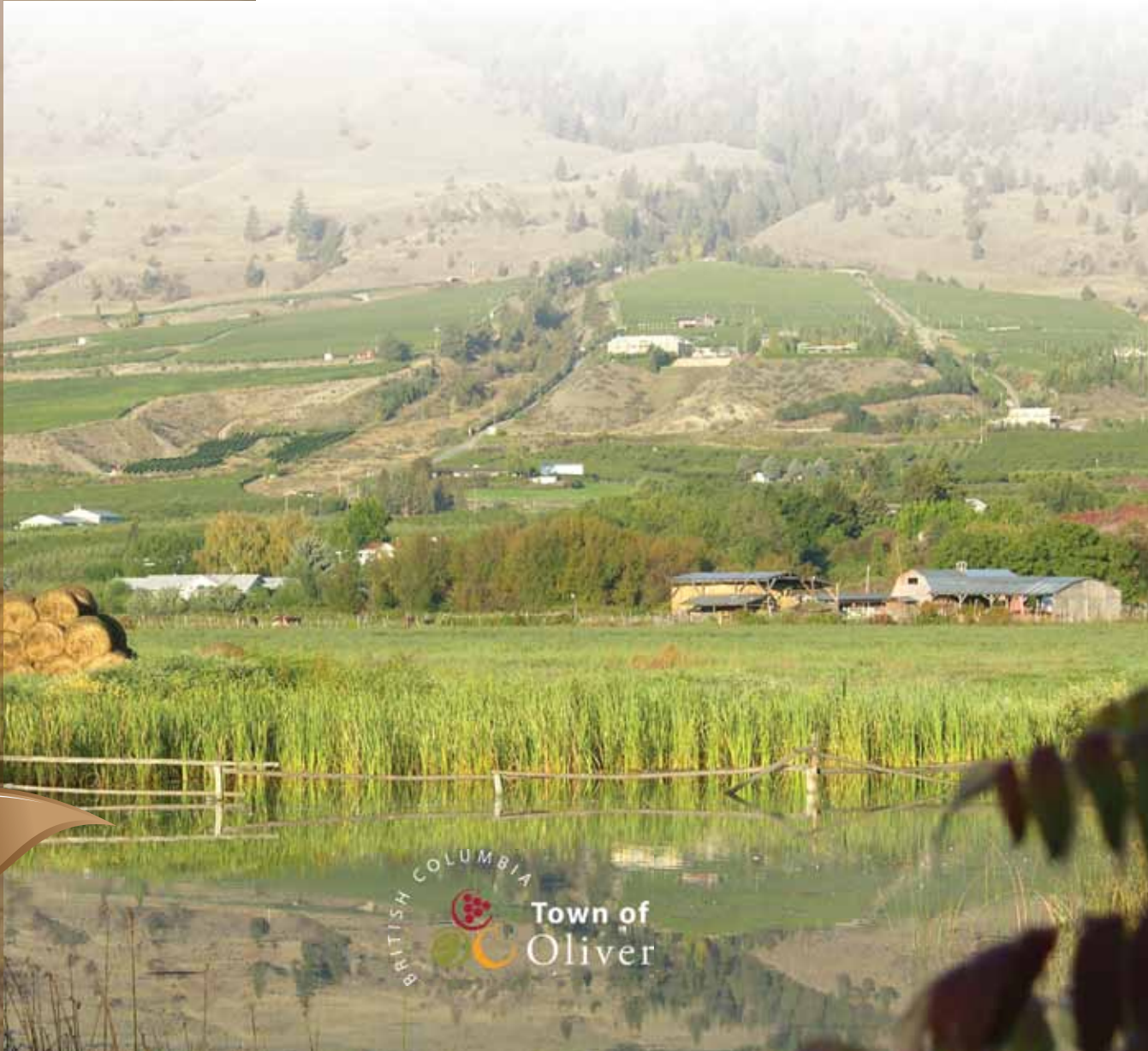


Town of Oliver

A Guide to Development in Sensitive Areas





Planning a Development in the Town of Oliver



A Special Place

Oliver enjoys beautiful valley views and abundant natural areas close by. As our valley's population grows, we want to maintain these natural assets so that future generations can enjoy the same quality of life that we do now. The natural landscape offers many recreation opportunities and supports a rich diversity of wildlife and native plants not often found together in one area. Our natural assets are a benefit to the whole community and should be preserved as much as possible during development.



