

SECTION 15 - DEVELOPMENT PERMIT AREAS

According to section 919.1 of the *Local Government Act*, an official community plan may designate development permit areas for one or more of the following purposes:

- (a) protection of the natural environment, its *ecosystems* and biological diversity;
- (b) protection of development from hazardous conditions;
- (c) protection of farming;
- (d) revitalization of an area in which a commercial use is permitted;
- (e) establishment of objectives for the form and character of intensive residential development;
- (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- (g) in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;
- (h) establishment of objectives to promote energy conservation;
- (i) establishment of objectives to promote water conservation;
- (j) establishment of objectives to promote the reduction of *greenhouse gas* emissions.

If an official community plan designates an area as a development permit area, the official community plan must also describe the special conditions or objectives that justify the designation, and specify guidelines respecting the manner by which those special conditions or objectives will be addressed.

While the guidelines provide objective principles to guide the Board's conditions for approving or refusing a development permit application, the flexibility of the development permit guidelines allows the Board to fairly exercise discretion in granting or refusing a permit on a case by case basis.

If an official community plan designates development permit areas, then land in those areas cannot be subdivided, nor can the construction, addition, or alteration of land or a building or structure commence unless the owner first obtains a development permit.

15.1 General Policies

- (1) Once a development permit is issued, the *development* must be in accordance with the terms of the permit and notice of the permit will be filed in the land title office and noted against title to the land affected.
- (2) As a condition of the issue of a development permit, and for only those purposes specified in Section 925 of the *Local Government Act*, the Regional District may require that the

applicant for the permit provide security in an amount stated in the permit by way of a bond or an irrevocable letter of credit. The Regional District may apply the security in accordance with Section 925 of the *Local Government Act*.

(3) The purpose of designating an area as a development permit area is to ensure that *development* in that area is done in compliance with the guidelines. The guidelines are intended to give the Board some flexibility, and not to act as prescriptive regulations. Various design professionals will be capable of addressing these guidelines, and the Board encourages applicants to hire such professionals where appropriate.

15.2 Designation of Swan Lake Development Permit Area

The area surrounding Swan Lake includes roughly 40 developed lots, with the highest density lying along the southwestern shore of the lake. While there are some permanent residences, most are summer cabins. There is also a Provincial Park on Swan Lake, which encompasses 0.67 km² along the northwest shoreline. This park provides camping and picnicking sites, a swimming area, baseball diamonds, a playground, and the only public parking and boat launch on the lake. The two main objectives for Swan Lake and its surrounding area are the control of phosphates and nitrates flowing from properties and streets into the lake, and sediment loading.

Category: Sections 919.1(1)(a) of the *Local Government Act* allow official community plans to designate development permit areas for the protection of the natural environment, its *ecosystems* and biological diversity, and for the protection of *development* from hazardous conditions.

A development permit is required when

Designation of Area: Pursuant to Sections 919.1(1)(a) and (b), that area outlined and shaded on Schedule D of this OCP is designated as the Swan Lake Development Permit Area.

Justification for Designation: According to the Lakeshore Development Guidelines, Swan Lake is classified as a “Limited Development Lake”. These types of lakes are those which by virtue of their small size and existing development patterns are only able to accommodate a limited amount of further development if the natural environment around the lake is to be preserved. The purpose of this development permit area is to maintain the majority of the lakeshore areas in undeveloped condition, in order to sustain existing environmentally sensitive areas and wildlife habitat. Under the Lakeshore Development Guidelines, a maximum development perimeter of 30% has been recommended for this Limited Development Lake. As 26% of the perimeter of Swan Lake has already been developed, only 4% of the perimeter of the lake remains for potential development.

Undisturbed watersheds have the ability to purify water and repair small amounts of damage from pollution and alteration. However, modifications to the landscape and increased levels of pollution impair this ability.

