

REGIONAL DISTRICT OF
NORTH OKANAGAN

SILVER STAR
OFFICIAL COMMUNITY PLAN

Regional District of North Okanagan
Development Services Department
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PREFACE

Silver Star BC is a resort community east of Vernon BC in the Okanagan Valley of British Columbia. It is located in Electoral Area 'C' of the Regional District of North Okanagan. Skiing and other winter activities are the major focus of the community with special summer entertainment programs and summer recreation sports completing the year round resort calendar.

In 2004 the Regional District in partnership with Silver Star Ski Resort Ltd. and the Province of BC undertook a major update of the Silver Star Official Community Plan and prepared a new Zoning Bylaw for the Silver Star community. The Zoning Bylaw is available under separate publication.

This Official Community Plan outlines a long range land use plan for this community. This includes a number of strategic objectives and policies for community planning and local government services as well as regulatory policies for day-to-day decision making. The Plan map Schedule 'B' and Development Permit Areas map Schedule 'C' **and Schedule 'D' – Cabin Colony Neighbourhood Plan** showing the designations for land use in the plan area as well as other related information, is part of this Official Community Plan. A Background Report is presented as an introduction to this Plan which forms part of the basis for the Official Community Plan and outlines some planning issues to be considered in the Plan.

Part Two of this document forms Schedule 'A' to the "*Silver Star Official Community Plan Bylaw No. 1925, 2004*" along with map Schedules 'B' and 'C' **and Schedule 'D' – Cabin Colony Neighbourhood Plan**. Part One, the Background Report is not part of the Bylaw.
(Bylaw 2368/08)

This document includes the following bylaw and amendment bylaws:

Official Community Plan Bylaw 1925, 2004
First and Second Readings - July 6, 2004
Third Reading – November 2, 2004
Adoption – December 7, 2004

Amendments:

Bylaw 2056, 2005
Bylaw 2240, 2007
Bylaw 2368, 2008

Front Cover: Silver Star Commercial Village by
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**SILVER STAR
OFFICIAL COMMUNITY PLAN
PART ONE - BACKGROUND REPORT**

A. INTRODUCTION

The “*Silver Star Official Community Plan*” is intended to provide direction for the Government of British Columbia and its ministries and agencies; the Regional District of North Okanagan; Silver Star Ski Resort Ltd.; and private citizens on matters concerning the future development and use of land around the community of Silver Star. It is a document that looks to the future but also contains procedures and policies for day-to-day administration. Generally, the Plan is implemented through the “*Silver Star Zoning Bylaw*”, “*Regional District of North Okanagan Subdivision Bylaw*”, “*Regional District of North Okanagan Building Bylaw*” and other regulatory bylaws and permits. These bylaws and permits serve as an administrative mechanism for the Regional District of North Okanagan to implement the objectives and policies of the Official Community Plan.

The “*Local Government Act*” of the Province of British Columbia outlines the subject matter for an Official Community Plan as well as bylaw adoption procedures. The Official Community Plan is primarily a statement of local government objectives and policies; however, Provincial agencies are also involved in the preparation of the Plan, particularly where their interests can be implemented through local government actions and policies.

Silver Star is a local unincorporated community located within Electoral Area ‘C’ of the Regional District of North Okanagan. The Regional District has been provided legislative authority by the Province of BC, primarily through the “*Local Government Act*”, to provide local government services to Silver Star. Land use planning including the preparation of this Official Community Plan, is one of the tasks assumed by the Regional District.

1.0 THE PLANNING PROCESS

In the fall of 2003 the Regional District established a ‘Technical Committee’ to oversee the preparation of this Official Community Plan and a new zoning bylaw for Silver Star and to develop a long-term strategic plan for the Regional District water utility. The membership on the ‘Technical Committee’ included a representative from Land and Water BC Inc. being the Provincial agency responsible for the disposition of Crown land and the implementation of the Provincial “*Commercial Alpine Skiing Policy*”; a representative from Silver Star Ski Resort Ltd. as the owners of the ski resort at Silver Star; as well as a staff representative from the Regional District. A Community Liaison Person was appointed to assist the Committee in their deliberations and Consulting Planners were retained to undertake the preparation of the Plan.

A community discussion session was held on January 10, 2004 where several maps were displayed and key personnel were in attendance to answer questions and listen to the planning issues being raised. Participants were encouraged to write out their comments. All comments were later reproduced, verbatim, and published for distribution and publication on the Regional District webpage. A questionnaire was also distributed to all

property owners, circulated to commercial operators in the City of Vernon and published on the Regional District webpage. Comments and opinions on land use planning obtained from this questionnaire and the open house provided the Committee and Planners with valuable input into the preparation of this Official Community Plan.

A working draft of the Official Community Plan map was prepared building upon the previous Official Community Plan and input received from the community discussion session and questionnaire responses. Policies to guide long-term strategic planning were also formulated and reviewed by the Committee. All this working draft information was presented at a second public meeting held on March 20, 2004 where additional comments were received and recorded.

A working draft of the new Official Community Plan was finalized and published in preparation of a third public meeting at Silver Star on April 10, 2004 and final comments were heard at a fourth public information meeting held on June 15, 2004 in conjunction with comments received on a draft of the new *"Silver Star Zoning Bylaw"*. The Committee concluded its work on June 16, 2004 and advanced this Plan to the Regional Board for their consideration with a recommendation that notwithstanding final comments from a public hearing, that the Plan be endorsed.

2.0 RESORT MASTER PLANNING

Most land within the Plan area is Crown land owned by the Province of BC. The Crown has established a 'Controlled Recreation Area' wherein all uses related to resort development are located. The Crown has enacted a *"Commercial Alpine Skiing Policy"* with an expressed goal to provide for and guide the expansion of employment, revenue and recreational opportunities. The policy's premise is that as a commercial resort corporation expands skiing facilities a 'Comfortable Carrying Capacity' is established which forms the basis for the release of Crown land to the resort corporation for the improvement of base area facilities and land development. Resort planning and development follows the *"Guidelines to Alpine Ski Area Development in BC"* (1996) which outlines matters to be considered, development standards and the process for the development and implementation of a Master Plan for the resort.

The Master Plan for Silver Star was originally approved in 1979 and has gone through several amendments over the years. The most recent comprehensive review and update of the Plan was published in 1994 followed by the publication of a *"Base Area Master Plan"* in 1995. This update was undertaken concurrently with an environmental review of resort developments which also provided recommendations on environmentally focused development practices. The recent change in ownership of the resort has prompted a new review of the *"Base Area Master Plan"* which coincides with the review of the Regional District's *"Silver Star Official Community Plan"*.

3.0 REGIONAL DISTRICT PLANNING

The first Regional District plan for Silver Star was completed in 1982 which was later updated in 1988. The most recent plan was undertaken in 1995 and adopted in September 1996. The Official Community Plan detailed in this report is very similar to this previous plan undertaken in 1995. The primary focus for new residential development is

still centred on an expansion around the Knoll area and new commercial developments are still centred around the existing Village. In summary, the new plan is essentially an update of the existing plan with more detail due to increased knowledge about planning issues as well as geographic and topographic conditions at Silver Star.

B. COMMUNITY PROFILE

Silver Star is located 22 kilometers northeast of the City of Vernon and the comfortable drive between the two communities has resulted in the full integration of common activities. For example, many functions for the annual Vernon Winter Carnival occur at Silver Star Mountain and skiing and other winter events are important activities for many families in greater Vernon while the residents at Silver Star rely on the close proximity of Vernon for employment, shopping and services.

The proximity of Silver Star and Vernon to the Kelowna International Airport and being a comfortable drive from greater Vancouver, has resulted in a steady increase of visitors from outside the region who enjoy the unique environmental, recreational and social aspects of Silver Star as well as the ongoing improvements to resort facilities.

Silver Star Provincial Park was established in 1942 and surrounds most of the resort area. The 'Silver Star Mountain Resort Controlled Recreation Area' at approximately 3,300 hectares is not within Silver Star Provincial Park. Within the Park, the Nordic trails around Sovereign Lakes and defined snowmobile routes complement the skiing and other recreational experiences offered by the resort to create a full range of winter recreational options.

Summer hiking through the many trails of this Class A provincial park complements the year-round recreational amenities at Silver Star. The development of conference facilities and the promotion of special summer social and athletic events have opened Silver Star as an all season resort.

Silver Star is situated on the edge of the Okanagan Highlands typified by rolling summits. The elevation at the top of Silver Star Mountain is 1890 metres above sea level. The base Village is situated at 1600 metres asl. The area lies within the 'Interior Douglas Fir' and the 'Sub-alpine Engleman Spruce and Douglas Fir' Biogeoclimatic Zones. Around the base community of Silver Star the forest cover is pine and fir with some larch and cedar. Above this area and extending to the summit of Silver Star Mountain, is a sub-alpine zone of open meadows and stunted spruce, fir and hemlock. These open meadows create extensive and dynamic views over the Okanagan Valley to the west and eastward to the peaks of the Monashee Mountains.

The size of Silver Star continues to grow at a steady yet manageable pace. The early years of resort development were undertaken by the Silver Star Development Association which was formed in 1958 as a community public service company to finance development and operation of the ski area. The first Master Plan was published in 1979 and by that time, there were seven lifts with a capacity for 4,300 skiers per day, a day lodge, ski rental, and 33 private chalets. By 1984 the base area had shifted to its current location and the first hotels were constructed. By 1989 the first major residential expansion was undertaken on the 'Knoll'.

Insert general location map of Silver Star
(8½ X 11)

Ongoing expansion of the community at Silver Star is based on the release of Crown land to the Resort corporation for the improvement of base area recreational facilities and the development of new commercial and residential properties. The current community profile is summarized as follows:

- 254 Residential Lots
(Knoll Phase I & II, Cabin Colony, Pinnacles-Silver Star Road)
- 108 New Residential Lots Under Construction
(The Ridge)
- 216 Multi-Family Units
(Grandview, Mews, Creekside, plus others)
- 9 Residential-Hotels (Putnam, Aberdeen, Silver Lode, Vance Creek, Chilcoot, Silver Creek, SameSun Hostel, Pinnacles, Kikwillie Inn)
- 1 New Residential-Hotel Approved
(Phase I Block W)

C. LAND USE PLANNING ISSUES

One purpose of an Official Community Plan is to address an array of long-term land use planning issues. The preparation of an Official Community Plan is intended to be complementary to and not adverse to, the existing “*Base Area Master Plan*” developed between the resort corporation and the Province of BC. This is particularly significant in the context of the relationship between the resort corporation and the Province of BC for the disposition of Crown land within the ‘Controlled Recreation Area’ and the resort’s entitlement to continue to improve base area facilities and develop land. However, the provisions of the “*Local Government Act*” still apply. The local community has mechanisms under the Act to bring forward the planning issues they deem as important and primarily this mechanism is through the objectives and policies of the Official Community Plan. The Act also has its constraints on matters to be considered in an Official Community Plan and in this context, it is important to note that issues related to the ski product such as the location of Nordic trails, is not part of the Plan.

