

## **Mt. Baldy Ski Resort**

# **Official Community Plan Bylaw No. 1335**

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*Adopted by*

The Regional District of Kootenay Boundary Board of Directors

July 26, 2007

**REGIONAL DISTRICT OF KOOTENAY BOUNDARY**  
**Mt. Baldy Ski Resort Official Community Plan Bylaw No. 1335, 2007**

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The Regional District of Kootenay Boundary Board of Directors (RDKB) in open meeting assembled enacts as follows:

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**CONSOLIDATED FOR CONVENIENCE ONLY**

Consolidated bylaws are consolidated for convenience only and are merely representative. Each consolidated bylaw consists of the original bylaw text and maps, together with current amendments which have been made to the original version. Copies of all bylaws (originals and amendments) may be obtained from the RDKB Planning and Development Department.

**AMENDMENT BYLAW NO:**

**DATE OF ADOPTION:**

1442 (Map & Text Amendments)  
In conjunction with adoption of Mt. Baldy  
Zoning Bylaw No. 1340. RDKB File: M-17

October 28, 2010

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Amendment Bylaw No. 1502  
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April 26, 2012

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## 1.0 Introduction

### 1.1 Purpose

The Mt. Baldy Official Community Plan (OCP) has been established under the authority of the Province of British Columbia's *Local Government Act*. Land use planning including the preparation of this OCP, is one of the tasks assumed by the Regional District of Kootenay Boundary (RDKB). Mt. Baldy is an unincorporated community located in Electoral Area 'E' of the RDKB. Prior to the adoption of this Bylaw, there was no OCP or zoning within Electoral Area 'E' with the exception of the Big White Ski Resort and the Jewel Lake area.

The purpose of an OCP is to address an array of long-term land use planning issues. The preparation of the Mt. Baldy OCP is intended to be complementary to and not adverse to the Mt. Baldy *Master Plan* (February 2005) developed between Mt. Baldy Ski Corporation and the Province of British Columbia. The OCP contains objectives and policies to guide local government's decisions on planning and land use management within the area covered by the OCP. The *Local Government Act* requires that an OCP contains the following:

- Location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years;
- Location, amount and type of present and proposed commercial, industrial, institutional, agricultural recreational and public utility land uses;
- Location and area of sand & gravel deposits that are suitable for future sand and gravel extraction;
- Restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development
- Location and phasing of any major road, sewer, and water systems;
- Location and type of public facilities, including schools, parks, and waste treatment and disposal sites; and
- Policies with respect to affordable housing; rental housing and special needs housing.

### 1.2 Plan Area

Mt. Baldy is the highest point of land between the Southern Okanagan Valley and the Kettle Valley. The mountain is located approximately 40 km east of the communities of Oliver and Osoyoos and 25 km north of the US border.

Mt. Baldy is accessed by two separate provincially maintained all-weather roads, servicing two different geographic areas. From the town of Oliver the access road is approximately 36 km, of which nearly one-half is paved. From Osoyoos, the USA and points east, the 19 km road is accessed from Highway 3.



The *Plan Area* includes approximately 1642 ha (4057 acres) of land covering the eastern slopes of Mt. Baldy and the western slopes of McKinney Mountain. The land area represents approximately 57% of the entire *Controlled Recreation Area*, the remainder of which is within the jurisdiction of the Regional District of Okanagan Similkameen.

The *Master Plan*, submitted to the Province in accordance with the Commercial Alpine Ski Policy, indicates that the on-mountain ski facilities and resort development is proposed on private and Crown land holdings within the *Plan Area*.

### 1.3 Plan Preparation

The Mt. Baldy OCP was developed by a steering committee, which included local government, members of the community, the proponent's consultant, a member of the Osoyoos Indian Band, and the proponent for the Mt. Baldy resort expansion. The Community Vision and Guiding Principles were drafted from directions contained in the *Master Plan* (dated February 2005). In addition to the statutory approval process, public input was generated through a questionnaire that was mailed to all Mt. Baldy property owners, seasons pass holders and employees in September 2005, and Open Houses held in November 2005 and March 2006.

### 1.4 Definitions

The following terms used in this document require definition:

BED UNIT means a measure of quantity of development intended to reflect servicing and facility requirements to accommodate one person;

BOARD means the Board of Directors of the Regional District of Kootenay Boundary;

CABIN means a *single family dwelling* or duplex that is typically smaller than 1800ft<sup>2</sup> and is located on a building strata lot;

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COMMUNITY WIDE GREENHOUSE GAS EMISSIONS mean greenhouse gas emissions that occur as a result of the activities of residents and businesses in the community which the local government cannot directly control, but may be able to influence through planning and program activities;

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CORPORATE GREENHOUSE GAS EMISSIONS means those greenhouse gas emissions that the local government creates through its activities (and which it has control over) such as local government building operations, recreation centres, vehicle fleets, and utility services;

CONTROLLED RECREATION AREA (CRA) means an area of land including the base development area and adjacent recreational area in which development and operation of the *Resort* is controlled by the Province and the Ski Resort Developer under a *Master Development Agreement*, consistent with the approved *Master Plan*;

FLOOR AREA RATIO means the gross floor area of the building(s) divided by the total area of the lot;

INTENSIVE RESIDENTIAL DEVELOPMENT means a concentration of 13 dwelling units per buildable hectare (5units/acre) or greater, i.e. areas with an average lot size of ~770m<sup>2</sup> or less per dwelling unit;

MBSC means Mount Baldy Ski Corporation;

MASTER DEVELOPMENT AGREEMENT means a contract between the Province and *MBSC* for a set term considering enumeration, condition, phasing of Crown land conveyances, sale price and mechanism for amendment, monitoring, remedies and the rights to the Crown land (June 2006);

MASTER PLAN means the Mt. Baldy Resort Expansion *Master Plan* which provides a description of the planned ski development, defining the location of all major elements of the ski hill and base facilities, and was submitted to the Province in February 2005 and was conditionally approved on January 31, 2006;

PLAN AREA means the portion of the *Controlled Recreation Area* within the boundaries of the Regional District of Kootenay Boundary;

REGIONAL DISTRICT means the Regional District of Kootenay Boundary;

RESORT means Mount Baldy Resort Expansion as proposed by *MBSC* in the *Master Plan*;

SECONDARY PLAN means a detailed development plan, which includes information on slopes, geology, soils, hazard areas, surface water, density of the proposed development, connectivity with existing and proposed developments and any other items that the *Board* considers relevant;

SINGLE FAMILY DWELLING means a dwelling unit located on a fee simple lot or a bare land strata lot;



WORKFORCE HOUSING means price and occupancy restricted housing that is only available to individuals, including dependants, that are employed within the boundaries of the *Plan Area* and is their principal residence. Workforce housing may include seasonal rentals, and market and rental housing;

## 2.0 Background

### 2.1 *Ski Area (Master Development Agreement)*

Mt. Baldy has been a community ski area since a T-bar was installed on McKinney Mountain in 1968. The current operating area of 254ha (628 acres) is entirely on licensed Crown land (License No. 339380). In 2004 Mount Baldy Ski Corporation completed the purchase of the ski area and Mount Baldy Real Estate Unlimited purchased all the remaining private land except individually owned properties.

In March 2005 Mount Baldy Ski Corporation submitted a *Master Plan* to the Province in accordance with the Commercial Alpine Ski Policy. The *Master Plan* has been approved by the Province and the *Master Development Agreement* was signed in June 2006. The intent of the Province, the *Regional District* and *MBSC* is that the OCP will be adopted by May 2007 and the Zoning Bylaw will be adopted shortly after.

### 2.2 *Existing Land Uses*

The ski area currently has two lifts; one chair lift and one t-bar. A new chair lift will be constructed in the recently licensed 'Sugar Lump' area in 2007. The *Resort* also has a Day Lodge; approximately 100 *single family dwellings*, two multiple family dwellings, a sewage treatment plant; a maintenance area; two reservoirs and a water distribution system. The existing gravel parking lot, which is located near the Day Lodge, has a capacity of 160 cars.

### 2.3 *Surrounding Land Uses*

Land uses both in the *Controlled Recreation Area* (CRA) and on adjacent lands include: range, timber harvesting, trapping and recreation. The closest private land outside the CRA is in an area with several mineral claims known as 'Camp McKinney', located 7km south east of the *Resort*.

### 2.4 *Jurisdictional Issues*

The easterly portion of the CRA is located within the RDKB's Electoral Area 'E', while the remainder is in the Regional District of Okanagan Similkameen (RDOS). All the existing and proposed built up areas and associated services will be within the boundaries of the RDKB, while a number of lifts and ski runs are proposed within the RDOS boundaries.

The RDOS portion of the CRA includes portions of two electoral areas: 'A' Osoyoos Rural and 'C' Oliver Rural. The Electoral Area 'C' portion of the CRA is designated 'Resource Area' in the Oliver Rural Official Community Plan (Bylaw No. 2122, 2002), which allows the development of "open land recreation opportunities". The same area is zoned Resource Area (RA) which allows "open land recreation" the definition of which includes ski resorts (Oliver Rural Zoning Bylaw No. 2123, 2002).

The Electoral Area 'A' portion of the CRA does not specifically list ski resorts as a permitted use, however that area is relatively small and no lifts or other structures are planned for the area. Mt. Baldy Ski Corporation may consider applying to amend the Electoral Area 'A' Official Community Plan and Zoning Bylaw in the future should the need arise.

The Provincial Government is directly involved in the Mt. Baldy Resort as the Province requires the use of Crown land for commercial alpine ski development to be in

accordance with the Commercial Alpine Ski Policy, and consistent with the Guidelines to Alpine Ski Development in British Columbia. Recently the Province transferred the role of management and administration of ski resorts from Land & Water BC to the Ministry of Tourism, Sport and the Arts.

The Ministry of Transportation is responsible for public roadways, subdivision control, access permits, and assessment of drainage management issues.

### 2.5 Crown Land Holdings

Mt. Baldy Ski Corporation currently operates on the 254ha (628acres) of Crown land on which the ski area and two existing lift lines are located. Mt. Baldy owns the critical base area lands (i.e. lands in which the chair lift, lodge and parking lot reside) at the present time, but is expected to transfer this land to the Crown following the **Master Development Agreement** process. The transfer of private lands to the Crown is pursuant to the Commercial Alpine Ski Policy.

The Crown owns the land where the sewage treatment plant and infiltration beds are located and leases it to Mt. Baldy Strata KAS1840. The only other Crown lease holders in the **Plan Area** are for the communications towers on Mt. Baldy.

### 2.6 Private Land Holdings

Mt. Baldy Ski Corporation owns the 600m<sup>2</sup> Day Lodge with ski patrol facilities, ski ticket office, cafeteria, lounge and associated land. **MBSC** also owns a 220m<sup>2</sup> rental shop/ski school office, a 280m<sup>2</sup> maintenance shop, and a 130m<sup>2</sup> staff housing facility, all of which are located on Crown land.

Mt. Baldy Strata KAS1840 includes 135 lots, approximately 100 of which have single-family dwellings, and two have multiple family dwellings with a combined total of 20 units. The Strata lots range in size from 465m<sup>2</sup> at the south end to 2096m<sup>2</sup> at north end. The Wapiti subdivision, which is also privately owned, includes 21 **single family dwelling** lots, two multiple family development lots and one partial lot reserved for future development.