“Our natural assets are a benefit to the whole community”



Protecting our Natural Assets

The south Okanagan enjoys high property values and higher rates of real estate sales which show the continuing demand to live and holiday in this area. Studies show that lots adjacent to protected open spaces, parks and recreation trails have 15 – 30 percent higher property and resale values. Our valley's natural and working landscapes are our most important asset, so by protecting them we are benefiting the community and ensuring the continuing value of real estate.



The Town of Oliver is working to keep the natural environment and agricultural workings lands protected by mapping natural areas (see Schedule 'C' of the OCP) such as watercourses, grasslands, and wetlands. You may be asked to complete an environmental assessment if your property occurs in one of these areas. Expenses and time associated with development approval can be reduced if you begin the planning process by considering environmental values first.



Where to Start?

Protecting the environment is the responsibility of all levels of government - federal, provincial and municipal or regional. Find out which regulations apply to you and understand the approvals you need before you begin work. This will save you time and money in the long run. These regulations apply not only to where you build, but also how you build. If you are working in a sensitive area you may be asked to monitor the impact of excavation and construction and mitigate damage that can occur.

The Town of Oliver has developed this guide to help homeowners and developers familiarize themselves with special habitats, environmental regulations, and development options for this municipality. If you have significant areas with valuable habitat, you could receive significant tax benefits by donating this land to a land trust or earn other benefits if areas are protected.

The Reference section of this brochure has a link for more information.



“Protecting the environment can have lots of advantages”



Think About It - *protecting the environment can have lots of advantages*

- faster planning approval
- tax incentives
- reduced land clearing costs
- higher property values
- faster sales
- greater community buy-in and recognition
- protection of green space and wildlife
- a better development for everyone





Natural Areas within the Town of Oliver



Oliver has a unique community character with its First Nations history, bountiful agricultural lands, and beautiful natural areas. It's up to all of us to achieve that special balance of natural and developed areas that we associate with the south Okanagan. Here's an introduction to some of the special habitats that are part of our municipality.



“It’s up to all of us to achieve that special balance of natural and developed areas”



Grasslands - Where the land is too hot and dry to support trees, bunchgrasses and shrubs such as Big Sagebrush and Antelope-brush are the dominant plants. Although grasslands are the most common natural landscape in the Okanagan, nationally, they are one of Canada’s most endangered landscapes. More than half of our province’s species at risk live in grasslands - once the most common natural habitat in the Oliver area. Grasslands have been heavily impacted by human development so large, intact areas are very valuable.



Stream & River Bank Habitat - Also called “riparian areas”, this habitat includes the water-loving plants and trees alongside lakes and rivers. Plants growing along streams and creeks provide shade to keep temperatures cool and are nursery grounds for fish and amphibians. The roots of riverside plants keep the banks from eroding during floods and protect water quality by filtering surface water runoff. These ribbons of green habitat support a rich diversity of wildlife and are important wildlife corridors. If your property includes a riparian area, you will need to become familiar with the Riparian Areas Regulation, or RAR, that applies to your property when you begin planning for development. Maintaining or restoring riparian habitat is an important contribution developers can make. Watercourses can be protected by controlling pollution and maintaining the riparian area.



Lakes & Rivers - Although Tucelnuit Lake and the Okanagan River channel have been modified by dredging and development, there is still valuable habitat along the shorelines. Recent river restoration just outside Town boundaries will increase fish spawning and habitat for other wildlife. To help support our waterways it is important to control sediments and chemicals from storm water, as well as runoff from fertilizers and pesticides. If you are planning work such as building a dock or bridge within a water body, you must have a permit to conduct “instream works” under the Province’s Water Act”.