Community issues for Silver Star have been identified over a long period of community involvement in local planning. Information has also been provided through questionnaires and public meetings as part of the planning program to create this Plan. Significant land use planning issues are outlined in this section for background information while other issues are addressed only in the Plan policies.

1. Neighbourhoods and Development Nodes

The base area at Silver Star is dedicated for the location of skier facilities as well as community amenities and services as well as commercial and residential properties. It is also the area of this Official Community Plan. Most of this area is located within District Lot 1355. Several additions to this District Lot over the years has resulted in a base area today of about 150 hectares; a significant portion of which is undeveloped and remains as forested Crown land.

The areas for new commercial and residential properties have been identified for many years. For example, the 'Knoll Phase Three' residential development area was identified in the first Master Plan published in 1979. Most of the new development areas in this Official Community Plan were also outlined in the previous Official Community Plan developed in 1995.

Each existing neighbourhood at Silver Star has its unique planning issues to address and likewise, each new development node has issues that should be addressed at the time of development. Therefore, for discussion purposes, the Plan area has been divided into a number of existing neighbourhoods and development nodes as shown on map Schedule C and briefly described as follows:

Existing Neighbourhoods

- Village – is the existing commercial centre of the community of hotels and commercial operations around Main Street
- Upper Village – located between the main Village commercial district and upslope to Pinnacles Road enclosing residential / hotel operations
- Cabin Colony – the historic chalets some constructed over twenty years ago, located in a forested area between Pinnacles Road and Silver Lode Lane
- Silver Star – Pinnacles Road – mostly developed along the 'Victorian era' theme with some older chalets
- Knoll (Phase I and II) – the largest existing residential neighbourhood located on an upland ridge overlooking the Village and the Okanagan Valley below
- Ridge – new residential neighbourhood on Silver Star Road currently under construction comprised mostly of duplex lots
- Creekside – the largest multi-family residential neighbourhood in the community located at the base of the Silver Queen Chair

New Development Nodes

- Knoll Phase III – this residential development node is located downslope and around the existing Knoll properties
- Monashee Views – is located south of and adjacent to the proposed Silver Woods Chair down the east side of the Knoll
- Bella Vista – the lowest elevation of residential development, this node will provide a mix of new residential properties
- **Alpine Meadows** – located upslope of the Silver Star–Pinnacles neighbourhood, this residential node will provide a new family oriented development **(Bylaw 2056/05)**
- Village West – will provide an extension of the Main Street pedestrian mall to the Brewer's Pond area for new hotels and commercial enterprises
- Silver Woods – a new commercial development node south of the Village along the edge of the level terrain that typifies the commercial Village
- Silver West – a satellite development area with a specific orientation to those land uses which should be considered separately

2. Community Form and Character

Visitors to Silver Star consistently express a positive reaction to the strong architectural theme of the community. This theme is an expression of Victorian era ambiance and is well expressed by the distinctive architecture of commercial operations, resort facilities and hotels in the Village as well as by many private homes.

It is a well-known style emblematic of late Nineteenth Century buildings of North America typified by colour schemes with multiple and lively shades with features, ornamentation and details copied and reduced from buildings of the Victorian era. The commercial Village at Silver Star captures a distinctive western interpretation of this architectural style typified by early western pioneer and mining towns. What is not generally found in this style is a preponderance of rustic vernacular elements typified by exposed beams and timberwork, natural finishes and extensive rockwork.

Preservation and enhancement of the community character typified by the Victorian era ambiance was the single most important community issue received from the questionnaire circulated for the preparation of this Official Community Plan. This objective can be accomplished by requiring that all new residential and commercial buildings and significant additions to existing buildings, follow design guidelines and be considered by a Design Review Panel. The Panel will consist of one representative from the resort corporation, one representative from the Silver Star community with design or planning knowledge plus three additional persons with similar specialized qualifications. This Panel will review development applications and forward recommendations to the Regional District. Design Review Panels are common to many municipalities and have proven an effective tool for implementing design guidelines. The mandate and operational procedures for this Panel will be determined by the Regional Board as part of the implementation actions after the adoption of the Official Community Plan.

The interpretation of the Victorian era theme has varied since the construction of the first hotel in the Village. Every new building has tried a different approach to the theme. The key elements of lively Victorian colours and applied ornamentation of this highly recognizable style will continue to be reinvented as new resort facilities as well as commercial and residential developments are constructed. The intent of this theme is a community with a strong character based on historical styles and to create an identity that will distinguish Silver Star from other similar resorts.

General guidelines are included in the Official Community Plan to guide the preservation of the Victorian era theme and to provide direction for the preparation of a Development Permit Application. A Development Permit must be obtained prior to the issuance of a Building Permit. Policies are contained in the Plan to allow for the issuance of a Development Permit to be delegated to Regional District staff which will expedite administration of the Development Permit approval process.

3. Day-Use and Residential Parking

The subject of vehicle day-use parking has always been a subject of discussion because of the centralized form of community development at Silver Star. While this centralized form of development is very positive for community planning and visitor experiences, it results in challenges for parking design, vehicle circulation and snow storage capabilities.

The design standards for day-use parking are established by the Province through the “*Alpine Ski Area Guidelines*”. Normally, there would be no community issues with these standards as they primarily relate to resort operations. However, there are overlapping concerns regarding parking requirements. The community has been concerned with overflow parking on public roads and there is a legal commitment to some existing commercial operators to allow their overnight customers to use the day-use parking lot.

Provincial parking standards specify the amount of land for parking while recognizing that every ski area is unique and must take into account specific circumstances. These standards relate the skier carrying capacity and destination accommodation to the number of stalls and parking area.

The 1995 “*Base Area Master Plan*” identified 1,230 parking stalls which includes 400 stalls dedicated for destination parking for some commercial operators in the Village.

As the popularity of Silver Star continues to rise and skier carrying capacity continues to increase, additional day-use parking capabilities are necessary in order to keep parked vehicles off public roads. Therefore, the Regional District would support the preparation of a long-term day-use parking strategy for Silver Star. This strategy should be undertaken before any consideration of allocating existing parking lots to alternative uses thereby ensuring the appropriate quantity of day-use parking is adequately compensated. The implementation of the recommendations from this work will likely result in an amendment to this Official Community Plan.

Parking standards for new dwellings and commercial operations are also a community issue. Local experiences with previous developments can be used to guide updates to local regulations for the design of new developments and for the construction of new dwellings and commercial facilities. These regulations will address issues such as adequate off-street parking, driveway grades as well as snow storage capabilities. Parking regulations for commercial and residential uses are contained in the “*Silver Star Zoning Bylaw*” but these regulations do not extend to include day-use parking for resort operations as this standard is set by the Province as noted above.

4. Transportation Planning

Road Standards

The responsibility for road maintenance and snow clearing operations on public roads rests with the Ministry of Transportation. Regional contracts are let by the Province for this work and sub-contractors are used at Silver Star. Therefore, the quality of this work is dictated by Provincial policies and standards as they apply to regional contractors.

Concerns have been previously expressed about the need for improved snow removal because of the conflicts between vehicles and pedestrians. Parking and snow removal was the second most cited planning issue in the questionnaires returned for the Official Community Plan. Overflow from the day-use parking lots onto local streets during busy times has also been a problem. This overflow parking conflicts with snow clearing operations; vehicle movements and in particular fire truck access; and parked cars create a hazard between moving vehicles and pedestrians on the roads.

Unfortunately, the removal of vehicles parked on public roads that are causing conflicts is problematic with Provincial legislation and policy. In addition, the quality of snow removal from local streets is a Provincial responsibility and the Regional District can only request that this matter be investigated and operational adjustments, if any, would be the prerogative of the Province. An implementation strategy is included in the Plan to embark upon this consultation with the Ministry of Transportation.

Land or Building Strata Developments

Provincial legislation allows for the development of strata corporations within a specific subdivision or local neighbourhood. This type of development allows for reduced road widths and construction standards and road maintenance is the responsibility of the strata corporation. The Regional District has always been concerned about the proliferation of strata developments at Silver Star because of the uncertainty of road maintenance and snow removal for the passage of vehicles and fire trucks.

It is noted that there are other factors associated with strata developments that could potentially impact the community. The maintenance of fire hydrants is the responsibility of the strata corporation and the Regional District has no effective mechanism to ensure proper maintenance of these hydrants. Similar concerns are cited for the operation of street lights and waste management practices. Setting up a number of private strata corporations is also problematic for the operation of the community as a whole as any community-wide initiatives may or may not be applicable within these strata corporations. While this latter concern may not be a significant factor today, a preponderance of strata corporations could be problematic as the community at Silver Star grows and local governance changes.

Nevertheless, there are also advantages with strata developments. Firstly, developments along sloping terrain such as at Silver Star, means road cut and fill slopes. These slopes are scars across the land and often highly visible thereby creating a negative impression on the community. Attempts to landscape or otherwise absorb the visual impacts are often not successful particularly at high elevations where vegetation re-growth is very slow. The narrower road standard for strata developments would reduce this impact.

Secondly, Provincial standards also require specified front yard setbacks for all buildings which are not required by strata developments. These setbacks require more land clearing resulting in more environmental impacts. Wider front yard setbacks also detract from the creation of a neighbourhood community as larger setbacks are not conducive to interpersonal interactions.

Thirdly, the problem of towing illegally parked vehicles is also better managed by a strata corporation because towing can be undertaken directly by the on-site manager.

New Policy Development

Generally, roads that function as community-wide transportation corridors should be defined as public roads to allow for road extensions to new development nodes and to provide for an overall traffic circulation pattern. Roads and driveways within development nodes, however, could be defined as strata roads under the ownership of a strata

corporation provided that local government interests as noted above can be accommodated.

Therefore, policies are included in the Official Community Plan to require covenants over Crown grants or new subdivisions to implement local government concerns. These documents effectively could make roads in strata developments public roads in all aspects except ownership where a local government has responsibility for street lights, water utility services, emergency signage and fire lane access and could in the future have responsibility for road maintenance. The Plan also contains policies whereby similar covenants can also be obtained at the time of re-development of an existing property.