### 2.7 Adjacent Properties and Potential Conflicts

Lands adjacent to the CRA are used for a variety of purposes including timber harvesting, placer mining, guide outfitting, trapping, range and recreational activities.

Timber Harvesting	Timber harvesting in the <b>Plan Area</b> is currently administered by BC Timber Sales. Once the MDA is signed, all timber harvesting will be controlled by the Province (Ministry of Tourism, Sports and the Arts) and the <b>Resort</b> .
Guide Outfitting	Currently two guides operate in the proposed CRA. The guides will be allowed to continue to operate in the proposed CRA on a limited basis. No guides operate within the proposed Village Area.
Trapping	Currently two trappers operate within the proposed CRA. <b>MBSC</b> and the trappers have signed an agreement whereby the trappers will continue to

	operate outside the CRA once development occurs within the areas they are currently trapping in.
Range	Currently cattle range in the CRA, including the existing and proposed village areas. It is the property owner's responsibility to fence cattle out and <b>MBSC</b> intends to review all options with respect to keeping cattle away from water sources and the village. The existing Range Permits are listed as Priority Rights in the <b>Master Development Agreement</b> .
Recreational Snowmobiling	Snowmobiles are currently used in the proposed CRA on a limited basis. <b>MBSC</b> intends to limit snowmobile use and all motorized recreational use within the CRA. <b>MBSC</b> proposes to build and maintain a snowmobile staging area just outside the CRA. This staging area will provide snowmobile access to lands outside the CRA.
Mineral Claims	One mineral claim lies in the north east corner of the CRA. There are several additional mining claims within 10 kilometers of the CRA. Increases in the price of minerals could potentially increase mining activity in the area. Mineral and mining activity cannot be restricted either by this Plan or any implementing local government bylaws.

## 2.8 Physical Character

The **Plan Area** is situated on the west side of the Okanagan Highlands, which is typified by rolling summits. The rounded peak of Mt. Baldy is at an elevation of 2303 metres. The terrain forms a number of ridges radiating from the central peak area thereby creating a number of skiable bowls. The base area is at an elevation of approximately 1723 metres in the largest of the south facing bowls, and is framed on the northeast by a lesser peak known as 'Sugar Lump' (1950m). Mt. Baldy averages approximately 650cm (21.5') of snow per year and the average January minimum temperature is -11°C (12.2°F).

The **Plan Area** is located within two biogeoclimatic Zones. Above elevation 1600m is the Engelmann spruce – Subalpine fir zone (ESSF). Locally, this is designated ESSFdc1 indicating a dry-cold subzone. ESSF is characterized by cold winters, a short growing season and a moderately warm summer. Below about 1600 m is the Montane Spruce (MS) zone. This zone also has Engelmann Spruce and Subalpine Fir, but in locations subjected to prior timber harvesting and wildfires, a successional growth of lodgepole pine and trembling aspen may be found. The local subzone is MSdm1 (dry mild subzone).

A red-listed plant species *Mimulus breweri* (Brewer's Monkeyflower), was identified on the east side of the Day Lodge in a flat seepage area approximately 40m<sup>2</sup> in size (UTM 11/336974/5446886). This plant exists in dry to moist areas on mid elevation mountain slopes. During an on-site assessment by Snowy River Resources Ltd. in September

2004, identification of the plant was not possible. **MBSC** is committed to ensuring the 40m<sup>2</sup> area is fully protected and has established a machine-free buffer around the area during snow-free periods.

One blue-listed vascular plant *Rumex paucifolius* (Alpine Sorrel) was last observed in 1998, mid slope on the Ponderosa ski run (CDC Element Occurrence Record 8014, UTM 11/336415/5447203). It is typically found from low, wet meadows to moist slopes above the tree line in the Montane Spruce (MS) biogeoclimatic zone. Alpine sorrel can withstand minor disturbances and appears to be secure at this location. **MBSC** is committed to ensuring the area is fully protected and will establish a machine-free buffer around the area during snow-free periods.

**MBSC** has consulted with the Ministry of Sustainable Resource Management (SRM) to determine the status of Old Growth Management Areas (OGMA) in the **Plan Area**. Four areas have been identified and at the request of **MBSC**, SRM has approved planned modification activities as outlined below:

OGMA	Area (ha)	% to be cleared	Location
#30	6.2	25	Within the ski area north of existing Base
#39	2.4	90	South east corner of DL100s
#40	11.1	15	Tributary #1 riparian area
#56	6.5	5	West side of junction of roads to Oliver and Rock Creek

Overall it is estimated that less than 11% of the Draft OGMA will be cleared within the entire CRA. Through the **Master Plan**, **MBSC** has stated every effort will be made to ensure the integrity of these features within the existing base area and planned expansion. However, **MBSC** also states that it will not assume legal responsibility in the event that approved clearing triggers windthrow within an OGMA.

## 2.9 Watercourses

The **Plan Area** encompasses the upper reaches of McKinney Creek and Wapiti Creek, both of which drain into the Kettle River near Rock Creek. The Wapiti Creek drainage is in the most northerly portion of the **Plan Area** where no development is planned with the exception of ski runs. The upper reaches of McKinney Creek are designated as a Community Watershed. The headwaters of McKinney Creek run under the existing day lodge. A 15 m high waterfall, located approximately 3km downstream of the intersection of the access roads, is a permanent barrier to the upstream movement of fish. There are three small bodies of water within the **Plan Area**: Crit Lake, and an unnamed lake near the top of the t-bar, both of which flow into the McKinney Creek drainage; and Gruhl's Pool, which flows into the Wapiti Creek drainage.

## 2.10 Heritage Considerations

The **Plan Area** is situated on lands located in proximity to the traditional territories of the Osoyoos Indian Band (OIB). As such, **MBSC** actively engaged the OIB from the onset of the acquisition of the **Resort** and during the development of the **Master Plan**. In the summer of 2005, the OIB and **MBSC** announced an historic agreement whereby the OIB received 2.5% ownership of **MBSC** and its related entities. Additionally, in January of 2006, the OIB and **MBSC** signed a second agreement whereby the OIB

agreed to support the *Master Plan* for other consideration, including protection of traditional uses and sites.

The original cabins built in the 1970s are on relatively large heavily wooded lots, in a wide variety of styles. Trails in the area have been used for many years for hiking, mountain biking, back country skiing and horseback riding.

Community members and visitors consider the night sky as an important visual resource for star gazing. A variety of factors including lack of street lights, remote location, high altitude, desert climate, and lack of pollutants, combine to create ideal star gazing opportunities at Mt. Baldy. Bright light or unshielded light can impact the visual quality of the night sky.

### 3.0 Resort Vision and Primary Goal

The following *Resort* Vision and Primary Goal are presented in the *Master Plan*:

The *Resort* Vision Statement is:

*To nurture Mt. Baldy as a special place where the outdoor environment is celebrated, where people are valued, and the timeless spirit of skiing and mountain-play still thrive.*

Complementing the Vision Statement the Primary Goal is:

*To develop a high-quality all-season mountain resort at Mt. Baldy that offers a unique blend of recreational and adventure opportunities including (but not restricted to) low density alpine skiing, snowboarding, Nordic skiing, backcountry touring, mountain biking, hiking, golfing, horseback riding, birding and mountain spa/water park.*

It is the intent of the Mount Baldy Ski Corporation to create a resort community and ski area product that is premised on the principles of stewardship and responsibility. These principles have informed the planning and design processes through the adoption of best management practices that, in many cases, exceed the relevant legislation and seek to ensure that natural values are protected, that associated ecological integrity is respected and that the operations of the ski area product continually strive to improve their environmental performance through informed procurement and leading-edge technologies.

## 4.0 Greenhouse Gas Reduction

Local governments play an important role in managing growth and helping reduce greenhouse gas emissions. Studies have shown that land use planning can be an important component of strategies to reduce greenhouse gas emissions and mitigating climate change.

For the purpose of tracking greenhouse gas emissions and reductions the Province has divided emissions into two categories for local governments: *corporate greenhouse gas emissions* and *community wide greenhouse gas emissions*.

The *Regional District* has committed to carbon neutrality for its *corporate greenhouse gas emissions* by 2012 by signing British Columbia's Climate Action Charter. The Regional Districts of East Kootenay, Central Kootenay and Kootenay Boundary, 29 member municipalities, and six First Nations in collaboration with the Columbia Basin Trust are working towards carbon neutrality for their corporate operations.

The *Regional District* can influence *community wide greenhouse gas emissions* through planning by protecting greenfields, and focusing residential development in compact settlements.

### 4.1 Objectives

The objectives of the *Board* with respect to Greenhouse Gas Reduction are as follows:

- That the *Regional District's corporate greenhouse gas emissions* are carbon neutral by 2012;
- To reduce *community wide greenhouse gas emissions* through land use planning policies;
- To encourage energy and water efficiency and environmentally sustainable development; and
- Support the Province's commitment to reducing greenhouse gas emissions by 33% below current levels by 2020.

### 4.2 Policies

The policies of the *Board* with respect to Greenhouse Gas Reduction are included throughout the *Plan* as listed below:

Greenhouse Gas Reduction Planning Strategy	Policy Number
That developers take into consideration property scale and proportion; provide usable, connected outdoor spaces; maximize solar exposure and protection from wind; and minimize snow shedding	4.1.2.4
Encourage development where densities and intensity occur in a logical pattern with high density near the base areas and lower density radiating out to the edges of the <i>Plan Area</i> with the exception of medium density nodes	4.1.2.5



Avoidance of patterns of development that isolate pockets of development	4.1.2.5
Policy direction with regard to maximum allowable floor areas for the various residential land use designations	4.3.2.3 & 4.3.2.4 4.4.2.4 & 4.3.2.5
Old Growth Management Areas are to be managed as outlined in the <i>Master Plan</i> . The <i>Board</i> also encourages wind proofing of trees remaining in OGMA's as a measure to protect against wind throw	5.2.2.5
Trail areas will be dedicated as park and designated for public access at the subdivision stage, providing linkages between residential, commercial and recreation areas	5.2.2.7
Encourage and support expansion of the private sector initiative for transit shuttle service from Oliver, Osoyoos and the Kettle Valley to the <i>Plan Area</i> in an effort to reduce the amount of vehicle traffic and day use parking at the <i>Resort</i>	7.2.9

## 5.0 Land Use Designations for the Built Environment

The built environment of the *Resort* will be located in the upper reaches of the McKinney Creek watershed and will be south of an east west line at the north boundary of the existing Strata KAS1840 subdivision.

The Land Use Map attached as Schedule A indicates the general locations and distributions of land use designations for the built environment of the *Plan Area*. The boundaries of the designations are approximate and convey their relationship relative to one another. The implementing Zoning Bylaw will define their boundaries in greater detail. The land use designations for the built environment include: Eagle Residential, Wapiti Residential, McKinney Residential, Commercial/Residential Mixed Use, Institutional and Community Facilities, Industrial and Future Growth Areas.

It is projected that those areas designated for residential and commercial use correspond with Phase I of the development as outlined in the Resort *Master Plan* and will take approximately five years to develop and another five years to build out. Phase I includes a total of 1722 private *bed units* and 560 public *bed units*. The *Master Plan* estimates that a total of 3800m<sup>2</sup> of commercial space will be added in Phase I of the development.

Public utility uses and transmission facilities, with the exception of offices, maintenance facilities and administrative services; which are essential for the provision of water, sewer, electricity, telephone and similar services are permitted throughout the area as required.