Lawn and garden fertilizer, sediment eroded from modified shorelines or infill projects, oil and fuel leaks from vehicles boats and float planes, road salt, and litter can all be washed by rain and snowmelt from properties and streets into *watercourses*. Phosphates, nitrates and sediment are of greatest concern, providing nutrients and rooting medium for aquatic plants and algae. Pavement prevents water infiltration to soils, collects hydrocarbon contaminants during dry weather and increases direct runoff of these contaminants to Swan Lake during storm events.

Development Guidelines: The development permit guidelines in the Swan Lake Development Permit Area are:

(1) No person shall:

- a) Subdivide land;
- b) Alter land; including the removal of trees or vegetation and removal or deposit of soil;
- c) Construct as building or structure.

Prior to the landowner applying for and receiving a development permit from the regional district, which shall sufficiently address the following guidelines:

(2) *Development* should be limited such that no more than 30% of the Swan Lake shoreline is developed, pursuant to criteria for measuring perimeter development set out in the Lakeshore Development Guidelines.

(3) Prior to the issuance of a development permit, the applicant for the permit may be required to provide, at the applicant's expense, a site development plan that meets the criteria outlined in Sections 8.1 to 8.3 of the Lakeshore Development Guidelines, to address such issues as single lot development and construction, soil erosion control, building setbacks, and site layout and clearing.

(4) Prior to the issuance of a development permit for work that may affect the natural features of the lake or impact fish and wildlife habitat or riparian areas, the applicant for the permit may be required to provide, at the applicant's expense, further documentation, technical studies, plans and recommendations with respect to the impacts of the proposed work, including any of the following:

- (a) an environmental assessment report prepared by a registered professional biologist;
- (b) an erosion and sediment control plan;
- (c) a vegetation management plan.

Exemptions: The following general conditions do not require a development permit within the Swan Lake Development Permit Area:

(1) construction or alteration of a building having a floor area of less than 11 square metres, or a garden shed or greenhouse having a floor area of less than 20 square metres;