New Roads

Several new commercial and residential development nodes have been identified in the Official Community Plan and access roads will be constructed to access these areas. The Regional District is concerned about the continual loading of traffic on the intersection of Monashee Road and Silver Star Road. Therefore, a policy is included in the Plan to require a future connection to Silver Star Road for the final stage of residential development downslope of the Knoll (Bella Vista). Alternatively, a traffic circulation study should be undertaken to comprehensively review traffic patterns at Silver Star particularly to evaluate the capacity of Monashee Road and evaluate a mix of alternatives for road improvements or developments which may not be obvious today.

An emergency alternative to Silver Star Road has also been raised as an important consideration for the case of a community-wide evacuation. A summer access road already exists through the Putnam watershed but this road is not maintained and is in very poor condition. A new alternative access through the Deafies Creek watershed eastward to Trinity Valley has been raised as a possible alternative. This route would also provide positive economic benefits to the area around the Village of Lumby with improved access to Silver Star. The location of this road is shown on map Schedule B.

5. Environmental Management

Watercourses in the Official Community Plan area are designated as 'Open Space' and thereby protected by restricting development in proximity to the water channels to preserve the environment. These watercourses are also designated as Development Permit Areas to set conditions for the protection of the natural environment if any disturbance is necessary such as a creek crossing. The watercourses identified in the Plan include two headwater creeks of BX Creek and Brewer's Pond. It is noted that the BX Creek channel is designated as 'Open Space' only where the watercourse environment is well defined which is beyond the area around the base of the Silver Queen Chair.

Most of the development areas identified in the Official Community Plan are currently forested and some existing neighbourhoods also reasonably well stocked with natural vegetation. These forests are predominantly lodgepole pine and hemlock with an understory of fir and cedar. No known distinctive wildlife habitats have been identified within these areas. Nevertheless, these forested areas provide a habitat niche for local wildlife and birds and should, where feasible and practical, be preserved. Therefore, all

development areas and existing neighbourhoods where there are trees have been identified in the Official Community Plan as Development Permit Areas where conditions for the protection of the natural environment will be specified prior to the approval of any new developments.

With the exception of the watercourses noted above, a previous environmental impact assessment has not identified any significant niche environments within the area of the Official Community Plan. It is noted that some 'red listed' plant species were identified in this assessment but they are outside the development nodes identified in the Plan.

Fire Smart Community

Consideration of the wildfire hazard is now a regular consideration when planning communities within the forest interface. The Silver Star Fire Department continually trains local firefighters for this type of fire and has purchases the necessary equipment. There are further precautions that can be implemented at the time of development and by property owners to address the wildfire hazard. In this regard, every subdivision approved within the Plan area must consider the wildfire hazard whereby Covenants will be registered on property titles to inform property owners of what they can do to protect their property and the community from a wildfire. In addition, a Development Permit must be considered before any building permit is issued to set conditions for the protection of the development from the wildfire hazard such as the clearing of underbrush and the removal of construction debris.

6. Community Recreation

Silver Star is within the Greater Vernon Parks and Recreation District (GVPRD) which includes the City of Vernon, most of the District of Coldstream as well as Electoral Areas 'B' and 'C' of the Regional District of North Okanagan. The GVPRD operates many parks in the greater Vernon area including lakefront parks, regional parks, trails and neighbourhood parks. It also operates the Community Recreation Complex, Multiplex Arena and the Performing Arts Centre located in the City of Vernon. The GVPRD has no facilities at Silver Star.

Recreational taxes and fees collected at Silver Star are transferred to the GVPRD. The "*Local Government Act*" requires that new developments over a specified size must contribute land or money to the local parks district. For the GVPRD, this contribution is in the form of money. The GVPRD also has enacted a Development Cost Charge whereby all subdivisions and multi-family developments must contribute money to their operations.

Silver Star has its own challenges for community recreation. The community makes regular use of the auditorium and other facilities at the National Altitude Training Centre (NATC). The NATC opened in 1993 and is owned by a not-for-profit society. The financial viability of the NATC has always been a struggle until recently when an agreement was ratified to transfer operations to the resort corporation. There have been initial discussions in the community about the possibility of implementing a new local tax to contribute to the operational costs of the NATC so it can be strengthened as a community facility.

The second most cited new service or facility being requested by property owners based on returned questionnaires circulated for this Official Community Plan, is the need for community recreational facilities or a park. Plans were well underway previously for the GVPRD to construct a tennis court at Silver Star which plans were put in abeyance pending completion of this Official Community Plan and the preparation of a financial operational plan. One suggestion is that the land around the NATC could be used for such a facility or for a neighbourhood park. (Some NATC land is currently optioned to the resort corporation for possible development.) Other suggestions related to community recreation include a financial contribution to the operation of Brewer's Pond for activities such as fishing (catch & release) or picnicking; or a contribution to community festivals. It is noted that the new Master Plan for the GVPRD contains no long-term objectives, strategies or policies for any facilities or functions at Silver Star.

Policies in the Official Community Plan outline a process for the establishment of a local parks district at Silver Star. This will require comprehensive discussions with the GVPRD and the preparation of a financial and administrative strategy. It is important to note that this strategy must be approved by the property owners at Silver Star either through a petition or referendum. Without this approval any initiative for local parks and recreational facilities must be undertaken through the GVPRD. If the community does not pursue the concept of a local parks district, then policies are contained in the Plan to change the designation of the NATC property to 'Commercial' to allow the resort corporation to continue with their current entitlements.

7. Ski-in / Ski-out Planning

Existing residents at Silver Star are provided a ski-in/ski-out advantage to their property. This asset should be preserved. Therefore, policies are provided in the Official Community Plan that where a new development is being considered in proximity to an existing neighbourhood, then a consideration of ski-in/ski-out routes must be undertaken whereby existing properties should not be negatively impacted and possible extensions into the new development areas should also be considered.

Plans for redefining skiing trails around or through the proposed new development nodes have not been completed by the resort corporation but the design of the development nodes has taken skiing access to existing lots into consideration. Ski product planning will be further advanced by the resort once the development nodes are better defined and finalized during the subdivision stage of development. Ski product planning is not part of an Official Community Plan.

**SILVER STAR
OFFICIAL COMMUNITY PLAN
PART TWO - SCHEDULE A**

A. FORWARD

The policies that follow constitute Schedule A of the “*Silver Star Official Community Plan Bylaw No. 1925, 2004*”. The area covered by this Bylaw and the Plan designations are shown on the attached map Schedule B and Development Permit Areas are shown on map Schedule C. These map Schedules form part of the Bylaw. The Background Report prepared to accompany the Bylaw does not form part of the Bylaw. The policies together with the map Schedules B and C, have been prepared consistent with the provisions of the “*Local Government Act*”.

This Plan has been prepared in partnership with Silver Star Ski Resort Ltd., the owner of the Silver Star Master Development Agreement from the Province of BC. The agreement depicts the relationship between the resort corporation and the Province respecting resort development standards and the disposition of Crown land. The resort corporation is entitled to develop Crown land released by the Province in conjunction with the ongoing development of recreational facilities. The other partner in the preparation of this Plan is Land and Water BC Inc. as the Provincial government agency responsible for the implementation of the Master Development Agreement and Provincial objectives for the expansion of employment, revenue and recreational opportunities at Silver Star.

The Regional Board established a Technical Committee to undertake the preparation of this Bylaw and advise the Board of matters concerning the preparation of the Plan. This Committee consisted of the three partners in the preparation of the Plan; that is, Silver Star Ski Resort Ltd., Land and Water BC Inc., and the Regional District.

This Committee coordinated the mailing of Bulletins and a questionnaire to all property owners at Silver Star and hosted four public meetings to discuss with the community the strategic policies and new development initiatives outlined in the Plan. Upon completion of their work, the Committee advanced this Bylaw to the Regional Board to conduct a public hearing and to assess any final considerations.

B. INTERPRETATION

1. In this Plan the following words have definitions as contained in the “*Local Government Act*”:
 - Density
 - Highway
 - Land
 - Owner
 - Parcel
 - Subdivision

2. The definitions in this Section will apply in this Plan.

Alpine Ski Area Guidelines means the Provincial report titled "*Guidelines to Alpine Ski Area Development in BC*" (dated June 1996) and amendments thereto and enacted pursuant to the "*Commercial Alpine Skiing Policy*".

Commercial Use means the use of land for retail, food and beverage service, personal service, accommodation uses and certain residential uses as further outlined in the "*Zoning Bylaw*".

Low Density Residential means a land use on a parcel of land consisting of either a single dwelling, duplex dwelling or single dwelling with a suite and as further outlined in the "*Zoning Bylaw*".

Medium Density Residential means a land use on a parcel of land consisting of multi-family units and as further outlined in the "*Zoning Bylaw*".

Multi-Family Residential means a building or adjoining buildings consisting of more than two dwelling units where access to the dwelling is provided directly from the land (townhouse) or from a common corridor (apartment).

Natural Boundary means the visible high water mark of a watercourse or pond where the presence and action of water is so common and usual and so long continued in all ordinary years as to mark the soil of the bed of the watercourse or pond distinct from that of the banks thereof in respect to vegetation and the nature of the soil itself.

Plan Area means the land area covered by the Official Community Plan as shown on map Schedule B.

Procedures Bylaw means the "*Regional District of North Okanagan Procedures Bylaw No. 740, 1987*" and amendments thereto.

Regional Board means the Board of Directors of the Regional District of North Okanagan.

Residential Use means the use of land for the principal accommodation and home life of a person or family which can also include a rental use as provided for in this Plan. Residential uses are further outlined in the "*Zoning Bylaw*".

Short Term Rental Accommodation means the use of a dwelling unit for rental as temporary accommodation as further outlined in the "*Zoning Bylaw*".

Ski-in / ski-out means a land use providing reasonable and practical skiing access to and from a suitable building entrance. The size of this trail will be determined by local terrain conditions.

Statutory Building Scheme means a standard of construction for new developments that is registered at the Land Title Office.

Village means the continuous centrally located properties that are designated as 'Commercial' in this Plan around Main Street and Shorts Road as shown on map Schedule C.

Zoning Bylaw means the "*Silver Star Zoning Bylaw No. 1926, 2004*" and amendments thereto.

