities, and traversing areas representative of local biodiversity.

8.2.20 Consider the protection or establishment of public access to Mission Creek when reviewing subdivisions or development applications, or uses on Crown Land.

8.2.21 The Regional District, may, at the discretion of the Regional District and under the terms the Regional District deems necessary, accept a voluntary provision of public park in addition to the legislated opportunities for park dedication.

Part 9 - Roads and Services

Roads and Transportation

In the Joe Rich area the roads (including local roads as well as Highway 33) are owned by the province, and maintained and operated through the Ministry of Transportation. The Regional District can advocate for certain projects but does not have the jurisdiction to determine road improvements. The Regional District also does not have the jurisdiction to allocate funding in order to initiate road projects.



Regardless of the limitations in jurisdiction, in the survey associated with the 2006 review of the RLUB residents identified concern with the safety of Highway 33 as one of their greatest concerns and their highest priority. The major issues were the hairpin turn on Highway 33 and the danger associated with having to stop in various locations along the highway in order to turn left.

The Ministry of Transportation has separate budgets for normal road maintenance and larger capital projects. The budget for capital projects must be allocated among a variety of needs throughout the Province. As of 2006, the Ministry of Transportation is currently exploring three projects related to Highway 33. One is the possibility of obtaining some additional right of way in the vicinity of the Daves Creek hairpin turn. If successful, this may lead to some opportunity for improvement of this section of Highway 33 should funding for improvements become available in the future. The second project on Highway 33 is the construction of 4-lanes from McKenzie Road to just east of Gallagher Road within the boundaries of the City of Kelowna. This is a project funded jointly with the City of Kelowna and the Ministry of Transportation as a result of the major developments currently underway in the Black Mountain area of the City of Kelowna. The third project may involve the installation of a passing lane in the Joe Rich area. A location or timing is not yet defined.

Services and Infrastructure



Joe Rich is largely rural in nature and the available infrastructure reflects that background. The Regional District has established infrastructure levels required for various levels of subdivision and various types of uses. Generally, the more development or use, the higher the long-term potential impact, and the more important it is to ensure that the available infrastructure can sustain that use in the long run.

There is fire protection provided to much (but not all) of the area. There are two fire halls; one next to the community hall on Highway 33 near Dion Road and the other near the intersection of Goudie Road and Sun Valley Road.

Two large water utilities have significant licenses and works in the Joe Rich watershed and aquifer area; Black Mountain Irrigation District and Glenmore Ellison Irrigation District. The

Regional District operates the small Falconridge water utility serving some properties near Highway 33. There also may be some small private water utilities authorized by the province between a few private lots



There are some water licenses to take water from streams issued by the provincial government, but most of the properties in Joe Rich obtain water from individual wells. Wells tap into either an aquifer or, if on the floodplain of a stream, indirectly draw water from a stream flow. The protection of drinking water quality and quantity was an important objective for the community.

An aquifer is a large interconnected underground natural water system with edges defined by topography and geology. In the Joe Rich area the aquifers on the valley slopes are filled (or “recharged”) from the flatter areas at the top of the Mission Creek valley. It isn’t possible to know the location of underground streams or the location of underground pockets of water and their extent. The total water in the sloped valley aquifers is not evenly or consistently distributed over the entire area of an aquifer. New wells may intercept an underground stream previously feeding other wells. Therefore it is very difficult to foretell if the placement of new wells will affect old wells. Substantial additional density may affect the supply of water to existing wells or may affect the overall supply over time as wells are added incrementally.

Shallow wells next to stream flows directly tap into the water from that stream. The province will not issue additional water licenses for Mission Creek due to concerns about maintaining stream flows and thus the flow for current licensees, habitat and water quality. In the future there may be a need to consider restrictions for new wells that take water from recharge areas of an aquifer or draw water from a stream aquifer, thus affecting its flow.

The Regional District will be undertaking a Mission Landscape Unit Water Management Plan that will include a review of the entire eastern area of the Regional District from Okanagan Mountain Park to the Postill Lake area inclusive of the Mission Creek watershed and Joe Rich. The Plan will review the entire watershed in the area and assess water availability, water allocation, and make recommendations on conservation measures.

9.1 General Objectives

9.1.1 Encourage the provision and maintenance of a safe, effective and efficient road and highway system that will accommodate through traffic, local vehicular and non-vehicular needs and that will provide access to adjacent local roads.

9.1.2 Support the provision and maintenance of a basic level of rural services.

9.2 Policies

9.2.1 Support and encourage road improvements to Highway 33. The local community places most importance on;

9.2.1.1 The improvement of the safety of the hairpin turn of Highway 33 over Daves Creek

9.2.1.2 The improvement of left hand turns off Highway 33 onto local roads. Such turns often require that a vehicle come to a complete stop in the travel lane for fast moving vehicles. During ski season the local travellers are augmented by a large number of tourists and skiers unfamiliar with local roads in winter road conditions. The safety of turning off Highway 33 should be improved.

9.2.2 Support the limitation of new accesses onto Highway 33 through the development of frontage or service roads.

9.2.3 Support the restriction of the number of roads entering the bylaw area from the City of Kelowna to avoid urban sprawl and allow for appropriate evaluation and planning prior to development.

9.2.4 Ensure the review and protection of important potential collector or main road corridors in the area west of Daves Creek prior to subdivision or development of land that may remove future road options.

9.2.5 Support the identification and protection of routes (either existing or potential, through private or Crown land) that will, in the case of an emergency, provide alternative access to the existing long cul-de-sacs such as Goudie, Philpott, Three Forks and Greystokes Roads.

9.2.6 Support the provision of walkways and bike paths along all future collector roads, especially those with potential future linkage to the City of Kelowna.

9.2.7 Encourage the province through the Ministry of Transportation to provide wider shoulders or other pedestrian/cyclist separation to routes that carry both local residential traffic along with logging and other truck traffic such as Three Forks, Sun Valley and Greystokes Roads.