### 5.1 *General Objectives and Policies for the Built Environment*

#### 5.1.1 *Objectives*

The general objectives of the *Board* with respect to the built environment are as follows:

1. To designate areas of land to meet estimated residential needs for at least the next 5 years;
2. To encourage the safe and quiet use and enjoyment of residential properties;
3. To respect view corridors;
4. To create and/or retain greenway corridors as one way to promote non-motorized connectivity between the residential developments;
5. To ensure that a range of dwelling types and residential densities are available and that they are intermingled;
6. To promote a dark night sky; and
7. To encourage the construction of attractive, safe and functional buildings.

#### 5.1.2 *Policies*

The general policies of the *Board* with respect to the built environment are as follows:

1. The establishment of Development Permit Areas to control form and character of residential, commercial and industrial buildings; protection of the natural environment and protection of development from hazardous conditions;

2. That development activities follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
3. The placement of manufactured homes for residential purposes will not be permitted in the *Plan Area*;
4. That developers take into consideration property scale and proportion; provide usable, connected outdoor spaces; maximize solar exposure and protection from wind; and minimize snow shedding;
5. Encourage development where densities and intensity occur in a logical pattern with high density near the base areas and lower density radiating out to the edges of the *Plan Area* with the exception of medium density nodes;
6. Encourage the use of fire-resistant building materials;
7. Increasing building separation with increasing slope;
8. Avoidance of patterns of development that isolate pockets of development;
9. Consideration will be given to adopting a Subdivision Servicing Bylaw to specify the type and placement of outdoor street lights;
10. Consideration will be given to adopting a Tree Cutting Bylaw for Mt. Baldy; and
11. Consideration will be given to creating a rural land use plan for areas outside the CRA to maintain the rural character.

## **5.2 Eagle Residential**

The area designated 'Eagle Residential' corresponds with the existing Strata KAS1840. Although the Strata was established in 1991 a number of dwellings have existed since at least the 1970s. At the time this Bylaw was prepared there were 138 lots, approximately 100 of which have dwellings on them. The density in the 'Eagle Residential' area is approximately 13 dwelling units per buildable hectare (~5 dwelling units per acre). There will be approximately 600 *bed units* in 'Eagle Residential' at build out. It is not the intent of the *Regional District* to force current land owners to make changes to meet the regulations in the implementing Zoning Bylaw; however any future construction of dwelling units will be required to meet the regulations in the implementing Zoning Bylaw.

### **5.2.1 Objectives**

The objectives of the *Board* with respect to the area designated 'Eagle Residential' are as follows:

1. To maintain the character of the existing strata; and
2. To recognize that development done previously may not have conformed with the Strata rules and regulations.

### **5.2.2 Policies**

The policies of the *Board* with respect to the area designated 'Eagle Residential' are as follows:

1. The *Board* acknowledges that there are dwellings and improvements within the 'Eagle Residential' area that were constructed prior to the adoption of this Bylaw

- and the implementing Zoning Bylaw and where non-conformities exist they will become legal non-conforming;
2. Regulations with respect to permitted uses and setbacks in the implementing Zoning Bylaw will resemble those in the "Bylaws, Rules & Regulations of Strata Corporation KAS1840"; and
  3. An Eagle Residential Development Permit Area will be established to control the exterior appearance for new construction as per the "Bylaws, Rules & Regulations of Strata Corporation KAS1840".

### **5.3 Wapiti Residential**

The 'Wapiti Residential' area lies south of the existing 'Eagle Residential' area on the west side of the main access road. This area is within Phase I of the development and has the potential for ski-in/ski-from access once the proposed people mover and adjacent lift to the west are constructed. The Wapiti Residential area will include approximately 1000 *bed units*.

#### **5.3.1 Objectives**

The objectives of the **Board** with respect to the area designated 'Wapiti Residential' are as follows:

1. To encourage the development of an attractive, pedestrian friendly residential area that is connected to trails and the base areas.

#### **5.3.2 Policies**

The policies of the **Board** with respect to the area designated 'Wapiti Residential' are as follows:

1. Housing types will include a mixture of *single family dwellings*, duplexes, *cabins*, multiple-family developments, and bed and breakfasts;
2. Uses such as recreational facilities will be non-commercial and limited to those intended for residents and guests only;
3. The implementing Zoning Bylaw will establish maximum allowable floor areas in the vicinity of 260m<sup>2</sup> (2800ft<sup>2</sup>) potentially habitable space within *single family dwellings* for lots under 1000m<sup>2</sup>;
4. The implementing Zoning Bylaw will establish maximum allowable floor areas in the vicinity of 316m<sup>2</sup> (3400ft<sup>2</sup>) potentially habitable space within *single family dwellings* for lots over 1000m<sup>2</sup>;
5. Increases in floor areas will be considered for dwellings that include lock-offs available for rental for a minimum of 30 days;
6. *Cabins* would typically be smaller in size with maximum floor areas in the vicinity of 167m<sup>2</sup> (1800ft<sup>2</sup>);
7. The implementing Zoning Bylaw will establish minimum lot sizes in the vicinity of (550 – 600m<sup>2</sup>) for *single family dwellings* and (700 – 800m<sup>2</sup>) for duplexes;

8. The implementing Zoning Bylaw will establish minimum lot sizes for multiple family dwellings that will be related to the number of units in the development;
9. Density will be in the vicinity of 18 units per buildable hectare (7 units/acre); and
10. **Floor area ratios** will be in the vicinity of 0.5 for *single family dwellings*, 0.55 for *cabins* and 0.65 for multiple family dwellings;

#### **5.4 McKinney Residential**

The 'McKinney Residential' area lies south of the Upper Base area on the east side of the main access road. This area is also within Phase I of the development plan and will include approximately 1000 *bed units*.

##### *5.4.1. Objectives*

The objectives of the **Board** with respect to the area designated 'McKinney Residential' are as follows:

1. To encourage the development of an attractive, pedestrian friendly residential area that is connected to trails and the base areas.

##### *5.4.2. Policies*

The policies of the **Board** with respect to the area designated 'McKinney Residential' are as follows:

1. Housing types will include a mixture of *single family dwellings*, duplexes, *cabins*, multiple-family developments, and bed and breakfasts;
2. Uses such as recreational facilities will be non-commercial and limited to those intended for residents and guests only;
3. Housing types will include a mixture of *single family dwellings*, *cabins*, and multiple-family developments;
4. The implementing Zoning Bylaw will establish maximum allowable floor areas in the vicinity of 260m<sup>2</sup> (2800ft<sup>2</sup>) potentially habitable space within *single family dwellings* for lots under 1000m<sup>2</sup>;
5. The implementing Zoning Bylaw will establish maximum allowable floor areas in the vicinity of 316m<sup>2</sup> (3400ft<sup>2</sup>) potentially habitable space within *single family dwellings* for lots over 1000m<sup>2</sup>;
6. Increases in floor areas will be considered for dwellings that include lock-offs available for rental for a minimum of 30 days;
7. *Cabins* would typically be smaller in size with maximum floor areas in the vicinity of 167m<sup>2</sup> (1800ft<sup>2</sup>);
8. The implementing Zoning Bylaw will establish minimum lot sizes in the vicinity of (550 – 600m<sup>2</sup>) for *single family dwellings* and (700 – 800m<sup>2</sup>) for duplexes;
9. The implementing Zoning Bylaw will establish minimum lot sizes for multiple family dwellings that will be related to the number of units in the development;
10. Density will be up to 35 units per buildable hectare (15 units/acre);

11. *Floor area ratios* will be in the vicinity of 0.5 for *single family dwellings*, 0.55 for *cabins* and 0.7 for multiple family dwellings; and
12. The density will be reviewed after development has occurred within the Wapiti Residential designation to determine actual development in relation to the *Master Plan*. Higher density developments will be considered near the day parking area and where ski-from is possible.

### **5.5 Commercial/Residential Mixed Use**

This plan recognizes that there will be two focal areas for mixed commercial and residential use: the existing Upper Base at 1740m and the proposed Village Base located approximately 100m lower in elevation. *MBSC* plans to eventually have the two areas connected by an aerial people mover.

The Upper and Lower Village Cores will become the dominant and central commercial foci for Mt. Baldy. A dispersed pattern of commercial development beyond these two foci would detract from the Base Areas and reduce public convenience. The two strong central commercial foci are intended to facilitate a pedestrian environment, provide certainty for commercial interests and reduce the risk of potential land use conflicts. The *Master Plan* estimates that approximately 3800m<sup>2</sup> of commercial space will be added to the Upper Base by the end of Phase I, and will include approximately 200 bed units.

#### **5.5.1. Objectives**

The objectives of the *Board* with respect to the 'Commercial/Residential Mixed Use' area are as follows:

1. To encourage the focus of commercial activities into the Upper Base, which will be capable of accommodating the community's commercial needs through Phase I;
2. To encourage higher density and pedestrian orientation and decreased car dependency within the 'Commercial/Residential Mixed Use' Area;
3. To encourage the development of an area that can be accessed conveniently with nearby parking and within reasonable walking distance of the greatest number of residential units; and
4. To recognize that commercial activities will be focused and initially phased in the Upper Base followed by the Village Base Area.

#### **5.5.2. Policies**

The policies of the *Board* with respect to the 'Commercial/Residential Mixed Use' area are as follows:

1. The Upper Base should be substantially built out before construction begins in the Village Base Area;
2. *Single family dwellings* and duplexes will not be permitted;
3. The implementing Zoning Bylaw will specify the maximum allowable number of storeys; maximum allowable height; and define a list of permitted commercial uses;

4. Setback requirements will be reduced to zero for pedestrian oriented base areas with emergency vehicle access only;
5. **Floor area ratios** will be up to 3.0; and the maximum number of storeys will be 4.5;
6. Uses such as, but not limited to, day-care facilities, eating and drinking establishments, gift shops, sports shops, ski school sales and ski rental shops, retail, grocery and convenience stores, real estate sales, outfitting operations, hotels, multiple family residential, personal service establishments, and entertainment facilities would be permitted in the 'Commercial/Residential Mixed Use' designation;
7. The **Board** would support the use of a portion of the existing day lodge for community recreational uses;
8. The **Board** may consider other satellite locations for commercial development provided a local need is demonstrated that would not detract from the Upper Base and future Village Base Area; and
9. The **Board** will consider applications for Temporary Commercial Use Permits throughout the **Plan Area** (i.e. mobile 'coffee shops' or similar types of uses).
10. Considerations may be given to permitting cannabis retail sales, upon application for a zoning amendment. Such applications will be evaluated on criteria that includes, but is not necessarily limited to the following:
  - a) Distance to educational, child care, community and institutional uses
  - b) Distance to other cannabis retail sale locations
  - c) Surrounding land use and impact on neighbouring property owners
  - d) Size of the retail sale space.

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## 5.6 Institutional and Community Facilities

Current land uses at Mt. Baldy that would be considered 'Institutional and Community Facilities' include the current location of the waste and recycling disposal containers; the sewage treatment plant and the infiltration beds. As the community grows, future uses will likely include: a relocated sewage treatment plant, fire hall, and waste transfer station. The future location of the sewage treatment plant will likely be adjacent to the infiltration beds south of the intersection of the access roads. The short term growth of the community is not expected to result in a significant increase in the number of permanent residents and therefore the number of school age children is not expected to significantly increase, yet, the need for a school site may need to be explored in the future should demand exist.