C. COMMUNITY OBJECTIVES

1. Facilitate the community development objectives of Silver Star Ski Resort Ltd. and Land and Water BC Inc. while addressing community expectations to coincide with new developments.
2. Anticipate as may be possible, the impacts of future developments at Silver Star whereby future land use changes may be better understood by the community and act as a guide for public and private investment.
3. Build upon the existing land use planning direction for the community and extend the distinctive elements which have traditionally marked the uniqueness of Silver Star.
4. To establish policies for the promotion and establishment of public access covenants over all lands at Silver Star to facilitate recreational movements and the ongoing function of the community as a ski and all season residential and destination resort.
5. To recognize the existing community character as promoted by the integrated architectural themes and to facilitate as possible, the expansion of these themes through specific design standards.
6. Provide direction for new commercial, residential and recreational development areas as well as community facilities in recognition of the requirements for resort development as outlined in the *“Alpine Ski Area Guidelines”* which also provides direction on some of these matters.
7. Provide a range of development options for new residential land uses thereby creating a diversified community and a full spectrum of residential property owners.
8. Provide a full range of commercial land uses and rental accommodations to facilitate the development of a fully integrated commercial service sector.
9. Present directions for the management of natural resource values and distinctive ecological niches within the Plan area.
10. Establish policies to guide the evolution of a ‘Fire Smart’ community with specific attention to wildfire interface planning and the needs of the Silver Star Fire Department.
11. Establish a basis for implementing bylaws and in particular, the “Silver Star Zoning Bylaw”.
12. Maintain an overall objective to facilitate the evolution of Silver Star into a self-sustaining community.

D. RESIDENTIAL LANDS

General

1. Land for current and future residential uses is designated as 'Residential' on map Schedule B. Neighbourhood and development areas cited in this Plan are shown on map Schedule C.
2. Land designated as 'Residential' includes low and medium density residential uses as further outlined in the *"Zoning Bylaw"*.
3. The Regional District considers that dwellings being used for short term rental accommodation are consistent with the objectives of this Plan.
4. All existing 'Residential' neighbourhoods and new 'Residential' development areas within the Plan area which includes all multi-family development areas, as shown on map Schedule B are considered part of the intensive residential development of the Silver Star community; and
are hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.
5. The development of new 'Residential' development areas where a Development Permit is required respecting the 'form and character' of development shall include a consideration of ski-in / ski-out access whereby such access on existing nearby properties shall not be negatively impacted with possible extensions of a ski-in / ski-out access into new development areas; and
the Regional District may require that a professional consultant with experience in ski hill development be retained to evaluate the suitability of the proposed ski-in/ski-out access.
6. The Regional District considers that snow management and snow storage on 'Residential' properties to be a priority; therefore, a minimum frontage of 15 metres should apply for all new parcels where parking areas will access directly to the frontage road and all new buildings should maintain a minimum 3 metre or 5 metre side yard setback as outlined in the *"Zoning Bylaw"*.
7. The Regional District considers that land designated as 'Residential' is sufficient to meet the housing needs for Silver Star for a period of at least five years.
8. To respond to affordable and rental housing needs, the Regional District supports the development of suites as permitted by the *"Zoning Bylaw"*.

Variances

9. Building heights for new residential developments are outlined in the *"Zoning Bylaw"*; however, the Regional District recognizes that a variance could be

considered, but not necessarily approved, where a building height increase could:

- reduce the visual massing of the residential area;
 - mask a negative visual feature;
 - provide visual variety for the residential area;
 - enhance the objectives of this Official Community Plan; or
 - otherwise provide a benefit for the community
10. The Regional District recognizes that a variance could be considered, but not necessarily approved, for new developments where site specific conditions warrant reduced setback standards such as, but not limited to, situations where topographical constraints would necessitate needless environmental destruction.
11. The Regional District recognizes that new building height and setback regulations in the “Zoning Bylaw” have not been adequately tested by new developments and that some variances may be appropriate for consideration based on site specific circumstances.

Cabin Colony

12. The Regional District recognizes that the *Cabin Colony* neighbourhood as shown on map Schedule C situated between Pinnacles Road and Silver Lode Lane, is an expression of early developments at Silver Star that provides a low density of residential development on small lots where new developments should include specialized setback standards as outlined in the “Zoning Bylaw”.
- ~~13. **The Cabin Colony neighbourhood includes the last remnant forested area within the centre of the community where special environmental considerations should be implemented with due consideration for the management of the wildfire hazard; therefore, the Cabin Colony neighbourhood is hereby designated within a Development Permit Area to set conditions for the ‘protection of the natural environment’ and for the ‘protection of development from hazardous conditions’ as outlined in Section J of this Plan.**~~
13. **To address issues concerning development and re-development in the Cabin Colony the Regional District has adopted a Neighbourhood Plan for the area referred to above which includes the area as a Development Permit Area, and establishes guidelines to regulate the form and character of development in the area. This Neighbourhood Plan has been included as Schedule “D” CABIN COLONY NEIGHBOURHOOD PLAN, attached to and forming part of this bylaw.**

(Bylaw 2368/08)

Silver Star-Pinnacles

14. The *Silver Star–Pinnacles* neighbourhood as shown on map Schedule C along the north side of Silver Star and Pinnacles Roads, is designated as ‘Low Density Residential’ where residential uses may be developed as outlined in the “*Zoning Bylaw*”.
15. The Regional District recognizes that portions of the *Silver Star–Pinnacles* neighbourhood is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,

Silver Star–Pinnacles neighbourhood is designated within a Development Permit Area to set conditions for the ‘protection of the natural environment’ and for the ‘protection of development from hazardous conditions’ as outlined in Section J of this Plan

The Knoll

16. *The Knoll* neighbourhood as shown on map Schedule C is designated as a mix of ‘Low Density Residential’ and ‘Medium Density Residential’ where residential uses may be developed as outlined in the “*Zoning Bylaw*”.
17. The Regional District recognizes that *The Knoll* neighbourhood is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,

The Knoll neighbourhood is designated within a Development Permit Area to set conditions for the ‘protection of the natural environment’ and for the ‘protection of development from hazardous conditions’ as outlined in Section J of this Plan

The Ridge

18. *The Ridge* residential development area as shown on map Schedule C situated north of Silver Star Road, is designated as ‘Low Density Residential’ where a mix of single and duplex dwellings may be developed as outlined in the “*Zoning Bylaw*”.
19. Regional District recognizes that *The Ridge* residential development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,

The Ridge development area is designated within a Development Permit Area to set conditions for the ‘protection of the natural environment’ and for the ‘protection of development from hazardous conditions’ as outlined in Section J of this Plan.

Alpine Meadows (Bylaw 2056/05)

20. The Regional District will continue with policies to set a range of residential dwelling types and residential densities and in particular, supports the designation of new low density developments suitable for families and encourage permanent residential occupation; and

the **Alpine Meadows** residential development area as shown on map Schedule C situated upslope from the existing properties on Pinnacles Road, is specifically established with the intent to encourage permanent residential occupancy with appropriate land use regulations in the “Zoning Bylaw”.

(Bylaw 2056/05)
21. The Regional District recognizes that the upslope position of the **Alpine Meadows** development area from the Village and the lack of existing tree cover to reduce massing of new developments in this area are noteworthy visual considerations and special height, lot frontage requirements and setback restrictions will be implemented in the “Zoning Bylaw” in recognition of these considerations.

(Bylaw 2056/05)
22. A consideration of the implications on the water utility installations adjacent to the **Alpine Meadows** development area will be undertaken at the Development Permit stage to consider the subdivision of these lands.

(Bylaw 2056/05)

Monashee Views

23. The *Monashee Views* residential development area as shown on map Schedule C situated between the proposed Silver Woods lift and the ‘Service Utility’ lagoons, is designated as ‘Medium Density Residential’ where a mix of single, duplex or multi-family residential dwellings may be developed based on the density provisions of the “Zoning Bylaw”.
24. The Subdivision Plan for the *Monashee Views* development area shall include a connection to lands beyond with provision for a connection to the “Lumby Road” as shown approximately on map Schedule B and designed to applicable engineering standards.
25. The Regional District recognizes that the *Monashee Views* residential development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area;

therefore, the *Monashee Views* development area is designated within a Development Permit Area to set conditions for the ‘protection of the natural environment’ and for the ‘protection of development from hazardous conditions’ as outlined in Section J of this Plan.

Knoll Phase Three

26. The Regional District will initiate a process to rename Mistaya Road to Silver Queen Road thereby creating greater clarity for emergency 911 operations.
27. The *Knoll Phase Three* residential development area as shown on map Schedule C is designated partially 'Medium Density Residential' where a mix of single, duplex or multi-family residential dwellings may be developed; and partially 'Low Density Residential' for those lands adjacent to the existing *Knoll* properties as shown on map Schedule B where these areas are to be developed based on the density provisions of the "*Zoning Bylaw*".
28. Notwithstanding the land use designations for the *Knoll Phase Three* development area and in consideration of the distribution of bed units over all new residential development areas at Silver Star, the Regional District supports an overall preponderance of single and duplex dwellings for the *Knoll Phase Three* development area similar to the majority of housing in the existing *Knoll* residential properties.
29. The Regional District recognizes that special setback provisions are necessary between the *Knoll Phase Three* development area and existing *Knoll* residential properties to preserve existing views, privacy and environmental conditions; and

further consideration of this setback will be undertaken at the time of subdivision for the *Knoll Phase Three* development area while recognizing that this setback area will provide for a 'Resort Use' such as Nordic skiing opportunities for all *Knoll* residents and the community in general.
30. The implementation of the *Knoll Phase Three* residential development area shall be contingent upon the extension of Silver Queen (Mistaya) Road, or connection to the *Silver Woods* commercial development area, or connection to Silver Star Road as shown on map Schedule B and any connection to Monashee Road utilizing the existing right-of-way adjacent to Lot 36, Plan KAP44119, D.L. 1355, O.D.Y.D. provides only an additional access connection as well as local development opportunities.
31. The Regional District recognizes that the *Knoll Phase Three* residential development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,

the *Knoll Phase Three* development area is designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.

Bella Vista

32. The *Bella Vista* residential development area as shown on map Schedule C which includes a connection to the Silver Queen (Mistaya) Road extension in the *Knoll Phase Three* development area, is designated as 'Medium Density Residential' where a mix of single, duplex or multi-family residential dwellings may be developed based on the density provisions of the "*Zoning Bylaw*".
33. The subdivision and development of the *Bella Vista* development area and any connection to the Silver Queen (Mistaya) Road extension, shall be contingent upon the development of an access to Silver Star Road; and
notwithstanding this requirement, the Regional District recognizes that a traffic circulation study to comprehensively review traffic patterns at Silver Star may identify road improvements or developments which may not be obvious today that could facilitate the development of the *Bella Vista* development area.
34. Where a connection is made to Silver Star Road to access the *Bella Vista* development area, a Development Agreement will be constituted at the time of subdivision to provide for a connection to the road network for the *Knoll Phase Three* development area and existing *Knoll* properties to provide an alternative access to Silver Star Road for all properties at Silver Star.
35. The Regional District recognizes that the *Bella Vista* residential development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,
the *Bella Vista* development area is designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.
36. Notwithstanding Section D.5 of this Plan, the Regional District recognizes that the provision of a ski-in/ski-out access may not be possible for all or portions of the *Bella Vista* development area due to the character of the terrain.

