

# THE CORPORATION OF THE TOWNSHIP OF SPALLUMCHEEN

## BYLAW NO. 1570

### **A Bylaw to Adopt an Official Community Plan**

WHEREAS Division 2, Part 26 of the *Local Government Act*, provides that a local government may adopt an Official Community Plan;

AND WHEREAS the said Official Community Plan shall be prepared in accordance with Division 2, Part 26 of the *Local Government Act*;

AND WHEREAS the said Official Community Plan may be expressed in policies, statements, maps or any combination thereof;

AND WHEREAS the Council has caused to be carried out a report outlining the general planning objectives and development policies for the Corporation of the Township of Spallumcheen;

NOW THEREFORE the Council of the Corporation of the Township of Spallumcheen in open meeting assembled, enacts as follows:

1. The Official Community Plan document marked **Schedule A** together with maps forming **Schedule B**, and **Schedule C**, attached to and forming part of this bylaw, are hereby designated as the Official Community Plan of the Corporation of the Township of Spallumcheen.
2. This bylaw may be cited for all purposes as **the “Township of Spallumcheen Official Community Plan Bylaw No. 1570, 2004”**.
3. The “Corporation of the Township of Spallumcheen Official Community Plan Bylaw No. 1447, 1998” and all amendments thereto are hereby repealed.

READ FOR A FIRST TIME this 17<sup>th</sup> day of May, 2004

READ FOR A SECOND TIME this 17<sup>th</sup> day of May, 2004

PUBLIC HEARING HELD on 29<sup>th</sup> day of June, 2004

READ FOR A THIRD TIME this 19<sup>th</sup> day of July, 2004

ADOPTED this 16<sup>th</sup> day of August, 2004

Certified Correct:

Rod Drennan  
Administrator

Will Hansma  
Mayor

**TOWNSHIP OF SPALLUMCHEEN  
OFFICIAL COMMUNITY PLAN**

**BYLAW 1570 – SCHEDULE A**



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**Schedule B** and **Schedule C** are inserted after **Schedule A**

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## **1 COMPONENTS OF THE OFFICIAL COMMUNITY PLAN**

### **1.1 PURPOSE**

The Official Community Plan is a statement of objectives and policies to guide decisions on planning and land use management within the Township of Spallumcheen.

### **1.2 MANDATORY COMPONENTS**

The *Local Government Act* (the Act) lists the required components of Official Community Plans. Mandatory components described in Section 877 of the Act are:

- (a) the approximate location, amount, type and density of proposed commercial, industrial, institutional, agricultural, recreational, public utility, and residential development (required to meet anticipated demand for housing over at least five years);
- (b) the approximate location and area of sand and gravel deposits suitable for future extraction;
- (c) restrictions on the use of land subject to hazardous conditions or that is environmentally sensitive to development;
- (d) approximate location and phasing of any major road, sewer or water systems;
- (e) approximate location and type of present and proposed public facilities such as schools, parks and waste treatment and disposal sites; and
- (f) policies respecting affordable, rental, and special needs housing.

### **1.3 OPTIONAL COMPONENTS**

Optional components which may be addressed in an Official Community Plan are also described in the *Local Government Act* and these include:

- (a) policies relating to social needs, social well-being and social development;
- (b) where there is a Regional Growth Management Strategy, a regional context statement describing how matters addressed in the OCP apply in the regional context;
- (c) policies regarding maintenance and enhancement of farming; and
- (d) policies relating to preservation, protection, restoration and enhancement of the natural environment, its ecosystems and bio-diversity.

A local government may address other matters in an OCP that it considers appropriate. If however, the regulation of a matter is not within the local government's jurisdiction, the OCP may only state the local government's broad objectives with respect to the matter.

### **1.4 COMMUNITY CHARTER AND SIGNIFICANT PROJECTS STREAMLINING ACT**

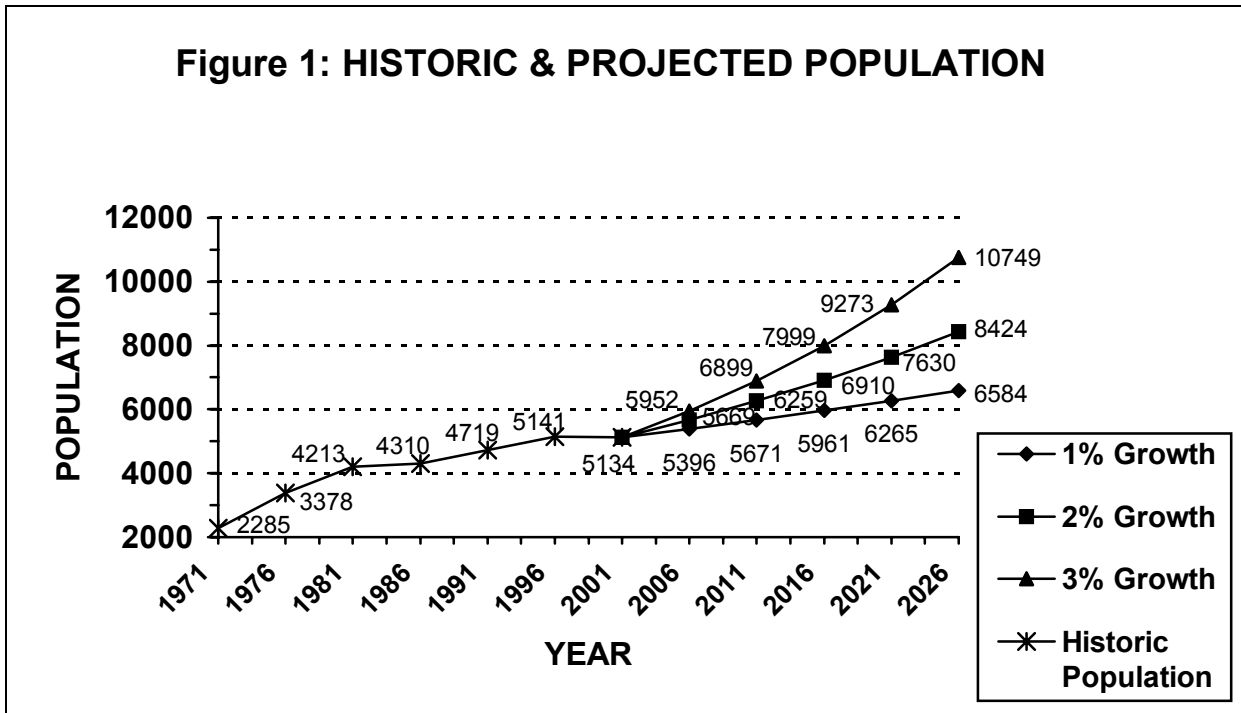
Whereas the Province has provided assurance that the *Community Charter* will recognize local governments as a responsible, accountable and independent order of government, there is concern that Bill 75, the *Significant Projects Streamlining Act*, has the potential to undermine the efforts of local governments to manage their own affairs.

Introduced in November 2003, the *Significant Projects Streamlining Act* authorizes Cabinet to designate particular projects as provincially significant. If so designated, approval of such a project may be fast-tracked by requiring that decisions be made expeditiously and, if deemed necessary, by removing constraints. The proposed legislation allows for any constraints, including local government permits and bylaws, to be overcome and replaced with alternative measures.

The Union of British Columbia Municipalities, representing local governments across the province, has expressed their concerns regarding the *Significant Projects Streamlining Act* and is urging the provincial government to remove local governments from the scope of the legislation.

## 2 POPULATION

According to Statistics Canada, the Township had a population of 5,134 people in 2001, virtually unchanged from the 1996 Census count of 5,141. Overall, Spallumcheen’s population increased by 9% between 1991 and 2001. This represents an average annual increase of just over 1%.



**Figure 1** illustrates historic population data from 1971 to 2001. Projections range from 1% to 3% average annual increases to 2026. Over the next 25 years, population change is likely to fluctuate showing more rapid growth in some years and potential declines in other years.

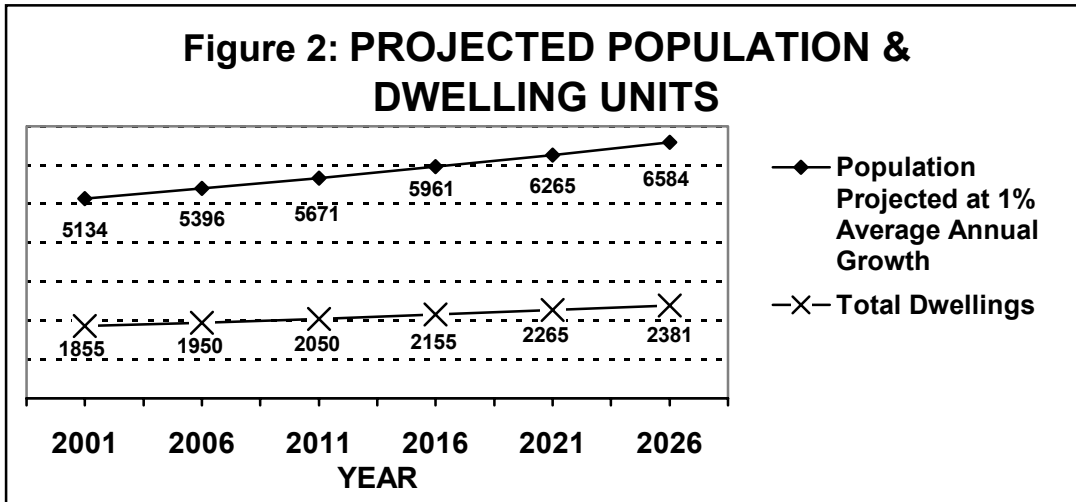
This Official Community Plan anticipates that, over the next decade most new residential development will occur in the nearby jurisdictions of Armstrong, Enderby and Vernon. In this regard, Spallumcheen’s growth rate is expected to continue to average approximately 1% annually over the next five to ten years.

With a population of 5,134 Spallumcheen has an average of 2.76 persons per dwelling, compared to an average of 2.87 persons per dwelling in 1996. The slight decrease in the number of people per dwelling also occurred at both the provincial and national level over the same period.

There were more dwellings in Spallumcheen in 2001 as compared to 1996 despite the virtually unchanged population which indicates, essentially, the same number of people were dispersed among more homes.



As illustrated in **Figure 2**, an average annual growth rate of 1% over the next several years yields a population increase of upwards of 50 people per year. At 2.76 persons per dwelling, approximately 18 to 20 new dwellings would be required each year. According to Census data, there were a total of 1,855 dwellings in Spallumcheen in 2001.



The foregoing calculation is a simplified build-out projection and there are many variables which have not been considered that would influence the actual build-out rate. For example, the calculation does not take into account the potential for some of the population growth to be accommodated on new lots, in secondary dwellings or in multiple family units. Nevertheless, it presents a general idea of how many new dwellings would be required on an annual basis to house an average annual population increase of 1%.

### **3 COMMUNITY GOALS AND OBJECTIVES**

#### **3.1 GOAL**

It is the primary goal of the Township of Spallumcheen to preserve the Township's agricultural land base, the community's rural character and environmental attributes while allowing changes in land use which will not compromise this primary goal.

#### **3.2 OBJECTIVES**

The objectives of the Township of Spallumcheen in the context of this primary goal are as follows.