### 5.6.1 Objectives

Objectives of the **Board** with respect to 'Institutional and Community Facilities' are as follows:

1. To ensure that suitable lands are identified and designated for 'Institutional and Community Facilities'; and

2. To support the use of a portion of the existing day use lodge as community centre in the future. There could be other potential shared use facilities, such as a **Resort** pool or gym that could be used for a fee by the community and public.

#### 5.6.2. Policies

Policies of the **Board** with respect to 'Institutional and Community Facilities' are as follows:

1. The approximate locations of the future Waste Transfer Station and Fire Hall are identified in this Plan;
2. The Waste Transfer Station must be easily accessible for residents and visitors preferably on a site convenient to vehicles leaving the **Plan Area**;
3. The future Fire Hall location must be on a site central to the built environment; and
4. Other uses that would be permitted in the 'Institutional and Community Facilities' designation would include but not be limited to a community hall, emergency services building, first aid post, hospital, and a post office;

### 5.7 Industrial

Lands with 'Industrial' designation will be required for the operation of the **Resort** as well as during the construction phases. It has been estimated that at build out the resort will require a total of approximately 4ha of Industrial land.

#### 5.7.1. Objectives

The objectives of the **Board** with respect to 'Industrial' areas are as follows:

1. To avoid future land use conflicts by ensuring that suitable lands are identified and protected for industrial uses;
2. To provide land for industrial uses which serve in the operation of the **Resort** and construction activities;
3. To ensure that areas designated 'Industrial' do not detract from the image and quality of the **Resort**; and
4. To ensure that the maintenance of views, screening from other land use designations and impacts on the natural environment are considered before land is designated or developed for industrial use.

#### 5.7.2. Policies

The policies of the **Board** with respect to 'Industrial' are as follows:

1. The establishment of an Industrial Development Permit Area to control form and character of industrial buildings; protection of the natural environment and protection of development from hazardous conditions;
2. Require that all fuels and other possible contaminants stored in 'Industrial' areas are properly contained;
3. Industrial uses will be restricted to those necessary for the operation of the **Resort** and for construction activities. Permitted uses in the implementing



- Zoning Bylaw may include, but are not restricted to storage of snow making machinery and equipment; maintenance functions; equipment repair; welding shop; machine shop; general storage; gravel pit and storage; batch plant functions; nursery; composting facility; and construction related uses;
4. Other lands may be considered for the 'Industrial' designation provided that the location is specified in an approved *Secondary Plan*; and potential impact on neighbouring properties is taken into consideration; and
  5. The *Board* will consider applications for Temporary Industrial Use Permits throughout the *Plan Area* to facilitate the phasing of the development (i.e. crush plant or other construction related uses).

### 5.8 Future Growth Areas

Roughly 210ha are designated future growth areas and encompass the areas identified in Phases 2, 3, and 4 in the *Master Plan*. Development in those areas would require an amendment to the OCP. This Plan is intended to include sufficient lands available for build out of Phase I of the development, which is estimated to take five years to complete.

#### 5.8.1 Objectives

The objectives of the *Board* with respect to 'Future Growth Area' are as follows:

1. To designate those lands identified in the *Master Plan* as Phases 2, 3, and 4 as future growth areas.

#### 5.8.2 Policies

The policies of the *Board* with respect to 'Future Growth Area' are as follows:

1. The *Board* will consider applications to designated lands in the 'Future Growth Area' for other uses provided they are identified in the *Master Plan*;
2. The *Board* will consider applications to designate lands beyond those identified in the *Master Plan* provided that the location is specified in an approved *Secondary Plan*.

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### 5.9 Mid-Mountain Hotel Retreat

This Plan recognizes the unique characteristics and development opportunities of the area designated 'Mid-Mountain Hotel Retreat'. The site is comprised of a bench below a ridge of Mt. Baldy that runs in a north-easterly direction. The bench, which gently slopes to the south, is located at an elevation of approximately 2075m, 225 m below the Mt. Baldy summit. Development of the mid-mountain hotel retreat area will open additional ski terrain earlier than originally planned in the Master Plan. The 'Mid-Mountain Retreat' designation has limited commercial opportunities so as not to detract from the Upper Base and future Village Base Area.

#### 5.9.1 Objectives

The objectives of the Board with respect to the 'Mid-Mountain Hotel Retreat' designation are as follows:

1. To recognize the value of a satellite hotel and retreat at the resort;
2. To recognize the unique characteristics of this site and maintain the area designated 'Mid-Mountain Retreat' as a single parcel;
3. To support the use of a gondola as the principal access for visitors to the site;
4. To discourage commercial uses in the 'Mid-Mountain Hotel Retreat' designation that will detract from the commercial uses in the Upper and Lower Village Cores; and
5. To encourage the development of the area in a manner that maximizes energy and water efficiency.

#### *5.9.2 Policies*

The policies of the Board with respect to the 'Mid-Mountain Hotel Retreat' designation are as follows:

1. In addition to uses otherwise permitted in all designations, permitted uses in the 'Mid-Mountain Retreat' designation may include, but not necessarily be limited to hotel, multiple family dwelling, places of worship, personal service establishments, workforce housing, and accessory buildings and structures;
2. A relatively large minimum area required for new parcels created by subdivision in the 'Mid-Mountain Retreat' designation will be considered;
3. Maximum allowable building heights similar to those in the Upper Base area will be established;
4. Maximum allowable parcel coverage that supports a relatively low density of development will be established;
5. Required parking in the 'Mid-Mountain Retreat' designation may be provided off-site and is not required to be covered;
6. Parking requirements in the 'Mid-Mountain Retreat' designation will be based on the requirements for multiple family dwellings, for the initial phase of development and consideration will be given to amending those requirements based on the level of use, provided it is supported by quantitative data;
7. Encourage activities aimed at water and energy conservation including landscaping that requires minimal irrigation.

## 6.0 Other Land Use Designations

The Land Use Map attached as Schedule A indicates the general locations and distributions of land use designations other than those in the built environment. The boundaries of the designations are approximate and convey their relationship relative to one another. The implementing Zoning Bylaw will define their boundaries in greater detail. Other land use designations include 'Recreational Vehicle'; 'Open Space, Trails and Parks'; 'Parking'; and 'Recreational Resource'.

### 6.1 *Recreational Vehicle*

Space will be available for recreational vehicles, adjacent to the existing parking area and adjacent to the Wapiti Residential Area. It is anticipated that Phase I will allocate 10 to 15 spaces.

#### 6.1.1. *Objectives*

The objectives of the **Board** with respect to areas designated 'Recreational Vehicle' designation are as follows:

1. To designate an area for recreational vehicle accommodation on a short term basis throughout the year (up to a maximum of 14 consecutive days); and
2. To ensure there is adequate screening between the 'Recreational Vehicle' designation and adjacent properties.

#### 6.1.2. *Policies*

The policies of the **Board** with respect to areas designated 'Recreational Vehicle' are as follows:

1. That development activities follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
2. Recreational vehicles could be connected to water services, and a sani-dump will be located at the sewage treatment plant for recreational vehicle users;
3. The implementing Zoning Bylaw will regulate the minimum area required for each site and the maximum number of days per calendar year that a recreational vehicle may park on a site;
4. All recreational vehicles must be mobile with no added floor space, decks or fixtures;
5. Long term storage of recreational vehicles will not be permitted; and
6. The implementing Zoning Bylaw will specify the screening requirements.

### 6.2 *Open Space, Trails and Parks*

Open space, trails and parks are considered important elements in the development of a high quality, year round destination resort. Open space, trails and parks, within the residential and commercial areas will be provided in addition to the public ski runs and cross-country ski trails. Landscaped areas will be designed to provide an interesting and aesthetic interlude to the built-up resort base areas.

Protection of riparian areas, as shown illustrated on Schedule 3, will retain wildlife trees, breeding and foraging areas for wildlife; provide corridors for wildlife moving or migrating through the *Plan Area*; and control erosion and sedimentation of watercourses. Other environmentally sensitive areas such as the location of the red- and blue- listed plant species and Old Growth Management Areas (OGMAs) in the *Plan Area* will be included in the 'Open Space, Trails and Parks' designation (Schedule 1 and Schedule 4).

#### 6.2.1. Objectives

The objectives of the *Board* with respect to 'Open Space, Trails and Parks' are as follows:

1. To maintain and enhance the existing trail system as illustrated in Schedule 2;
2. To recognize that protection of the natural environment is a key consideration in the continuing enjoyment of, and long term investment in the quality of the *Resort* and community;
3. To integrate 'Public Open Space, Trails and Parks' into the *Resort's* residential and commercial areas;
4. To use open spaces as a means of establishing buffer zones between various development areas and to reinforce the pedestrian focus of the *Resort*;
5. To ensure that areas within 'Open Space, Trails and Parks' designation are sensitive to natural features including watercourses and wildlife corridors.

#### 6.2.2. Policies

The policies of the *Board* with respect to 'Open Space, Parks, and Trails' are as follows:

1. That development activities follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
2. The *Regional District* will consider the establishment of a Parks Service for the *Plan Area*. Establishment of the service will enable the RDKB to collect taxes to be used for the preparation of a parks plan and for the construction and maintenance of parks features;
3. A parks plan may be prepared to identify suitable locations or public open space for unorganized play, which if desired by the community could eventually be programmed for organized sports or seasonal improvements such as an outdoor skating rink. The preparation of the parks plan could take place following the adoption of the Zoning Bylaw;
4. In accordance with the *Local Government Act*, the *Regional District* will reserve the right to take the dedicated land requirement when lands are subdivided and locate park improvements/additions, in cooperation with the developer, as it deems appropriate;
5. Old Growth Management Areas are to be managed as outlined in the *Master Plan*. The Board also encourages wind proofing of trees remaining in OGMAs as a measure to protect against wind throw;
6. The dedication of park lands may be deferred with the objective of combining lands to provide a larger community recreational area for unorganized play;

7. Trail areas will be dedicated as park and designated for public access at the subdivision stage, providing linkages between residential, commercial and recreation areas;
8. Lands dedicated as parks must be kept in perpetuity;
9. Ongoing maintenance responsibilities of all park and public recreation areas may be subject to an agreement between the **Regional District** and the **Resort** or other local private entity that may be created;
10. Ensure that the parks and trail systems are limited to using natural materials such as gravel, mulch and board walks and kept to a maximum width of 4m with adequate drainage to avoid potential impacts on watercourses. It is recognized that trails in the Village Core areas may be surfaced with other materials such as cobblestones or pavers. Details of the trails specification would be explored further in the Parks Plan;
11. Require the provision of pedestrian and other non-motorized trails throughout the **Plan Area** and to Crown lands beyond;
12. Work with the **Resort** owner/operator to ensure public access to Crown land for recreational purposes is maintained;
13. Lands designated as Open Space must include a minimum 30m (15m reserve zone; 15m management zone) undisturbed vegetated buffer on both the banks of all watercourses in the **Plan Area**;
14. Changes in and about a stream must be done in accordance with Section 9 of the *Water Act*;
15. Strongly discourage the use of all motorized recreational vehicles within the **Plan Area** due to potential disruption of natural areas, increased maintenance requirements for trails and disruption of the wilderness experience sought by non-motorized recreational users. The Board could potentially prohibit the use of all motorized recreational vehicles in the **Plan Area** if a parks service is established.