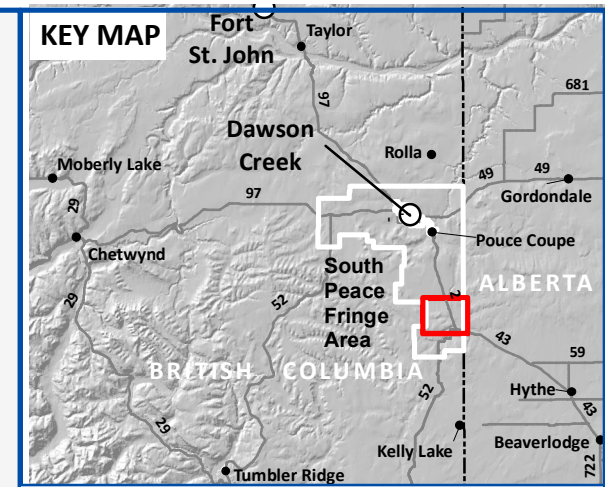
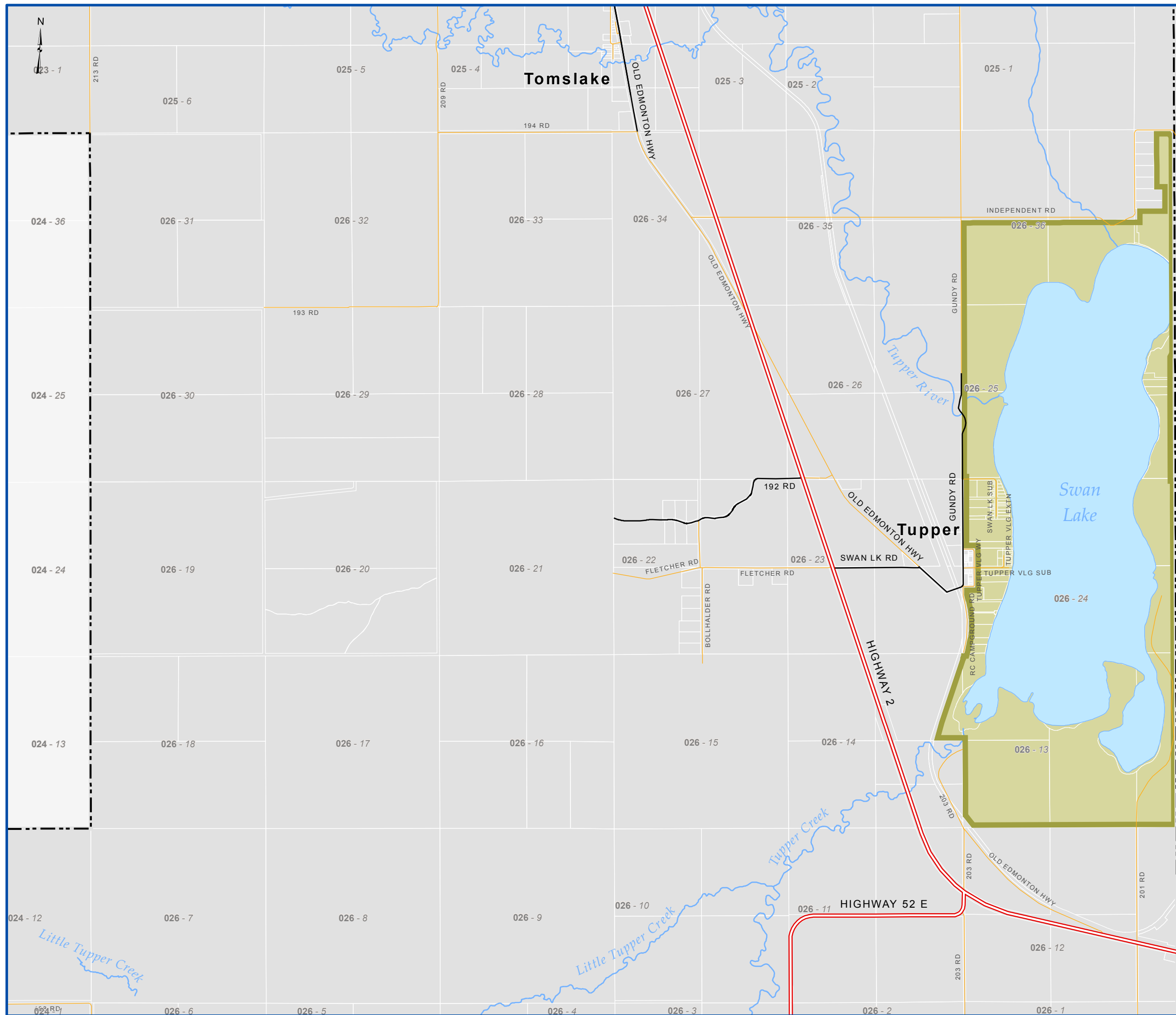
(2) interior alterations;

(3) minor exterior additions or alterations to buildings with an estimated construction value not exceeding \$2,500.00.

Site Plan Requirements:

The applicant for a development permit will supply the following site plan requirements in written and/or graphic form to the Regional District at the time of application for development.

Site Plan Requirements for Swan Lake Development Permit Area	
√	Topographic contours
√	Location of ALR boundaries
√	Existing tree cover and proposed areas to be cleared
√	Lands subject to periodic flooding
√	Location of natural <i>watercourses</i>
√	Identification of location of top of bank
√	Existing & proposed erosion mitigation measures and bank alterations



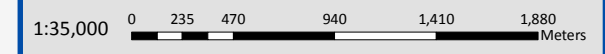
LEGEND

Development Permit Areas

- Swan Lake
- Highway
- Roads
- Gravel Roads
- South Peace Fringe Area Boundary
- Rivers
- Lakes

Twp - Rng - Sec

ORIGINAL MAP DATE November 2012
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**SOUTH PEACE
 FRINGE AREA
 DEVELOPMENT
 PERMIT AREA MAP**
 Schedule C