9.2.8 Support the development and implementation of a Bicycle Network Plan for the Regional District that considers the Joe Rich area

9.2.9 Support a level of services and infrastructure commensurate with the rural lifestyle, with all costs of development borne by the developer.

9.2.10 Protect the drinking water quality and quantity in the community when considering additional uses or development.

9.2.11 Support the development of a liquid waste management plan (stormwater and wastewater). The general intent will be to evaluate current conditions, establish objectives, discuss options, and make recommendations.

Part 10 - Resource and Crown Lands

Crown Land (land owned and managed by the province for a variety of interests) forms an interface with much of the Joe Rich area. Medicine Creek (Indian Reserve #12), under the jurisdiction of the Westbank First Nation lies to the southwest and the City of Kelowna to the west but the rest of Joe Rich is surrounded by Crown Land.

The management of Crown lands is complex and the responsibility for decision making on various topics may be spread between several different provincial Ministries or agencies. The potential for impact on neighbouring private property, streams and on Okanagan Lake is a consideration in decision-making. Management policies and objectives supported within the provincial Okanagan Shuswap Land and Resource Management Plan include “special management” in the “interface” area between public and private resource lands.



Sustainable development of resources (source water protection, grazing enhancement, timber harvest prescriptions, expanding tourist recreation etc.) is considered a key component of economic development throughout the Central Okanagan. In the administration of Crown Land, there are some circumstances where there are gaps in provincial policy that may affect neighbouring Joe Rich. For certain lease situations such as rangeland and woodlot tenures, the provincial agencies have mandates to manage for environmental and other larger concerns. In other situations such as aggregate extraction, however, the mandate is narrower and issues that may affect Ellison may not be as well reviewed or regulated. In the case of a sale, Crown Land passes from public control and it is important that there be Official Community Plan policies in place dealing with future land uses.

There is an interrelationship between what happens on Crown Land and its effect on private lands, water supply and the environment in the Regional District. It is important to have clear policies that indicate community goals when the province is considering land uses in the areas neighbouring Ellison.

The Rural Land Use Bylaw (RLUB) may be limited in how it can affect decisions where other provincial and federal government agencies have jurisdiction. The RLUB will be required to reflect provincial legislation and other jurisdictions. Areas where there is provincial or federal jurisdiction include (but are not limited to):

- **The agricultural land reserve**. Land located within the agricultural land reserve cannot be subdivided or used for non-agricultural purposes without the approval of the provincial agricultural land commission.
- **Gravel extraction permits**. While the provincial government requests the input of local government the decision about whether to grant a permit to extract gravel and the terms of the permit rests with the province.

- **Protection of streams, water bodies and riparian areas**. The provincial government has recently enacted legislation that requires local governments to protect water bodies, streams and neighbouring riparian areas.
- **Maintenance and improvement to roads**. Local roads and Highway 33 are operated and maintained by the Ministry of Transportation. Forest service roads are operated by the Ministry of Forests.
- **Crown Land management**. The Regional District does not make decisions regarding uses on Crown Land. The Regional District does have some jurisdiction over urban uses on public lands such as resorts and lodges that are not covered by provincial management agencies such as the Ministry of Forests.

10.1 General Objectives

10.1.1 Encourage access to and opportunity for development of crown resources that contribute provincial revenues in support of community social, health, education and transportation services and that provide future economic activities for citizens of the Okanagan.

10.1.2 Support crown lands for a wide spectrum of rural resource values. Minimize conflicts and alienation of resources by promoting site-specific design and tenure management prescriptions.

10.1.3 Protect water resources for environmental and public health values

10.1.4 Identify lands for future community needs and protect community access and recreation values

10.1.5 Protect important or rare ecosystems, the habitat or red and blue-listed provincially significant species and wildlife corridors.

10.2 Policies

10.2.1 Support the development of the Mission Landscape Unit Water Management Plan that will include a review of the entire eastern area of the Regional District from Okanagan Mountain Park to the Postill Lake area inclusive of the Mission Creek watershed and Joe Rich. The Plan will review the entire watershed in the area and assess water availability, water allocation, and make recommendations on conservation measures.

10.2.2 Require rezoning approval and for urban or intensive recreation uses on Crown Land to allow for appropriate local opportunity to review impact, services and other evaluations. Urban or intensive land uses requiring a rezoning include those with impacts such as, but not limited to, public services, parking, sewage and waste disposal, environmental impact and community water. Examples of such uses are lodges, residences and commercial facilities.

10.2.3 Protect the viability of aggregate, mineral, energy and timber resources for future development by maintaining routes of access and supporting activity that is conducted in accord with best management practices.

10.2.4 Encourage and support the consideration of development permit areas indicated in this Rural Land Use Bylaw and their associated guidelines for issues such as environmental management and geotechnical hazards in all activities on Crown Land within the Rural Land Use Bylaw boundaries.

10.2.5 Apply development permit area guidelines in responding to referrals from crown resource agencies where applicable as indicated in the development permit section of the Rural Land Use Bylaw.

10.2.6 Provide for routes of access, trailhead parking and controlled access facilities (if the Regional District determines that requirement) in subdivisions adjacent to Crown Land and where such access does not conflict with resource tenures such as water reservoirs.