### **6.3 Parking**

The existing gravel parking lot has a capacity of 160 cars. The location is well within an acceptable walking distance to the existing Day Lodge, as well as the Eagle Chair and the McKinney T-bar. According to the Guidelines to Alpine Ski Area Development in BC, the maximum distance skiers are willing to walk carrying their equipment on flat terrain is 400m. That distance decreases with increasing topography. The **Master Plan** estimates that the existing parking lot will be expanded to accommodate approximately 670 cars and the Village Core area will accommodate an additional 720 cars.

#### **6.3.1 Objectives**

The objectives of the **Board** with respect to parking are as follows:

1. To ensure that sufficient and functional parking areas are developed;
2. To satisfy the parking requirements of day skiers and overnight guests and residents;

3. To provide adequate off-street parking to ensure optimum function of the *Resort*;
4. To minimize the potential visual impact associated with large parking lots by proper design and distribution of lots;
5. To recognize that the location and number of parking spaces required should reflect the pedestrian nature of the *Resort* and complementary uses within the base area.

#### 6.3.2. Policies

The policies of the *Board* with respect to parking are as follows:

1. That development activities follow the BC Ministry of Environment's "Guidelines and Best Management Practices" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
2. Parking requirements will be in accordance with the standards and regulations established by the implementing Zoning Bylaw and where applicable, the Ministry of Transportation regulations;
3. The implementing Zoning Bylaw will not permit on-street parking, however the residences constructed prior to the adoption of this plan will be considered legal and non-conforming with respect to parking;
4. The implementing Zoning Bylaw will require that a minimum of between 50 to 66% of the parking spaces for buildings containing three or more dwelling units is covered;
5. The implementing Zoning Bylaw will require that all parking spaces are provided on the subject property. Consideration will be given to creating a different standard in Base areas since they are adjacent to day use parking that could be used for overflow;
6. The *Regional District* will encourage the Province and the *Resort* to phase day use parking space requirements in conjunction with the *Resort* expansion and ensure that lands designated for parking lots are not compromised;
7. The *Regional District* will encourage developers to consider parking lot surface treatments to reduce the amount of siltation from storm water runoff and to control dust;
8. Ensure sufficient space is made available adjacent to surface parking areas for adequate snow storage;
9. Allow reduced snow storage areas in the Base Areas provided provisions are made for snow hauling;
10. Ensure that pedestrian circulation routes in relation to parking areas be distanced from vehicular routes and where practical separated by landscaped buffers, screens, walls and/or setbacks;
11. Encourage the incorporation of parking areas for bicycles in the Base Areas.

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## **6.4 Recreational Resource**

Areas designated 'Recreational Resource' make up the remainder of the *Plan Area* and include ski runs, and lift lines.

### **6.4.1 Objectives**

The objectives of the *Board* with respect to 'Recreational Resource' areas are as follows:

1. To encourage the provision of appropriate public recreation areas at Mt. Baldy.

### **6.4.2 Policies**

The policies of the *Board* with respect to 'Recreational Resource' areas are as follows:

1. That development activities follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
2. The *Board* may consider creating year round or summer recreational facilities at Mt. Baldy such as a recreational centre, tennis courts and sports fields if it is demonstrated that there is a demand for them;
3. Permitted uses may include hiking, biking and ski trails, horseback riding, ski lifts;
4. The inclusion of low-impact backcountry-only access areas within the *Plan Area*; and
5. The *Board* may consider applications to re-designate lands from 'Recreational Resource' to other designations with consideration of the impact on adjacent land uses and approval of the *MBSC* and the Province.

## 7.0 Workforce Housing

To be successful Mt. Baldy will require a wide variety of employees to attend to the operational and administrative aspects of the *Resort*. The employees, as residents of the *Resort*, are key to the character and image presented to visitors and must be able to function and participate in all of the activities offered by the *Resort*. Since there will be a wide assortment of jobs and employees, accommodation must consist of a wide range of housing types.

The *Master Plan* assigns ten percent of the total *bed units* for employee/resident use. At build out, this translates to a total of approximately 770 bed units. It is recognized that a portion of the workforce lives in adjacent communities and future employees may wish to do so as well. In the early phases of development it is not possible to predict what portion of employees will wish to live in the *Plan Area*. However the importance of setting aside land in all phases of development for future *workforce housing* is recognized.

### 7.1 Objectives

The objectives of the *Board* with respect to *Workforce Housing* are as follows:

1. To ensure that a spectrum of accommodation is available to individuals employed within the *Plan Area* including: rental units made available to transient seasonal workers; multi-family rental units; employee restricted rental suites within individual homes; and resident/employee-restricted, fee simple, multi- and single-family units made available for purchase.

### 7.2 Policies

The policies of the *Board* with respect to *Workforce Housing* are as follows:

1. A *workforce housing* study will be conducted to determine who would be eligible for housing, the types of housing required, governing options (i.e. housing authority) and extraction amounts and procedures;
2. A total of 10% of the buildable portion of all land acquired from the Crown for subdivision must have a housing agreement registered on title to ensure the land is available for *workforce housing* in future phases of development;
3. The *workforce housing* must be distributed and integrated in all types of development and must be phased to ensure that the necessary housing is available for employees generated in each phase of the *Resort* development;
4. There will be a diversity of housing options for the workforce (seasonal, entry level, management, and retired) that will be reflected in the housing product ranging from apartments to single family homes with both rental and ownership opportunities;
5. Any unused lands or dwelling units with *workforce housing* agreements registered on title would revert to developer at build out of the *Master Plan*;
6. The *Regional District* will consider zoning regulations to ensure *workforce housing* is made available, i.e. by specifying the minimum rental periods; allowing short term rental in resort accommodation and commercial zones only;



allowing secondary suites in *single family dwellings*; and allowing a portion of lots created by subdivision to have a smaller minimum lot size.

## 8.0 Transportation, and Road Network

Mt. Baldy is accessed by two separate provincially maintained all-weather roads, servicing two geographic areas. From Oliver the access road is approximately 36 kilometres, of which nearly one-half is paved. From Osoyoos and points east the 19 kilometre gravel road is accessed from Highway 3. Both the access roads and the public internal road network within the *Plan Area* fall under the jurisdiction of the Ministry of Transportation. Private roads in strata subdivisions are the responsibility of the respective strata corporations.

There is one gravel pit in the *Plan Area* located west of the 'Eagle Residential' area, although the deposits are nearly depleted. The Ministry of Transportation does not have any information available on gravel deposits within the *Plan Area*, however there are three active pits in the vicinity including: McKinney, Coteay Creek and Camp McKinney. It is likely that gravel deposits will be identified as required since the valley below the ski area is filled by glaciofluvial deposits.

The *Master Plan* states that the *Resort* roads will be a maximum of two lanes wide with an asphalt surface. This will minimize the cut and fill requirements to build roads; reduce the paved road surface area; and reduce the amount of snow clearing and snow storage. With the development of the Village Base Area, the transportation system will include an aerial 'people mover' to transport visitors between the Upper and Lower Base Areas. Ministry of Transportation approval would be required for any aerial road crossings.

### 8.1 Objectives

The objectives of the *Board* with respect to Transportation and Road Network are as follows:

1. To provide a safe and efficient internal road system, designed to meet anticipated demand;
2. To encourage the design of compact and walkable neighbourhoods thereby encouraging car-free travel within the *Plan Area*;
3. To support alternatives to automobile use including mechanized people movers, and trails for skiers, pedestrians and cyclists;
4. To include provision for emergency vehicle access in road designs where possible;
5. To minimize the number of stream crossings required, thereby reducing the impact on wildlife movement;
6. To encourage the use of bridge crossings over creeks rather than culverts as a measure to retain wildlife habitat and maintain wildlife corridors. Where the use of a bridge is not practical, the use of bottomless culverts would be an acceptable alternative; and
7. To encourage the planting of native riparian shrubs and trees in areas that have been disturbed by creating a stream crossing, by using the Streamside Protection Guidelines.

## 8.2 Policies

The policies of the **Board** with respect to Transportation and Road Network are as follows:

1. That development activities follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>;
2. Roads within the **Plan Area** must be designed and constructed to meet Ministry of Transportation standards for Alpine Ski Village Roads;
3. The **Board** will consider adding a Development Permit area for environmental protection of portions of stream corridors that are impacted by crossings;
4. The **Board** will encourage the development of looped roadways wherever possible and require the establishment of adequate turnarounds on dead-end roadways where it is not possible to provide a looped roadway network;
5. Encourage the use of hammerhead turnarounds rather than cul-de-sacs, where acceptable to the Ministry of Transportation, since hammerheads require less land and therefore result in less disturbance of the natural environment;
6. That consideration be given to emergency vehicle access in the design of new roads;
7. Roads must be designed such that simultaneous evacuation and emergency vehicle access can be achieved;
8. Encourage the **Resort** owners and the Province to explore alternative emergency evacuation routes from the **Plan Area**;
9. Encourage and support expansion of the private sector initiative for transit shuttle service from Oliver, Osoyoos and the Kettle Valley to the **Plan Area** in an effort to reduce the amount of vehicle traffic and day use parking at the **Resort**;
10. Support the construction of strata roads to a standard that recognizes the special mountain character of the area, provided safety and access are not compromised;
11. The conceptual location of proposed new roads in the **Plan Area** are shown as proposed roads on Schedule B while noting that the location and need for those roads may change and new roads may be identified as land use planning continues;
12. The use of street lights will be limited to intersections and signs only and all lights standards will face downwards to minimize light pollution.

## 9.0 Water Service

Mt. Baldy's water supply system became a Public Utility (Mt. Baldy Waterworks) under the jurisdiction of the Water Comptroller on July 1, 2005. Water is currently provided from diversions in the headwaters of McKinney Creek on Tributaries 2 and 3. Flows are diverted to two open reservoirs located within the *Plan Area*:

	Watercourse	Elevation (m)
Reservoir "A" (Upper Reservoir)	Tributary 2	1823
Reservoir "B" (Lower Reservoir)	Tributary 3	1775

The water, which is supplied by gravity, is treated with ultraviolet disinfection.

The reservoirs have a combined capacity of 4,540m<sup>3</sup>. The system currently serves 822 *bed units* with infrastructure for up to 1000 *bed units*. There have been no documented water shortages even during recent dry and warmer than normal years. Given the anticipated 800% increase in demand for water, Mt. Baldy Waterworks retained Summit Environmental Consultants Ltd. to conduct a water supply study. The report, "Mt. Baldy Surface Water and Groundwater Supply Investigation" was completed in January 2006.

The investigation determined that the current annual water demand is approximately 17,350m<sup>3</sup>, or roughly 16% of existing water licenses held for waterworks (110,680m<sup>3</sup>). This licensed quantity is fully supported by storage licenses for 127,543m<sup>3</sup>. Based on the supply and demand estimates, a future demand of approximately 155,120m<sup>3</sup> can be met through the utilization of surface water alone, even under a 25-year drought with consideration of the predicted effects of climate change. While the water demands could be met with surface water, confined groundwater sources would be more desirable since less treatment would be required.

It is projected that Phase I of the development will add 1460 *bed units*, more than doubling the current water requirements. Water requirements in Phase I will likely be from a combination of surface water and ground water wells in the Upper Base Area. The near future water requirements will be met by increased storage capacity of the existing reservoirs and construction of a new reservoir for treated water. Increased water requirements may also be met by additional drilled wells. A new water treatment facility is under construction.