E. COMMERCIAL LANDS

General

1. Land for current and future commercial uses is designated as 'Commercial' on map Schedule B. The existing commercial neighbourhoods and new commercial development areas are shown on map Schedule C.
2. The Regional District supports the establishment of home occupations that are developed and operated in accordance with regulations in the "*Zoning Bylaw*".
3. The preservation of existing or new architectural themes for new commercial developments is an important community objective; therefore, all land designated as 'Commercial' is hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.
4. The development of new 'Commercial' areas where a Development Permit is required respecting the 'form and character' of development, shall include a consideration of ski-in/ski-out access whereby such access on existing nearby properties shall not be negatively impacted with possible extensions of a ski-in/ski-out access into new development areas; and

the Regional District may require that a professional consultant with experience in ski hill development be retained to evaluate the suitability of the proposed ski-in/ski-out access.
5. Except for Neighbourhood Commercial uses as listed in the "*Zoning Bylaw*", the Regional District supports the concentration of commercial uses around or in the vicinity of the existing *Village* and *Upper Village* areas and the new *Village West* and *Silver Woods* commercial development areas.

Variances

6. Building heights for new commercial developments are outlined in the "*Zoning Bylaw*" however, the Regional District recognizes that variance could be considered, but not necessarily approved, where an increase in building height could:
 - reduce the visual massing of the commercial area;
 - mask a negative visual feature;
 - provide visual variety for the commercial area;
 - enhance the objectives of this Official Community Plan; or
 - otherwise provide a benefit for the community.
7. The Regional District recognizes that a variance could be considered, but not necessarily approved, for new developments where site specific conditions warrant reduced setback standards such as, but not limited to, situations where topographical constraints would necessitate needless environmental destruction.

8. The Regional District recognizes that new building height and setback regulations in the “*Zoning Bylaw*” have not been adequately tested by new developments and that some variances may be appropriate for consideration based on site specific circumstances.

Village West and Silver Woods

9. The southeastern portion of Block N, D.L. 1355, O.D.Y.D. (*National Altitude Training Centre*) within the *Village* commercial development area has a dual designation of ‘Commercial’ and ‘Community Recreation’ as shown on map Schedule B in recognition of the long-term designation of ‘Commercial’ if the initiative to establish a new recreation district is not pursued within three years from the adoption of this Plan or the initiative fails as further outlined in Section O of this Plan.

10. Portions of the *Village West* and *Silver Woods* commercial development areas are also designated as ‘Parking’ as shown on map Schedule B where existing day-use and/or overnight parking shall be accommodated with a development proposal in addition to the parking as required for the subject development; and

the Regional District may waive this requirement to provide existing day-use and/or overnight parking where in the opinion of the Regional District, a suitable alternative is provided (such as a shared parking agreement); or

the Regional District will omit this requirement where a comprehensive parking strategy has been prepared and endorsed by the Regional District as outlined in Section H.13 of this Plan.

11. Notwithstanding the ‘Commercial’ designation in the *Village West* and *Silver Woods* commercial development areas and in consideration of the adjacent *Knoll* residential properties, the Regional District does not support pub, cabaret or similar late night “noisy” uses on lands immediately adjacent to these *Knoll* properties.

12. The Regional District recognizes that special setback provisions are necessary between the *Silver Woods* area and existing *Knoll* residential properties to preserve existing views, privacy and environmental conditions; and

consideration of this setback will be undertaken at the time of a subdivision application or a Development Permit application for new development for this commercial development area.

13. A subdivision plan for the *Village West* commercial development area shall include provision for pedestrian walkways and in particular, the continuation of the existing Main Street pedestrian mall westward to Brewer’s Pond. The exact alignment for these pedestrian routes will be determined at the time of subdivision or with a Development Permit application for a new building.

14. A subdivision plan for the *Silver Woods* commercial development area shall include provision for a ski route from the eastern end of the *Knoll* properties (Silver Queen Road) to skiing opportunities eastward.
15. The Regional District recognizes that portions of the *Silver Woods* commercial development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,

the *Silver Woods* development area is designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.

Neighbourhood Commercial

16. The Regional District will consider, but not necessarily approve, an application to amend this Plan as outlined in Section K of this Plan for 'Neighbourhood Commercial' uses outside the existing concentration of commercial uses around the *Village* area where a commercial service is beneficial to the surrounding neighbourhood.
17. The Regional District recognizes that 'Neighbourhood Commercial' uses will occur in areas that are currently forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and such areas are also within the wildfire interface area; therefore,

the 'Neighbourhood Commercial' areas outside the existing concentration of commercial uses around the *Village* area are designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.

Temporary Commercial Permits

18. The Regional District will consider any application for a Temporary Commercial Permit and the following information and considerations should be provided to guide the review of the application and to set the general conditions for the issuance of a Permit while recognizing that a Permit may or may not be approved by the Regional District.
 - (a) Evidence provided that sufficient water quantities and fire flow capabilities for the proposed commercial use and confirmation that a sewer service is available.
 - (b) Confirmation provided of a highway access permit as necessary.

- (c) Information site plans, to scale, showing as necessary:
- access and frontage roads;
 - environmental amenities (if any) including local drainage ditches, existing tree cover and watercourses;
 - size and location of proposed land uses;
 - the 'form and character' of any buildings as outlined in this Plan including screening installations as outlined in the *"Zoning Bylaw"*;
 - location of any utilities, easements or rights-of-way; and
 - the dimensions of the area.
- (d) The Applicant should submit the results of a public information meeting on the proposed land use called with notification at least in the form of notice for public hearing and conducted by the applicant except that the Regional District may waive this requirement where the Regional District deems such a land use will not adversely affect surrounding property owners.
- (e) The Regional District will consider potential environmental impacts emanating from the proposed commercial use and may require a professional consultant to design appropriate mitigative measures to countermand these impacts.
- (f) Notwithstanding these submissions, the Regional District will consider any other relevant information including but not limited to compatibility with adjacent or neighbourhood land uses as well as the possibility of noise pollution, environmental degradation or unsightly conditions that may prevail.

F. COMPREHENSIVE DEVELOPMENT LANDS

1. The *Silver West* development area as shown on map Schedule C situated along Silver Star Road, is designated on map Schedule B as 'Comprehensive Development' where a mix of uses is permitted as outlined in the "*Zoning Bylaw*" but generally related to services for snowmobile recreation, vehicle services and recreational vehicle accommodation as well as housing for persons with these recreational interests.
2. *Silver West* is considered as a development area for both commercial and intensive residential development and is hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.
3. The Regional District recognizes that the *Silver West* development area is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore,
the *Silver West* development area is designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.
4. The Regional District recognizes that a special setback from Silver Star Road to preserve a treed visual barrier to the *Silver West* development area is necessary because the area is too far removed from the existing community as an entrance location for the community; and
the minimum size and location of this special setback is outlined in the "*Zoning Bylaw*" and will be further refined as part of the Development Permit for consideration of the 'protection of the natural environment' with the primary consideration being the creation of a visual barrier for the arrival to the community from Silver Star Road.

G. OTHER LAND USE POLICIES

Resort Use Lands

1. Land for current and future skiing and other outdoor recreational uses is designated as 'Resort Use' on map Schedule B with permitted uses as outlined in the "Zoning Bylaw".

Utility and Maintenance Facilities

2. Land for maintenance facilities for the resort corporation as well as various civic uses as outlined in the "Zoning Bylaw" and waste treatment and disposal sites is designated as 'Service Utility' on map Schedule B.
3. Provisions are included in the "Zoning Bylaw" for the provision of public utility services to provide essential utility service lines and associated appurtenances.

4. In the context of this Plan for the development of an architectural theme, land for the development civic uses are considered as institutional uses and land for maintenance facilities and waste treatment and disposal sites that include the construction of a building are considered as industrial uses; and

these lands are hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan; and

if these uses are located in a forested area where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and include a consideration of the wildfire interface hazard; then

these lands are also designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.

5. Additional land for civic uses such as local government administrative offices, may be necessary as growth continues at Silver Star and the Regional District will work with the resort corporation and Land and Water BC Inc. for the acquisition of this land as the demand warrants with particular attention to land in the vicinity of the Fire Hall.
6. Land for providing essential servicing with water, sewer, electrical, street lighting, electrical, telephone, utility lines and similar services is provided throughout the Plan area without a specific designation.
7. Because of the importance of water supplies for new development and the uncertainty of additional water supplies, the Regional District will require confirmation of water availability at the time of consideration of a Development Permit.

Industrial

8. The Regional District supports a policy that developments for industrial uses are not appropriate in a resort community and such facilities should be located in the greater Vernon area; and

notwithstanding this general policy the Regional District will consider granting a Temporary Industrial Permit as outlined in the *"Local Government Act"* within the Plan area.

9. The Regional District will consider any application for a Temporary Industrial Permit and the following information and considerations should be provided to guide the review of the application and to set the general conditions for the issuance of a Permit while recognizing that a Permit may or may not be approved by the Regional District.

(a) Evidence provided that sufficient water quantities and fire flow capabilities for the proposed industrial use and confirmation that a sewer service is available.

(b) Confirmation provided of a highway access permit, as necessary.

(c) Information site plans, to scale, showing as necessary:

- access and frontage roads;
- environmental amenities (if any) including local drainage ditches, existing tree cover and watercourses;
- size and location of proposed land uses;
- the form and character of any buildings as outlined in this Plan including screening installations as outlined in the *"Zoning Bylaw"*;
- location of any utilities, easements or rights-of-way; and
- the dimensions of the area.

(d) The Applicant should submit the results of a public information meeting on the proposed land use called with notification at least in the form of notice for public hearing and conducted by the applicant except that the Regional District may waive this requirement where the Regional District deems such a land use will not adversely affect surrounding property owners.

(e) The Regional District will consider potential environmental impacts emanating from the proposed industrial use and may require a professional consultant to design appropriate mitigative measures to countermand these impacts.

(f) Notwithstanding these submissions, the Regional District will consider any other relevant information including but not limited to compatibility with adjacent or neighbourhood land uses as well as the possibility of noise pollution, environmental degradation or unsightly conditions that may prevail.