Wetlands - Wetlands are areas like ponds, cattail marshes and seasonally-flooded fields. These areas are full of life in the spring and summer when birds, amphibians, turtles and insects arrive to lay their eggs in this rich environment. In our dry climate, wetlands have always been rare and are disappearing at an alarming rate with development and climate change. Wetlands are also susceptible to runoff carrying pesticides and pollutants which can harm wildlife. If you have wetlands on your property you will be asked to make special provisions to protect these sensitive areas.

“You may
be asked
to protect
sensitive areas”



Forests - Forests stabilize the soil thereby reducing erosion and sedimentation. They are home to two thirds of Canada’s plants and wildlife. Veteran trees and snags are important homes for cavity nesting wildlife like owls, woodpeckers, and small mammals. Last but not least, the woody debris under trees is home for a host of small reptiles, amphibians, mammals and insects. Open ponderosa pine forests were once typical of Okanagan Valley mountain slopes. Now very few old stands are left and fire suppression has caused dense ingrowth that is more vulnerable to fires and insect pests. Oliver has some remaining areas where mature trees still remain, and contribute important habitat and slope stability. If you are planning work within a forested area, you may be required to protect and retain trees or conduct a wildlife tree survey



Local Bylaws that Apply to Development



The **Official Community Plan** contains many policies to guide Council decisions regarding conservation of natural areas and features. Check to see if your proposal respects the general intent of the Official Community Plan Objectives and Policies. **How do you know if there are natural features to protect on your property?** When you are applying to rezone, subdivide or otherwise alter land, Oliver staff will use municipal mapping to identify if your property contains known Environmentally Sensitive Areas. Also refer to Schedule “C”, Natural Features and Hazard Lands map in the Official Community Plan.

Environmentally Sensitive Area Protection & Regulation

In response to the increasing threats to, and rarity of, native plants, wildlife, and ecosystems, the Town has undertaken a series of initiatives to protect and restore vital habitat. Watercourses in Oliver include the Okanagan River, Tucelnuit Lake, and seasonally flowing ditches and streams that have vegetation (riparian areas) along their edges. These watercourses and riparian areas are important habitat and vital pathways for fish and wildlife.

“Staff will use municipal mapping to identify if your property contains known ESAs”



Official Community Plan Bylaws

Riparian Development Permit Area (RDPA) requires landowners to apply for a permit before subdividing, construction, or altering the land. This development permit area is specifically designed to comply with the provincial Riparian Areas Regulation, under the provincial Fish Protection Act. Development within a WDPA requires that a Riparian Area Assessment be conducted by a Qualified Environmental Professional (QEP) and has environmental guidelines to protect water quality and riparian habitat within 30m of all watercourses that support fish or fish habitat.

Environmental Development Permit Area (EDPA) requires landowners to apply for a permit before subdividing, construction, or altering the land. This development permit requires protection, where possible, of sensitive ecosystems and rare and endangered plants, plant communities and wildlife. Development within an ESDPA requires an Environmental Assessment conducted by a Registered Professional Biologist (RPBio) with experience working with local ecosystems. Specific guidelines direct planning of the development before development is approved on a property within the EDPA.





Zoning Bylaw

In Oliver, no one is allowed to construct, alter, locate or use a building or structure within: 7.5 meters of the natural boundary of a lake, swamp or pond; 30 meters of the design water level boundary of the Okanagan River Channel; and, 15 meters of the natural boundary of any nearby watercourse, unless a hardship allows a relaxation to the Provincial Flood Hazard Management Guidelines.

Property Maintenance and Unsightly Premises Bylaw

Requires that property owners remove noxious weeds that are accumulating on their property. Some of the top invasive weeds in the Okanagan-Similkameen include knapweed, dalmatian toadflax, hound's tongue, leafy spurge, orange hawkweed, puncturevine and purple loosestrife.