Also of importance are the implementation of water conservation measures to reduce the storage and treatment requirements and monitoring actual water use and stream flows.

### 9.1 Objectives

The objectives of the *Board* with respect to Water Service are as follows:

1. To ensure there is sufficient water volume to serve domestic and fire protection needs;
2. To ensure that water for domestic use meets the Canadian Drinking Water Guidelines; and
3. To promote efficient use of water and reduce water consumption rates where ever possible.

## 9.2 Policies

The policies of the **Board** with respect to water service are as follows:

1. All development in the **Plan Area** must be connected to the Mt. Baldy Waterworks supply system;
2. Require that water is available in sufficient quantities for fire suppression in addition to that required for domestic use;
3. All costs associated with system of water collection, treatment and distribution are the responsibility of Mt. Baldy Waterworks;
4. Encourage the **Resort** to explore methods to limit grazing in riparian areas, particularly to take actions to discourage cattle from grazing in the drainage area above the point of diversion for the reservoir intakes for as long as those areas are used for domestic water;
5. The implementing Zoning Bylaw will only include lands with an adequate water supply;
6. Encourage, through the development permit process, that landscaping is done with native plant species that only require irrigation while the plant roots are becoming established, and the use of minimal or no turf areas;
7. Promote the use of water meters approved by and meeting the standards of Mt. Baldy Ski Waterworks to be installed on all new construction;
8. The **Board** will consider adopting a Bylaw to restrict water use for irrigation of landscaped areas;
9. Require water conservation measures for all new construction by amending the **Regional District's** Building Bylaw to require water-conserving plumbing fixtures including low-flow toilets; low-flow shower heads and faucets; and
10. Encourage the use of water-conserving models of dishwashers and washing machines.

## 10. Sanitary Sewer Service

Existing development at Mt. Baldy is serviced by a sewage treatment plant that is owned by Strata Corporation KAS1840. The sewage treatment and disposal infrastructure is located on land leased from the Province.

Sewage is collected by a conventional gravity collection system, which is directed to a two cell aerated lagoon system. Wastewater effluent from the treatment plant is disposed to ground utilizing an infiltration basin system located south of the junction of the Oliver and Rock Creek Access Roads.

The sewage treatment plant will be decommissioned sometime during the first phase of the development and re-built near the infiltration basin system. At that time Mt. Baldy Ski Corporation could assume ownership of the infrastructure. The new treatment facility would be constructed in phases as the *Resort* development proceeds.

A gravity trunk sewer generally following the alignment of the existing Mt. Baldy Access Road will be constructed to collect wastewater by gravity from all development phases. It is not anticipated that pumping stations will be required.

### 10.1 Objectives

The objectives of the *Board* with respect to sanitary sewer service are as follows:

1. To provide the existing and proposed development with full sanitary sewer service with sufficient capacity;
2. To ensure the level and phasing of service corresponds with the pace of development; and
3. To ensure that a future location of the sewage treatment plant will not conflict with other land uses.

### 10.2 Policies

The policies of the *Board* with respect to sanitary sewer service are as follows:

1. All development within the *Plan Area* must be connected to the sanitary sewer system; and
2. The *Regional District* may consider assuming ownership and operation of the sanitary sewer system at a future date in order to facilitate transfer of ownership from Strata 1840.

## 11. Fire Protection

Mt. Baldy is located in a forested mountainous area that has been identified by the province as being at risk for interface fire. There is no fire protection service at Mt. Baldy at the time this Plan was prepared.

### 11.1 Objectives

The objectives of the **Board** with respect to Fire Protection Services are as follows:

1. To ensure existing and proposed development at Mt. Baldy are given consideration in the provision of fire protection services;
2. To develop a plan for the best possible protection from interface and structural fire within the constraints of the community size and isolated location.

### 11.2 Policies

The policies of the **Board** with respect to Fire Protection Services are as follows:

1. Adoption of a Sprinkler Control Bylaw for the **Plan Area** to require all new construction to include an automatic fire sprinkler system in accordance with the National Fire Protection Association standards for the installation of fire sprinklers. This policy shall not apply to the Eagle Residential land use designation;
2. Incorporation of strategies to reduce the risk of interface fire in the development permit guidelines including adequate fire truck access, the use of fire-resistant building materials, and landscaping;
3. Consider the introduction of an amenity cost charge at the re-zoning stage of development to collect fees that would be used to establish a Fire Protection Service;
4. Consider requesting the Ministry of Transportation Approving Officer to require restrictive covenants at the subdivision stage of development to address interface fire protection measures such as the clearing of lands from around residential structures, the on-going maintenance of vegetation, types of building materials, construction design and criteria (e.g. screening of all openings);
5. Develop a plan to whereby a fire protection service is established as soon as it is economically feasible;
6. Ensure an adequate amount of land is made available for the provision of fire protections services;
7. Cooperate with other government agencies to help reduce the risk of fire in the **Plan Area** through specific programs or initiatives;
8. Encourage the use of ski runs and other recreation areas such as a golf course, and trails to act as fire breaks between the natural forest and the built environment;
9. Design trails to accommodate fire response vehicles, fire department response to an interface fire can be facilitated;

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10. Consider adopting a Subdivision Servicing Bylaw to regulate standards for the location and types of fire hydrants; and
11. Encourage the re-activation of the forest service road on the west side of the *Plan Area* that could be used as an evacuation in an emergency.



## 12. Implementation Strategy

Following the adoption of this OCP, there are various ways to ensure that the stated goals and objectives are achieved. Implementation will be the ongoing responsibility of the *Regional District*, whose actions must conform to the OCP. The co-operation of the Province, private groups and the public will also be required.

Some general mechanisms that will be required are listed below:

1. The *Regional District* will encourage the support and coordinated efforts between itself, the province and private organizations;
2. The *Regional District* will strive to ensure that the policies in the OCP are properly, fairly and reasonably implemented;
3. The *Regional District* will consider the policies in this OCP in preparing short and long term budgetary requirements;
4. The *Regional District* will consider applications to re-designate properties from Recreational Resource to residential or commercial use provided they are accompanied by a *Secondary Plan*; and
5. A *Secondary Plan* is not required for proposed Public and Institutional uses including: community hall, fire hall, public and private educational facilities, first aid post, hospital, community recreation centre, public service use, recycling facilities, public utility use, or ski patrol building.

Some Land Use Control mechanisms that will be required are listed below:

1. The Mt. Baldy Zoning Bylaw must be drafted to conform with the policies of this Plan;
2. In order to accommodate specific site conditions or circumstances, the densities and uses referred to in this Plan may be further refined in the implementing bylaws provided that the general intent and purpose of the Plan is respected;
3. The authority for subdivision approval remains with the Ministry of Transportation's Approving Officer who may have regard to the policies in this Plan in considering subdivision applications; and
4. The *Regional District* may enact bylaws in addition to a Zoning Bylaw that are considered reasonable and appropriate in order to implement this Plan.

### **13. Development Permit Areas**

The *Local Government Act* enables the *Regional District* to designate areas of Mt. Baldy as Development Permit Areas. For those areas a Development Permit must be obtained before a Building Permit can be issued.

Three Development Permit Areas have been established in the *Plan Area* as illustrated in Schedule 5:

1. Alpine Residential and Commercial Development Permit Area;
2. Eagle Residential Development Permit Area; and
3. Alpine Industrial Development Permit Area.

The objectives and guidelines for each Development Permit Area are discussed separately in Appendix A, Appendix B, and Appendix C, respectively.

### ***Appendix A: Alpine Residential and Commercial Development Permit Area***

The Alpine Residential and Commercial Development Permit Area applies to all residential and commercial developments in the ***Plan Area*** with the exception of the Eagle Residential Area (Strata KAS1840), which has its own set of development permit guidelines.

A Development Permit is required for the construction of new residential and commercial developments, and for additions to existing structures that exceed 100m<sup>2</sup> in finished floor area. A Development Permit is not required for subdivision, site preparation work or road construction.

A Permit issued under this section can not vary use or density; or relax the parking regulations in the implementing Zoning Bylaw.

A Development Permit may reduce setback distances or reduce building height by up to 1 metre. Applications for such variances must:

- Be consistent with the guidelines of this section;
- Enhance the proposal;
- Be necessary due to an unavoidable physical constraint; and
- Not cause an adverse impact on an adjacent property

Proposals to vary setback distances or building height by greater than 1 metre may be considered as part of a Development Variance or a Board of Variance Application.

#### ***Objectives***

The Alpine Residential and Commercial Development Permit Area is designated pursuant to the following sections of the *Local Government Act*:

- Section 919.1(1)(a) protection of the natural environment, its ecosystems and biological diversity;
- Section 919.1(1)(b) protection of development from hazardous conditions;
- Section 919.1(1)(e) establishment of objectives for the form and character of ***intensive residential development***; and
- Section 919.1(1)(f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

The purpose of the Alpine residential and Commercial Development Permit Area is to create and preserve harmonious design and to protect the value of property within the community. The success and enjoyment of the ***Resort*** is highly dependent upon an attractive, safe and functional built environment. Large accumulations of snow, a short growing season, steep slopes and other alpine challenges must be considered in the design of buildings and the restoration of the natural landscape to ensure optimal safety and practicality.

The objectives are:

- To preserve and protect the beauty of the natural environment;
- To promote protection of views, sun exposure and privacy by proper site planning, taking into consideration neighbouring structures;
- To promote a harmonious relationship of buildings, landscape, topography, vehicle and pedestrian circulation and overall community design;
- To enhance public safety and protection within the built environment;
- To maximize the ski-in, ski-from opportunities in the *Plan Area*;
- To encourage "Green Building and Design";
- To mitigate the loss of surficial materials through erosion, and control dust during the summer months;
- To create a built form that promotes a vibrant *Resort* village and destination;
- To promote a dark night sky; and
- To encourage development activities that follow the BC Ministry of Environment's "Guidelines and Best Management Practices", which can be found at <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>.

The Upper Base Area, located at an elevation of 1,740m (5,709'), is within an environmentally sensitive alpine area. Mt. Baldy receives 6.5m (21.5') of snow in an average year. Since the growing season is short, the ecosystem is very easily disrupted and difficult if not impossible to return to its natural state. Construction activities often take place on slopes that are highly susceptible to erosion. It is therefore desirable to preserve as much of the existing vegetation and soil as possible during the construction phase. The goal of landscaping at Mt. Baldy is preservation and enhancement of the natural landscape, and not necessarily to create a manicured appearance. The natural vegetation and rocky terrain should be preserved and augmented as development progresses.

On steeply sloped sites building designs are to minimize visual impacts and complement the sloping terrain.

### ***Guidelines***

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Detailed guidelines are listed below under the following headings:

- Access and Loading;
- Waste Management;
- Drainage Management;
- Snow Management;
- General Building Form;
- Roof Form;
- Roof Form for Single Family Dwellings and Duplexes;
- Exterior Finish;
- Outdoor Lighting;
- Development on Steep Slopes; and
- Vegetation and Erosion Management.

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All of the guidelines are applicable to multiple family residential developments and commercial developments; however only the following apply to single family dwellings and duplexes:

- Roof Form for Single Family Dwellings and Duplexes;
- Outdoor Lighting; and
- Vegetation and Erosion Management.