10. There are no sand and gravel deposits that are suitable for future sand and gravel extraction within the Plan area.

Fire Smart Community

11. The community of Silver Star is located within a mountainous forested area where the potential of wildfire should be recognized particularly at the interface between the community and the surrounding forest; therefore,
all developments within the interface area or within a forested area are designated in this Plan as within a Development Permit Area to set conditions for the 'protection of the development from hazard conditions' as outlined in Sections D, E, F and J of this Plan.
12. The Regional District recognizes that an alternative emergency access/egress route should be identified and an implementation strategy devised to develop this route.

Miscellaneous

13. There are no lands suitable for agricultural uses or within the Agricultural Land Reserve within the Plan area.
14. The Regional District supports a policy that developments for institutional uses and special needs housing should be in a municipality where social infrastructure facilities are readily available.

H. TRANSPORTATION, PUBLIC ACCESS AND PARKING POLICIES

Transportation

1. Existing and proposed roads and future transportation corridors within the Plan area are shown on map Schedule B.
2. The conceptual location of currently proposed new roads in the Plan area are shown as proposed roads on map Schedule B while noting that the location and need for these roads may change and new roads may be identified as land use planning continues.
3. The Regional District recognizes the benefits of strata road standards with regard to reduced environmental disruption for both roadways and development sites and the benefits of strata corporations to manage snow removal and illegally parked vehicles; therefore,

the Regional District generally supports the establishment of strata roads for bare land and building strata developments except as outlined below in Section H.4 of this Plan.
4. Notwithstanding the general support for strata roads as outlined above in Section H.3 of this Plan, certain road corridors should be developed and maintained as public roads to merge and concentrate vehicle traffic around the community as outlined on map Schedule B and described as follows:
 - (a) The road corridor from Mistaya Road (Monashee Road) around through the Knoll Phase Three development area to and through the Monashee Views development area to access Crown lands beyond at the proposed Silver Woods Chair as depicted on map Schedules B and C.
 - (b) The road corridor from Silver Star Road to and through the Bella Vista development area to a connector corridor to the road corridor through the Knoll Phase Three development area as depicted on map Schedules B and C.
 - (c) The road corridor from Monashee Road to and through the Silver Woods development area to access Crown lands beyond at the proposed Silver Woods Chair as depicted on map Schedules B and C.
5. The Regional District supports a policy that all road ends should be a cul-de-sac constructed to Ministry of Transportation standard and suitable for use by the Silver Star Fire Department trucks; except a hammer turn-around may be permitted if such standards are not possible and where supported by the Fire Chief and the Office of the Assistant to the Fire Commissioner.
6. The Regional District supports a policy that snow storage areas should be identified for all new roads.
7. In recognition of the need for efficient emergency 911 operations, the Regional District will initiate a procedure to change the name of Mistaya Road to Silver Queen Road.

8. The Regional District supports the establishment of a new public road to connect Silver Star eastward to Trinity Valley Road and the accommodation facilities and recreational opportunities in the Village of Lumby and Electoral Areas 'D' and 'E' of the Regional District. The general location of this road connection is shown on map Schedule B with additional policies outlined in Section D.25 of this Plan.

Public Access

9. The Regional District considers it in the Public Interest that public access to lands beyond new development areas and existing neighbourhoods is necessary to implement the Fire Smart policies outlined in this Plan and to access skiing opportunities and all season recreational opportunities consistent with the objectives of this Plan; therefore,

at the time of issuance of a Crown grant for new development lands, the Regional District would request that the Province in consultation with the Regional District, require the registration of a Covenant, where appropriate, to provide a public access route through the subject lands and to lands beyond as well as on the subject lands where no building or structure is located; and similarly

at the time of subdivision to create new development lands, that the Approving Officer follow the same policy direction.

Public Parking

10. Lands used for existing day-use and/or overnight parking are designated as 'Parking' on map Schedule B. Underground parking areas are not shown on Schedule B.

11. The Regional District recognizes that design guidelines for day-use and/or overnight parking are established by the *"Alpine Ski Area Guidelines"* and notwithstanding these guidelines, additional information on the size and design for parking lots, indoor parking garages and parking spaces for Silver Star are included in the *"Zoning Bylaw"*.

12. Existing day-use and/or overnight parking areas as shown on map Schedule B shall be replaced with a development proposal in addition to the parking as required for the subject development to the size and design standards outlined in the *"Zoning Bylaw"*; and

the Regional District may waive this requirement to provide replacement day-use and/or overnight parking where in the opinion of the Regional District, another suitable alternative is provided (such as a shared parking agreement); or

the Regional District will omit this requirement where a comprehensive parking strategy has been prepared and endorsed by the Regional District as outlined in Section H.13 of this Plan.

13. The Regional District supports and will participate in the preparation of a long-term strategy to address day-use and/or overnight parking for Silver Star and once completed, the Regional District will consider final endorsement of the strategy to complement the policy outlined in Sections H.12 and E.10 of this Plan.
14. The Regional District recognizes the inefficient Provincial regulations and bureaucracy surrounding the removal of parked cars on public roads that interfere with snow removal and vehicle access and cause conflicts with pedestrian use of the roads and the Regional District will continue to strive to encourage Provincial regulatory and policy change to increase efficiencies.
15. The Regional District will continue to recognize previous legal commitments by the resort corporation to some commercial operators in the *Village* and *Upper Village* to accommodate the vehicles for their customers on the day-use and/or overnight parking lots.

I. OPEN SPACE AND RECREATION POLICIES

Open Space

1. Lands designated as 'Open Space' are shown on map Schedule B including:
 - 15 metres from the natural boundary of BX Creek from the headwaters near the base of the Silver Queen Chair to the boundary of the "Controlled Recreation Area";
 - 15 metres from the natural boundary or the top of bank of the incised channel of BX Tributary Creek along the western boundary of the "Controlled Recreation Area", whichever is lesser; and
 - 15 metres from the natural boundary of Brewer's Pond; and
 - 15 metres from the southeast natural boundary and to the adjacent road from the northwest natural boundary of the tributary to Brewer's Pond from Monashee Road.
2. Lands designated as 'Open Space' are designated within a Development Permit Area to set conditions for the 'protection of the natural environment' as outlined in Section J of this Plan.

Community Recreation

3. Lands designated as 'Community Recreation' are shown on map Schedule B including:
 - Brewer's Pond and the tributary watercourse east to Monashee Road; and
 - The northwestern portion of Block N, D.L. 1355, O.D.Y.D. (National Altitude Training Centre).
4. The southeastern portion parcel Block N, D.L. 1355, O.D.Y.D. (*National Altitude Training Centre*) within the *Village* commercial development area has a dual designation of 'Commercial' and 'Community Recreation' as shown on map Schedule B in recognition of the long-term designation of 'Commercial' if the initiative to establish a new recreation district is not pursued within three years from the adoption of this Plan or the initiative fails as further outlined in Section I.0 of this Plan.
5. Land designated as 'Community Recreation' will include a mix of institutional, recreational and limited commercial uses as outlined in the "*Zoning Bylaw*" and are considered as future parks.
6. Because lands designated as 'Community Recreation' include commercial uses and the preservation of existing or new architectural themes for new commercial developments is an important community objective; therefore, all land designated as 'Community Recreation' is hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.

7. The Regional District supports an initiative to consider the establishment of a new recreation district at Silver Star with specific reference to active participation in the creation and management of community recreation facilities at the National Altitude Training Centre (Block N, D.L. 1355) and Brewer's Pond; and
 - (a) if the initiative to establish a new recreation district is not pursued within three years from adoption of this Plan or the initiative fails, the Regional District will initiate an amendment to this Plan to designate Block N, D.L. 1355 as 'Commercial' and remove the 'Community Recreation' designation from Brewer's Pond; while noting that Brewer's Pond is also designated as 'Open Space'; or
 - (b) if the initiative to establish a new recreation district is approved by the electorate, the Regional District will recognize that time is of the essence and complete the establishment of the parks district and the parks facilities approved by the electorate.
8. Notwithstanding the policy to pursue the possible establishment of a new parks district at Silver Star noted above in Section 1.7, the Regional District would encourage the Greater Vernon Parks and Recreation District to re-evaluate the *'Greater Vernon Parks and Recreation Master Plan'* to consider local parks services at Silver Star.
9. The Regional District anticipates that if a new recreation district is established for Silver Star, then appropriate amendments to the *"Zoning Bylaw"* will be necessary to incorporate additional recreational uses.
10. Pursuant to Section 941(2) of the *"Local Government Act"* and pending any initiative to establish a new recreation district at Silver Star, the provision of park land shall be in the form of money to the existing Greater Vernon Parks and Recreation District as provided under Section 941(1-b) of the Act.

J. DEVELOPMENT PERMIT AREAS

J.1 Administration Policies for Development Permits

General

1. Development Permit areas cited in this Plan are shown on map Schedule 'C'.
2. Where a Development Permit is submitted for a land use that is not permitted in the "Zoning Bylaw" or any other local bylaw or a Provincial or local regulation, then the Regional District may refuse to issue a Development Permit.
3. Where it has been determined that a Development Permit Application is inconsistent with the guidelines and polices outlined in this Section, the Regional District may refuse to issue a Development Permit.
4. Pursuant to Section 920(2.a) of the "Local Government Act", the Regional District may, as part of a Development Permit, consider and, if approved, grant a variance as provided under the Act following the procedures as outlined in the "Procedures Bylaw".
5. Where information is received concerning areas that may be subject to a hazardous condition, the Regional District will consider the designation of these areas within a Development Permit Area.

Design Review Panel

6. The Regional District will establish by policy, a Design Review Panel to consider Development Permit applications and other matters as may be referred by the Regional District with recommendations to the Regional Board or a delegate.