- (a) To maintain Spallumcheen as a predominantly agricultural and rural community.
- (b) To preserve the unique rural characteristics and significant natural features of the Township.
- (c) To encourage development of recreational trails and parks for the benefit of residents of Spallumcheen, Armstrong and the North Okanagan.
- (d) To provide mechanisms for the protection of the natural environment where appropriate.
- (e) To recognize, support and encourage the conservation of Spallumcheen's heritage resources.
- (f) To support an increased level of economic activity in the agricultural industry by maintaining the present agricultural land base while allowing increased opportunities to diversify economic opportunities for local farmers.
- (g) To provide direction on the location, amount and type of rural development in the context of historic slow to moderate growth rates.
- (h) To encourage industrial expansion within the framework of environmental protection, appropriate servicing standards and the predominantly rural lifestyle of Spallumcheen residents.
- (i) To support regional growth management by generally encouraging residential and commercial developments to locate in existing urban centres in the North Okanagan.

## **4 GENERAL**

The future of Spallumcheen will be shaped by many factors and the Official Community Plan plays a key role in guiding how the community will grow, change, and how valued characteristics will be protected. The background information, goals and objectives set the tone and intent of the Official Community Plan, while the policies guide decision-making.

During the course of preparing this Plan the following policy directions emerged which have broad application to the community as a whole and which reinforce and build-upon policies addressed in other sections.

### **4.1 GENERAL POLICIES**

The Township shall:

- (a) not support the removal of land from the ALR, including lands located between Highway 97A and Eagle Rock Road, unless otherwise specifically identified in this Official Community Plan;
- (b) balance the needs of all citizens with support for regional initiatives to improve air quality;
- (c) prepare to be a disaster resilient community by reviewing the Township's Community Emergency Program and by utilizing planning and implementation tools and information provided by senior government and other sources;
- (d) raise awareness of the risk of wildfire hazards associated with development and recreational activities in forested and wildland interface areas and shall promote methods to minimize the potential for wildfire damage to persons and property;
- (e) review policy options available to the Township to ensure ground and surface water resources are protected from potentially harmful effects of all types of land uses;
- (f) encourage and support initiatives which promote and achieve water conservation;
- (g) continue to support cost-effective, efficient and environmentally sensitive methods of weed control within the Township;
- (h) endeavor to acquire land for active and passive parks, pedestrian and multi-purpose trails, and other public amenity space in conjunction with the property development and subdivision process; and
- (i) not generally support an exemption from the *Local Government Act* requirement for minimum frontage of at least ten percent of the perimeter of the lot where subdivision is being proposed.

## 5 AGRICULTURAL LAND

Agriculture and related businesses contribute substantially to the local and regional economy. The Ministry of Agriculture, Food and Fisheries reports that the industry employs about 19% of Spallumcheen's labour force.

Agriculture is also valued for its contribution to the rural, country lifestyle and scenic qualities enjoyed by both Spallumcheen residents and visitors.

The Interior Provincial Exhibition is a major annual event in the North Okanagan, showcasing the accomplishments of the agricultural community.

### 5.1 GENERAL POLICIES

- (a) The Township supports the Spallumcheen farming community and the on-going cooperation of senior governments, including the Agricultural Land Commission, in their efforts to maintain the viability of farming and the agricultural land base in Spallumcheen.
- (b) Where a non-*Agricultural* property abuts a property which is designated as *Agricultural* and a subdivision or development permit application has been received for the non-*Agricultural* property, an appropriate buffer strip will be established and protected by covenant on the non-*Agricultural* property following the "*Landscape Buffer Specifications*" published by the Agricultural Land Commission. The Township shall also utilize public education, identification of suitable building envelopes, and covenants to further minimize potential for agriculture/non-agricultural land use conflicts;  
and this policy may be employed between non-farm and farm properties generally.
- (c) Land designated as *Agricultural* on map **Schedule B** is intended to be used for agricultural purposes only. All uses and subdivision of Agricultural Land Reserve land, shall be in accordance with the provisions of the *Agricultural Land Commission Act*, [SBC 2002] Chapter 36, regulations thereto or Orders and Policies of the Agricultural Land Commission (throughout this Plan these documents are combined in the reference to the *Agricultural Land Commission Act*).
- (d) As all land surrounding the City of Armstrong is within the Agricultural Land Reserve and designated as *Agricultural* in this Plan, any boundary adjustments or annexations to include these lands into the City of Armstrong are not supported.
- (e) The creation of panhandle lots within the Agricultural Land Reserve is not generally supported because of the withdrawal of land from farm production for a driveway area.
- (f) Agricultural industrial land uses may be permitted on lands designated as *Agricultural* providing these uses are in compliance with the *Agricultural Land Commission Act*.
- (g) Notwithstanding the minimum lot size standards and land use policies cited in this Plan or the Zoning Bylaw, the Township may, after due consideration, not authorize an application to the Agricultural Land Commission if the proposed subdivision or

use would have a negative impact on agricultural land or the farming community even if the proposed subdivision is consistent with these minimum lot size standards or the proposed use is consistent with existing land use policies;

and when considering such an application and where a parcel is zoned other than *Agricultural* in the Township of Spallumcheen Zoning Bylaw and where a parcel is designated as *Agricultural* in this Official Community Plan, the policies of this Plan should take precedence as appropriate.

- (h) The Township shall review regulations for non-ALR parcels within the A.2 zone that do not meet the zone's minimum lot size requirements.
- (i) The Township shall pursue the development of an Agriculture Area Plan and consider preparation of an inventory of Spallumcheen's agricultural operations.
- (j) Agricultural landowners are encouraged to consolidate two or more parcels into a single larger parcel which may be more viable for agricultural purposes and will contribute to conserving the long-term agricultural character of the community.
- (k) The Township supports the continued operation, potential expansion and many benefits of the spray irrigation program.

## 6 RURAL LAND

The community's attractive rural qualities, lifestyle, recreational opportunities, and proximity to larger urban centres, help make Spallumcheen a desirable place to live. The Township, however, is not generally supportive of designating land for additional residential development for the following reasons:

- (a) The Township does not support the transition of viable agricultural land to non-agricultural uses;
- (b) Non-agricultural, rural land is often constrained for development by steep slopes, inadequate roads, and lack of necessary services;
- (c) Residential development on rural lands outside the ALR may restrict their potential use for resource extraction, may interfere with watershed conservation objectives, may be subject to potential wildfire hazard and such areas are typically remote from commercial centres and community facilities;
- (d) Non-farm residents in close proximity to farms often do not appreciate the side effects of normal agricultural operations which, at times, may include noise, odours, and slow vehicles on rural roads; and
- (e) Additional residential development in rural areas may lead to inaccurate expectations that the Township will support subdivision or non-farm use within, or exclusions from, the Agricultural Land Reserve.

### 6.1 GENERAL POLICIES

- (a) To maintain the rural character of Spallumcheen, most lands outside the Agricultural Land Reserve are designated either *Large Holdings*, *Country Residential* or *Small Holdings* as shown on **Schedule B**. The minimum parcel size for lands within these designations shall be:

- i *Large Holdings*: 30.5 ha
- ii *Country Residential*: 2.0 ha
- iii *Small Holdings*: 1.0 ha

In this Official Community Plan, these designations are referred to as *Rural*.

- (b) Lands are designated as *Large Holdings* where such lands are suitable for resource extraction activities, or are situated in remote locations from commercial centres and community amenities, or have road access, infrastructure or servicing problems, or have site specific geographical, geotechnical, or hydrogeological conditions which restrict development.
- (c) Consideration of an application to amend this Official Community Plan to redesignate a parcel from *Large Holdings* to either the *Country Residential* or *Small Holdings* designation, will be guided by, but not necessarily limited to, the following criteria:
  - i the parcel should not include an area that has a high capability for resource land uses (such as gravel extraction or a forestry woodlot) or include a fish-

- bearing watercourse;
  - ii the parcel should be outside the Agricultural Land Reserve;
  - iii the parcel should not be subject to flooding, geotechnical or hydrogeological constraints;
  - iv the parcel should have road access meeting the road standards of the Township of Spallumcheen;
  - v the parcel should have a suitable building site including an area for on-site sewage disposal and be provided with an adequate water supply;
  - vi development which may be facilitated by the proposed redesignation should have minimal negative impact on the rural qualities of the community (i.e. visual impacts, potential noise, increased traffic, impacts on water quality and quantity, vegetation removal or land disturbance); and
  - vii notwithstanding these site-specific considerations, the review of any application for amendment of the Official Community Plan will be guided by the community goals, objectives, policies and guidelines cited in this Official Community Plan.
- (d) Consideration of rezoning applications in a *Rural* area adjacent to Crown lands, will address whether provision of public road access and/or recreational trails through the subject lands to these Crown lands is in the public interest. The review of such applications shall be guided by community objectives and values pertaining, but not necessarily limited, to:
- i access to Crown lands,
  - ii rural recreation opportunities,
  - iii watershed protection,
  - iv wildfire hazard mitigation,
  - v ongoing road/trail maintenance, and
  - vi the Township of Spallumcheen *Trails Master Plan*.
- (e) Clustering of lots in a new subdivision may be permitted to allow smaller lots than the minimum lot size required by bylaw as long as the average area of all parcels in the subdivision is greater than or equal to the minimum; and
- provided that the number of lots in the cluster does not defeat the planning objectives outlined in this Plan. For example, clustering may be permitted where *Natural Areas* (described in this Official Community Plan), significant environmental features, steep slopes or recreational features can be protected from the adverse effects of land development activities or where an opportunity is available to enhance such areas or features for community benefit.

## **6.2 STEPPING STONES ESTATES**

Lands north of the Stepping Stone Estates subdivision are designated as *Small Holdings* as indicated on **Schedule B** in anticipation of a proposal to rezone and subdivide these lands.

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- (a) Prior to consideration of a Zoning Bylaw amendment, and confirmation of the division between the *Agricultural* and *Small Holdings* designations on this parcel, any rezoning application shall include information on the requirements outlined in this Official Community Plan plus details on:
- i an approval from the Greater Vernon Water Utility to extend domestic water services into this area;
  - ii a road design and traffic study to review transportation impacts; and
  - iii approval from the Agricultural Land Commission.

### **6.3 SOUTHEAST SECTOR**

The Southeast Sector of Spallumcheen has particular characteristics that significantly constrain the area's development potential. The Southeast Sector is difficult to access and service due to steep slopes and rocky terrain. Predominantly thin layers of soil over bedrock would prohibit on-site sewage disposal in much of the area and would require blasting to create either municipal roads or private driveways.

- (a) For this Official Community Plan, the Southeast Sector includes those lands situated generally south and east of the Industrial Park, east of Highway 97A, east of the Southeast Highway Corridor area, and bound by the Township boundary on the east and south, as outlined on **Schedule B**.
- (b) The majority of lands in the Southeast Sector are designated *Large Holdings* as indicated on **Schedule B**. Prior to Council's consideration of an amendment to this Official Community Plan or a Zoning Bylaw amendment, all applications shall address requirements outlined elsewhere in this Plan plus details on:
- i the provision of access from the subject lands to:
    - Highway 97A,
    - highway frontage roads, or
    - municipal roads,within the Township of Spallumcheen; and
  - ii an environmental impact report reviewing impacts from existing and proposed on-site sewage disposal systems.
- (c) The Township will not explore road access options into the Southeast Sector unless creation of such access is initiated by a private landowner, to be designed and constructed at the landowner's expense, at which time consideration will be given to road viability, access to lands beyond and the future land use possibilities that such access could make available.
- (d) It is not considered to be in the public interest to subdivide lands in the Southeast Sector where access is provided from roads outside the municipality and in particular, from roads within the Electoral Areas "B" and "C" of the Regional District of North Okanagan.
- (e) Any development in the Southeast Sector is considered only in the long-term and will be required to have road access and infrastructure services provided by the developer in accordance with municipal standards.



## **7 RESIDENTIAL LAND**

Residential development in Spallumcheen consists primarily of single family homes constructed on-site, modular homes or mobile homes. Residential building permits have ranged from 15 to 55 dwelling units per year between 1994 and 2003.