Conservation covenants

May be placed on part of a property to protect the designated area from future disturbance, as a result of a rezoning or subdivision application, or development permit. These covenants require the owner, and all future owners, to abide by the terms of the covenants to protect native vegetation and wildlife habitat.

Check for local bylaws that apply to your property





Environmental Professionals



If planned development includes working in a Riparian or Environmental Development Permit Area:

You will need the assistance of a Qualified Environmental Professional (for Riparian Development Permits) or Registered Professional Biologist (for Environmental Development Permits) to assess the site and to determine if and how you can proceed with the development in an environmentally sensitive manner.

Engage a professional early in your planning so that you can respond to their findings and incorporate their recommendations into you development design prior to the disturbance of the site.

Take time to talk to several consultants about their expertise, availability, fees, and experience with the ecosystems in your area and the type of assessment that you need. A Registered Professional Biologist must always be part of the team of professionals hired for Environmental Development Permits because of their expertise with local ecosystems and wildlife species.

What is a Qualified Environmental Professional (QEP)?

A QEP is an applied scientist or technologist, acting alone or together with another QEP. A QEP must be a member in good standing of a professional organization governed by an Act in BC, with a code of ethics and disciplinary procedures. The applicable professionals include Biologists (RPBios), Geoscientists (PGeo), Foresters (RPF), Agrologists (PAg), Professional Engineer (PEng) and Applied Science Technologist and Technicians (AScT).

Your QEP will likely use the sequence of mitigation options below to guide their assessment of the potential impacts that a proposed development will have.

Most Preferred



- **Avoid** developing in or near identified Environmentally Sensitive Areas (ESAs) or Features
- **Locate** proposed development to a pre-disturbed site on the property
- **Design** development to include Alternative Development Standards or to avoid ESAs
- **Mitigate** to reduce potential impacts based on recommendations from the QEP
- **Compensate** as a final resort to achieve a no-net-loss of environmental values onsite

Least Preferred



“A Registered Professional Biologist must always be part of the team”





Best Practices for Developers



Sustainable Development - Many municipalities are now assessing whether a development project contributes to community sustainability using the following guidelines as a measure.

How well does the proposed development:

- Fit within growth areas outlined in the Official Community Plan and the South Okanagan Regional Growth Strategy.
- Occur close to existing infrastructure without requiring costly expansion of roads, water, power, sewer, police and fire protection.
- Fit with surrounding agricultural areas and their necessary operations.
- Protect environmentally sensitive areas including streams, rivers and lakes.
- Conserve wildlife movement corridors between natural areas.
- Connect to existing parks, natural open spaces and pedestrian trails for enhanced recreational opportunities.
- Add to community amenities.



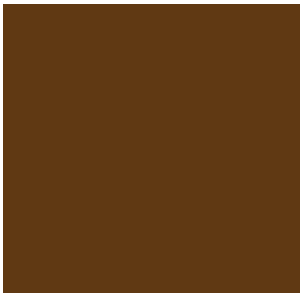
“Professionals should be hired at the beginning of your planning process, not the end”

Plan Ahead

Sensitive, sustainable design begins with site planning. That is why qualified professionals should be hired at the beginning of your planning process not the end. They can map out the natural features and find out whether any sensitive habitats are located on your property.

Design Before You Build:

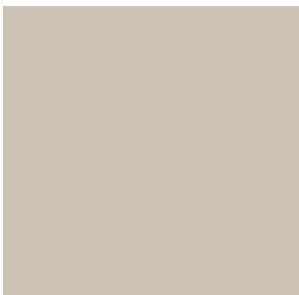
- Locate buildings and roadways to preserve important natural areas on the property.
- Maintain natural wildlife corridors between your property and those adjacent to you in the surrounding area.
- Design stormwater systems that protect fish and aquatic habitat and plan for sediment and erosion control during construction.
- Use permeable paving and landscape surfaces and protect natural water flow patterns that affect nearby watercourses and wetlands.
- Pre-plan your construction footprint to minimize landscape disturbance and retain natural areas. (This can also save re-landscaping costs.)
- Stockpile native topsoil to redistribute after construction is over.
- Schedule the most invasive construction activities (such as clearing and blasting) during “least risk to wildlife” work windows.