### ***Access and Loading (Single Family Dwellings and Duplexes Exempt)***

Multiple Family Developments and Commercial buildings must have practical access and loading areas taking the following factors into consideration:

- Practical access and egress must be provided for passenger vehicles;
- Appropriate fire-truck and other emergency vehicle access must be ensured. RDKB Fire department staff may be asked to comment on applications;
- Proposed hotels must show a sufficient loading area for deliveries and enhanced ingress and egress to accommodate buses. Applicants are encouraged to consult with the Ministry of Transportation and Highways before applying for a development permit;
- Details of outdoor parking and maneuvering areas must be provided including gradient analysis ensuring safe year round access if required;
- Skier access to and from buildings must be maintained wherever possible;
- Loading bays to service the commercial areas should be located outside main **Resort** circulation areas wherever possible; and
- Where a new development is being considered in proximity to an existing neighbourhood, ski-in/ski-from routes must be considered whereby existing properties should not be negatively impacted and possible extensions into the new development areas should be considered.

### ***Waste Management (Single Family Dwellings and Duplexes Exempt)***

Multi-family developments with ten or more units and commercial buildings are required to provide space for and allow for servicing of waste disposal and recycling bins.

One 6m<sup>3</sup> waste bin and one 6m<sup>3</sup> recycling is recommended for every twenty dwelling units, or forty hotel rooms, up to a maximum of four bins per building. All garbage bins and recycling containers must be screened from view wherever possible for aesthetic reasons and be stored internally to prevent wildlife from gaining access.

For exclusively commercial uses, the waste disposal and recycling requirements will be determined at the time of application. The **Regional District's** Director of Environmental Services will be asked to comment on applications.

### ***Drainage Management (Single Family Dwellings and Duplexes Exempt)***

A Drainage Management Plan prepared by a professional engineer must consist of a written explanation and scaled drawing of the proposed development site. The plan must address how surface water will be retained on site. Drainage across land must be controlled in a manner, which does not increase discharge off the land, or alter the drainage pattern in a manner which negatively impacts other public or private land. The Plan must demonstrate that post development storm water flow rates onto Ministry of Transportation roads are not permitted to exceed pre-development flow rates.

### ***Snow Management (Single Family Dwellings and Duplexes Exempt)***

A Professional Architect or Engineer must assure the **Regional District** in writing that people and property are protected in a reasonable manner from the risk of snow

shedding. A Snow Management Plan must be provided taking the following factors into consideration:

- Roofs must be designed to retain snow;
- The plan must describe snow management measures to maintain safe vehicle and pedestrian access to buildings;
- All pedestrian and vehicle access points must be protected from snow shedding and ice accumulation;
- Ski ways and pedestrian pathways must also be away from potential roof avalanche areas;
- A Site Plan must indicate the size and location of any snow storage areas; and
- The plan must also identify snow storage areas on the property and/or clearly describe how and where excess snow is to be removed.

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**General Building Form (Single Family Dwellings and Duplexes Exempt)**

*Building facades should appear as a composition of several segments or masses rather than a large, homogeneous entity. Buildings should not dominate the landscape or overpower the pedestrian scale.*

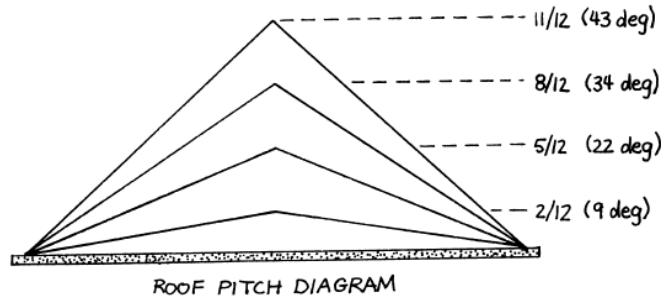
- The massing of buildings should be articulated such that no unbroken expanse of building façade should exceed 12m before a shift in wall plane occurs;
- The principal ridge line on the building should not exceed 25m at which point the ridge line should be offset or shifted, or take on a different alignment;
- No roof plane should be longer than 15m without articulation or an intersecting segment;
- Use of porches, courtyards and entry features that define ground levels of buildings, provide visual interest and define the human scale are encouraged;
- Covered walkways should be designed within or attached to the building mass;
- Balconies should be simply designed; the use of long vertical or horizontal bands of balcony space is discouraged;
- Balconies should be covered and/or protected from snow and ice buildup;
- Where possible buildings and windows should be oriented in such a manner to take advantage of passive solar radiation;
- Where possible and within these guidelines, construction materials should be derived from renewable and/or recycled material; and
- Design must take into account the effect which the proposed structure or improvement will have upon other building sites or views.

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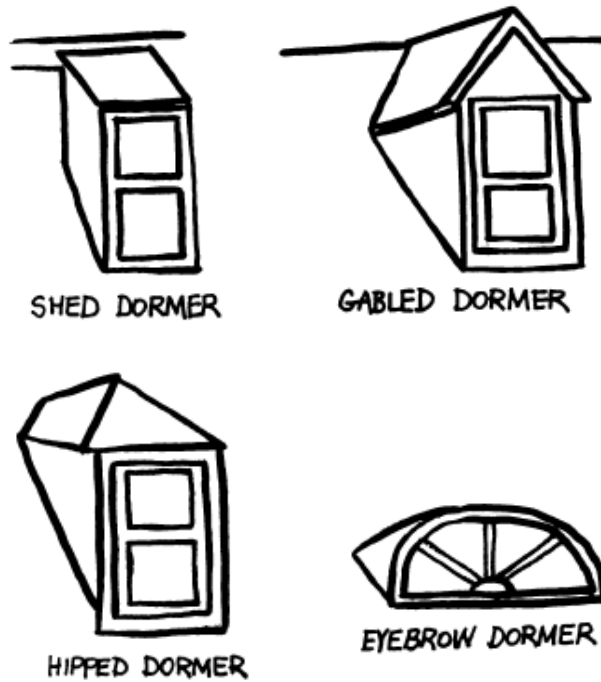
**Roof Form (Single Family Dwellings and Duplexes Exempt)**

*Roofs should be simple, and designed to retain snow. The intent of snow retention is protection of pedestrians and property.*

- Roofs should be predominantly simple gables with slopes between flat and 12:12 (40 degree slope);



- Acceptable dormer shapes include shed, gable, hip & eyebrow;



- The mass of a single large roof should be broken into a collection of roofs and/or masses;
- Roof overhangs should be provided;
- The undersides of roofs should be enclosed with non-combustible materials;
- Chimneys and other obstructions should be sited near the peak of the roof;
- Adequate roof ventilation is key to the 'cold roof' concept. Convective ventilation consisting of continuous vents at the eaves and exhaust vents at gable ends and/or the ridge line is preferred;
- Use of ornaments such as finials, scroll work on ridges and/or decorative turrets are discouraged;
- Roof top access stairs, elevator shafts and mechanical equipment should be designed to be contained within the roof and/or screened from important sight lines; and
- Materials should be of low flammability especially in high density areas.

## Roof Form for Single Family Dwellings and Duplexes

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- Roofs should be simple and designed to retain snow;
- Roofs should be pitched; and
- Materials should be of low flammability especially in high density areas.

## Exterior Finish (*Single Family Dwellings and Duplexes Exempt*)

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*Exterior Finish materials must reinforce the vision statement and desired development character. A variety of simple architectural components, which contribute to the visual interest of the building and can showcase quality craftsmanship and architectural design, are encouraged. Window, door and porch openings are important feature design elements.*

- Materials that reinforce the rustic and rural context of Mt. Baldy will be used. Materials should be selected based on their durability, weathering potential, compatibility with the surrounding landscape and historic use within a traditional mountain resort;
- Mt. Baldy's extreme freeze/thaw cycle and frequent large accumulations of snow must be considered in the selection of materials;
- Proposed buildings must be consistent with the mountain setting with appropriate designs and cladding such as stone; stucco (traditional or acrylic); treated/textured concrete; stained or painted wood siding; cedar, redwood or other rot resistant species; and cementous composite siding (highly recommended);
- Roofs should be made of a high friction material;
- Use of heavy natural log or timber beams and posts are encouraged;
- Use of corner boards, brackets, knee braces, exposed steel fasteners and substantial trim boards is encouraged.
- Use of stone and or stucco covering the lower portions of buildings is encouraged;
- A limit of three materials per building is recommended in order to reduce visual disorder;
- Materials at the ground floor level should be chosen for their durability and detailed in a manner which respects the pedestrian scale;
- Large windows, which maximize the percentage of glass allowable for view and curb elevations of the building, are encouraged;
- Window frames may be constructed of wood, wood covered with colour-fast cladding, or vinyl with thermal break;
- Door openings should be protected from the wind and overhanging or drifting snow;
- Exterior finishes should be in earth tones, however accent colours may be used for doors; and trim;
- Materials of low flammability are encouraged.

## Outdoor Lighting

Outdoor lighting should be designed to minimize the affect of lighting on the night sky. Shielded low pressure sodium light fixtures are preferred.



### **Development on Steep Slopes (*Single Family Dwellings & Duplexes Exempt*)**

Development on slopes exceeding 30% requires a Geotechnical Engineering Report, signed by a professional engineer, ensuring that slope stability will be maintained. Recommendations made in the Geotechnical Report will be incorporated as conditions of the Development Permit. While a Geotechnical Report may not necessarily be required as part of the Development Permit process, the building inspector may require one as part of the application for a building permit.

### **Vegetation and Erosion Management**

The purpose of Vegetation and Erosion Management in the Plan Area is to mitigate the loss of surficial materials through erosion, control dust during the drier times of the year, retain natural vegetation and encourage use of drought and fire resistant plants. A number of factors should be considered when preparing a Vegetation and Erosion Management Plan including: pre-construction inventory; protection of existing trees, vegetation and landscape features; erosion control; fire protection; selection and planting of vegetation; and maintenance. Those factors are discussed below.

#### *Pre-construction Inventory*

A preliminary site assessment should be conducted. Pre-construction site conditions including ground cover, vegetation and the presence of rock outcrops should be noted. The assessment should be used to determine the best location of the building pocket and which trees and vegetated areas will be left undisturbed. An assessment should also be made of the topsoil and whether it should be separated and stock piled for use following construction.

#### *Protection of Trees and Other Vegetation*

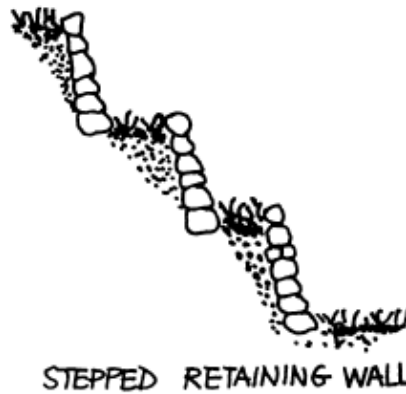
At high altitudes, large trees take 50 years or more to mature, therefore retention of existing vegetation rather than re-planting is desired. Favourably situated and healthy trees and other vegetation should be preserved where possible. Trees retained in groups rather than individuals have a better chance of survival. Maintaining the natural grade around tree trunks and avoiding disturbance in the drip line will also provide a better chance of survival. Burying of tree trunks gives trees a poor chance of survival.