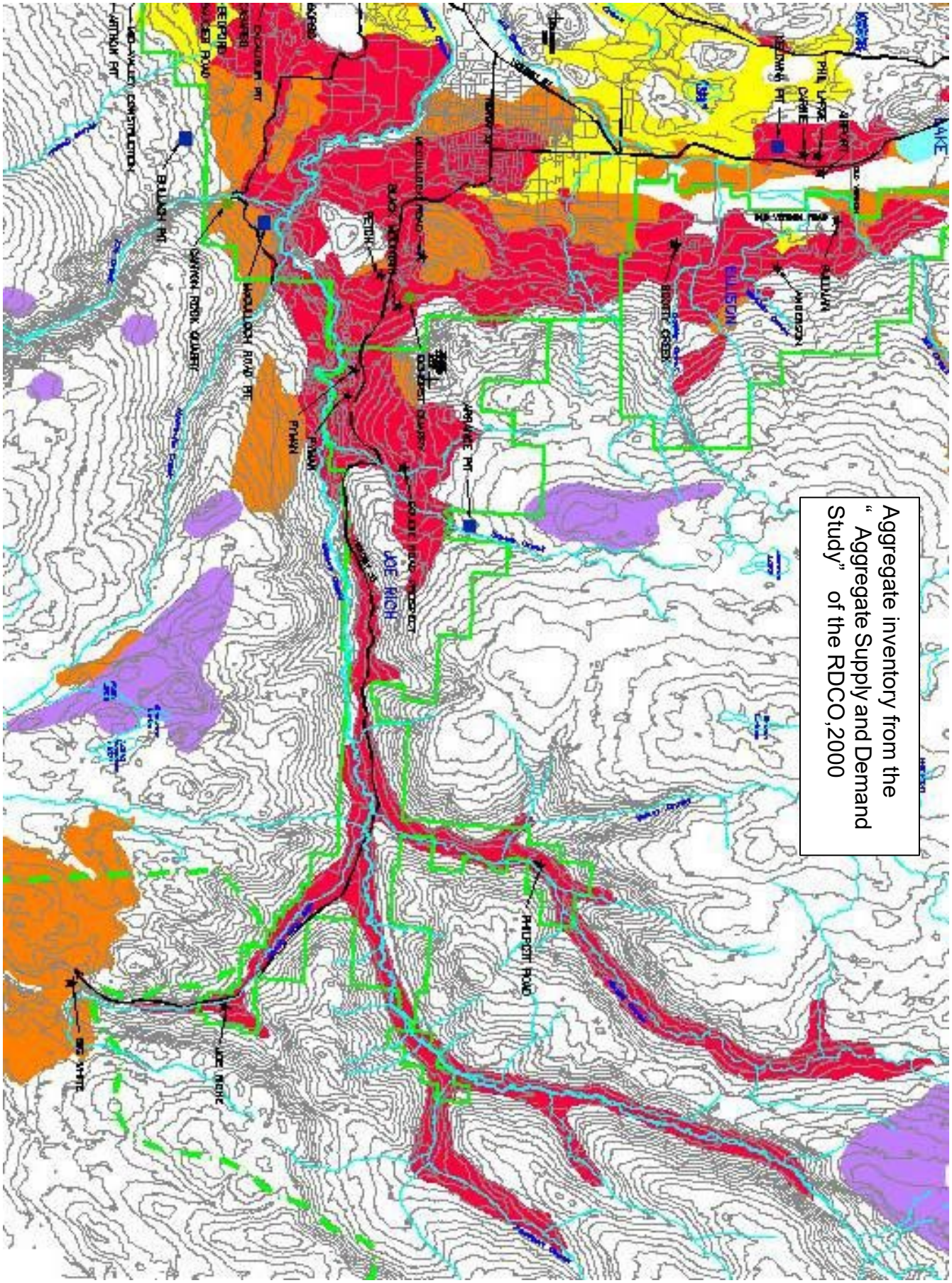
10.2.7 Support the participation by Okanagan First Nation communities in the management and development of crown resources.

10.2.8 Encourage and support community groups and individuals seeking to establish trails or recreation facilities on Crown Lands apply for the appropriate tenure, consult with resource managers, and design for compatibility with varied resource development activities.

10.2.9 Encourage and support provincial authorities to solicit the input and participation of local area residents in planning and decision making for activities on Crown Land that affect recreational access and opportunities.

10.2.10 Encourage and support the consideration of the visual impact of activities on Crown Land on the south side of the Mission Creek valley and other areas of high visibility in light of that areas high visual impact for local residents as well as travellers on Highway 33.

10.2.11 Work with provincial authorities and relevant agencies to develop strategies for the “interface” (ie: crown owned lands within the Rural Land Use Bylaw area) which identify and protect provincially significant habitat and rare biological and physical features, identify where and how fire hazard reduction should occur, identify lands that will be made available in future to provide for the services of the community including (utility and road corridors) and economic needs (such as aggregate and timber harvest) as well as other community values and interests as reflected in the policies of the RLUB.



Aggregate inventory from the " Aggregate Supply and Demand Study" of the RDCO,2000

Part 11 - Future Land Use Designations

In addition to the consideration of all the policies in the RLUB, the major concerns that need to be addressed in consideration of future land use designations are as follows:

Western Section – City of Kelowna to Daves Creek and Goudie Road except SE ¼ of Section 22;

- The policies on Rural Lands for Residential Use, and
- The position of the provincial Agricultural land Commission on land within the Agricultural Land Reserve, and
- Consideration of the policies of the City of Kelowna regarding the expansion of urban services and consideration of appropriate jurisdiction for urban development

Tamarack, Philpott Road and Joe Rich Sections – Daves Creek and Goudie Road, including the SE ¼ Section of Section 22, east to the east boundary of the bylaw area.

- The fundamental objective of preserving and enhancing the rural and natural character of the area,
- Evaluation of accessibility, fire protection, recreation requirements, and schools
- The policies on Rural Lands for Residential Use, particularly;
    - The need for a comprehensive evaluation, on a watershed basis, of both the long term water supply and sewage disposal capability,
    - The determination of terrain stability and the effect of the development on stability
- The need to provide lots of normal configuration that are appropriate to the site, and that are suitable for the intended use

Part 12 - Greenhouse Gas (GHG) Emission Reduction

Bylaw 1195-04

In 2007, Bill 44 *Greenhouse Gas Reduction Targets Act* was enacted by the Government of British Columbia. This legislation committed the Province of British Columbia to reduce greenhouse gas emissions by 33% below 2007 levels by the year 2020, and 80% below 2007 levels by the year 2050. As a result of this legislation in 2008, the Province of British Columbia made an amendment to the *Local Government Act,* Bill 27, to ensure that greenhouse gas emissions were reduced at a local level. Under this amendment, it was made mandatory that all Official Community Plans include targets, policies and actions for the reduction of greenhouse gas emissions by May 31, 2010.