### **7.1 GENERAL POLICIES**

- (a) New residential development is encouraged to be constructed on the current supply of existing, vacant residential parcels.
- (b) Neighbourhoods consisting, predominantly, of small parcels in the Township of Spallumcheen are designated as *Residential* as shown on **Schedule B**.
- (c) Land which is required to meet the majority of housing needs for the Township of Spallumcheen is designated either *Residential*, *Small Holdings* or *Country Residential* in this Plan.
- (d) Notwithstanding 6.1(b), the Township shall consider the potential for additional residential building lots on non-ALR lands adjacent to McLeod subdivision subject to provision of servicing (notably a community sewer system), roads and amenities.
- (e) The Township supports the establishment of secondary suites as permitted by this Plan and the Zoning Bylaw as they are recognized as a form of affordable and rental housing in the community. Except for dwellings within the Residential Mobile Home Park Zone, secondary suites will be allowed in areas designated Residential, Small Holdings, Country Residential, Large Holdings and within areas designated as Agricultural in accordance with the Agricultural Land Commission Act.
- (f) Manufactured homes, including both modular and mobile homes, will be treated equivalent to site-built homes with respect to where they are allowed to be located, and in terms of how they are regulated in the Zoning Bylaw.
- (g) The Township will consider impacts which widening of Highway 97A may have on existing residential neighbourhoods, including mobile home/manufactured home parks.

### **7.2 SECONDARY DWELLINGS**

- (a) The Township's zoning regulations pertaining to secondary single family dwellings (or manufactured homes) shall be reviewed.

### **7.3 SUBDIVISION FOR A RELATIVE**

- (a) The Township reconfirms its current policies regarding subdivision for a relative under Section 946 of the *Local Government Act* for lands inside and outside the ALR.

## **8 INDUSTRIAL LAND**

Spallumcheen's industrial sector employs workers from throughout the region. Manufacturing and construction are strong components of the Spallumcheen economy and 2001 Census data indicates that 590 people, or about 21% of the municipality's labour force, are employed in these two labour force categories.

Although Phase 1 (131 hectares) of Spallumcheen's Industrial Park is nearing capacity, Phase 2 (288 hectares) cannot proceed until the aggregate resource on the site east of Highway 97A is substantially reduced. The Township estimates that this area between Pleasant Valley Road and Eagle Rock Road may have sufficient aggregate resources for extraction to continue for the next 20 to 30 years.

A large proportion of the Industrial Park's Phase 2 area is in the Agricultural Land Reserve although land in this area has only marginal agricultural capability.

The Spallumcheen Industrial Park is not connected to a municipal sanitary sewer system and the area is known to be above an unconfined aquifer that is highly sensitive to development. The Township has concerns about the potential impacts additional industrial development may have on the ground water resource.

The Township is supportive of the development of additional industrial land in the short to medium-term and will consider alternative locations including, but not limited to, lands adjoining Phase 1 of the existing Industrial Park subject to the provision of adequate sanitary sewer and stormwater management.

### **8.1 GENERAL POLICIES**

- (a) Non-polluting, light manufacturing will be preferred as an appropriate type of industrial use in the Township. Lands identified for future and current industrial use are designated as *Industrial* on **Schedule B** and include light industrial, general industrial, agricultural industrial, and soil removal/processing uses.
- (b) Applications to change this Plan to designate a new *Industrial* area, will be subject to consideration of the possibility of noise pollution, unsightly premises which could prevail and the outdoor storage needs of the applicant as well as the pollutants discharged by the industry which should be of such character that they will not adversely affect the water, land or air, either in the short or long term.
- (c) Applications for an *Industrial* designation on **Schedule B**, will be evaluated subject to the following criteria:
  - i the proposed site shall have direct access to a Controlled Access Highway subject to the approval of the Ministry of Transportation. Notwithstanding this requirement, lands may be considered for *Industrial* use, where they do not have access to a Controlled Access Highway, provided that the site has access to a municipal road that is constructed to support the anticipated loads of raw materials and finished products;
  - ii the use should not have an adverse affect on other lands that are located either adjacent to the subject property(s) or adjacent to the highway leading to the subject property(s); and

- iii provision shall be made to achieve adequate screening of the site from adjoining properties and the abutting highway. In this regard a development permit may be required pursuant to the provisions of this Official Community Plan.
- (d) The Township shall consider implementation of a Development Cost Charge Bylaw applicable to industrial and commercial development to assist with paying the capital costs of providing, constructing, altering or expanding sewage, drainage and highway facilities to service, directly or indirectly, the development for which the charge is being imposed.

## **8.2 AGRICULTURAL INDUSTRIAL**

- (a) Agricultural industrial land uses that support local farm production are encouraged to locate on non-ALR land.
- (b) The Agricultural Land Commission has indicated that they may consider agricultural industrial uses, which require a direct relationship with the existing Rogers Foods Ltd., immediately to the east of the Rogers Foods plant.
- (c) Agricultural industrial land uses may be permitted on lands designated as *Agricultural* provided that the lands are of lower agricultural capability, and these uses are in compliance with the *Agricultural Land Commission Act*.

## **8.3 GRAVEL EXTRACTION**

- (a) Sand and gravel deposits suitable for future extraction are designated as *Industrial* east of Highway 97A generally between Hutley Creek and the Eagle Rock Road intersection.
- (b) Land designated *Industrial* and currently being used for aggregate extraction purposes represents a significant future option for concentrated expansion of the manufacturing sector in Spallumcheen. The aggregate extraction site landowners/lease holders are encouraged to make land available for industrial use in the medium-term once the aggregate resource is exhausted on localized sites.
- (c) The base excavation of a gravel site on the east side of Highway 97A should be limited so that the area may be later used for industrial building sites at highway elevation; while recognizing that elevations may extend eastward providing the slopes are compatible with the proposed land development.
- (d) Without sterilizing access to aggregate resources at finished road elevation, gravel extraction sites and quarries should be screened and landscaped along road edges and from adjacent non-industrial uses. Natural vegetation should be retained whenever possible.
- (e) Depleted extraction areas are encouraged to be rehabilitated and used for purposes consistent with Official Community Plan goals, objectives and policies.
- (f) The Township may identify sites of other aggregate deposits within the municipality which may be suitable for future extraction.

## **8.4 SPALLUMCHEEN INDUSTRIAL PARK - PHASE 2**

- (a) The land designated Industrial on the upland terrace north of Hutley Creek and

east of Highway 97A as shown on **Schedule B** is designated primarily for light industrial types of land uses. All industrial rezoning applications will require information on:

- i provision of a major access road which meets the requirements of the Township of Spallumcheen Subdivision Servicing Bylaw and the Ministry of Transportation's requirements for access to Highway 97A;
  - ii the provision of water services as well as on-site or community sewer services; and
  - iii possible environmental impacts related to the proposed industrial operation.
- (b) Notwithstanding designated light industrial land uses for the Spallumcheen Industrial Park - Phase 2, gravel extraction and quarry activities should be permitted to continue in this area and that the extraction site or quarry licensee should endeavor to minimize the potential for conflicts with other land uses.
- (c) The Township of Spallumcheen supports the exclusion of land within the Spallumcheen Industrial Park - Phase 2 from the Agricultural Land Reserve as these lands have only marginal agricultural capability.

## **9 COMMERCIAL LAND**

There is only a small amount of commercial development in Spallumcheen as it has long been the Township's policy to direct new commercial business to more urbanized communities.

### **9.1 GENERAL POLICIES**

- (a) Land for future and current commercial uses is designated as *Commercial* on **Schedule B** and includes highway commercial, tourist commercial, service commercial, agricultural commercial, and recreational commercial uses.
- (b) While existing *Commercial* designations are supported, it is the policy of the Township of Spallumcheen that no additional *Commercial* land uses should be designated except, without having to amend this Official Community Plan, consideration would be given to a rezoning application for:
  - i a neighbourhood commercial use in an *Agricultural, Rural or Residential* area for which there is a local need; or
  - ii a recreation commercial use in an *Agricultural or Rural* area which is in proximity to Crown land recreational opportunities or adjacent to a natural feature such as a lake or stream;except that an application will not be considered in an *Agricultural* area unless the use conforms to the *Agricultural Land Commission Act* or prior approval has been obtained from the Agricultural Land Commission.
- (c) The Township shall consider implementation of a Development Cost Charge Bylaw applicable to industrial and commercial development to assist with paying the capital costs of providing, constructing, altering or expanding sewage, drainage and highway facilities to service, directly or indirectly, the development for which the charge is being imposed.

## **10 HOME-BASED BUSINESSES**

The Township encourages entrepreneurial innovation and economic opportunities represented by home occupations. A review of current home occupation issues and regulations will help to ensure that home-based businesses continue to co-exist compatibly with their residential and agricultural neighbours.

There are a wide variety of types and sizes of home occupations in Spallumcheen. A successful home-based business may out-grow the limitations of space or maximum number of employees allowed under the applicable zoning. There may come a time when a home-based business needs to relocate to a more appropriate location with commercial or industrial zoning.

### **10.1 GENERAL POLICIES**

- (a) Home-based businesses, including bed and breakfast operations, may be permitted in all Agricultural, Residential, and Rural designated areas, subject to meeting all requirements of the Zoning Bylaw and the Agricultural Land Commission.
- (b) Zoning regulations shall be reviewed with consideration given to the size and types of business considered suitable for home occupations including provisions for employees and other matters.
- (c) The Township shall consider the implementation of a municipal business licensing system.
- (d) The interests of property owners neighbouring a home-based business must be protected in order that current and future residents and landowners may maintain the continued peaceful enjoyment of their private property within the established rural character of the community.

## **11 COMMUNITY USES, PARKS AND TRAILS**

A number of recreational facilities are administered by the Armstrong – Spallumcheen Parks and Recreation Commission. The facilities are located within the City of Armstrong but are jointly owned, funded and utilized by Spallumcheen residents.

Hiking, walking, horseback riding, wildlife viewing, bird watching and nature appreciation are pastimes enjoyed by many Spallumcheen residents. A series of trails on Crown land and rights of way provide public access to various viewpoints, ponds and wetlands in the community.

Mount Rose Swanson is the most extensively used hiking area in the Township and is a destination for hikers from around the region. Situated in the western sector of the community, Mount Rose Swanson was declared a “designated recreation area” by the Ministry of Forests and in 1967 it was named as the area’s Centennial Trail. Hikers access the trailhead at Chamberlaine Road where a variety of routes take them to a viewpoint with a panoramic vista of the valley.

### **11.1 COMMUNITY USES**

- (a) Utility, assembly and civic uses shall be permitted in the Township of Spallumcheen except as restricted by the Zoning Bylaw or the *Agricultural Land Commission Act*.

### **11.2 PARKS AND RECREATION AREAS**

- (a) The parkland standard of 4 hectares per 1000 population is supported, as outlined in the *"Parks and Recreation Master Plan"* of the Armstrong-Spallumcheen Parks and Recreation Commission.
- (b) The joint usage of school and neighbourhood park sites between the Armstrong-Spallumcheen Parks and Recreation Commission and School District No. 83 is supported by the Township.
- (c) Any effort by the provincial government to enhance, improve and extend recreational facilities on Crown lands is encouraged when such initiatives could provide a diverse range of recreational experiences, particularly near settlement areas, provided that sensitive areas of the Township’s watershed are protected from potentially negative impacts of human activities.
- (d) The Township has prepared Official Community Plan policies and designations, in accordance with provisions of the *Local Government Act*, respecting the location and type of future parks and trails, as part of **Schedule A**, and **Schedule B** of this Official Community Plan such that the Township’s Approving Officer may determine whether a landowner undertaking a qualifying subdivision shall provide land for park or ‘cash-in-lieu’ of land for park purposes.
- (e) The Township will pursue the establishment of an interpretive forestry trail at Mount Rose Swanson and will explore options to obtain “park” status for the area with the objective of securing adequate funding and other resources to maintain Mount Rose Swanson for future public use and to preserve its natural qualities.