After Construction

- Invasive weeds will colonize disturbed sites in only a few weeks. Make sure they are cleared away and disposed of properly.
- Design water efficient landscapes and irrigation systems using drought-tolerant and native plants.
- Restore environmentally sensitive areas that might have been impacted by construction and consider fencing off designated “non-disturbance” areas.



The Water Challenge

During the summer, homeowners use more than sixty percent of domestic treated water for their lawns and gardens. With population increase and a shrinking supply of freshwater, developers and homeowners will face increasing regulations and enforcement of water saving standards - especially for irrigating lawns and landscaping. Planning new home landscapes using native and drought-tolerant plants (xeriscaping) and low-water use irrigation systems is a key contribution developers can make. Building with this future in mind will save money in the long-run.

“Building with the future in mind will save money in the long-run”

For advice on low-water landscaping consult: <http://okanaganxeriscape.org>





Additional Resources



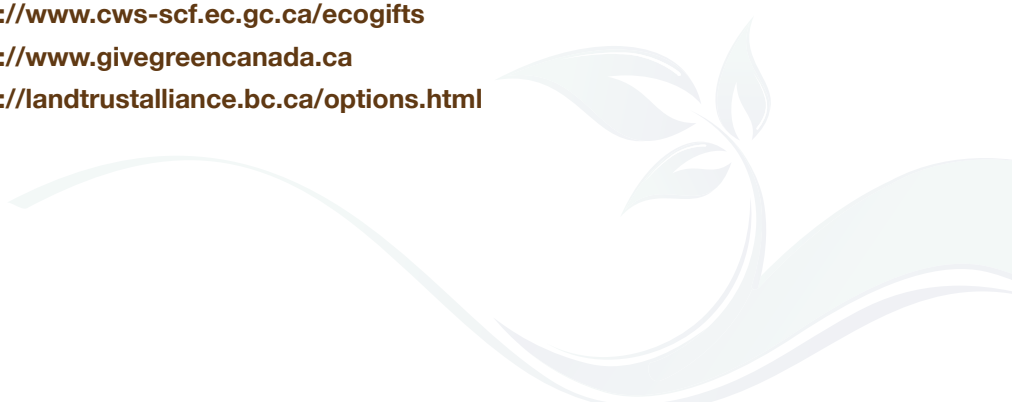
The following information and free publications will help you learn about natural habitats and development guidelines to consider before you begin a land development project.



“Guidelines to consider before you begin a land development project”



1. **Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia**, published by BC Ministry of Environment.
<http://tinyurl.com/develop-with-care>
2. **Riparian Areas Regulations:** Protecting the features, functions and conditions that are vital to maintain stream health.
<http://tinyurl.com/riparian-areas>
3. **Stewardship Series Guides:** For the protection of aquatic habitat.
http://www.stewardshipcentre.bc.ca/cdirs/st_series/
4. **Wetland Ways: Interim Guidelines for Wetland Protection and Conservation in BC**, written for people who are planning some form of activity or development near wetlands, as well as those looking for guidance on ways to best maintain the high ecological values in these areas.
<http://tinyurl.com/wetlandways>
5. **Living By Water:** Working towards healthier human and wildlife habitat along the shorelines of Canada.
<http://livingbywater.ca/main.html>
6. **BC Ministry of Environment:** Information on habitats and wildlife.
<http://www.env.gov.bc.ca/wld/list.htm>
<http://www.env.gov.bc.ca/okanagan/esd/atlas/index.html>
7. **Information on conservation covenants and eco-gofts:**
<http://www.cws-scf.ec.gc.ca/ecogifts>
<http://www.givegreencanada.ca>
<http://landtrustalliance.bc.ca/options.html>



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