Methods to avoid disturbance of existing trees and vegetation during construction include: fencing, construction of tree wells (if ground elevation must be raised greater than 6cm), and construction of retaining walls around the tree to maintain the natural grade. A "construction" strip should be limited to the building footprint, driveway and water/sewer trenching area. In addition, locating snow storage areas away from treed areas will result in the better chance of survival.



*Erosion Control*

The area disturbed during construction should be minimized. Disturbed areas will require stabilization to minimize loss of surficial material. Stabilization may be achieved by construction of retaining walls or vegetative covers provided they are well established during the short growing season. Drain rock, placed around the perimeter of buildings may be used to provide stability.



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Driveways and parking areas should be constructed and maintained in such a way so as not to shed onto or in any way damage or litter the highway or other areas.

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*Fire Protection*

Vegetation and Erosion Management techniques can be implemented to minimize the hazard of wildfires spreading to buildings. Maintenance of a fuel free zone immediately around all buildings should be maintained. Firefighters at the interface fires fought in Kelowna and Kamloops in the summer of 2003 noted that bark mulch used in landscaping around homes was very difficult to extinguish. Therefore the use of bark mulch should be confined to small areas in garden beds, the main purpose of which is to retain moisture.

Selection of trees and vegetation should take into consideration flammability. Plants with low flammability have the following characteristics: require little water, contain low amounts of volatile oils, are compact and located low to the ground, and grow well in open sunny areas.

It is imperative that the volume of construction debris on site at any time be minimized and removed following project completion.

*Selection and Planting of Vegetation*

The selection of plants to choose from is limited due to the harsh climate and short growing season. Non-native decorative plants have a poor chance of survival; therefore plants should be obtained from nurseries that grow native plant species. Transplanting vegetation from adjacent undisturbed areas is not an acceptable practice. At the time of writing these guidelines there were two nurseries in the Okanagan that supply native plant species: Wild West Nursery in Okanagan Falls (250.809.8400) and Sage Brush Nursery in Oliver (250.498.8898).

The list of species presented below were chosen based on their availability, low maintenance and watering requirements, and low flammability (see Table 1). The use of juniper in landscaping is discouraged since it is highly flammable.

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Table 1. Selected Plant Species Suitable for Erosion Control at Mt. Baldy.

	Species	Height (cm)	Comments
Flowers	Yarrow <i>Achillea millefolium</i>	20-50	Dry, poor soils, to sub-alpine elevations, aboriginals used it for repelling mosquitoes
	Pearly Everlasting <i>Anaphalis margaritacea</i>	30-60	Dry, poor soils, roadsides, to sub-alpine elevations
	Yellow Columbine <i>Aquilegia flavescens</i>	60-90	Moist soils, partly shaded roadsides and glades, sub-alpine meadows
	Western Columbine <i>Aquilegia formosa</i>	60-90	Moist soils, partly shaded roadsides and glades, sub-alpine meadows
	Arctic Lupin <i>Lupinus arcticus</i>	30-60	Adaptable to a wide variety of soils, likes sun and moisture, as legumes, lupines enrich the soil with nitrogen, often with trees, middle to sub-alpine elevations
Shrubs	Mountain Alder <i>Alnus tenuifolia</i>	3m	Seeks wet ground, creek edges, usually found in pure clumps and borders where there is good exposure, sprawling and shrub like at high elevations, leaves do not turn brown in fall, but remain green until they fall
	Kinnickinnick <i>Arctostaphylos uva-ursi</i>	5-10	Coarse gravel soil, exposed well drained soil, can form large, unbroken ground cover in open, dry forest, found to timberline
	Shrubby Cinquefoil <i>Potentilla fruticosa</i>	90	Exposed, roadside, high sub-alpine to alpine
	Prickly Rose <i>Rosa acicularis</i>	30-100	Low ground cover in partly open forest stands
	Wood's Rose <i>Rosa woodsii</i>	to 90	Dry sites at high elevations
	Creeping Oregon-Grape <i>Mahonia repens</i>	15-30	Dry, sub-alpine
Trees	Lodgepole Pine <i>Pinus contorta</i> var. <i>latifolia</i>	to 30m to 9m	To sub-alpine elevations, only 2 needle pine in BC Very low flammability
	Trembling Aspen <i>Populus tremuloides</i>		



Soil development in the alpine landscape is poor and should therefore be retained wherever possible. Where there is very little topsoil consider adding topsoil, providing a

starter fertilizer and watering. Establishment of plants early in the growing season is very important since the growing season is short.

Plantings should be placed in areas where they will be protected from snow plow damage. The advantage of using native plant species is that once the plants are established very little maintenance is required. Irrigation will however be required following planting until the roots become established. Container plants may require water for up to two growing seasons to ensure development of their root base.

#### *Vegetation and Erosion Management Plan Requirements*

This section provides details on the type of information to include in the Vegetation and Erosion Management Plan. The Plan must be site specific due to differences in on-site features, slope, aspect, micro-climate, and soil. Both a site plan and written text must be included in the Plan. Applicants may consider using the services of a registered professional to prepare the Plan and to supervise installation of the Vegetation and Erosion work.

The site plan should be scaled with a north arrow and contour lines. The site plan should show the location of existing and/or proposed building(s) and hard surfaces such as walkways and driveways. Natural drainage features should also be shown and areas to be retained in a natural state identified. Other items to include are: areas to be planted with trees, shrubs, flowers, or other horticultural elements, and screening. The site plan should also indicate the location of any areas that will require bank stabilization and if so the method that will be used. Snow storage areas should also be indicated on the site plan.

The written text will address details such as methods to: preserve existing vegetation including trees, preserve existing topsoil, control erosion, protect structures from fire, and prepare areas to be planted. The text should also list species to be planted and the size and density of the plantings.

### ***Appendix B: Eagle Residential Development Permit Area***

The Eagle Residential Development Permit Area applies to all residential developments in Strata Plan KAS1840, which pre-dates the ***Master Plan*** for Mt. Baldy. A Development Permit is required for new residential construction, and for additions to existing structures that exceed 100m<sup>2</sup> (1076ft<sup>2</sup>) in finished floor area. A Development Permit is not required for subdivision, site preparation work or road construction. A permit issued under this section cannot vary use or density.

A Development Permit may reduce setback distances or increase building height by up to 1 metre. Applications for such variances must:

- Be consistent with the guidelines of this section;
- Enhance the proposal;
- Be necessary due to an unavoidable physical constraint; and
- Not cause an adverse impact on adjacent properties

Proposals to vary setback distances and height by greater than 1 metre may be considered as part of a Development Variance or a Board of Variance Application.

#### ***Objectives***

The Eagle Residential Development Permit Area is designated pursuant to the following sections of the *Local Government Act*:

- Section 919.1(1)(a) protection of the natural environment, its ecosystems and biological diversity;
- Section 919.1(1)(b) protection of development from hazardous conditions; and
- Section 919.1(1)(e) establishment of objectives for the form and character of ***intensive residential development***.

#### ***Guidelines***

Bylaw  
1580,  
2016

The Vegetation and Erosion Management Guidelines outlined in Appendix A also apply to the Eagle Residential Development Permit Area. Additional guidelines are outlined below:

- Drainage must follow a natural path and not be detrimental in any way to any neighbouring strata lot;
- All exterior wall and roof materials of dwellings must meet the colour scheme criteria acceptable to Strata Corporation KAS1840. Exterior wall and roof colour is restricted to finishes chosen from the natural earth tones (i.e. any of the various warm, muted colours ranging from neutral to deep brown. No primary colours will be permitted;
- Exterior wall material must be of a brick, stucco, stone, log, natural wood, cementous composite, or materials and finishes that are reasonably similar thereto;
- Outdoor lighting should be designed to minimize the affect of lighting on the night sky. Shielded low pressure sodium light fixtures are preferred; and

Bylaw  
1442, 2010

Roofs should be simple and designed to retain snow.

- An alternative roof design may be considered, provided the application includes an assurance from a qualified registered professional with expertise in roof design in high snow load areas, that people and property are protected in a reasonable manner from the risk of snow shedding.

Bylaw  
1559. 2015

### ***Appendix C: Alpine Industrial Development Permit Area***

The Alpine Industrial Development Permit Area applies to all lands in the *Plan Area* designated 'Industrial'. A Development Permit is required for the construction of buildings for industrial use, and for additions to existing structures that exceed 100m<sup>2</sup> (1076ft<sup>2</sup>) in finished floor area. A Development Permit is not required for subdivision, site preparation work or road construction. A Permit issued under this section can not vary use or density; or relax the parking regulations in the implementing Zoning Bylaw.

A Development Permit may reduce setback distances or increase building height by up to 1 metre. Applications for such variances must:

- Be consistent with the guidelines of this section;
- Enhance the proposal;
- Be necessary due to an unavoidable physical constraint; and
- Not cause an adverse impact on an adjacent property.

Proposals to vary setback distances and height by greater than 1 metre may be considered as part of a Development Variance or a Board of Variance Application.

#### ***Objectives***

The Alpine Industrial Development Permit Area is designated pursuant to the following sections of the *Local Government Act*:

- Section 919.1(1)(a) protection of the natural environment, its ecosystems and biological diversity;
- Section 919.1(1)(b) protection of development from hazardous conditions; and
- Section 919.1(1)(f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

#### ***Guidelines***

Buildings and development within an area designated 'Industrial' should be as unobtrusive as possible taking into consideration views from ski slopes and existing and future residential uses. Development activities should follow the BC Ministry of Environment's "*Guidelines and Best Management Practices*", which can be found at <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>.

A buffer strip, at least 20m in width, comprised of mature trees must be maintained around lands designated for exterior storage or a warehousing use. A lesser width buffer would be considered if the vegetation is of sufficient density to minimize visual impact. While a vegetative buffer strip is preferable, given the short growing season the use of tight board fencing as a screen would also be acceptable.

Outdoor lighting should be designed to minimize the affect of lighting on the night sky. Shielded low pressure sodium light fixtures are preferred.

Bylaw  
1442,  
2010

Roofs should be simple and designed to retain snow. Driveways and parking areas should be constructed and maintained in such a way so as not to shed onto or in any way damage or litter the highway or other areas.

Bylaw  
1580,  
2016

The Vegetation and Erosion Management guidelines outlined in Appendix A also apply to the Alpine Industrial Development Permit Area.

**READ A FIRST AND SECOND** time this 22<sup>nd</sup> day of February, 2007.

**PUBLIC HEARING NOTICE ADVERTISED** this 21<sup>st</sup> day of March, 2007 and also  
this 28<sup>th</sup> day of March, 2007 in the Times Mountaineer.

**PUBLIC HEARING** held on this 5<sup>th</sup> day of April, 2007.

**READ A THIRD TIME** this 3<sup>rd</sup> day of May, 2007.

I, Elaine Kumar, Director of Corporate Administration hereby certify the foregoing to be a true and correct copy of Bylaw No. 1335, cited as "Mt. Baldy Ski Resort Official Community Plan Bylaw No. 1335, 2007" as read a third time by the Regional District of Kootenay Boundary Board of Directors this 3<sup>rd</sup> day of May, 2007.

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Director of Corporate Administration

Received the approval of the Ministry of Community Services this 3<sup>rd</sup> day of July, 2007.

**RECONSIDERED AND FINALLY ADOPTED** this 26th day of July, 2007.

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Director of Corporate Administration

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Chair

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1335, cited as "Mt. Baldy Ski Resort Official Community Plan Bylaw No. 1335, 2007".

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Director of Corporate Administration