### **11.3 TRAILS**

- (a) Consideration will be given to the provision of roads, parks and recreational opportunities, potential pathways including but not limited to the *Trails Master Plan* and potential access to Crown lands when processing Official Community Plan amendments, rezoning applications and subdivision applications in the Township.
- (b) The use of existing trails is supported and the Township shall carefully consider and encourage the development of new trails by volunteers, in areas such as the Thomas Hayes Ecological Reserve and Mount Rose Swanson.
- (c) The development of public road rights-of-way for pedestrian trails and other non-motorized use, is supported with the understanding that:
  - i the Township assumes no responsibility for the construction or maintenance of trails; and
  - ii trail development does not preclude the Township from developing a road at a future date.
- (d) Any effort by the Provincial government to identify, restore and manage locally significant trails on Crown lands in the Spallumcheen area is supported by the Township.
- (e) The Township shall establish policies and implement priorities in accordance with the *Trails Master Plan*.
- (f) The Township will consult with the Agricultural Land Commission about route planning for rural trails through the ALR.



## **12 ENVIRONMENTAL FEATURES**

The protection of natural areas within the community for recreation, preservation of wildlife habitat and enjoyment of the rural lifestyle is a high priority of the Township.

### **12.1 NATURAL AREAS**

- (a) The following locations within the Plan area as generally identified on **Schedule B**, are defined as *Natural Areas* which are environmentally sensitive to development and the Township will have due regard for the significance of these locations when considering land development proposals within their general vicinity:
  - i Quilakwa Ridge east of Highway 97A near the north boundary of Spallumcheen;
  - ii Otter Lake;
  - iii St. Anne's Pond near the historic O'Keefe Ranch;
  - iv Eagle Rock;
  - v Viewpoint at highest elevation of Rashdale Road;
  - vi "Little Great Divide" at Fortune Creek; and
  - vii Deep Creek ravines.
- (b) The deeper forested gullies in the Township are considered significant Natural Features and development within these gullies is not supported.
- (c) The Ministry of Water, Land and Air Protection, has identified that the Shuswap River, Fortune Creek, Maid Creek and Deep Creek are important fish-bearing watercourses with known fisheries distribution and/or special fisheries habitats.
- (d) The protection of the natural characteristics of streams, their banks and adjacent vegetation is encouraged.
- (e) The need to conduct an inventory of natural features and habitats in the Township which are environmentally sensitive to development or are regionally significant features is reaffirmed by the Township; and  
the inventory shall include guidelines or criteria, which may be included in the Official Community Plan, intended for the reference of development proponents, Township staff and Council in the consideration of development applications or activities proposed in the vicinity of inventoried natural features and habitats.
- (f) Additional *Natural Areas* may be identified from time to time as new information becomes available.
- (g) The Township supports the protection of natural areas in general within the community for public recreation, preservation of wildlife habitat and for their contribution to rural aesthetics.
- (h) The Township will consider the requirements of the recently enacted *Species at Risk* federal legislation when evaluating land use applications which may impact wildlife habitat.

## **12.2 ROADSIDE BRUSHING**

- (a) It is acknowledged that hedgerows exist along road rights-of-way, and that clearing and/or removal of vegetation or terrain regrading is necessary:
  - i to eliminate a hazard or for weed control;
  - ii to protect safe vehicle sight-lines and to ensure adequate areas for vehicle and pedestrian movements;
  - iii to allow free movement of water; and
  - iv to protect the integrity of public works.

## **13 HERITAGE CONSERVATION**

Spallumcheen has a rich community heritage. Locations such as the original Lansdowne townsite, Lansdowne cemetery, and O’Keefe Ranch have history which is significant to the community and region. The rural landscape of Spallumcheen is enhanced by a number of vintage farmhouses and barns. Whether the heritage resource is a key part of local history or simply a reminder of times past, conservation of heritage features contributes positively to the character and ambiance of the community.

### **13.1 GENERAL POLICIES**

- (a) The Township appreciates the importance of Spallumcheen’s heritage resources including the sites, artifacts, language, cultural values and traditions of Native and non-Native peoples residing in the area (both pre and post European contact) and will seek to integrate heritage conservation and awareness into day-to-day activities and may acknowledge sites and resources for their heritage value.
- (b) Pursuant to the *Local Government Act*, the Township supports establishment of a Community Heritage Register for purposes of identifying potential heritage properties within Spallumcheen.
- (c) The particular vulnerability of heritage resources currently located within the Agricultural Land Reserve is recognized and the Township will cooperate with the Agricultural Land Commission to protect these resources through designation or other mechanisms.
- (d) If the Township decides to establish a Heritage Advisory Committee, it will consult with local First Nations and other community representatives to develop the terms of reference for this Committee to advise Council on the heritage resources in the Township of Spallumcheen.
- (e) Requests from property owners seeking heritage protection for their property will be reviewed by the Township and when considering a heritage protection request, decision-making will be guided by the following policies:
  - i pursuant to the *Local Government Act*, a Heritage Designation may be applied to real property for the protection of heritage resources;
  - ii voluntary heritage designation will be emphasized;
  - iii a request for a Heritage Designation may only be supported if accompanied by a statement from the property owner which confirms that compensation will not be required;
  - iv a Conservation Covenant may be required for buildings with established heritage value;
  - v the Township may enter into a Heritage Revitalization Agreement with a property owner for the preservation of heritage resources; and
  - vi where a Heritage Designation, Conservation Covenant or Heritage

Revitalization Agreement is being considered, guidelines may be prepared by the Township regarding the issuance of a Heritage Alteration Permit.

- (f) Without having to amend this Plan, the Township will consider any rezoning application for a *Special Use Zone* on a property to accommodate and regulate heritage attractions in association with existing heritage resources on the property, which application may or may not be approved.

## **14 ROAD NETWORK**

With the enactment of the *Community Charter* at the end of 2003, municipalities across British Columbia have had to adjust to changes in authority and accountability. Of particular relevance to the Township's responsibilities related to roads is a provision of Part 3 of the *Community Charter* which gives a municipality ownership of most roadways within its boundaries. While provincial highways will remain under the jurisdiction of the province, the real property associated with other highways is now owned by the municipality. Along with ownership come other important responsibilities pertaining to:

- the ability to authorize a license of occupation, easement, or encroachment in respect of a municipal highway;
- closure of highways and transfer of title of the land without application for a Crown grant;
- broad authority to regulate highways as a municipal service;
- authority to regulate and prohibit use of highways;
- restrictions on common law right of passage by public over a highway; and
- agreements designed to exempt persons, in exchange for compensation, from a bylaw that regulates or prohibits extraordinary traffic on municipal highways.

### **14.1 GENERAL POLICIES**

- (a) The Township of Spallumcheen will update its Road Network Plan and will consider, as part of the Plan, the widening of pavement on either side of the road and/or including a shoulder/pathway to accommodate non-vehicular users such as pedestrians, horseback riders, slow moving farm vehicles, and bicyclists on appropriate roads.
- (b) When future roads are planned on properties within the Agricultural Land Reserve, the process to finding a safe, minimum-impact route to fill a road network gap would at least, involve consultation with the farm community, affected landowners and the Agricultural Land Commission.
- (c) In accordance with the *Agricultural Land Reserve Subdivision and Procedure Regulation*, the following shall be permitted in the Agricultural Land Reserve:
  - i dedication or upgrading of an existing road with vehicular access and use declared to be a public highway under Section 4 of the *Highway Act*;
  - ii road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use; and
  - iii if the widening or works does not result in an overall right of way width of more than 24 metres, widening of an existing constructed road right of way shall be permitted for safety or maintenance purposes, or drainage or flood control works.
- (d) Where a lesser amount of road is required to be dedicated than is otherwise

required pursuant to the standards of this Plan and the Subdivision Servicing Bylaw, then the Approving Officer may require a Covenant to be registered to prohibit any buildings or structures within an area, measured from the existing mean road centreline, equal to the distance of the road widening that would otherwise be required to be dedicated plus the required front or exterior side yard setback of the applicable zone, all as a Condition Precedent for subdivision approval.

- (e) It is recognized that current rural road standards have to be upgraded to meet the needs and expectations of the community.
- (f) Where possible, the Township of Spallumcheen will acquire, as public right of way, roads that are currently not dedicated as such, but used by the public.

## **14.2 CONTROLLED ACCESS HIGHWAYS**

- (a) Highway 97 and 97A are designated as *Controlled Access Highways* through the Township of Spallumcheen and the policies of the Township of Spallumcheen respecting these highways are as follows:
  - i the function of *Controlled Access Highways* as Provincial highways serving inter-regional travel needs, will be maintained by restricting access points and ensuring that the development of adjacent land does not adversely affect the function of these highways;
  - ii the right of way requirement for any sector of a *Controlled Access Highway* will be established upon review by the Ministry of Transportation;
  - iii proposed amendments to this Plan, rezoning applications within 800 metres of, and subdivision applications fronting on a *Controlled Access Highway* shall be referred to the Ministry of Transportation to determine their requirements;
  - iv a road dedication, road reserve covenant or other consideration as appropriate may be required as a Condition Precedent for application approval; and
  - v the Township supports the planned upgrading of Highway 97A north of Riverside Forest Products to include safe, efficient access for vehicles entering and exiting the Industrial Park.

## **14.3 MAJOR ROADS**

- (a) Pleasant Valley Road and Salmon River Road are designated as *Major Roads* through the Township of Spallumcheen and policies respecting these roads are as follows:
  - i *Major Roads* shall be dedicated or protected from encroachment of buildings and structures to a maximum width of 25 metres;
  - ii the maximum road dedication that will be required for an existing *Major Road* on lands outside the Agricultural Land Reserve shall be 12.5 metres measured from the existing mean road centreline; and
  - iii for the additional (future) road right of way width of 2.5 metres, the Approving

Officer may require a Covenant to be registered to prohibit any buildings or structures over the 2.5 metre area plus the required front or exterior side yard setback of the applicable zone, all as a Condition Precedent for subdivision approval.

#### **14.4 LOCAL ROADS**

- (a) Roads within the Township of Spallumcheen which are maintained by the Township and not designated a *Controlled Access Highway* or a *Major Road*, are hereby designated as *Local Roads*.
- (b) *Local Roads* shall be dedicated or protected from encroachment of buildings in accordance with the Spallumcheen Subdivision Servicing Bylaw but in no case shall the width of the road be less than 20 metres.
- (c) It is recognized that in some instances a *Local Road* intersection with a *Controlled Access Highway* may have to be abandoned and the Township will only consider supporting such an initiative by the Ministry of Transportation where an appropriate alternative route has been identified and constructed as necessary and approval has been obtained from the Agricultural Land Commission as may be appropriate.
- (d) Certain road linkages and new routes are needed to complete an effective *Local Road* network in Spallumcheen and the following routes are hereby designated as a *Future Local Road*:
  - i Subject to approval of the Agricultural Land Commission, a *Future Local Road* connection from the McLeod Subdivision area (Springview Place) across Fortune Creek to Powerhouse Road;
  - ii Subject to approval of the Agricultural Land Commission, a *Future Local Road* connection between Powerhouse Road and Eagle Rock Road; and
  - iii A system of *Future Local Roads* which would function as a frontage roads for properties along Highway 97A from the Swan Lake interchange north to Eagle Rock Road.

## **15 UTILITY SERVICES**

Water, sanitary sewer, and storm water management infrastructure are critical elements to be considered in the planning for Spallumcheen's future. The availability of these services, current condition and their potential for expansion will influence the location, scale and type of new development in the community.