Delegation of Authority

- ~~7. Where the Regional District has input into and endorses a Statutory Building Scheme with specific input on matters related to the 'form and character' of development and conditions for 'protection of the natural environment' and 'protection from hazardous conditions' (wildfire interface) as well as other matters related to the objectives of this Plan; and
pursuant to Section 176(1-e) of the "Local Government Act" as well as the Regional District "Procedures Bylaw";
the power to issue a Development Permit within areas designated as 'Residential' respecting the construction, addition to, or alteration of buildings pursuant to Section 920(2-b) and Section 920(2-c) of the "Local Government Act", is delegated to the Regional District employees as specified in the "Procedures Bylaw".~~

- ~~8. Pursuant to Section 920(12) of the “Local Government Act”, an owner having submitted a Development Permit Application is entitled to have the Regional Board reconsider any application or any decision of the employee delegated the task of issuing Development Permits.~~

Bylaw 2240, 2007

J.2 Subdivision Development Permits

1. A Development Permit application respecting the subdivision of land should include all information necessary to evaluate the proposed subdivision plan including, but not limited to, the following information:
 - (a) a site plan showing the size and dimensions of all proposed parcels, roads and ‘Resort Use’ areas;
 - (b) site plan information on existing ski-in/ski-out access routes to existing nearby properties showing how these routes will not be negatively impacted as well as possible extensions of these routes to new properties if appropriate;
 - (c) topographic information suitable to determine compliance with Regional District development standards;
 - (d) environmental and geotechnical information including the location of watercourses, springs, environmentally sensitive areas and geotechnical hazards, if any, as well as general information on the depth of soils;
 - (e) characteristics of the local forest conditions suitable for an evaluation of wildfire interface hazards and matters concerning the protection of the natural environment;
 - (f) a utility servicing plan for sewer, water and street lights; and
 - (g) any other information that may be required by the Regional District to evaluate the proposed subdivision plan with particular reference to the objectives of this Plan or other Regional District policies or bylaws and in particular, policies respecting public access as outlined in Section H of this Plan.
2. Pursuant to Section 920(1-a) of the “Local Government Act”, land must not be subdivided in the Plan area without first obtaining a Development Permit respecting:
 - (a) the character of the development where the objective is to maintain a development standard as outlined in this Plan, the “Zoning Bylaw” and other Regional District policies and bylaws;
 - (b) matters related to the establishment of conditions respecting the protection of the natural environment as outlined in Section J.4 of this Plan and

- (c) matters related to the protection of the development from hazardous conditions respecting the wildfire interface as outlined in Section J.5 of this Plan.

J.3 Form and Character Development Permits

Information for Applications

1. A Development Permit Application respecting the 'form and character' of development should include the following information:
 - (a) a development plan indicating the boundaries of the subject parcel, location and size of any existing and proposed buildings, additions or alterations to buildings as well as driveways, watercourses, drainage ditches, parking areas and snow storage areas designated as specified by the "Zoning Bylaw";
 - (b) site plan information on existing ski-in/ski-out access routes to existing nearby properties showing how these routes will not be negatively impacted as well as possible extensions of these routes to new properties if appropriate;
 - (c) the proposed design of any new buildings, additions or alterations to buildings showing the character of the new construction, exterior architectural details, building materials and colours following the guidelines outlined in this Section;
 - (d) a summer landscaping plan for properties designated as 'Commercial' in this Plan showing the size and density of plantings, type and density of ground cover and the dimensions of the landscaped area as required by the "Zoning Bylaw";
 - (e) a summer landscaping plan for properties designated as 'Residential' in this Plan showing areas where existing natural vegetation will be retained and areas for new plantings;
 - (f) a plan showing the location of waste disposal and recycling facilities for properties designated as 'Commercial' in this Plan or multi-family buildings; and
 - (g) design and location of any signs following the standards as required by the "Zoning Bylaw".

Development Permit Guidelines and Statutory Building Schemes

2. The Regional District will consider any amendment to this Plan to establish unique 'form and character' guidelines for a specific neighbourhood or group of parcels provided that the majority of property owners agree to the guidelines and there is no conflict with an established Statutory Building Scheme that may be registered on the subject parcels while noting that such guidelines may or may not be approved; and

in consideration of this amendment, the Regional District will seek the advice of the Design Review Panel, hold a Public Hearing and gain other input as may be warranted to determine possible implications on whole character of the Silver Star community as outlined in this Section.

3. The Regional District will consider any request to endorse a Statutory Building Scheme and in consideration of this request, the Regional District will seek a recommendation from the Design Review Panel or gain other input as may be warranted to determine possible implications on whole character of the Silver Star community as outlined in this Section; and

the Regional District may request that the proponent hold a Public Information Meeting with notification normally undertaken for a Public Hearing or notification to all property owners, to obtain public opinion on the applicability of the proposed Statutory Building Scheme within the whole character of the Silver Star community; thereafter,

the Regional District will make a decision to endorse or reject the proposed Statutory Building Scheme.

4. A Statutory Building Scheme not endorsed by the Regional District shall not be implemented by the Regional District and the design guidelines for the 'form and character' of development outlined in this Section shall be applied in the consideration of a Development Permit application.

General Guidelines for Form and Character

5. A consideration of a ski-in / ski-out access routes shall be undertaken as part of the consideration of a Development Permit Application respecting the 'form and character' of development.
6. The posting of house numbers shall be required as condition of a Development Permit respecting the 'form and character' of development.
7. View corridors from adjacent properties will be considered as part of a Development Permit Application respecting the 'form and character' of development and where possible, these corridors will be preserved while recognizing that impacts may be unavoidable.

Residential Guidelines for Form and Character

8. The Regional District has the objective to maintain community and neighbourhood residential development themes already prevalent at Silver Star and to maintain a general character of the whole community based on these themes while recognizing that a distinctive neighbourhood may detract from these themes without impacting the character of the whole community; and

when reviewing a Development Permit Application for those lands designated as 'Residential' and also designated as Development Permit Areas to set conditions for the 'form and character' of development as specified in Sections D and F of this Plan, the Regional District will consider the following guidelines:

- (a) Where a Statutory Building Scheme has been registered and endorsed by the Regional District, the 'form and character' of a building, addition or alteration to a building shall follow this Scheme.
- (b) In the absence of a Statutory Building Scheme endorsed by the Regional District, the Regional District has the objective to adhere to and expand upon the current Victorian era character of the Silver Star community and when reviewing a Development Permit application, the Regional District will consider the following guidelines:
- building form depicting asymmetrical massing with complex shapes or simple massing with complex adornments
 - mixture of elaborate detailing and trim over the building
 - exteriors of natural materials or stucco or alternatively, construction products simulated to look as natural materials may be used
 - mixture of materials, colours and patterns with limited, if any, natural finishes
 - sloped roof with a shape and constructed of materials to retain snow, or flat roofs
 - extreme freeze/thaw cycles should be considered when choosing building materials
 - landscaping to retain where feasible and practical, existing natural vegetation
 - new plantings should predominantly include indigenous species and be planned and developed in accordance with the landscaping regulations in the "Zoning Bylaw"
- (c) Notwithstanding the guidelines to consider the 'form and character' of new developments outlined in Section J.3.8(b) and in the absence of Statutory Building Scheme endorsed by the Regional District pursuant to Section J.3.8(a), the guidelines for the 'form and character' for buildings in the *Cabin Colony* as shown on map Schedule C have an objective to reflect the form of the historical ski cabin character dominant in this neighbourhood as follows:

- simple shape and massing of the building form
- use of natural materials such as shingles, shakes and wood siding with limited patterning where such materials are treated for fire protection or alternatively, construction products simulated to look as natural materials may be used
- stone and rock work limited to foundation works or facings, chimneys and minor adoration
- sloping roofs with wide eaves are prevalent and covered in materials conducive to the retention of snow
 - extreme freeze/thaw cycles should be considered when choosing building materials
- number of colours is limited with natural finishes being predominant
- landscaping to retain where feasible and practical, existing natural vegetation
- new plantings should predominantly include indigenous species and be planned and developed in accordance with the landscaping regulations in the “*Zoning Bylaw*”

Commercial Guidelines for Form and Character

9. The Regional District has the objective to maintain Victorian era character typified by late nineteenth century buildings in the commercial *Village* at Silver and to encourage new commercial developments based on this character; and

when reviewing a Development Permit application for those lands designated as ‘Commercial’ and also designated as Development Permit Areas to set conditions for the ‘form and character’ of development as specified in Sections E and F of this Plan, the Regional District will consider the following guidelines:

- (a) Where a Statutory Building Scheme has been registered and endorsed by the Regional District, the ‘form and character’ of a building, addition or alteration to a building shall follow this Scheme.
- (b) In the absence of a Statutory Building Scheme endorsed by the Regional District, the Regional District has the objective to adhere to and expand upon the current Victorian era character of the Silver Star community and when reviewing a Development Permit application, the Regional District will consider the following guidelines:
 - building character should have larger building facades supported with minor elements such as stone, brick or cobblestone
 - use of accentuated lintels often of another material or colour

- creative use of other building materials, surface textures and different colours on the upper storeys
 - mixture of elaborate detailing and trim over the building
 - exteriors of natural materials or stucco
 - extreme freeze/thaw cycles should be considered when choosing building materials
 - mixture of materials, colours and patterns with limited if any natural surface finishes
 - landscaping to retain where feasible and practical, existing natural vegetation
 - landscaping shall be planned and developed in accordance with the landscaping regulations in the “*Zoning Bylaw*”
- (c) In addition to the guidelines to consider the ‘form and character’ of new developments outlined in Section J.3.9(b), the guidelines for the ‘form and character’ for buildings in the *Village West* commercial development area as shown on map Schedule C have an objective to extend the distinctive character of the existing Main Street in the *Village* as follows:
- continuation of the elevated board walk or similar covered pedestrian oriented walkway
 - continuation of a character of development which includes false fronts and balconies
 - stone, brick or cobblestone elements should be restricted to foundation areas only with a height of no more than 1.2 metres
 - signage should make use of natural materials with a preponderance of natural finishes and limited painting

Industrial Guidelines for Form and Character

10. Objectives and guidelines for industrial developments shall follow the objectives and guidelines for lands designated as ‘Commercial’ as outlined in Section J.3.9(b) of this Plan; except that

the Regional District recognizes that specialized buildings are necessary for maintenance facilities where the implementation of form and character guidelines may not be as comprehensive.

11. The Regional District supports the modification of existing utility services buildings to coordinate with the form and character objectives of this Plan as outlined in this Section

Form and Character
Development Permit Exemptions

12. Notwithstanding the Development Permit Policies for the 'form and character' of development as outlined in this Section, and with the approval of the Regional District, the following proposals may not require the issuance of a Development Permit:

- (a) ***Construction of low density residential buildings where a statutory building scheme (SBS) has been endorsed by the Regional Board and subsequently registered on the title of the property and the building proposal conforms with the guidelines contained in the scheme as determined by the parties responsible for the scheme, the Planner may waive the requirement for a development permit under this section. If the original developer is no longer involved, then the Silver Star Design Panel is considered to the party responsible for determining compliance with the scheme;***
- (b) the erection of a sign provided that it conforms to the regulations of the "Zoning Bylaw";
- (c) the construction of an Accessory Building provided that it conforms to the "Zoning Bylaw";
- (d) the erection of temporary buildings limited to construction site offices, seasonal storage buildings, special events facilities and emergency facilities; or
- (e) minor additions or alterations of a building provided the addition or alteration conforms to all requirements of the "Zoning Bylaw"; does not require additional parking stalls; and is consistent with the guidelines respecting the 'form and character' of development.

