

## 17.2 Environmentally Sensitive Development Permit Area

### 17.2.1 Category

Development Permit Area # 1 (DPA #1) Environmentally Sensitive Area is designated under Part 14 – Planning and Land Use Management, Division 7 – Development Permits in the *Local Government Act* (2025).

### 17.2.2 Area

DPA #1 Environmentally Sensitive Area is identified in green on [Schedule G - Development Permit Areas](#).

### 17.2.3 Justification

There are various watercourses, wetlands, and riparian areas found within the community that are important natural features and assets representative of the South Cariboo landscape. The objective of this development permit area designation is to protect environmentally sensitive areas and their biological diversity, while also protecting life, property, the environment and the economy from potential natural hazards.

### 17.2.4 Exemptions

A development permit is not required if all the following conditions are satisfied or do not apply:

- i. *Any farm operation in the ALR as defined in the Farm Practices Protection Act (Right to Farm Act).*
- ii. *Construction of fences and gates that comply with the applicable requirements of the Zoning Bylaw and comply with provincial guidance.*
- iii. *Any pump required in connection with farming operation within the ALR.*
- iv. *Façade alterations, exterior maintenance, or minor repair of a building or structure which consists of upgrading existing finishing and/or surface materials with similar materials (such as replacing doors and windows, re-cladding, repainting, reroofing and re-decking).*
- v. *Repair or alteration of a building or structure to rectify an unsafe condition if enforced by the Building Inspector.*

- vi. *Any servicing work undertaken by or on behalf of the District of 100 Mile House, including emergency activities to prevent, control, or reduce floods, erosion, or other immediate threats to life and/or property including emergency flood or erosion mitigation.*
- vii. *Removal of dangerous trees and/or removal of invasive species.*
- viii. *Implementation of a habitat restoration plan prepared by Registered Professional Biologist or Landscape Architect.*
- ix. *Subdivision of vacant land where any future development will be required to obtain a Development Permit prior to issuance of a Building Permit.*
- x. *Subdivision of land in which the number of parcels is not increased.*

### 17.2.5 Guidelines

Development permits issued in this section must be in accordance with the following guidelines:

- i. For development within DPA #1 Environmentally Sensitive Area, consultation must occur with the appropriate provincial and federal agencies regarding the applicability of any fish and wildlife habitat regulations, guidelines, specifically the Department of Fisheries and Oceans' Land Development Guidelines for the Protection of Aquatic Habitat, Ministry of Environment's Environmental Best Management Practices for Urban and Rural Land Development and the Riparian Areas Protection Regulations (under the Fish Protections Act) in British Columbia. Development permits may be considered for issuance if the District receives notification from the appropriate provincial and federal agencies, where required.
- ii. A Development permit application subject to DPA #1 Environmentally Sensitive Area will require an assessment prepared by a Qualified Environmental Professional, to be submitted to the District and appropriate provincial and federal agencies. The assessment is required if the development is proposed within 30 metres of the high water mark of a stream or the top of a ravine bank of a stream - the definition of "stream" being the same as that of the BC Fish Protection Act. An assessment may be initiated by a rezoning, subdivision, or building permit application.



- iii.** The assessment may include the potential impacts to habitat, the development of mitigation measures to avoid impacts of development to fish and fish habitat (particularly riparian habitat) and determine setbacks based on site conditions.
- iv.** Require that development proposed in DPA #1 Environmentally Sensitive Area be planned and designed according to current best management practices.
- v.** District Council will require a report from a Qualified Environmental Professional that the required measures have been implemented as designed.
- vi.** District Council may require security in accordance with the Works and Services Bylaw No. 1257 for environmental restoration.
- vii.** Where development is proposed on land containing environmentally sensitive habitat or watercourses, the District should use the following methods to protect the environmentally sensitive area:
  - a.** dedication of the habitat or watercourse;
    - i.** covenant registered under Section 219 of the Land Title Act;
    - ii.** bare land strata to allow flexibility in conserving the feature or area;
    - iii.** development variance permit to vary conditions other than use or density; and/or
    - iv.** other stewardship protection such as covenants, leases or trusts to protect the feature or area.