The Township's Liquid Waste Management Plan identifies the need for a community wastewater collection and treatment system to service existing and planned development of the Industrial Park.

Solid waste management is a function of the Regional District which is implemented in accordance with an approved Solid Waste Management Plan. To uphold objectives to minimize the volume of waste disposed of at regional landfills, the Township of Spallumcheen endorses efforts to reduce, re-use and recycle.

### **15.1 WATER**

- (a) Preparation of the *Master Water Plan*, for which the Township has received provincial government funding, shall be initiated. The Plan is intended to identify new well sites, reservoir locations and distribution system requirements in an effort to plan for water distribution throughout the municipality, and may also consider watershed and streamside protection.
- (b) Water conservation is supported and the initiative to install domestic water meters throughout the Township shall be continued. The installation of water meters in those water improvement districts and specified areas which have not yet completed the task is strongly encouraged.
- (c) The Township shall actively lobby provincial authorities to regulate the use of ground water.
- (d) The Township shall cooperate with the local water improvement districts to protect the Eagle Rock Aquifer.
- (e) The Township shall continue to require an environmental impact assessment in conjunction with applications or referrals for development or other activities which may impact an aquifer or surface water source utilized by a local water utility in order to ascertain the possible extent and severity on the impacts.
- (f) Any application from the Board of Trustees of an incorporated Water Improvement District seeking dissolution and to transfer all assets and liabilities to a Specified Area will be reviewed in accordance with the Township of Spallumcheen water improvement district dissolution policy.
- (g) Where the Township has received an application to establish a Specified Area as outlined in this Section and where the Township considers that inappropriate costs or excessive administrative or engineering encumbrances would be imposed on the Township of Spallumcheen or the property owners in the proposed Specified Area, the application may be refused.
- (h) Where surface waters are used for a local utility; and where these surface waters



directly emanate from a watershed within a Provincial Forest; and where the water intake is in close proximity to this Provincial Forest; then in these circumstances it is the policy of the Township of Spallumcheen that local communities should have an opportunity to provide comment prior to any use or activity being approved.

- (i) Where harvesting plans include an area of a community watershed as noted above, it is the policy of the Township that logging should not occur unless safe drinking water quality standards can be maintained and the possibility of slope failure or flooding as a result of timber harvesting and logging practices has been evaluated and addressed.
- (j) The Township shall actively pursue the protection of the watershed to the east of the municipal boundary through discussion with the Ministry of Sustainable Resource Management and Ministry of Community, Aboriginal and Women's Services for a boundary extension to encompass said lands beginning in 2004.
- (k) The importance of the Fortune Creek watershed for the City of Armstrong Water Utility is recognized and the Township will assist the City of Armstrong where possible to maintain the high water quality in the watershed.
- (l) Responsible stewardship and protection of all stream corridors within the Township is encouraged recognizing the importance of water quality to the health of fish and other wildlife as well as human populations.

## **15.2 LIQUID WASTE MANAGEMENT**

- (a) The Township does not support the creation of new lots of less than 1.0 hectare which are proposed to be serviced by septic disposal systems in recognition that the province has repeatedly cautioned local governments in British Columbia that such approvals threaten a community's eligibility for senior government grants for community sewer infrastructure. Legitimate homesite severance subdivisions which are approved by the Agricultural Land Commission may be exempt from this policy.
- (b) It is the policy of the Township of Spallumcheen that when considering a rezoning or subdivision application, that sewage effluent absorption field lengths should follow the septic tank standard for both package treatment plant systems or conventional septic tank systems and any relaxation of standard disposal field site selection criteria is not supported.
- (c) The Township reaffirms its intention to pursue the possibility of a community wastewater system to service the existing Spallumcheen Industrial Park which could entail connection to the Armstrong Sewer Utility or an independent treatment facility. The Township recognizes that servicing the Industrial Park or other areas with waste water treatment systems would be of benefit to agriculture if such servicing enables increased volumes of reclaimed water to be utilized for irrigation. The Township continues to explore servicing options, cost reduction strategies, and may undertake further study as a follow-up to the Liquid Waste Management Plan.
- (d) The Township of Spallumcheen will cooperate with North Okanagan Regional District to identify means to dispose of septage material after December 31, 2004 when the City of Vernon stops accepting the holding tank waste at its wastewater

treatment facility.

- (e) The Township will continue to monitor policy changes at the provincial government level which may affect ground disposal methods.

### **15.3 SOLID WASTE**

- (a) Reduction, reuse, and recycling of solid waste and any other regional approaches to solid waste management are encouraged by the Township of Spallumcheen.
- (b) The Township shall cooperate with other municipalities and the regional district to determine the feasibility and a potential site for a regional composting facility.

### **15.4 STORM WATER MANAGEMENT**

- (a) The Township shall integrate storm water management practices with stream corridor, water quality, and other riparian area protection strategies.
- (b) The Township shall consider appropriate methods to reduce the area of impervious surfaces such as by maximizing the potential for public open space and landscaped areas to function as rain water catchment areas, provided that, such management techniques will not negatively impact groundwater quantity or quality.
- (c) Landowners are encouraged to ensure that natural drainage patterns are not disrupted, erosion is not exacerbated, and sedimentation of streams is not increased as a result of storm water control, excavation, site grading or placement of fill.
- (d) The Township encourages compliance with “Best Management Practices” for stormwater for all land use and development activities that may affect the quality, quantity and flow rate of stormwater run-off.

## **16 DEVELOPMENT PERMIT SYSTEM**

### **16.1 COMMERCIAL DEVELOPMENT PERMIT AREA**

#### **.1 Authorization**

The Commercial Development Permit Area is designated pursuant to *Local Government Act* Section 919.1(1)(f): establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

#### **.2 Designated Area**

All properties designated as *Commercial* on **Schedule B** of this Official Community Plan are designated a Commercial Development Permit Area.

#### **.3 Justification**

Properties designated as a Commercial Development Permit Area are located in high traffic areas where they are readily visible and easily accessible to their customers and clientele. These commercial developments are primarily oriented to the motor vehicle traveling consumer and are a visually prominent form of development along the highway corridors.

#### **.4 Objectives**

The objectives of designating the Commercial Development Permit Area are:

- (a) to protect and enhance the visual setting of the Spallumcheen Valley and provide for the integration of new commercial development into this setting;
- (b) to address matters related to overall form and character of commercial development including components such as buildings, landscaping, storm drainage, parking, loading, site access, vehicular and pedestrian movement, lighting, and screening;
- (c) to achieve commercial development which is aesthetically appealing, appropriately integrated into its surroundings, functional, and designed for the safe and convenient movement of vehicles and pedestrians on the site; and
- (d) to present a positive image of Spallumcheen's highway commercial environment to residents, visitors and highway travelers.

#### **.5 Commercial Development Permit Guidelines**

The following guidelines shall be considered for all commercial development within a Commercial Development Permit Area:

##### **Submission Information**

- (a) As part of each Development Permit application, a site plan shall be provided which shall be drawn to scale and include footprints of all existing and proposed buildings, natural features, parking, loading, driveway and walkway areas, existing and proposed plantings including common and botanical names, quantity, height and size, size and location of berms, fencing, signs, garbage

receptacles, a plan of the irrigation system, location of overhead and underground utilities, property lines, easements, rights of way, drainage storage and/or retention areas, and direction of drainage and catchment systems.

- (b) Elevation plans shall be provided which show each façade of the building(s) and include information on exterior finish, architectural details, roofing materials and colours.
- (c) A report, certified by a Professional Engineer, registered in the province of British Columbia, shall be provided which describes how storm drainage will be managed on the site including collection, retention and disposal to a suitable system of dry-wells or other systems which shall be designed, inspected and certified as-built by a Registered Professional Engineer.

#### **Site Design**

- (d) Driveway accesses should be located as far as possible from intersections.
- (e) Parking lot layouts should facilitate safe and convenient movement to, from and within, the site.
- (f) Exterior lighting and illuminated signs should be oriented so as not to create a direct glare on neighbouring buildings, properties or public roads.
- (g) Freestanding signs should be integrated into a landscaped node.
- (h) Outdoor employee amenity areas, with features such as benches and tables, are encouraged.
- (i) Consider public and employee safety in the overall design of the development site.
- (j) Rear access to businesses should be provided from rear parking areas.
- (k) All parking, vehicular movement and pedestrian areas should be paved and well lit.

#### **Form and Character**

- (l) Buildings should be designed so that visual interest is provided at pedestrian/motorist level. This may be achieved through the provision of architectural components such as doors and windows, and variations in the plane, texture and/or colour of exterior walls facing walkways and vehicular routes.
- (m) An exterior finish of high quality wood, brick, stone, rough face concrete block, stucco or siding, in natural, earth tone colours is encouraged.
- (n) Buildings on corner sites or with double road frontage should be designed in recognition of their visibility from each road and should present a continuity of design, colours, design details, materials, exterior finish and landscaping on all facades facing a public right of way.
- (o) Canopies and awnings are encouraged as a means to provide weather protection, and add visual interest to building exteriors.
- (p) The siting and enclosure of areas for the collection of refuse and recyclable materials should be coordinated with the overall design of the development. The enclosure structure should be constructed and finished to the same quality

as the principal building.

- (q) Varied rooflines are encouraged and long, flat facades should be avoided wherever possible. Rooftop and wall-mounted mechanical equipment shall be screened from view by the inherent form of the roof or by purpose-built structures constructed from durable, all-weather materials.
- (r) Main entrances should be designed to be visually prominent and this may be accomplished through the use of entry porticos, deep roofline overhangs, parapets, awnings, porches, or other features.

#### **Landscaping**

- (s) Landscaping shall be provided and maintained for all commercial developments and should include a combination of grasses, trees and shrubs, provided at the edges of buildings, between buildings and parking areas, within larger parking areas (i.e. more than 20 stalls), at site entrances, between parking areas and public roadways, and as a means to screen outdoor storage areas and waste disposal containers.
- (t) For traffic safety reasons, landscaping should not obstruct sight distances at intersections or driveways.
- (u) The form and character of landscaping should include the following:
  - i a minimum 3.0 metre wide landscape area along road frontages;
  - ii the retention of existing significant trees where possible;
  - iii new plant materials should be suitable for site specific climate conditions and should include native plants appropriate to xeriscape (drought resistant, low water usage) landscape schemes;
  - iv topsoil depths should be 100mm for grass areas, 250mm for shrub areas and 400mm for tree areas;
  - v new trees within the landscaped area should have a minimum of 60mm diameter caliper and should be planted parallel to the property line at approximately 10 metre centres;
  - vi clusters of shrubs should be planted between the new trees as noted above and these shrubs should have a density to allow 100% coverage within these clusters at maturity and drought tolerant grasses or rock mulch should be established in the remainder of the landscaped area;
  - vii within parking areas, one tree should be planted in the parking area for every 20 parking spaces and appropriately protected from vehicle damage; and
  - viii foundation plantings of shrubs and groundcovers should be established along pedestrian areas around buildings.
- (v) Landscaping shall be protected from pedestrian, vehicular and equipment damage through the use of curbs, low walls or fencing, bollards or other installations.

## **16.2 INDUSTRIAL DEVELOPMENT PERMIT AREA**

### **.1 Authorization**

The Industrial Development Permit Area is designated pursuant to *Local Government Act* Section 919.1(1)(f): establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

### **.2 Designated Area**

All properties designated as *Industrial* on **Schedule B** of this Official Community Plan are designated an Industrial Development Permit Area.

### **.3 Justification**

Properties designated as an Industrial Development Permit Area are located in high traffic areas where they are readily visible and easily accessible to their customers, clientele, suppliers and distributors. Industrial developments are primarily oriented to vehicular traffic and are a visually prominent form of development along the highway corridors.