On September 26, 2007, the Regional District of Central Okanagan (RDCO) became a signatory of the B.C. Climate Action Charter. As signatory to this charter, the Regional District has committed to develop strategies and take action to achieve the following goals:

i. being carbon neutral in respect to our local government operations by 2012,
ii. measuring and reporting our local government's GHG emissions profile, and
iii. creating complete, compact, more energy efficient communities within our Regional District.

To meet the goals stated above, policies and actions as outlined in this section have been developed. There are a number of existing strategies and plans already established within the Regional District that will further contribute to meeting these goals. The Regional Growth Strategy, along with the Okanagan Similkameen Airshed Coalition Committee's *Towards an Okanagan & Similkameen Valley Air Quality Management Plan* (2008), and the *Solid Waste Management Plan* (2006) are among the guiding documents currently in place to assist in the reduction of GHG emissions. The Province of British Columbia will support local governments to achieve some of these goals by providing the tools (Community Energy and Emissions Inventory (CEEI)) necessary to track and report GHG emissions.

As of May 2011, Bill 27 (2008) and the *Local Government (Green Communities) Statutes Amendment Act* will require Regional Growth Strategies to establish targets for the reduction of GHG emissions and policies and actions to achieve these targets. The Regional Growth Strategy (RGS) for the RDCO was adopted in 2000, and a comprehensive review and update of the RGS will commence in 2010. In accordance with the RDCO's commitment to reducing GHG emissions, the review of the RGS will be an essential component to assisting the local government to achieve its reduction targets. These targets will complement the policies and actions stated in this section.

The RDCO is part of the Okanagan Similkameen Airshed Coalition Committee, which develops strategies for Valley-wide improvements in air quality. This committee is a partnership between the RDCO, North Okanagan, and Okanagan-Similkameen Regional Districts.

The RDCO Waste Reduction Office implements programs to help reduce garbage going to local landfills. There are many initiatives which the Waste Reduction Office has implemented to reduce waste within the Central Okanagan region. In 2009, the Curbside Automated Waste Collection System was established. This waste reduction initiative included delivery of more than 150,000 carts to more than 50,000 homes throughout the Central Okanagan.

12.1 Targets

In accord with Provincial legislation, the Regional District's Greenhouse Gas Reduction Targets include:

- 33% reduction in GHG emissions by 2020 from 2007 levels
- 80% reduction in GHG emissions by 2050 from 2007 levels

These targets apply to the Joe Rich Rural Land Use Bylaw area and the following policies and actions will be considered as they relate to development in the Rural Land Use Bylaw area.

12.2 Policies

The Regional District will:

Land Use

12.2.1. Evaluate land use decisions and new developments on the implications and impacts on the natural environment.

12.2.2. Protect, and encourage farming to develop local food production by supporting the preservation of agricultural lands.

Development & Energy

12.2.3. Encourage sustainable development practices such as the use of energy efficient products (solar and geothermal technology) when new construction is taking place or when retrofitting existing buildings.

12.2.4. Promote acceptance and application of green building principles, strategies, and technologies among professionals and building developers.

Transportation

12.2.5. Support the development of plans and programs that will encourage sustainable modes of transportation and reduce the dependence on single occupancy automobiles.

12.2.6. Encourage and promote the establishment of home occupations or home based businesses through various land use designations in the Joe Rich Rural Land Use Bylaw in order to decrease dependence on automobiles.

12.2.7. Support and encourage the provision of increased walking and cycling opportunities as an alternative transportation method by:

a) acquiring trail connections through private lands as identified in the RDCO Park Preplan;

b) encouraging the Ministry of Transportation and Infrastructure to construct safe pedestrian walkways and cycling lanes along road right of ways as improvements permit; and

c) requiring new developments to construct walking and cycling connections through private development and connections to regional trails and Crown lands.

Environment

12.2.8. Identify and recognize the significance of the natural areas which are essential for carbon absorption, and ensure that development is directed away from these carbon sinks.

12.2.9. Continue to protect Environmentally Sensitive Areas on private land through the development permit, rezoning, and subdivision processes.

12.2.10. Encourage coordination with various levels of government to jointly manage the airshed of the Okanagan Valley.

12.2.11. Establish programs which reduce the levels of airborne pollutants from residential and agricultural sources.

12.2.12. Review the impact of wood burning stoves and rural burning and consider potential regulations with incentives and education programs to encourage composting and chipping at regional sites.

12.2.13. Continue to support the work of the Okanagan Basin Water Board.

Waste Management

12.2.14. Encourage the use of recycling programs and educational opportunities for waste management to ensure members of the public are taking advantage of waste reduction opportunities.

12.2.15. Maintain the ability to investigate the extension of community water and/or sewer servicing to existing and unserviced subdivisions, when existing land use designated properties or Land Use Contracts wish to proceed with development.

12.2.16. Continue to review and update the Liquid Waste Management Plan (LWMP) (2009) for the Central Okanagan East Electoral Area to help communities meet their wastewater objectives.

12.3 Actions

The Regional District will:

12.3.1. Work closely with the Okanagan Basin Water Board to address matters related to water conservation and climate change.

12.3.2. Implement the programs and plans of the Regional Waste Reduction Office, which includes solid waste management and recycling initiatives among others.

12.3.3. Ensure natural areas for carbon absorption remain a prominent component of land use within the Regional District's jurisdiction.

12.3.4. Protect Sensitive Terrestrial Ecosystems (protect against the removal of sensitive vegetation and trees and to require mitigation of damaged areas) through Development Permits Areas.