Bylaw 2240, 2007

J.4 Natural Environment Development Permits

Information for Applications

1. A Development Permit Application to set conditions respecting the 'protection of the natural environment' should include the following information:
 - (a) at the time of both subdivision and building construction, information shall be provided on the characteristics of local forest conditions including density of tree cover, understory attributes and information on dead or down timber;
 - (b) details on local wetlands, ponds, watercourses and intermittent channels, if any ; and

- (c) at the time of building construction, information on reclamation and/or landscaping plans.

Protection of the Natural Environment Guidelines

- 2. Regional District has the objective to maintain where feasible and practical, the natural forested areas around Silver Star for aesthetic appeal and environmental considerations; and

when reviewing a Development Permit application for those lands designated as Development Permit Areas to set conditions for the 'protection of the natural environment' as specified in Sections D, E, F and I of this Plan, the Regional District will consider the following guidelines:

- where feasible and practical, existing natural vegetation should be retained with particular reference to habitat trees such as trees being used as haul-out feeding roosts or nesting trees
- indigenous shrubs should be retained where feasible and practical, particularly ungulate browse species
- local wetlands, ponds and watercourses should be avoided with new development plans and retained in a natural state

Protection of the Natural Environment Development Permit Exemptions

- 3. Notwithstanding the Development Permit Policies for the 'protection of the natural environment' as outlined in this Section, and with the approval of the Regional District, the following proposals may not require the issuance of a Development Permit:

- (a) where there are none or few trees on the property and there are no watercourses;
- (b) the removal of dead, down or beetle infested trees; or
- (c) where a building, addition or alteration to a building is exempt from the issuance of a Development Permit respecting the 'form and character' of development, then the subject development may also be exempt respecting matters related to the 'protection of the natural environment';

except that there shall be no exemption for a development within an area designated as 'Open Space' in this Plan.

J.5 Wildfire Hazard Development Permits

Information for Applications

1. A Development Permit application to set conditions for the 'protection of development from hazardous conditions' respecting potential wildfire hazards should include the following information:
 - (a) at the time of subdivision, information concerning the movement of emergency vehicles through the subject lands and to lands beyond, as appropriate, as well as

a report prepared by Registered Professional Forester, or equivalent, to include recommendations on actions to be taken to reduce the wildfire hazard including recommendations for the registration of a Covenant to address homeowner actions to reduce the wildfire hazard; or
 - (b) at the time of building construction, a site plan indicating the boundaries of the subject parcel, location and size of any existing and proposed buildings, driveways, parking areas and snow storage areas;

information concerning the movement of emergency vehicles through the subject lands and to lands beyond, as appropriate; and

information on the characteristics of the local forest conditions including density of tree cover, understory attributes and information on dead and down trees.

Protection from Wildfire Hazard Guidelines

2. Regional District has the objective to instill land management practices where feasible and practical to address the potential for wildfire particularly in the interface areas between the community and the surrounding woodlands; and

when reviewing a Development Permit application for those lands designated as Development Permit Areas to set conditions for the 'protection of the natural environment' as specified in Sections D, E and F of this Plan, the Regional District will consider the following guidelines
 - dead and down trees within 10 metres of a building should be removed;
 - lower limbs on trees within 10 metres of a building should be removed to a height of two metres from the ground;
 - where feasible and practical, existing vegetation should be thinned to reduce the overall tree crown cover to a distance of 30 metres from any building;
 - consideration of asphalt or fibrous cement roof shakes or tar and gravel covering for flat roofs;
 - consideration of installing access to the roof.

3. Regional District has the objective to ensure that where public access has previously been established over development lands, that access routes are maintained to a standard to allow the safe passage of fire fighting apparatus and to ensure water supplies are readily available; and

when reviewing a Development Permit application for those lands designated as Development Permit Areas to set conditions for the 'protection of development from hazardous conditions' the Regional District will consider the following guidelines:

- local driveways should be properly designed and maintained to ensure no impediment to public access and the passage of emergency vehicles;
- snow storage areas of adequate size should be provided to accommodate snow removed from the driveway plus additional storage for snow removed from outdoor parking areas or adequate provision has been made for an alternative snow removal strategy;
- a Covenant should be registered to ensure proper maintenance of the common driveway to community-wide road maintenance standards as may be established by local government bylaw and in default of these standards, provisions shall be included in the Covenant whereby local government may after adequate Notice has been issued as provided by bylaw, enter and repair the common driveway with costs attributed to the owner;
- street lighting should be provided and maintained to enhance public access and the passage of emergency vehicles through participation in the community street lighting service area including an access right-of-way for the installation, operation and maintenance of street lights;
- a local government access right-of-way should be provided for the installation, operation and maintenance of water utility service lines and appurtenances along the common driveway and to each building serviced by the water utility;
- emergency and fire lane signage should be installed including provisions for the execution of signage requirements (i.e. vehicle towing) as such authority may be established by local government bylaw; and
- as appropriate, a reflective community identification sign and the range of house numbers should be installed at the entrance to the subject parcel and reflective house numbers should be installed on each building.

4. Where public access has not been provided over lands to be developed, the Regional District has the objective to ensure the safe passage of fire fighting apparatus and to ensure water supplies are readily available; and

when reviewing a Development Permit application for those lands designated as Development Permit Areas to set conditions for the 'protection of development from hazardous conditions' the Regional District will consider:

- the guidelines outlined in Section J.5.3; and

- without compromising development opportunities available through this Plan or the “*Zoning Bylaw*”, a guideline that a Blanket Easement should be registered to provide public access on a common driveway and to lands beyond anywhere where there is not a building or structure with due consideration of the massing of buildings as may affect emergency access.

Protection from Wildfire Hazard Development Permit Exemptions

5. Notwithstanding the Development Permit Policies for the ‘protection of development from hazardous conditions’ as outlined in this Section, and with the approval of the Regional District, the following proposals may not require the issuance of a Development Permit:
 - (a) where there are none or few trees on the property and the fuel load on the property is non-existent or has been removed; and
where a Covenant has been registered on the property respecting matters related to the protection of property from a wildfire hazard and remedial measures have already been undertaken on the subject property;
 - (b) the removal of dead, down or beetle infested trees; or
 - (c) where a building, addition or alteration to a building is exempt from the issuance of a Development Permit respecting the ‘form and character’ of development, then the subject development may also be exempt respecting matters related to the ‘protection of development from hazardous conditions’ respecting wildfire hazard.
6. Notwithstanding the Development Permit Policies for the ‘protection of development from hazardous conditions’ as outlined in Sections J.5.3 and J.5.4 of this bylaw, and with the approval of the Regional District;
where all conditions of Section J.5.3 or Section J.5.4 have previously been considered and by the Regional District and a Development Permit has been issued, a new Development Permit application is not required.

K. PLAN AMENDMENTS

1. The Regional District will consider, but not necessarily approve, any application to amend this Plan and the following information and considerations should be provided to guide the review of the application.
 - (a) Evidence that sufficient water quantities and fire flow capabilities are currently available for the proposed development or a means is outlined to provide the necessary water servicing capabilities.
 - (b) Confirmation that sewer servicing is currently available.
 - (c) Confirmation of a highway access permit, if required, as well as details on access construction showing grades, storm water management details and dimensions.
 - (d) Information site plans showing as necessary:
 - access and frontage roads including local road grades;
 - environmental amenities (if any) including local drainage ditches, existing tree cover and watercourses;
 - local terrain conditions including slopes, on-site soil conditions and depth to bedrock;
 - approximate size and location of all existing land uses on the subject lands and adjacent lands;
 - size and location of proposed land uses, parking plan and landscaping areas as outlined in the "*Zoning Bylaw*";
 - location of any utilities, easements or rights-of-way; and
 - parcel dimensions.
 - (e) Other submissions other than those cited herein may be necessary to adequately evaluate an application including, but not limited to, the results of a public information meeting on the proposed land use called and conducted by the property owner.
 - (f) Notwithstanding these submissions, the Regional District will consider any other relevant information including but not limited to compatibility with adjacent or neighbourhood land uses as well as the possibility of noise pollution, environmental degradation or unsightly conditions that may prevail.
2. Applications to amend this Plan shall be made following the requirements of the "*Procedures Bylaw*".
3. When an application is submitted to amend this Plan and before the introduction of an amendment bylaw, the Regional District may undertake with assistance from the applicant, a neighbourhood planning process to delineate possible impacts on surrounding properties or to provide guidance on future decision making.

L. IMPLEMENTATION STRATEGY

Regional District Actions

1. This Official Community Plan will be reviewed and updated as warranted.
2. Pursuant to Section 870 of the "*Local Government Act*", the Regional District will undertake a review of this Official Community Plan when appropriate guidelines have been adopted by the Province concerning the content of an official community plan.
3. The Regional District will assist any group or authority in the preparation and circulation of a petition to consider the establishment of a local community parks function at Silver Star as outlined in Section 0 of this Plan.
4. The Regional District will initiate a process to change the name of Mistaya Road to Silver Queen Road to better assist 911 emergency responses as indicated in Section H.7 of this Plan.
5. The Regional District will immediately initiate discussions with Provincial Government ministries and agencies, Silver Star Ski Resort Ltd. and the Silver Star Fire Department to identify and develop an implementation strategy for an alternative emergency access/egress route for the Silver Star Community.
6. The Regional District will implement a policy respecting the mandate and operational procedures for a Design Review Panel to consider Development Permit applications at Silver Star as outlined in Section J.1.6 of this Plan.
7. The Regional District recognizes that street lighting standards should be implemented at Silver Star to supplement the existing street lighting service and to provide guidance for the issuance of Development Permits pursuant to Section J.5 of this Plan.
8. The Regional District will process an amendment to the "*Procedures Bylaw*" to allow for the delegation of authority to issue a Development Permit as outlined in Section J.1.7 of this Plan; and
pending the adoption of this amendment, the policy outlined in Section J.1.7 does not apply.
9. Where an amendment to the boundary of the Controlled Recreation Area is proposed, the Regional District supports general advertising by the resort corporation and the Land and Water BC Inc. of the proposed adjustment followed by a public information meeting and report to the Regional Board whereby the Board can provide input to Land and Water BC Inc.
10. The Regional District would encourage the resort corporation to initiate an investigation to develop a long-term strategy to address day-use and / or overnight parking for Silver Star as outlined in Section H.13 of this Plan with consideration of the long-term development plans for the resort; and

this strategy should be undertaken with participation from Land and Water BC Inc. as well as the Regional District of North Okanagan to represent commercial and community interests to also include a referral if appropriate to the Ministry of Transportation.