### **.4 Objectives**

The objectives of designating the Industrial Development Permit Area are:

- (a) to protect and enhance the visual setting of the Spallumcheen Valley and provide for the integration of new industrial development into this setting;
- (b) to address matters related to overall form and character of industrial development including components such as buildings, landscaping, storm drainage, parking, loading, site access, vehicular and pedestrian movement, lighting, and screening;
- (c) to achieve industrial development which demonstrates attention to aesthetic objectives, is appropriately integrated into its surroundings, functional, and designed for the safe and convenient movement of vehicles and pedestrians on the site; and
- (d) to present a positive image of Spallumcheen's industrial sector to residents, visitors and highway travelers.

### **.5 Industrial Development Permit Guidelines**

The following guidelines shall be considered for all industrial development within an Industrial Development Permit Area:

#### **Submission Information**

- (a) As part of each Development Permit application, a site plan shall be provided which shall be drawn to scale and include footprints of all existing and proposed buildings, natural features, parking, loading, driveway and walkway areas, existing and proposed plantings including common and botanical names, quantity, height and size, size and location of berms, fencing, signs, garbage receptacles, a plan of the irrigation system, location of overhead and

underground utilities, property lines, easements, rights of way, drainage storage and/or retention areas, and direction of drainage and catchment systems.

- (b) Elevation plans shall be provided which show each façade of the building(s) and include information on exterior finish, architectural details, roofing material and colours.
- (c) A report, certified by a Professional Engineer, registered in the province of British Columbia, shall be provided which describes how storm drainage will be managed on the site including collection, retention and disposal to a suitable system of dry-wells or other systems which shall be designed, inspected and certified as-built by a Registered Professional Engineer.

#### **Site Design**

- (d) Driveway accesses should be located as far as possible from intersections.
- (e) Access to and from parking and loading areas must not impede traffic flows on public roadways.
- (f) Site layouts should facilitate safe and convenient movement to, from and within, the site.
- (g) All parking, vehicular movement and pedestrian areas should be paved and well lit.
- (h) Outdoor employee amenity areas, with features such as benches and tables, are encouraged.
- (i) Lighting and illuminated signage shall be oriented so as not to create a direct glare on neighbouring buildings, residential areas or public roads.

#### **Form and Character**

- (j) Buildings on corner sites or with double road frontage should be designed to acknowledge the building's visibility from each street through continuity of design, colour, materials, exterior finish, and landscaping.
- (k) Parking, outdoor storage, manufacturing and assembly areas, garbage bins, or loading/unloading areas should be visually screened by landscaping from adjacent residential areas, and public roadways.
- (l) For multi-tenant buildings, or multi-building sites, all lettering on signs shall be compatible in size, colour and style and all logos shall be of similar size.
- (m) For light industrial development, large areas of building walls shall be articulated by a combination of windows, entry features, building materials, textures, architectural features and landscaping.
- (n) For light industrial development, varied rooflines are encouraged and long, flat facades should be avoided wherever possible.
- (o) For heavy industrial development, building components housing publicly accessible office and/or customer service areas are encouraged to incorporate architectural details such as windows, entry features, distinctive rooflines and exterior finish materials which distinguish such areas from more utilitarian warehousing, manufacturing and processing areas.

**Landscaping and Fencing**

- (p) For traffic safety reasons, landscaping should not obstruct sight distances at intersections or driveways.
- (q) Landscaping shall be protected from pedestrian, vehicular and equipment damage through the use of curbs, low walls or fencing, bollards or other installations.
- (r) Where visual screening is desirable, the use of evergreen shrubs, trees and other plantings forming an opaque visual barrier is encouraged.
- (s) Fencing along the front property line is discouraged if not essential to site security.
- (t) Where fencing is deemed necessary along road frontages, the landscaping shall be placed between the fence and the property line.
- (u) Perimeter landscaping along road frontages is required.
- (v) Installation of raised landscaped berms is encouraged where appropriate to enhance the effect of visual screening. Berms required for on-site drainage control shall be landscaped.
- (w) For heavy industrial development, there shall be continuous perimeter landscaping along road frontages. Landscaping should include shrubs and trees of sufficient height and quality to provide effective screening.
- (x) The form and character of landscaping should include the following:
  - i a minimum 3.0 metre wide landscape area along road frontages should be established;
  - ii the retention of existing significant trees where possible;
  - iii new plant materials should be suitable for the site specific climate conditions and should include native plants appropriate to xeriscape (drought resistant, low water usage) landscape schemes;
  - iv topsoil depths should be 100mm for grass areas, 250mm for shrub areas and 400mm for tree areas;
  - v new trees within the landscaped area should have a minimum of 60mm diameter and should be planted parallel to the property line at approximately 10 metre centres;
  - vi clusters of shrubs should be planted between the new trees as noted above and these shrubs should have a density to allow 100% coverage within these clusters at maturity and drought tolerant grasses or rock mulch should be established in the remainder of the landscaped area; and
  - vii within parking areas, one tree should be planted in the parking area for every 20 parking spaces and appropriately protected from vehicle damage.



## **16.3 MULTI-FAMILY RESIDENTIAL DEVELOPMENT PERMIT AREA**

### **.1 Authorization**

The Multi-Family Residential Development Permit Area is designated pursuant to *Local Government Act* Sections 919.1(1)(f): establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

### **.2 Designated Area**

All manufactured home communities, being multi-family residential developments, are designated a Multi-family Residential Development Permit Area.

### **.3 Justification**

Spallumcheen's manufactured home communities are located in close proximity to less intensively developed residential neighbourhoods, agricultural areas, commercial and/or industrial sites. Manufactured home communities, including buildings, landscaping, parking and storage areas, should be designed to be compatible with land uses in the surrounding area.

### **.4 Objectives**

The objectives of designating the Multi-Family Development Permit Area are:

- (a) to protect and enhance the visual setting of the Spallumcheen Valley and provide for the integration of new manufactured home communities into this setting; and
- (b) to address matters related to overall form and character of manufactured home communities including components such as buildings, landscaping, parking and storage areas.

### **.5 Multi-Family Residential Development Permit Guidelines**

The following guidelines are intended to address the objectives of the Multi-Family Residential Development Permit Area designation:

#### **Submission Information**

- (a) As part of each Development Permit application, a site plan shall be provided which shall be drawn to scale and include footprints of all existing and proposed buildings, natural features, parking, loading, driveway and walkway areas, existing and proposed plantings including common and botanical names, quantity, height and size, size and location of berms, fencing, signs, garbage receptacles, a plan of the irrigation system, location of overhead and underground utilities, property lines, easements, rights of way, drainage storage and/or retention areas, and direction of drainage and catchment systems.

#### **Site Design**

- (b) Provision of resident amenity space such as gardens, children's play areas, landscaped outdoor common areas, benches and water features are required.
- (c) Exterior lighting should be oriented so as not to create a direct glare on

neighbouring buildings, properties or public roads.

- (d) All parking, vehicular movement and pedestrian areas should be paved and well lit.

**Form and Character**

- (e) Residential and other buildings should be finished in natural, earth tone colours and be similar in character throughout the development.

**Landscaping**

- (f) Landscaping shall be provided for all manufactured home communities and should include a combination of grasses, trees and shrubs, provided at the site perimeter, front and side yards, at site entrances, along internal roadways, and as a means to screen outdoor storage areas and waste disposal containers.
- (g) For traffic safety reasons, landscaping should not obstruct sight distances at intersections or driveways.
- (h) The form and character of landscaping should include the following:
  - i a minimum 3.0 metre wide landscape area along public road frontages;
  - ii the retention of existing significant trees where possible;
  - iii new plant materials should be suitable for the site specific climate conditions and should include native plants appropriate to xeriscape (drought resistant, low water usage) landscape schemes;
  - iv topsoil depths should be 100mm for grass areas, 250mm for shrub areas and 400mm for tree areas;
  - v new trees within landscaped areas adjacent to public roads should have a minimum of 60mm diameter and should be planted parallel to the property line at approximately 10 metre centres; and
  - vi clusters of shrubs should be planted between the new trees as noted above and these shrubs should have a density to allow 100% coverage within these clusters at maturity and drought tolerant grasses should be established in the remainder of the landscaped area.
- (i) Landscaping shall be protected from pedestrian, vehicular and equipment damage through the use of curbs, low walls or fencing, bollards or other installations.

## **16.4 AQUIFER PROTECTION - NATURAL ENVIRONMENT DEVELOPMENT PERMIT AREA**

### **.1 Authorization**

The Aquifer Protection - Natural Environment Development Permit Area is designated pursuant to *Local Government Act* Section 919.1(1)(a): protection of the natural environment, its ecosystems and biological diversity.

### **.2 Designated Area**

All parcels designated as *Industrial* in this Plan within the Spallumcheen Industrial Park as defined on **Schedule B**, are designated as an Aquifer Protection - Natural Environment Development Permit Area.

### **.3 Justification**

The area of the Spallumcheen Industrial Park is known to be above an unconfined aquifer that is highly sensitive to development. Care must be taken in the storage, handling, manufacture, and use of products on sites within the Industrial Park to avoid contamination of the groundwater system which is the source of domestic water for many Spallumcheen residents.

### **.4 Objective**

The objective of the Aquifer Protection - Natural Environment Development Permit Area designation is:

- (a) to protect the subsurface aquifer below the Industrial Park against possible pollution from industrial land use.

### **.5 Aquifer Protection - Natural Environment Development Permit Guidelines**

- (a) All applications for a development permit shall be accompanied by a report certified by a Professional Engineer or Geoscientist registered in the province of B.C. and experienced in hydrogeological investigations, including capture zone analysis and groundwater stewardship, if the proposed development will include any of the purposes or activities listed in Schedule 2 of the Contaminated Sites Regulation, (B.C. Reg. 375/96).

The purpose of the report is to ensure that hazardous materials storage and handling procedures, facility design and operation will not compromise the integrity of the underlying aquifer. The report shall address site design, and Best Management Practices for sewage disposal and hazardous materials handling, storage, clean-up and disposal.

Specified mitigative measures may include descriptions of physical structures and/or facility-specific operational plans and guidelines. A Surface and Foundation Drainage Plan may be required which shows that storm waters will be appropriately collected and discharged as part of a system designed, certified, and inspected as-built by a Professional Engineer registered in the province of B.C. The location of fuel storage tanks, abandoned or operational

water wells, and underground pipelines such as water, wastewater or natural gas shall be identified in the report.

The report, which will form part of the Development Permit terms and conditions, may include recommendations pertaining to registration of a Restrictive Covenant to prohibit particular high risk land uses or activities or to specify other restrictions on use of the property.

- (b) A means of on-site sewage disposal shall be approved by the Ministry of Health Services and designed, inspected and certified as-built by a Registered Professional Engineer with due consideration of the effluent absorption capability of the soils and local groundwater conditions; and

notwithstanding this engineering design, the Township may require the installation of a holding tank instead of an on-site sewage disposal system where local conditions warrant.

## **16.5 WATER BODY PROTECTION - NATURAL ENVIRONMENT DEVELOPMENT PERMIT AREA**

### **.1 Authorization**

The Water Body Protection - Natural Environment Development Permit Area is designated pursuant to *Local Government Act* Section 919.1(1)(a): protection of the natural environment, its ecosystems and biological diversity.

### **.2 Designated Area**

All properties adjoining the boundary of Shuswap River, Deep Creek, Fortune Creek, Maid Creek and Otter Lake as shown on **Schedule C** are designated as the Water Body Protection - Natural Environment Development Permit Area.

### **.3 Justification:**

Properties adjoining Shuswap River, Deep Creek, Fortune Creek, Maid Creek and Otter Lake (also referred to herein as “the designated water bodies”) are designated as Development Permit areas in order to protect water quality, fish and fish habitat. The presence of fish species in the designated water bodies have been recorded by B.C. Fisheries and Fisheries and Oceans Canada. Care must be taken to protect fish bearing streams and other water bodies from the impacts of construction, land alteration and land use activities which may have a negative impact on water and habitat quality.