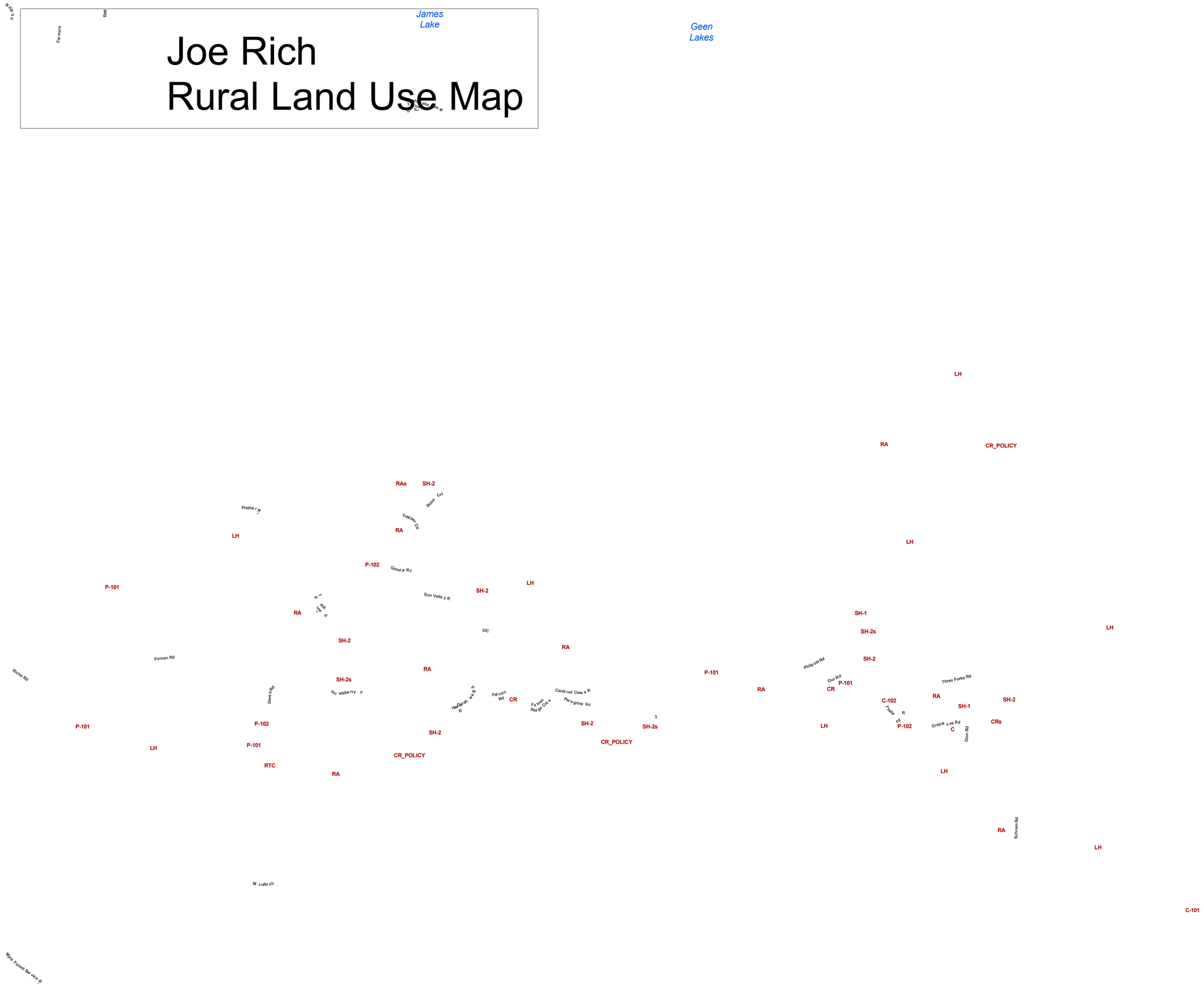
12.3.5. Maintain an acceptable level of air quality for the Okanagan air shed.

12.3.6. Establish sustainable long term sewage disposal systems in new and existing communities.

12.4 Development of Future Policies and Actions

The Regional District has committed to a multiyear initiative to complete a review and update of the Regional Growth Strategy (RGS) 2000. One of the key goals is to develop more detailed GHG reduction policies and actions in conjunction with the RGS review and update process. Once the RGS review and update has been completed and adopted by the Regional Board, these policies and actions will be incorporated into the Joe Rich Rural Land Use Bylaw. In conjunction with the RGS, the CEEI report for the RDCO will be updated to better represent the Joe Rich Rural Land Use Bylaw area.

Joe Rich
Rural Land Use Map



Crown Land Policy	Country Residential	Park and Open Space	Rural Acreage (Secondary Suite)	Small Holdings 2
Recreation Commercial	Country Residential (Seconday Suite)	Institutional and Assembly	Rural Tourist Commercial	Small Holdings 2 (Secondary Suite)
Service Commercial	Large Holdings	Rural Acreage	Small Holdings 1	

All data, information, and maps are provided "as is" without any warranties and should be used for reference purposes only.

The author makes no warranties, express or implied, as to the use of the information obtained from this product.

Date: 2021-06-11 Time: 11:47:20 AM Created by: RDCO GIS Team

Document Path: G:\gis_projects\WebsitePDFMaps\UpdateMaps\mxd\JoeRich_ZoneMap.mxd

Regional District of Central Okanagan

0 625 1,250 2,500 3,750 5,000

Meters

Fish Lake

Long Meadow Lake

Land Use Designations



Joe Rich
Rural Land Use Bylaw
Schedule 'B'
Bylaw No. 1195

Latest Amending Bylaw: 1195-03

Date: May 25, 2010

Hwy 33

Mission Creek

Medicine Creek I.R. #12

Medicine Hill I.R. #11

TWP 27

DL 4048 DL 3906 DL 4051 DL 3753 DL 4086 DL 4049 DL 3742 DL 4091 DL 2182 LUC 199 DL 5126 DL 4088 DL 4182 DL 4184 DL 5135 DL 4180 DL 5128 DL 4852 DL 778 DL 3738

Jurisdictional Boundaries
- Joe Rich Rural Land Use Boundary
- Creeks and Streams

Crown Land Policy
- Recreation Commercial
- Service Commercial
- Country Residential

Large Holdings
- Park and Open Space
- Institutional and Assembly
- Rural Acreage