### **.4 Objectives:**

The objectives of the Water Body Protection - Natural Environment Development Permit Area designation are:

- (a) To protect water quality, fish and fish habitat including vegetation, soil and terrain conditions adjacent to the stream or body of water.

**.5 Exemptions:**

A Water Body Protection - Natural Environment Development Permit is not required for:

- (a) land alteration, or construction or alteration of a building or structure, that would be sited 30 metres or more from the natural boundary of Shuswap River, Deep Creek, Fortune Creek, Maid Creek or Otter Lake;
- (b) land alteration required for agricultural cultivation within the Agricultural Land Reserve;
- (c) construction or alteration of a building or structure which would be exempt from the requirement to obtain a building permit;
- (d) construction or alteration of a building or structure that does not expand the existing building or structure footprint;
- (e) emergency action which must be taken to prevent, control, or reduce flooding, erosion or other immediate threats to life or property. Within 72 hours of their undertaking, such emergency actions must be reported to the Township of Spallumcheen and the Ministry of Water, Land and Air Protection;
- (f) a fish habitat mitigation plan or stream corridor restoration plan which has been submitted to the Township of Spallumcheen and is to be implemented in accordance with the authorization of the Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada; and
- (g) construction, alteration or maintenance of public facilities otherwise authorized by the Township of Spallumcheen and, where applicable, the Ministry of Water, Land and Air Protection.

**.6 Water Body Protection – Natural Environment Development Permit Guidelines:**

The following guidelines are intended to address the objectives of the Water Body Protection – Natural Environment Development Permit Area designation:

- (a) Insofar as possible, vegetation and the natural grades of the banks adjacent to the designated water bodies shall be retained in an undisturbed state.
- (b) Land development shall incorporate measures to minimize the amount of sediments and pollutants which may enter the designated water body from either surface runoff or piped drainage systems.
- (c) To protect water quality and sensitive habitats, livestock watering facilities should be located away from the designated water bodies. Where livestock access to the water body is needed, fencing should be used to restrict access to locations where a developed watering site has been established.
- (d) Plans for new construction and subdivision should incorporate a 15 metre 'no build and/or no disturbance' leave strip adjacent to the designated water body which may be established by way of land dedication (park or right of way), covenant, easement, statutory right of way or other means satisfactory to the Township of Spallumcheen. The recommended width of a leave strip shall take into consideration site specific circumstances such as parcel size and configuration, building site access, existing development and land use.

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## **16.6 WILDFIRE HAZARD DEVELOPMENT PERMIT AREA**

### **.1 Authorization:**

The Wildfire Hazard Development Permit Area is designated pursuant to *Local Government Act* Section 919.1(1)(b): protection of development from hazardous conditions.

### **.2 Delegation of Authority:**

Pursuant to *Local Government Act* Section 176(1)(e), the Township may delegate to an officer or employee, the power to issue a Wildfire Hazard Development Permit.

Pursuant to LGA Section 920(12), an owner of land subject to the decision of the Township's delegate, is entitled to have the Township Council reconsider the matter.

The Township intends to amend its Procedure Bylaw to exercise its option to delegate to the Administrator and Planner, its authority to issue Wildfire Hazard Development Permits.

### **.3 Designated Area:**

Properties which may be at risk of wildfire hazard are shown on **Schedule C** and are designated as a Wildfire Hazard Development Permit Area.

### **.4 Justification:**

Development in wildfire hazard areas must be undertaken with precautions intended to minimize the risk of damage to property caused by wildfires. In recent years, wildfires affecting numerous B.C. Interior communities have demonstrated the unpredictable nature, the incredible force and the extent to which wildfires may threaten human settlements. The 'urban / wildland interface', that is, the area between developed land and undeveloped forested or grassland areas, is not the only area at risk of wildfire damage. History has proven that the damaging effects of wildfires can extend a considerable distance into developed neighbourhoods.

### **.5 Objective:**

The objective of the Wildfire Hazard Development Permit Area designation is:

- (a) intended to help protect property from the damage of wildfires which may ignite in or around the Township of Spallumcheen.

### **.6 Wildfire Hazard Development Permit Guidelines:**

In specifying the terms and conditions related to issuance of a Wildfire Hazard Development Permit, the Township shall consider how compliance with the following guidelines may help achieve the objectives of this section:

- (a) Prior to the issuance of a building permit for construction of a new residential dwelling including a manufactured home, or, prior to the approval of any subdivision which would create one or more new lots within a Wildfire Hazard Development Permit Area, a report prepared by a Registered Professional Forester shall be required which assesses the proposed development, and:

- i provides recommendations, which may form the basis of Development Permit conditions, to minimize the risk of wildfire hazard;
  - ii may recommend that a Section 219 Restrictive Covenant be registered under the *Land Title Act* against the title of the subject property for all areas determined by the Registered Professional Forester to be at risk of wildfire. The purpose of the covenant is to notify subsequent owners of the property of actions recommended to minimize the risk of wildfire damage. The covenant must incorporate the recommendations of the Registered Professional Forester and save harmless the Township of Spallumcheen in the event that damage to property may occur as a result of a wildfire; or
  - iii may conclude that the proposed development is not subject to significant wildfire hazard.
- (b) In general, development in a Wildfire Hazard Development Permit Area should adhere to the following guidelines:
- i All land clearing and construction debris (wood and vegetation) resulting from development shall be properly disposed of as soon as construction is complete.
  - ii Developers of new subdivisions in urban / wildland interface areas should consider the integration of trails, roads, and cleared park land around the development which may serve as fire breaks, and/or provide vehicle access routes to facilitate fire suppression in interface areas.
  - iii Building sites should be located on the flattest areas, avoiding gullies, saddles and draws that may accumulate fire fuel and funnel winds.
  - iv Fuel reduced buffers around homes to a distance of 10 metres or to the property line, whichever is the lesser, are encouraged. The owner should landscape and maintain the area with the intent of eliminating the accumulation of combustible debris and creating a 'defensible space' around the home.
  - v Integration of a defensible space around a building should include adequate vehicle access, and access to a reliable water supply available to firefighters.
  - vi Tree limbs and shrubs that overhang roofs or grow under building overhangs should be removed and disposed and the cleared condition should be maintained.
  - vii Eaves, attics, decks and openings under floors should be screened to prevent the accumulation of combustible material and to block the entry of burning embers (firebrands) which may be carried by the wind in advance of a wildfire.
  - viii Fallen twigs, leaves and pine needles should be regularly cleared from roofs, gutters, and other areas prone to accumulation of organic debris such as from under decks, exterior stairs, trees and shrubs.
  - ix Building design and construction shall generally be consistent with the standards of the National Fire Protection Association 299 (Standard for

Protection of Life and Property from Wildfire).

## **16.7 DEVELOPMENT PERMIT EXEMPTIONS**

With the approval of the Township’s Administrator or Planner, the following development proposals may not require a Development Permit:

- (a) construction or alteration of single family or two family dwellings in the following Development Permit Areas:
  - i Commercial,
  - ii Industrial, and
  - iii Aquifer Protection – Natural Environment.
- (b) interior alterations to buildings;
- (c) additions to buildings which increase the floor area by an amount less than 25% of the existing floor area and which do not affect vehicular parking requirements, vehicular movement or loading areas, which do not require additional sewage disposal works and which do not constitute a change in the type of land use;
- (d) the construction of new buildings or structures which do not require a building permit;
- (e) the erection of signs and fencing;
- (f) temporary structures limited to construction site offices, short-term special event and emergency facilities;
- (g) the replacement of a manufactured home within a manufactured home community;
- (h) a subdivision for lot consolidation or road widening; and
- (i) with the exception of a Wildfire Hazard Development Permit, an expansion to an existing manufactured home park may not require a Development Permit provided that landscaping, paving and screening have already been completed in conformity with the policies outlined in this Section and the Township of Spallumcheen Mobile Home Park Bylaw.



## **17 DEVELOPMENT APPROVAL INFORMATION AREAS & CIRCUMSTANCES**

### **17.1 AUTHORIZATION**

Section 920.01(1) of the *Local Government Act* allows for an Official Community Plan to:

- specify circumstances in which development approval information may be required,
- designate areas for which development approval information may be required, and
- designate areas for which, in specified circumstances, development approval information may be required.

Such approval information may be required to address the impact of proposed activity or development on matters including but not limited to:

- transportation patterns and traffic flow,
- local infrastructure,
- public facilities including schools and parks,
- community services, and
- natural environment.

The *Local Government Act* requires that if an Official Community Plan includes a provision under section 920.01(1), the local government must, by bylaw, establish procedures and policies on the process for requiring development approval information and the substance of the information that may be required. Once such a bylaw is adopted, the local government or its authorized officer or employee, may require an applicant for rezoning, development permit or temporary commercial or industrial permit to provide the required information at the applicant's expense.

### **17.2 DEVELOPMENT APPROVAL INFORMATION AREA No. 1**

#### **.1 Purpose**

Amendment of Zoning Bylaw to redesignate land in Southeast Sector from *Large Holdings* to either the *Country Residential*, *Small Holdings*, *Residential*, *Commercial* or *Industrial* zone.

#### **.2 Objective**

The objective of this Development Approval Information Area designation is:

- (a) to help protect the quality of groundwater and avoid septic system failures in areas which include or are adjacent to slopes, have rocky outcroppings or shallow depth to bedrock.

**.3 Designated Areas**

- (a) All properties within Southeast Sector designated as a *Large Holdings* on **Schedule B** are also designated as a Development Approval Information Area.

**.4 Circumstances and Information Required**

- (a) Pursuant to this Official Community Plan, prior to Council's consideration of a zoning bylaw amendment from *Large Holdings* to *Country Residential*, *Small Holdings*, *Residential*, *Commercial* or *Industrial*, the applicant shall provide a report prepared by a Professional Engineer, registered in the province of British Columbia with experience in hydrogeological engineering, which assesses the proposed on-site sewage disposal system(s) and provides recommendations and/or conclusions as to the suitability of the system and soil conditions for the proposed development.

**17.3 DEVELOPMENT APPROVAL INFORMATION AREA NO. 2****.1 Purpose**

Natural Environment – Aquifer Protection

**.2 Objective**

The objective of this Development Approval Information Area designation is:

- (a) to protect the subsurface aquifer below the Industrial Park against possible pollution from industrial land development.

**.3 Designated Area**

All properties within the Spallumcheen Industrial Park as defined on **Schedule B**, are designated as a Natural Environment Development Permit Area pursuant to this Official Community Plan.

**.4 Circumstances and Information Required**

- (a) Pursuant to this Official Community Plan's Development Permit guidelines, prior to Council's consideration of a development permit for land within the designated area, the applicant shall provide a report certified by a Professional Engineer or Geoscientist, registered in the province of British Columbia and experienced in hydrogeological investigations, including capture zone analysis and groundwater stewardship, for any proposed development that would include any of the purposes or activities listed in Schedule 2 of the *Contaminated Sites Regulation*, (B.C. Reg. 375/96).

The purpose of the report is to ensure that hazardous materials storage and handling procedures, facility design and operation will not compromise the integrity of the underlying aquifer. The report shall address site design, and Best Management Practices for sewage disposal and hazardous materials handling, storage, clean-up and disposal.

The report shall also include an assessment of the proposed on-site sewage

disposal system(s) and provides recommendations and/or conclusions as to the suitability of the system and soil conditions for the proposed development.