Rural Tourist Commercial
- Small Holdings 1
- Small Holdings 2

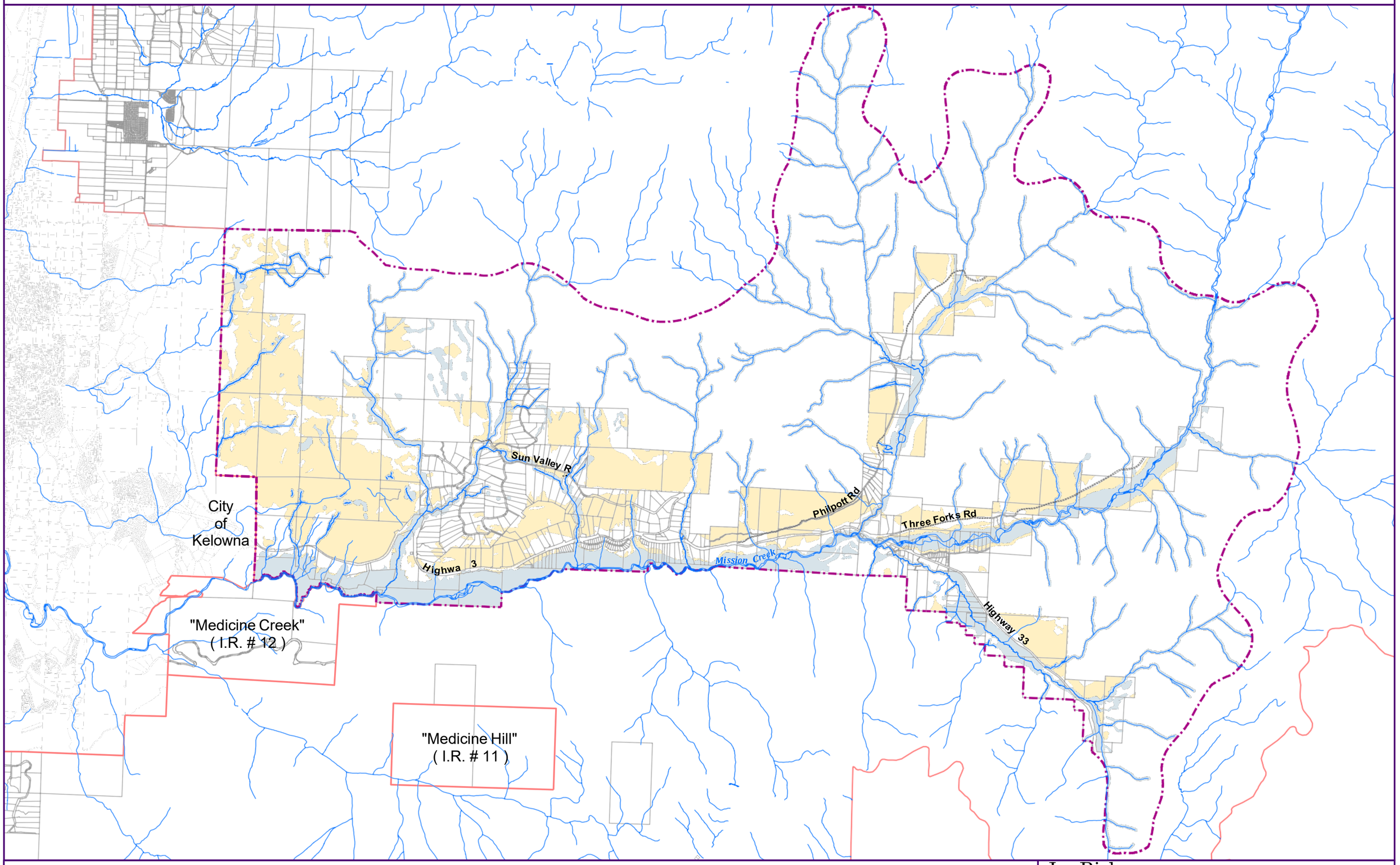
0 1 2 4 6

Kilometres

N W E S

REGIONAL DISTRICT of CENTRAL OKANAGAN

Aquatic and Sensitive Terrestrial Development Permit Areas



4

Joe Rich Rural Land Use Bylaw Boundary

Aquatic Development Permit Areas

Sensitive Terrestrial Development Permit Area

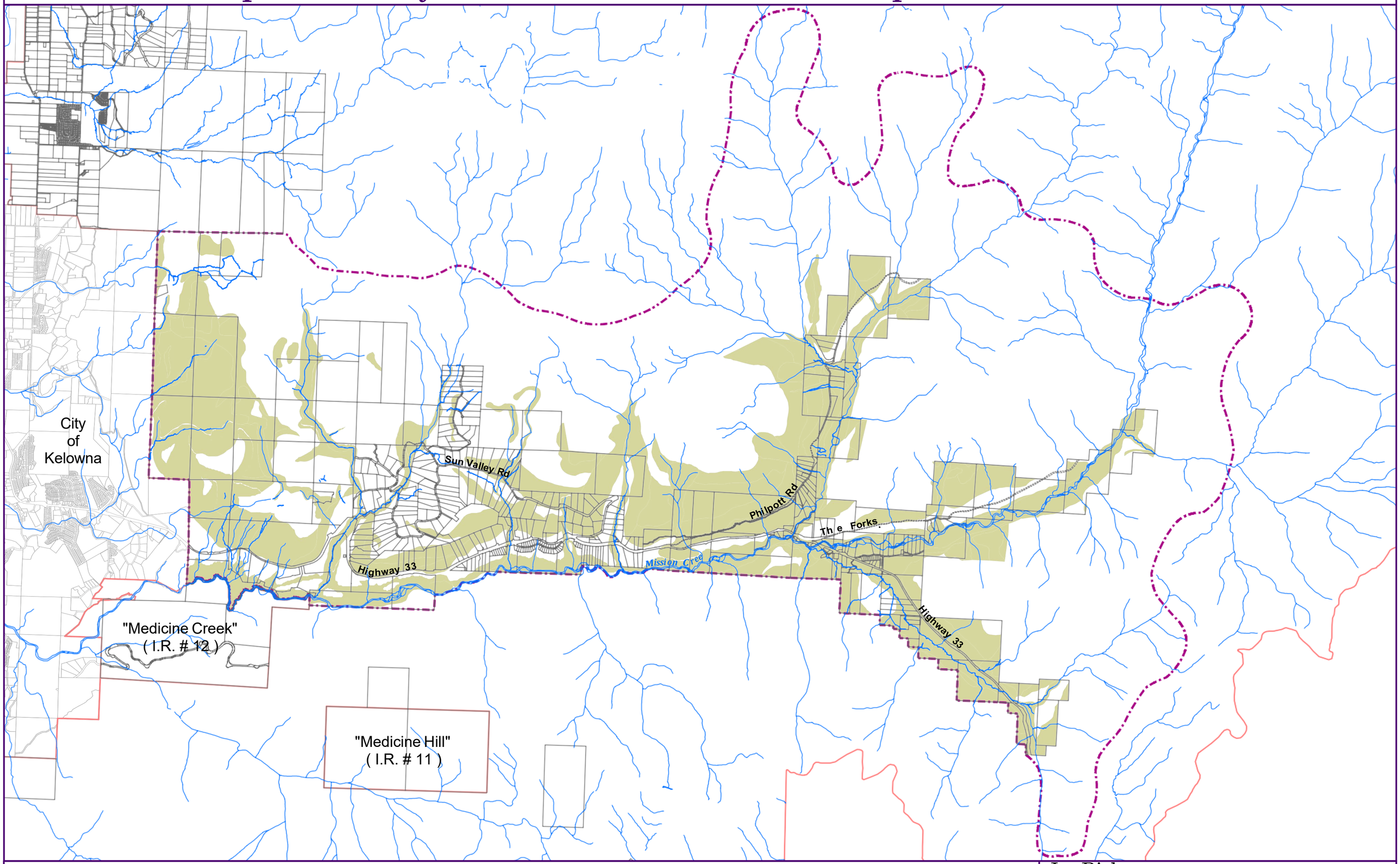
0 1 2 4 6

Kilometres

Joe Rich
Rural Land Use Bylaw
Schedule 'C'
Bylaw No. 1195

REGIONAL DISTRICT of CENTRAL OKANAGAN

Slope Stability and Rural Hillside Development Permit Area



4

Slope Stability & Rural Hillside Development Permit Area

Joe Rich Rural Land Use Bylaw Boundary

Creeks and Streams

Jurisdictional Boundaries

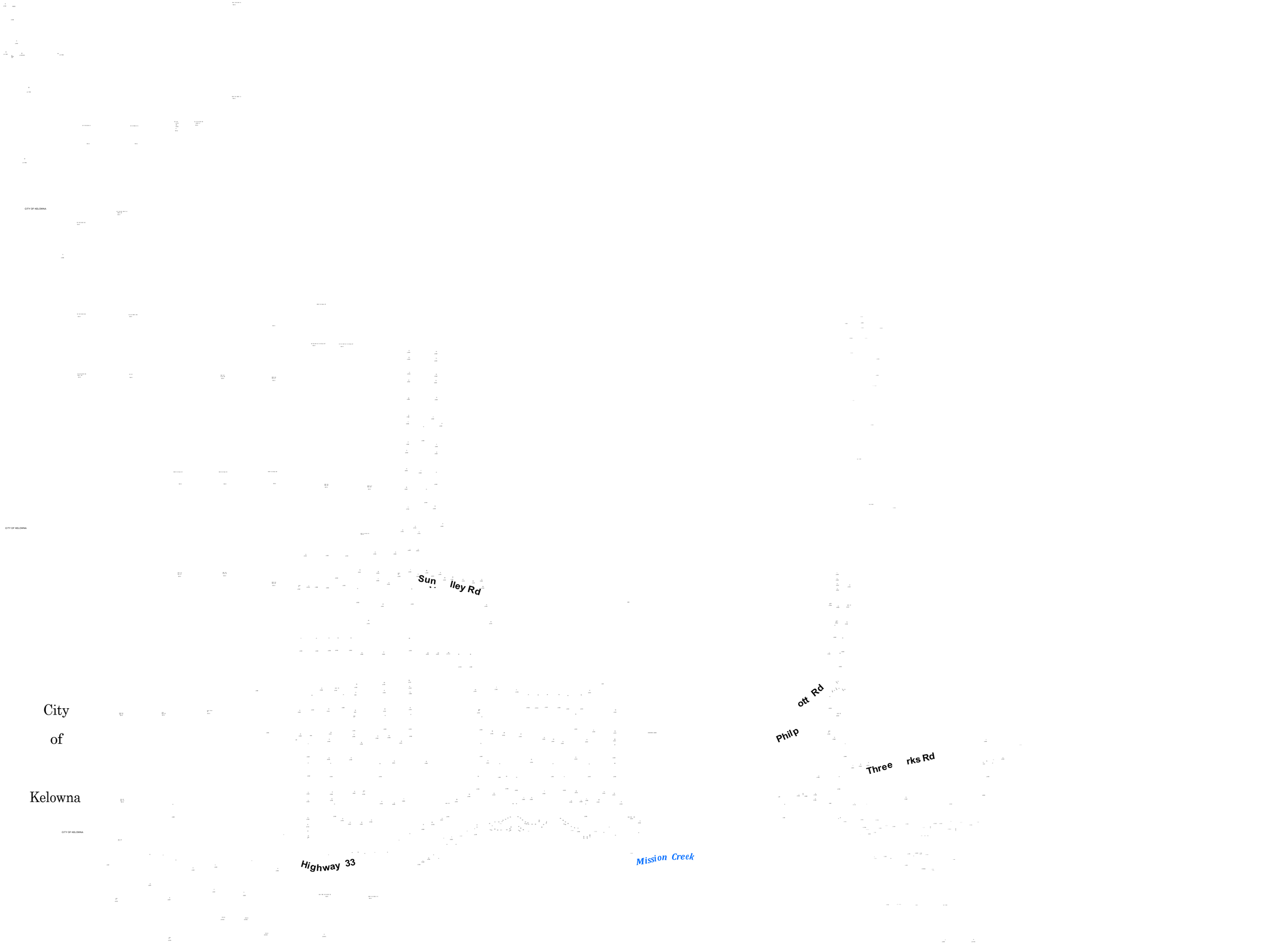
0 1 2 4 6

Kilometres

Joe Rich
Rural Land Use Bylaw
Schedule 'D'
Bylaw No. 1195

RDCO
REGIONAL DISTRICT of CENTRAL OKANAGAN

Wildfire Development Permit Area



Medicine Creek
(I.R.#12)