Specified mitigative measures may include descriptions of physical structures and/or facility-specific operational plans and guidelines. The report may specify that a Surface and Foundation Drainage Plan is required which shows that storm waters will be appropriately collected and discharged as part of a system designed, certified, and inspected, as-built by a Professional Engineer registered in the province of B.C.

The location of any above ground or underground fuel storage tanks, abandoned or operational water wells, and underground pipelines such as water, wastewater, or natural gas shall be identified in the report.

The report, which will form part of the Development Permit terms and conditions, may include recommendations pertaining to registration of a Restrictive Covenant to prohibit particular high risk land uses or activities or to specify other restrictions on use of the property.

## **17.4 DEVELOPMENT APPROVAL INFORMATION AREA NO. 3**

### **.1 Purpose**

Commercial, industrial and multi-family residential development

### **.2 Objectives**

The objectives of designating these Development Approval Information Areas are:

- (a) to protect and enhance the visual setting of the Spallumcheen Valley and provide for the integration of new commercial, industrial, and multi-family residential development into this setting;
- (b) to address matters related to overall form and character of such development including components such as buildings, landscaping, signs, storm drainage, parking, loading, site access, vehicular and pedestrian movement, lighting, and screening;
- (c) to achieve commercial, industrial, and multi-family development which demonstrates attention to aesthetic objectives, is appropriately integrated into its surroundings, is functional, and designed for the safe and convenient movement of vehicles and pedestrians on the sites; and
- (d) to present a positive image of Spallumcheen to residents, visitors and highway travelers.

### **.3 Designated Areas**

- (a) All properties designated as Commercial, Industrial, and Multi-Family Residential Development Permit Areas pursuant to this Official Community Plan.

### **.4 Circumstances and Information Required**

- (a) As part of each Commercial, Industrial, and Multi-Family Residential Development Permit application:

- i a site plan shall be provided which shall be drawn to scale and include footprints of all existing and proposed buildings, natural features, parking, loading, driveway and walkway areas, existing and proposed plantings including common and botanical names, quantity, height and size, size and location of berms, fencing, signs, garbage receptacles, a plan of the irrigation system, location of overhead and underground utilities, property lines, easements, rights of way, drainage storage and/or retention areas, and direction of drainage and catchment systems.
- (b) As part of each Industrial and Commercial Development Permit application:
  - i elevation plans shall be provided which show each façade of the building(s) and include information on exterior finish, architectural details, roofing material and colours; and
  - ii a report, certified by a Professional Engineer, registered in the province of British Columbia, shall be provided which describes how storm drainage will be managed on the site including collection, retention and disposal to a suitable system of dry-wells or other systems which shall be designed, inspected and certified as-built by a Registered Professional Engineer.

## **17.5 DEVELOPMENT APPROVAL INFORMATION AREA NO. 4**

### **.1 Purpose**

Wildfire hazard

### **.2 Objectives**

The objective of the Wildfire Hazard Development Approval Information Area designation is intended to help protect property from the damage of wildfires which may ignite in or around the Township of Spallumcheen.

### **.3 Designated Areas**

All properties designated as a Wildfire Hazard Development Permit Area on **Schedule C** are also designated as a Wildfire Hazard Development Approval Information Area.

### **.4 Circumstances and Information Required**

Prior to the approval of any Wildfire Hazard Development Permit required in conjunction with a subdivision which would create two or more new lots within a Wildfire Hazard Development Permit Area, a report shall be prepared by a Registered Professional Forester which:

- (a) provides recommendations, which may form the basis of Development Permit conditions, to minimize the risk of wildfire hazard; and
- (b) may recommend that a Section 219 Restrictive Covenant be registered under the *Land Title Act* against the title of the subject property for all areas determined by the Registered Professional Forester to be at risk of wildfire. The purpose of the covenant is to notify subsequent owners of the property of actions recommended to minimize the risk of wildfire damage. The covenant

must incorporate the recommendations of the Registered Professional Forester and save harmless the Township of Spallumcheen in the event that damage to property may occur as a result of a wildfire; or  
may conclude that the proposed development is not subject to significant wildfire hazard.

## **18 OCP IMPLEMENTATION AND AMENDMENT**

### **18.1 BYLAWS, PLANS AND POLICY DEVELOPMENT**

#### **.1 Official Community Plan**

- (a) The Township shall explore the potential feasibility, scope, implementation, and benefits of establishing slope hazard development permit areas as a means to address potential hazards associated with development in hillside areas.
- (b) The Township shall consider reviewing the *Trails Master Plan* to define the location and extent of existing and future public trails and shall consider amending the Official Community Plan to identify the trail routes on **Schedule B**.
- (c) This Official Community Plan should be reviewed, as conditions warrant, to evaluate its effectiveness in attaining its objectives with consideration of an overall review in approximately five to seven years.

#### **.2 Development Approval Information Procedures and Policies**

- (a) The Township shall adopt a bylaw pursuant to *Local Government Act*, section 920.1 to establish procedures and policies on the process for requiring development approval information and the substance of the information that may be required. The bylaw may include authorization of an officer or employee of the Township to require development approval information under LGA section 920.

#### **.3 Zoning Bylaw**

- (a) The Zoning Bylaw will be revised as needed to reflect the various policies in this Official Community Plan. Particular attention shall be given to zoning regulations applicable to:
  - i non-ALR lands within the A.2 zone that do not meet the minimum lot size requirement;
  - ii secondary dwelling regulations; and
  - iii home-based businesses.

#### **.4 Business Licensing Bylaw**

- (a) The Township shall consider adoption of a Business Licensing Bylaw.

#### **.5 Subdivision Servicing Bylaw**

- (a) The Subdivision Servicing Bylaw will be reviewed and revised if necessary to reflect the various policies in this Official Community Plan.

#### **.6 Development Procedure Bylaw**

- (a) The Development Procedure Bylaw shall be amended to allow the application and consideration of Heritage Designation, Heritage Revitalization Agreements,

and Heritage Alteration Permits.

- (b) The Township shall amend its Development Procedure Bylaw to exercise its option to delegate, to the Administrator and Planner, its authority regarding the issuance of Wildfire Hazard Development Permits.

**.7 Development Cost Charge Bylaw**

- (a) The Township shall consider preparation of a Development Cost Charge Bylaw for the purpose of providing funds to assist with the capital costs of providing, constructing, altering or expanding sewage, water, drainage and highway facilities and for providing and improving park land in accordance with the provisions and limitations of the *Local Government Act*.

**.8 Soil Removal and Deposit Bylaw**

- (a) The Township may explore the potential to adopt a Soil Removal and Deposit Bylaw pursuant to Section 723 of the *Local Government Act*, as a means to manage the hauling of sand, gravel, rock, etc., including the imposition of rates or levels of fees which may be collected in order to help offset the higher costs of road repair and maintenance needed for roads typically used as routes for the hauling of soil.

It is recognized that such a bylaw falls under the “spheres of concurrent authority” section of the Community Charter.

**.9 Aggregate Extraction**

- (a) The Township may identify sites of aggregate deposits within the municipality, in addition to the extraction site located in Phase 2 of the Industrial Park, which may be suitable for future extraction.

**.10 Roads, Utilities, and Waste Management**

- (a) The Township shall commence preparation of a Major Road Network Plan to address the community’s needs for road connections, extensions, improvements and potential for multi-modal use (i.e. pedestrians, cyclists, horseback riders, etc.).
- (b) The Township shall commence preparation of the community’s Master Water Plan.
- (c) The Township shall continue to explore options to establish sanitary sewer service.
- (d) The Township shall cooperate with the Regional District of North Okanagan to identify alternative methods to dispose of septage material after December 31, 2004 when the City of Vernon stops accepting holding tank waste at its wastewater treatment plant.
- (e) The Township shall cooperate with the Regional District of North Okanagan and other regional municipalities to determine the feasibility and potential site for a regional composting facility.

**.11 Agricultural Area Plan and Inventory**

- (a) The Township shall investigate funding sources and/or cost-sharing options in order to commence an Agricultural Area Plan including an inventory of agricultural operations in Spallumcheen.

**.12 Emergency Preparedness**

- (a) The Township shall review Spallumcheen's Community Emergency Program, and access planning and implementation tools and information available from the provincial government and other sources.

**.13 Heritage**

- (a) The Township supports the establishment of a Community Heritage Register for purposes of identifying potential heritage properties within Spallumcheen.
- (b) The Township may establish a Heritage Advisory Committee and the Terms of Reference for such committee to serve in an advisory capacity to Council.

**.14 Natural Features and Habitats**

- (a) The Township shall explore funding and preparation options in order to conduct an inventory of significant and/or representative natural features and habitats, including guidelines or criteria to be considered with respect to proposed development which may impact identified areas.

**18.2 LOCAL GOVERNMENT****.1 Regional District of North Okanagan**

- (a) The Township encourages the Regional District of North Okanagan in any efforts towards the development of a Regional Growth Management Strategy for the North Okanagan and will cooperate with the Regional District within the framework of the provincial legislation.

**.2 City of Armstrong**

- (a) The Township will seek the on-going cooperation of the City of Armstrong in mutually beneficial endeavours such as the Armstrong-Spallumcheen Parks and Recreation Commission, Fire Department and Cemetery.
- (b) It is recognized that the City of Armstrong is an important hub of the Spallumcheen Valley for commercial enterprises and public facilities and the Township will assist with joint planning initiatives with the City to perpetuate these important functions.
- (c) The Township will explore inter-municipal cooperation with the City of Armstrong to provide water and sewer service to rural residents.



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## **18.3 PROVINCIAL GOVERNMENT**

### **.1 Agricultural Land Commission**

- (a) The Township supports the exclusion of the lands east of Highway 97A in the proposed Spallumcheen Industrial Park – Phase 2 from the Agricultural Land Reserve.
- (b) The Township will continue planning discussions with the Agricultural Land Commission on preparation of the Major Road Network Plan.

### **.2 Ministry of Community, Aboriginal and Women’s Services and Ministry of Sustainable Resource Management**

- (a) Continuing discussions with appropriate provincial ministries, the Township shall actively pursue protection of the watershed area east of the municipal boundary by way of a boundary extension to encompass said lands within the Township.

### **.3 Ministry of Transportation**

- (a) The Township will seek the continued cooperation of the Ministry of Transportation in preparation of the Road Network Plan, including particular emphasis on:
  - i a design for access points to Highway 97A from the proposed frontage road along the east side of Highway 97A between Pleasant Valley Road and the Otter Lake Cross Road area; and
  - ii the construction of a proposed new connection for Otter Lake Cross Road at Highway 97A.

### **.4 Ministry of Forests and Ministry of Water, Land and Air Protection (BC Parks)**

- (a) The Township shall consult with the Ministry of Forests and Ministry of Water, Land and Air Protection, BC Parks Branch with the objective to identify and obtain the appropriate level of park, recreation area or conservation area status for the Mount Rose Swanson area.
- (b) The Township of Spallumcheen supports the efforts of the Ministry of Forests in establishing an area on Mount Rose Swanson for recreational activities including the existing trail system; however, adequate protection must be given to community watersheds in this area.
- (c) The Township seeks the cooperation of the Ministry of Forests in ensuring that logging planning and practices, particularly in the eastern portion of the Spallumcheen valley, consider the slope failure and flooding potential.
- (d) The Township seeks the cooperation of the Ministry of Sustainable Resource Management in ensuring that water quality standards are maintained in community watersheds.

## **18.4 OFFICIAL COMMUNITY PLAN AMENDMENTS**

- (a) Spallumcheen Council may consider an application to amend this Official Community Plan following the *Township of Spallumcheen Community Plan and*

*Zoning Amendment Procedures Bylaw No. 1158, 1991.*

- (b) Applicants seeking an amendment to the Official Community Plan are encouraged to provide evidence of public support for the proposal.

***End of Official Community Plan Bylaw 1570 - Schedule A***