Medicine Hill
(I.R. # 11)

Highway 33

4

0 1 2 4 6

Kilometres

Joe Rich Rural Land Use Bylaw Boundary

Wild Fire Development Permit Area

Joe Rich Rural
Land Use Bylaw
Schedule 'E'
Bylaw No. 1195

REGIONAL DISTRICT of CENTRAL OKANAGAN

Section 5
Summary of Amendments

Joe Rich
Rural Land Use Bylaw

BYLAW #	DESCRIPTION OF AMENDMENTS	DATE OF ADOPTION
1195-02	Map Change – on part of Lot 2, Plan 18652, District Lot 4084, ODYD, Except Plan KAP50690 from Rural Acreage (RA) to Small Holdings 2 (SH-2). (File: RLUB-08-02)	July 21, 2008
1195-03	Text Amendments & Map Change - on Crown land as shown on Schedule 'C' from Large Holdings (LH) to Park and Open space (P-101) (File: RLUB-09-01)	June 28, 2010
1195-04	Text Amendments (File: RLUB-09-02)	April 18, 2011
1195-06	Text Amendments (includes secondary suite provision) (File: RLUB-12-01)	July 12, 2012
1195-07	Map Change - on Lot 7, Section 14, Township 27, ODYD, Plan 31553 Except Plan KAP48657 from Rural Acreage (RA) to Small Holdings 2 (SH-2). (File: RLUB-12-02)	May 27, 2013
1195-08	Map Change on Lot 2, District Lot 4084, ODYD, Plan 4556 from Country Residential (CR) to Country Residential (CRs) Secondary Suite. (File: RLUB-13-01)	Aug. 26, 2013
1195-09	Text Amendments (includes Medical Marihuana Production Facility regulations) (File: RLUB-13-02)	May 26, 2014
1195-11	Map Change – on Lots 2 and 3, District Lot 3459, ODYD Plan KAP48745 to discharge LUC 199 and amend the Land Use Designation to Rural Acreage (RA) and Small Holdings 2 (SH-2). (File: RLUB-14-02)	April 27, 2015
1195-10	Map Change – on Lot 1, District Lot 3459, ODYD, Plan KAP48745, & that Part District Lot 3459, ODYD, shown on Plan B1081 lying East of Plan H11034 as shown on Plan E13740 to discharge LUC 199 and amend the Land Use Designation to Rural Acreage (RA). Map Change - on Lot 4, District Lots 1479, 3459 & 5126, ODYD Plan KAP48745 to discharge LUC 199 and amend the Land Use Designation to Large Holdings (LH). (File: RLUB-14-01)	April 27, 2016
1195-13	Map Change – on Lot 2, District Lot 2182 ODYD Plan 35452 to amend the Land Use Designation from Country Residential (CR) to Country Residential (CRs) Secondary Suite. (File: RLUB-16-02)	July 25, 2016
1195-14	Map Change – on Lot A, District Lot 4052, ODYD, Plan KAP62177 to amend the Land Use Designation from SH-2 Small Holdings 2 to SH-2s Small Holdings 2 (Secondary Suite). (File: RLUB-16-03)	Aug. 22, 2016
1195-15	Map Change – on the western half of District Lot 5128, ODYD to amend the Land Use Designation from Large Holdings (LH) to Recreation Commercial (C-101). (File: RLUB-17-01).	Aug. 28, 2017
1195-19	Text Amendments (to incorporate cannabis regulations). (File: RLUB-18-01).	Oct. 11, 2018
1195-18	Map Change – on Lot C, Section 26, Township 27, ODYD, Plan KAP53594 Except Plan KAP55472 to amend the Land Use Designation from RA Rural Acreage to RAs Rural Acreage (Secondary Suite). (File: RLUB-18-02)	Aug. 26, 2019
1195-22	Text Amendments (to incorporate changes to Secondary Suite regulations). (File: RLUB-17-02)	Feb. 24, 2020
1195-23	Map Change – on Lot A, Section 14, Township 27, ODYD, Plan EPP35478 to amend the Land Use Designation from Small Holdings 2 (SH-2) Small Holdings 2 (SH-2s) Secondary Suite. (File: RLUB-20-01)	Nov. 23, 2020
1195-24	Map Change – on Lot A, District Lot 4051, ODYD, Plan 34622 to amend the Land Use Designation from Small Holdings 2 (SH-2) Small Holdings 2 (SH-2s) Secondary Suite. (File: RLUB-20-01)	May 31, 2021
1195-26	Map Change – on Lot 2, Sec. 23, Twp. 27, ODYD, Plan KAP77614 to amend the Land Use Designation from RA Rural Acreage to Ras Rural Acreage (Secondary Suite. (RLUB 20-02)	April 25, 2024

1195-29	Map Change – on Lot B, Sec. 23, Twp. 27, ODYD, Plan KAP86835 to amend the Land Use Designation from SH-2 (Small Holdings 2) to SH-2s (Secondary Suite) (RLUB-25-02)	Sept. 18, 2025
1587	Text Amendment – Adding Short Term Rental (STR) accommodation uses in RDCO's Electoral Areas	May 14, 2026
1596	Text Amendment – Permit small-scale mulit-unit housing on lots previously zoned only for single-family or duplex use. (Bill 44)	May 14, 2026